

Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

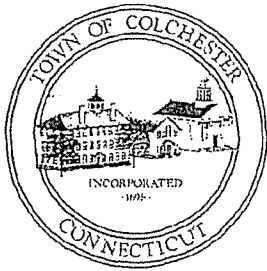
Gregg Schuster, First Selectman

**Board of Selectmen Regular Meeting Agenda
Thursday, June 2, 2011
Colchester Town Hall**

Meeting Room 1 – 7:00pm

1. Call to Order
2. Additions to the Agenda
3. Approve Minutes of the May 19, 2011 Regular Board of Selectmen meeting
4. Citizen's Comments
5. Boards and Commissions – Interviews and/or Possible Appointments and Resignations
 - a. Sewer & Water Commission. Member re-appointment to the Sewer & Water Commission to a three-year term to expire 6/30/2014.
Tom Tripodi to be interviewed.
 - b. Sewer & Water Commission. Member re-appointment to the Sewer & Water Commission to a three-year term to expire 6/30/2014.
Ron Silberman to be interviewed.
 - c. Commission on Aging. Member or Alternate Appointment to the Commission on Aging for a term to be designated dependent on appointment. Goldie Liverant to be interviewed.
 - d. Commission on Aging. Member or Alternate Appointment to the Commission on Aging for a term to be designated dependent on appointment. Marilyn Finnigan to be interviewed.
 - e. Commission on Aging. Discussion and Possible Appointment of Herb Davis, Goldie Liverant, Rob Gustafson, or Marilyn Finnigan to the Commission on Aging
 - i. Two Open Member Positions; expiring 12/31/11 and 12/31/13
 - ii. Two Open Alternate Positions; expiring 12/01/11 and 12/01/12
6. Budget Transfers
7. Tax Refunds & Rebates
8. Discussion and Possible Adoption of A Resolution Concerning African American Revolutionary War Patriots of Colchester, Connecticut and the Proposed National Liberty Memorial
9. Discussion and Possible Action on Contract for Portal Services

10. Discussion and Possible Action of Refinancing of 2002 Bond Issue
11. Discussion and Possible Action on CTIP Application for Wellness Center on Hayward Road
12. Discussion and Possible Action on Recreation Manager Job Description
13. Discussion and Possible Action on Hiring Policy Update
14. Discussion and Possible Action on Proposed Ordinances
15. Citizen's Comments
16. First Selectman's Report
17. Liaison Report
18. Adjourn



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

**Board of Selectmen Regular Meeting Minutes
Thursday, May 19, 2011
Colchester Town Hall**

Meeting Room 1 – 7:00pm

RECEIVED
COLCHESTER, CT
2011 MAY 20 PM 3:51
TOWN OF COLCHESTER

MEMBERS PRESENT: First Selectman Gregg Schuster, Selectman James Ford, Selectman Stan Soby, Selectman Greg Cordova, and Selectman Rosemary Coyle

MEMBERS ABSENT:

OTHERS PRESENT: Derrik Kennedy, Greg Plunkett, Marc Tate, Jim Paggioli, Sal Tassone, Adam Turner, Ryan Blessing, and other citizens.

1. **Call to Order**
First Selectman G. Schuster called the meeting to order at 7:00 p.m.
2. **Additions to the Agenda**
None.
3. **Approve Minutes of the May 5, 2011 Special Commission Chair Meeting**
S. Soby moved to approve the minutes of the May 5, 2011 Special Commission Chair Meeting, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
4. **Approve Minutes of the May 5, 2011 Regular Board of Selectmen meeting**
G. Cordova moved to approve the minutes of the May 5, 2011 Regular Board of Selectmen meeting, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
5. **Citizen's Comments**
None
6. **Boards and Commissions – Interviews and/or Possible Appointments and Resignations**
 - a. **Ethics Commission. Member re-appointment to the Ethics Commission to a three-year term to expire 5/30/2014.**
R. Coyle moved to appoint Dan Henderson as a member to the Ethics Commission to a three-year term to expire 5/30/2014, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
 - b. **Sewer & Water Commission. Member re-appointment to the Sewer & Water Commission to a three-year term to expire 6/30/2014.**
R. Coyle moved to appoint Rich LeMay as a member to the Sewer & Water Commission to a three-year term to expire 6/30/2014, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
 - c. **Sewer & Water Commission. Member re-appointment to the Sewer & Water Commission to a three-year term to expire 6/30/2014.**
Tom Tripodi was absent.

- d. **Sewer & Water Commission. Member re-appointment to the Sewer & Water Commission to a three-year term to expire 6/30/2014.**
Ron Silberman was absent.
- e. **Commission on Aging. Resignation of Member Barbara Warden.**
R. Coyle moved to accept the resignation of Commission on Aging member Barbara Warden with regret, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
- f. **Commission on Aging. Member or Alternate Appointment to the Commission on Aging for a term to be designated dependent on appointment. Goldie Liverant to be interviewed.**
Goldie Liverant was absent.
- g. **Commission on Aging. Member or Alternate Appointment to the Commission on Aging for a term to be designated dependent on appointment. Marilyn Finnigan to be interviewed.**
Marilyn Finnigan was absent.
- h. **Commission on Aging. Discussion and Possible Appointment of Herb Davis, Goldie Liverant, Rob Gustafson, or Marilyn Finnigan to the Commission on Aging**
 - i. Two Open Member Positions; expiring 12/31/11 and 12/31/13
 - ii. Two Open Alternate Positions; expiring 12/01/11 and 12/01/12

No action taken.

- i. **Chatham Health District. Discussion on Make-Up of Health District Appointees.**
Discussion on make-up of health district appointees. R. Coyle moved to make appointees to the Chatham Health District be composed of one elected official or Town staff member, as designated by the Board of Selectmen, and one qualified person as determined by the Board of Selectmen, seconded by J. Ford.
Discussion on setting requirements for nominees. R. Coyle moved to amend the motion to state that the designation in the original motion will be reviewed by the Board of Selectmen in three years, seconded by G. Cordova. J. Ford, R. Coyle, G. Cordova, and G. Schuster approved. S. Soby opposed. MOTION CARRIED.
- j. **Chatham Health District. Discussion and Possible Appointment of Blyse Soby, Russell Melmed, or Gregg Schuster to the Chatham Health District Board of Directors.**
 - i. **Two Member Positions; expiring three years from appointment**

G. Cordova moved to appoint Blyse Soby and First Selectman G. Schuster to the Chatham Health District Board of Directors for three-year terms to expire 5/19/2014, seconded by R. Coyle. S. Soby abstained. All other selectmen approved. MOTION CARRIED.
- k. **Open Space Commission. Discussion and Possible Member Appointment of John Henley to the Open Space Commission for a two-year term to expire 3/31/2013.**
S. Soby moved to appoint John Henley as a member to the Open Space Commission to a two-year term to expire 03/31/2013, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

- l. Zoning Board of Appeals. Discussion and Possible Alternate Appointment of Christopher Bourque to the Zoning Board of Appeals for a five-year term to expire 12/31/2015.**
S. Soby moved to appoint Christopher Bourque as an alternate to the Zoning Board of Appeals to a five-year term to expire 12/31/2015, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
- 7. Budget Transfers**
None.
- 8. Tax Refunds & Rebates**
G. Cordova moved to approve the tax refund of \$420.17 to VW Credit Leasing Ltd., seconded by J. Ford. Unanimously approved. MOTION CARRIED.
- 9. Discussion and Possible Appointment of Don Favry as Animal Control Officer for a term to expire 05/19/2012.**
S. Soby moved to appoint Don Favry as Animal Control Officer for a one-year term to expire 05/19/2012, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
- 10. Discussion and Possible Adoption of A Resolution Concerning African American Revolutionary War Patriots of Colchester, Connecticut and the Proposed National Liberty Memorial**
Discussion on editing the text of the resolution. No action taken.
- 11. Discussion and Possible Action on Release of McDonald Farm Subdivision Bond**
S. Soby moved to release the subdivision bond savings account #00000030555143 in the amount of \$1,250.00 plus accrued interest to the owner/developer, Larry Green, as recommended by the Town Engineer, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.
- 12. Discussion and Possible Action on CTIP Application**
Discussion with Town Planner Adam Turner regarding the CTIP application. No action taken.
- 13. Discussion and Possible Action on Senior Center Lease**
R. Coyle moved to approve the lease agreement with Bacon Academy Board of Trustees for the property at 95 Norwich Avenue for use as a Senior Center and to authorize the First Selectman to sign all necessary documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
- 14. Discussion and Possible Action on Voice Over Internet Protocol**
IT Coordinator Marc Tate and Director of Operations & Facilities Greg Plunkett introduced and explained the VOIP system as it would be developed for the Town. No action taken.
- 15. Discussion and Possible Action on Contract with State Police for Resident State Trooper Services**
G. Cordova moved to approve the attached resolution and execute the resident state trooper contract and authorize the First Selectman to sign all documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
- 16. Discussion and Possible Action on Renewal of Agreement for OPEB Actuarial Valuation Services**
S. Soby moved to renew the service agreement with Milliman to prepare the required OPEB actuarial valuation as of June 30, 2011, authorize funding from the Medical Self-Insurance Fund, and authorize the First Selectman to sign all necessary documents, seconded by J. Ford. Unanimously approved. MOTION CARRIED.

17. Citizen's Comments

D. Henderson commented on the VOIP system and service agreements.

18. First Selectman's Report

First Selectman G. Schuster reported that the Town website is in the process of being updated, the Hebron Board of Selectmen and Colchester Planning & Zoning Commission have approved the proposed land swap and town counsels will be working together on the project, last Saturday the Colchester Fire Department opened the new training facility, and the exterior of the Youth Center is scheduled to be washed in the next month or two.

19. Liaison Report

J. Ford reported that the Conservation Commission received two applications, one for a farm barn construction and the other for a driveway extension with drainage concerns. He also reported that the Friends of Cragin Library will be holding a book sale in June and that they are very pleased with the Town's adopted budget.

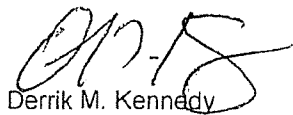
S. Soby reported that the Planning & Zoning Commission discussed the Hebron land swap and approve of such action, are in receipt of applications from Lincoln Lake Lodge for events this summer, and the Commission is continuing to work on revising the Zoning Regulations, particularly the signage, lighting, and parking sections. He also reported that the Ad-Hoc Facilities Committee met and is recommending to the Board of Selectmen a combined community center at William J. Johnston Middle School and that the Board of Selectmen will need to establish a building committee and the Board of Education to outline their specifications.

R. Coyle reported that the Commission on Aging nominated Rose Levine to become chairperson of the Commission.

20. Adjourn

G. Cordova moved to adjourn at 8:15 p.m., seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

Respectfully submitted,



Derrik M. Kennedy
Executive Assistant to the First Selectman

DRAFT

A Resolution Concerning African American Revolutionary War Patriots of Colchester, Connecticut and the Proposed National Liberty Memorial

WHEREAS, from 1775 to 1783, an estimated 5,000 to 10,000 slaves and free persons served as soldiers, sailors and patriots in the Revolutionary War; and

WHEREAS, more than 800 African Americans who resided in over 80 towns and cities, and all eight counties, in Connecticut served in the Revolutionary War; and

WHEREAS, 33 African American soldiers and patriots from the Town of Colchester including ARCHELAUS, JACK BUCKLEY, CEASAR BEAMAN, ROBIN BLANCHARD, JOHNSON BRISTOL, JOSHUA BRISTOL, AARON CARTER, EDWARD CARTER, ESAU CARTER, CATO CUSH, DOMINE EARL, ANTHONY EDOR, ABRAHAM FREEMAN, EDWARD FREEMAN, JACK FREEMAN, JAMES FREEMAN, JOHN FREEMAN, PAUL FREEMAN, RUSSELL FREEMAN, JAPHET HAMMOND, DOLPHIN KELLOGG, PETER MAGIRA, ELISHA POMP, ELISHA POMPEY, JACOB RATHBUN, DR. CUFF SAUNDERS, MOSES SKEETER, ALPHEUS WRIGHT, DANIEL WRIGHT, CUFF WRIGHT, participated in the struggle for independence; and

NOW THEREFORE,

BE IT FURTHER RESOLVED that the Board of Selectmen encourages volunteers to discover the names of still-unknown African American Revolutionary War soldiers, sailors and patriots, enlarge the body of knowledge about their lives and forward the information to National Mall Liberty Fund D.C. for inclusion in a database that will celebrate the trail blazers of Colchester together with those of hundreds of proud American communities.

BE IT FURTHER RESOLVED that the Board of Selectmen urges the Connecticut Delegation to the United States Congress to work for the enactment of the National Liberty Memorial Act and to spread knowledge of the history to institutions in New London County while promoting its potential for understanding and unity throughout the nation.

BE IT FURTHER RESOLVED that the Clerk of Board of Selectmen forward certified copies of this Resolution to the entire Connecticut Delegation to the United States Congress, the Governor of the State of Connecticut, the Speaker and President Pro Tem of the General Assembly and the local superintendent of schools, librarian and historical society.

Town of Colchester

Memo

To: Board of Selectmen
From: Nancy A. Bray, Town Clerk
Date: June 2, 2011
Re: Contract for Portal Services


The Addendum for Portal Services is an addition to the original contract that was signed in December, 2008. This service is being provided by the vendor, Cott Systems, Inc., to the Town Clerks in Connecticut that are using Cott as our land record/vital vendor with no cost to the Town of Colchester except for I.T. purposes, i.e. connection to the Portal, etc. Bill Nichols, Regional Sales Manager with Cott Systems, is here to answer any questions or concerns you have regarding the on-line system.

The service will enable our records to be accessed on-line by users regarding indexed instruments and associated images. Town Clerks state-wide, along with Cott Systems, Inc., have come together with regionalization in mind and created the Portal to supply this service to our customers. When you access this Portal all the documents from the towns that have signed up will be viewable by the customer. The customer will then be able to print out whatever they need, pay Cott directly with a credit card, in turn allowing Cott to separately reimburse the towns. The Town of Stonington has seen an increase in copies directly related to the portal, see copy attached.

The motion needed is as follows: **“Motion to approve the addendum to the original contract dated Dec. 4, 2008, between the Town of Colchester and Cott Systems, Inc. regarding Portal Services and authorize the First Selectman to sign all necessary documents”.**

Thank you!

Memo

To: Nancy Bray – Town Clerk
From: Marc Tate – IT/GIS Coordinator 
Date: 5/30/2011
Re: Online Option for the Land Record Management System

I feel that the online option for the land record management system will be a wonderful addition to our online services. The only delay on the technology side is the pending upgrade to our internet access.

The internet access upgrade is part of the New Phone system project, VoIP, and it should be addressed by the fall.

If you have any further questions please let me know.

STONINGTON, CT COPIES – LAND RECORDS & MAPS

	Office	Portal
January 2010	\$1624	
February 2010	\$1638	
March 2010	\$2136	
April 2010	\$2741	
May 2010	\$1454	\$ 46
June 2010	\$1830	\$ 67
July 2010	\$1838	\$122
August 2010	\$2677	\$227
September 2010	\$1944	\$114
October 2010	\$1383	\$427
November 2010	\$1814	\$340
December 2010	\$1626	\$421
January 2011	\$1531	\$213
February 2011	\$1004	\$228
March 2011	\$1878	\$245

DOUGLAS W. GILLETTE
Attorney at Law

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Hartford, CT 06103

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May 16, 2011

Via E-mail to mcosgrove@colchesterct.gov

Ms. N. Maggie Cosgrove
Chief Financial Officer
Town and Board of Education of Colchester
127 Norwich Avenue
Colchester, Connecticut 06415

Re: Authorization of Refunding Bonds -- \$5,985,000 August 2002 General Obligation Bonds

Dear Maggie:

In connection with the authorization of the refunding of the Town's \$5,985,000 August 2002 G.O. Bonds, accompanying are drafts of: (1) a Checklist of the documents needed for the authorization transcript, (2) the Town Clerk's Charter Certificate, (3) a draft agenda item for the Board of Finance meeting, (4) the Board of Finance's resolution recommending the refunding bonds, (5) the Town Clerk's certificate as to the Board of Finance's minutes, (6) a draft agenda item for the Board of Selectmen's meeting, (7) the Board of Selectmen's resolution authorizing the refunding bonds, and (8) the Town Clerk's certificate as to the Board of Selectmen's minutes.

At the suggestion of your financial advisor Chris Martin, the dollar amount of the authorization has been sized at \$3,000,000. Please note that the refunding bond resolution provides that the authorization will lapse on June 30, 2012.

Please call me if you have any questions or comments.

Very truly yours,

Doug

Douglas W. Gillette

Enclosures

cc(w/enc.): Christopher P. Martin, Webster Bank (via e-mail to CMartin@WebsterBank.com)

TOWN OF COLCHESTER
CHECKLIST OF PROCEEDINGS AND BOND TRANSCRIPT DOCUMENTS
\$3,000,000 REFUNDING BONDS

(\$5,985,000 General Obligation Bonds, Issue of 2002)
(Authorization Lapses June 30, 2012)

- A. ORGANIZATION PROCEEDINGS - Due incorporation of Town and adoption of charter, etc.

Documents:

1. Town Clerk's Charter Certificate.*

- B. BOARD OF FINANCE – Board of Finance may, but is not required, to recommend adoption of refunding bond authorization resolution.

Documents:

1. Copy of minutes of __/__/11 Board of Finance meeting, including full text of resolution.*
2. Copy of posted agenda/notice of meeting with agenda item* concerning resolution.
3. Copy of 2011 regular meeting schedule, as filed in conformance with the FOIA.
4. Town Clerk's Certificate as to minutes.*

- C. BOARD OF SELECTMEN – Board of Selectmen approves refunding bond authorization resolution. Conn. Gen. Stat. Section 7-370c.

Documents:

1. Copy of minutes of __/__/11 Board of Selectmen meeting, including full text of Bond Resolution.*
2. Copy of posted agenda/notice of meeting with agenda item* concerning resolution.
3. Copy of 2011 regular meeting schedule, as filed in conformance with the FOIA.
4. Town Clerk's Certificate as to minutes.*

*Bond counsel has supplied draft forms.

TOWN CLERK'S CHARTER CERTIFICATE

I, Nancy A. Bray, Town Clerk of the Town of Colchester, Connecticut, hereby certify as follows:

1. The Town of Colchester, Connecticut was formed in 1698, and named in 1699.
2. The Town has a home rule charter which was adopted pursuant to Chapter 99 of the Connecticut General Statutes at the election held on November 8, 1994, and which became effective on July 1, 1995. Said Charter was revised effective November 7, 2006. No amendment or change has been approved since that date and said Charter has been in full force and effect since that date.
3. Except for provisions in the Town's Charter, there are no ordinances or other regulations of the Town pertaining to procedures for approving appropriations or bond or note authorizations, or pertaining to procedures for the warning of special town meetings; nor are there any ordinances or regulations of the Town limiting its taxing power, or limiting the amount the Town may approve for any item in its annual budget, or limiting the extent to which it may approve special appropriations.

The above facts were true on January 1, 2011 and at all times to the date of this certificate.

Signed and sealed at Colchester, Connecticut this day of , 2011.

[SEAL]

Town Clerk
Colchester, Connecticut

AGENDA ITEM – BOARD OF FINANCE MEETING
(Refunding Bonds Recommendation)

Item ____ (Refunding Bonds Recommendation): To consider and act upon a resolution to recommend the issuance of bonds to refund certain of the Town's outstanding bonds.

RESOLUTION OF BOARD OF FINANCE RECOMMENDING THE ISSUANCE OF NOT EXCEEDING \$3,000,000 REFUNDING BONDS FOR PAYMENT IN WHOLE OR IN PART OF THE OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON THE TOWN OF COLCHESTER'S \$5,985,000 GENERAL OBLIGATION BONDS, ISSUE OF 2002, AND COSTS RELATED THERETO

RESOLVED, that the Board of Finance recommends that the Town of Colchester issue its refunding bonds, in an amount not to exceed \$3,000,000, the proceeds of which shall be appropriated: (1) to fund one or more escrows, the balance held in such escrows, together with the investment earnings thereon, to be applied by the Town to the payment in whole or in part, as to be determined by the Selectmen, or a majority of them, and the Treasurer, of the outstanding principal of and interest and any call premium on the Town's \$5,985,000 General Obligation Bonds, Issue of 2002 (consisting at original issue of \$985,000 General Purpose Bonds and \$5,000,000 School Bonds), including the payment of interest accrued on said outstanding bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

TOWN CLERK: CERTIFICATE AS TO BOARD OF FINANCE MINUTES

I, Nancy A. Bray, Town Clerk of the Town of Colchester, Connecticut, hereby certify as follows:

1. Attached hereto is a true and complete copy of that portion of the minutes of the meetings of the Board of Finance of the Town of Colchester, Connecticut held _____, 2011, pertaining to the introduction, discussion and action on a resolution recommending the issuance of refunding bonds.

2. The minutes are duly recorded in the records of the Town and were filed with the Town Clerk within 7 days of each meeting. The vote of each member present was reduced to writing and made available for public inspection within 48 hours after each meeting, exclusive of any Saturday, Sunday or legal holiday, and also recorded in the minutes. The minutes were available for public inspection within 7 days after such meetings.

3. The Board consists of six (6) members, a quorum of the Board consists of four (4) members, and the number of members present and voting on each resolution constitutes a quorum.

4. The minimum number of affirmative votes required to adopt each resolution was _____ (), and at least that number of members voted affirmatively on each resolution.

5. Each meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said resolution.

6. Notice of the meetings was mailed at least one week prior to the meeting by first class mail, where practicable, to every person who had filed a written request for such notice.

7. Each meeting was either:

___ a. A regular meeting, held at a date, time and place designated in the schedule of regular meetings filed in the office of the Town Clerk at least 30 days prior to the meeting and on or before January 31, 2011. The agenda of the meeting included the business concerning each resolution. The agenda was available to the public and was filed not less than 24 hours before the meeting at the Board's regular office or, if there is no such regular office, at the office of the Town Clerk.

___ b. A special meeting, and notice of the date, time, place and the business concerning each resolution was posted in the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, at least 24 hours before the meeting. Written notice of the special meeting was delivered to the usual place of abode of each member of the Board so that it was received prior to the meeting, except where such delivery was properly waived under the provisions of Section 1-225 of the General Statutes.

8. In determining the time within which or by when any notice, agenda or other information was given, made available, posted or filed as certified in paragraphs 2, 6 and 7 above, there was excluded Saturdays, Sundays, legal holidays and any day on which the office of the Town Clerk or the office of the Commission, as applicable, was closed.

9. All provisions of the Freedom of Information Act (C.G.S. Sections 1-200 to 1-241) as amended and all regulations adopted by the Board for the conduct of its meetings which were in full force and effect on the date of the meeting referred to in the attached minutes were complied with in connection with the meeting.

10. Attached hereto are true and complete copies of the following:

- a. Schedule of dates, times and places for holding regular meetings of the Board as filed with the Town Clerk by January 31, 2011.
- b. Notice and agenda for the meeting referred to in the attached minutes.

Signed and sealed at Colchester, Connecticut, this day of , 2011.

[SEAL]

Town Clerk
Town of Colchester

AGENDA ITEM – BOARD OF SELECTMEN MEETING
(Refunding Bonds Authorization)

Item ____ (Refunding Bonds Authorization): To consider and act upon a resolution to authorize the issuance of bonds to refund certain of the Town's outstanding bonds.

RESOLUTION OF BOARD OF SELECTMEN AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,000,000 REFUNDING BONDS FOR PAYMENT IN WHOLE OR IN PART OF THE OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON THE TOWN OF COLCHESTER'S \$5,985,000 GENERAL OBLIGATION BONDS, ISSUE OF 2002, AND COSTS RELATED THERETO

RESOLVED,

(a) That the Town of Colchester issue its refunding bonds, in an amount not to exceed THREE MILLION DOLLARS (\$3,000,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, the balance held in such escrows, together with the investment earnings thereon, to be applied by the Town to the payment in whole or in part, as to be determined by the Selectmen, or a majority of them, and the Treasurer, of the outstanding principal of and interest and any call premium on the Town's \$5,985,000 General Obligation Bonds, Issue of 2002 (consisting at original issue of \$985,000 General Purpose Bonds and \$5,000,000 School Bonds), including the payment of interest accrued on said outstanding bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Treasurer shall keep a record of the bonds and notes. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate a bank or trust company to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate the persons to sign such bonds or notes by their manual or facsimile signatures in the name or on behalf of the Town; to designate a law firm to approve the legality of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(b) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The Selectmen, or a majority of them, and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(c) That the Selectmen, or a majority of them, and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(d) That the Selectmen, or a majority of them, and the Treasurer are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the \$5,985,000 General Obligation Bonds, Issue of 2002, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents and others to facilitate the issuance of the refunding bonds, the escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.

(e) That the First Selectman, the Chief Financial Officer, the Board of Education, the Superintendent of Schools and other proper officers and officials of the Town are each authorized to execute and file all necessary applications, agreements and documents in order to obtain grants and to accept such grants, to the extent available, to defray all or any portion of principal and interest on or to pay issuance costs with respect to the refunding bonds authorized hereby.

(f) That the above authorization to issue refunding bonds shall lapse on June 30, 2012.

TOWN CLERK: CERTIFICATE AS TO BOARD OF SELECTMEN MINUTES

I, Nancy A. Bray, Town Clerk of the Town of Colchester, Connecticut, hereby certify as follows:

1. Attached hereto is a true and complete copy of that portion of the minutes of the meetings of the Board of Selectmen of the Town of Colchester, Connecticut held _____, 2011, pertaining to the introduction, discussion and action on a resolution authorizing refunding bonds.

2. The minutes are duly recorded in the records of the Town and were filed with the Town Clerk within 7 days of each meeting. The vote of each member present was reduced to writing and made available for public inspection within 48 hours after each meeting, exclusive of any Saturday, Sunday or legal holiday, and also recorded in the minutes. The minutes were available for public inspection within 7 days after such meetings.

3. The Board consists of five (5) members, a quorum of the Board consists of three (3) members, and the number of members present and voting on each resolution constitutes a quorum.

4. The minimum number of affirmative votes required to adopt each resolution was _____ (), and at least that number of members voted affirmatively on each resolution.

5. Each meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said resolution.

6. Notice of the meetings was mailed at least one week prior to the meeting by first class mail, where practicable, to every person who had filed a written request for such notice.

7. Each meeting was either:

___ a. A regular meeting, held at a date, time and place designated in the schedule of regular meetings filed in the office of the Town Clerk at least 30 days prior to the meeting and on or before January 31, 2011. The agenda of the meeting included the business concerning each resolution. The agenda was available to the public and was filed not less than 24 hours before the meeting at the Board's regular office or, if there is no such regular office, at the office of the Town Clerk.

___ b. A special meeting, and notice of the date, time, place and the business concerning each resolution was posted in the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, at least 24 hours before the meeting. Written notice of the special meeting was delivered to the usual place of abode of each member of the Board so that it was received prior to the meeting, except where such delivery was properly waived under the provisions of Section 1-225 of the General Statutes.

8. In determining the time within which or by when any notice, agenda or other information was given, made available, posted or filed as certified in paragraphs 2, 6 and 7 above, there was excluded Saturdays, Sundays, legal holidays and any day on which the office of the Town Clerk or the office of the Commission, as applicable, was closed.

9. All provisions of the Freedom of Information Act (C.G.S. Sections 1-200 to 1-241) as amended and all regulations adopted by the Board for the conduct of its meetings which were in full force and effect on the date of the meeting referred to in the attached minutes were complied with in connection with the meeting.

10. Attached hereto are true and complete copies of the following:

- a. Schedule of dates, times and places for holding regular meetings of the Board as filed with the Town Clerk by January 31, 2011.
- b. Notice and agenda for the meeting referred to in the attached minutes.

Signed and sealed at Colchester, Connecticut, this day of , 2011.

[SEAL]

Town Clerk
Town of Colchester

DRAFT (May 11, 2011)

To: Board of Selectman

From: Candace Barnes

Re: Wellness Center

Date: May 31, 2011

Applicant (proposed address)

Dr. Kimble Greene
19 Maple Avenue
Amston CT 06231

The Center for Wellness LLC
11 Hayward Avenue
Colchester CT 06475

Background

Applicant has proposed to redevelop and occupy a recently restored existing historic structure on Hayward Avenue and then develop an additional office on a 1.6 acre adjacent parcel on Lebanon Avenue to house a “wellness business”. The 2010 taxable assessment value for the property on Hayward Road was approximately \$800,000

The Applicant has applied for a Colchester Tax Initiative Program (CTIP) and has proposed tax abatement to the maximum extent permissible.

The Wellness Center operates a current office in Amston/Hebron. The applicant owners are considering expanded permanent location in Hebron, Marlborough and Colchester.

Process

Qualified applicants for tax incentives are required to present their application to the EDC. The members of the Commission review each application and make a determination as to whether incentives are appropriate, based on certain criteria established by the Commission. If they determine that incentives are appropriate, Commission members will further determine the appropriate amount and duration for the incentive. Economic Development Commission reviewed the proposal and recommended a potential 100 abatement of all property taxes collected over the current amount for a period of 3 years for the second property.

From this review by the Economic Development Commission, the application and recommended incentive package was sent to the Board of Selectmen. The Selectmen may consider the recommendation and adjust the package, as they deem appropriate. After the Selectmen's review and approval, the package is brought before the legislative body of the Town, (the Town Meeting), for approval. The Town Meeting is the sole decision maker regarding the approval of the incentive package. The members of the Economic Development Commission and the Board of Selectmen simply develop recommendations for the package.

Standards

The Economic Development Commission/Selectman may consider the following criteria to base recommendations on tax incentives:

- Need for incentives
- Potential for new job creation
- Providing a product, need or service to the local community
- Appropriateness of the business to its proposed location
- Possibility for the business to spawn other new businesses
- Planned use by the business of other Colchester vendors
- Compatibility of the project with the environment and town resources
- Contribution to the Town's infrastructure, including roads and utilities
- Net gain provided to the Town tax base
- Improvement or renovation to historic structures

These are not exclusive criteria, and the members of the Commission may consider other issues when appropriate to do so.

Finding

The applicant proposes to develop their Wellness Center project in five planned phases. The first three involve the gradual purchase of two buildings at 11 Hayward Road with fourth and fifth phases involving the purchase and development of an adjacent 1.6 acre parcel on Lebanon Avenue. The Hayward Road parcel is currently in condominium ownership consisting of four units.

The initial phase of the "Wellness Avenue" project would include the purchase of Unit #4 (the Red Barn Building) on the 11 Hayward Road property, and the renovation of that unit to be occupied by current staff of the Wellness Center. The estimated cost of the first phase is \$245,000 to purchase the "Red Barn" building and \$10,000 to rehabilitate the purchased structure.

The second and third phases regards the applicant's proposal to purchase the other building on the 11 Haywood Avenue site (the Yellow Building) at an estimated cost of \$550,000 with \$10,000 in additional expenditure for structure improvements.

The fourth and fifth phases would involve the purchase of property of a 1.6 acre property

on Lebanon Avenue adjacent to 11 Hayward Road. The project had been approved for an Adult Congregate Living Facility (ACLF) that was never developed. The applicant proposes to develop a 6,000 to 10,000 square foot structure on that site. The development of the Lebanon Avenue site is estimated at \$800,000 to \$1,000,000 to purchase the property and \$1.5 million to construct a 7,500 square foot building.

The Applicant is a local professional currently doing business in Amston. Their proposal would house a consortium of local vendors. The applicant projects that 15 professionals would be located on site once the 11 Hayward Road property is rehabilitated and once the project was fully completed, as much as 30 additional positions would be located on site.

The Applicant estimates that once the initial property improvements are completed and the “red barn” building is occupied by wellness professionals it would generate approximately \$8,000/year in business property and personal taxes, similar to what the building is assessed at currently.

Applicant estimates that the purchase, rehabilitation and occupation of the second structure would generate a minimum of \$16,000 annually in property and personal property taxes. The completion of the first two phases then would result in \$24,000 in property taxes assessed. The property currently generates nearly that in property taxes.

These phases of the project are difficult to accurately assess given a wide range of development cost but is reasonable to project that \$75,000 and more could be generated if the building was developed to the specifications proscribed by the applicant.

Relation to Incentive Standards

Need for incentives – the applicant is located in Hebron/Amston and is evaluating locations outside Colchester. While there might be a chance for the applicant to locate in Colchester without local incentives, it is reasonable to conclude that incentives would benefit a large project such as this.

Potential for new job creation – The applicant estimates that 30 to 45 professional positions would be housed in the new wellness complex

Providing a product, need or service to the local community – The proposed wellness center will provide health and other quality of life benefits to town residents and to the regional community as well. The center will improve and occupy an important building, currently restored but is unfortunately currently nearly vacant.

Appropriateness of the business to its proposed location – the applicant proposes to rehabilitate the existing use on Hayward Avenue and construct an additional office structure on Lebanon Avenue in the eastern section of the town’s historic center. Professional office is a standards use in central village areas.

Possibility for the business to spawn other new businesses – The project has the potential to generate additional economic activity given the services offered in terms of nutrition and health services.

Planned use by the business of other Colchester vendors

Compatibility of the project with the environment and town resources the applicant proposes to develop a state of the art environmentally sensitive office building.

Contribution to the Town's infrastructure, including roads and utilities. The applicant will be responsible for maintenance the sidewalks in a critical areas as well it is quite likely that the town might gain important drainage easements as the rear portion of the property is a critical location for runoff from the town center.

Net gain provided to the Town tax base - The Towns tax base will only be impacted should the applicant invest significant amounts of funds to rehabilitate/construct two structures in an amount to exceed \$1,000,000. These structures will exist long after the CTIP benefits have expired. Conservative estimates indicate that the town might receive at a minimum, over \$75,000 annually from this property and as much as \$125,000. Currently the town receives \$25,000 annually in tax payments.

Improvement or renovation to historic structures – The project includes an entire phase devoted to rehabilitating a major historic property in the central area of the Town.

Recommendation

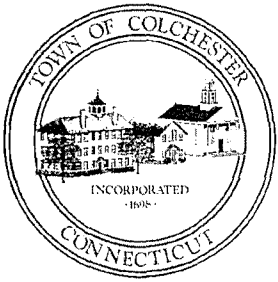
On May 16, 2011, the Economic Development Commission formally motioned that the Board of Selectman approve the Wellness Centers Application for CTIP to be considered at a town meeting.

In terms of the abatement request specifically the EDC recommended that the applicant be granted 1) a **100%** abatement for property taxes over the current assessed value for a period of one year if the total amount invested to improve the Lebanon Avenue property not including land purchase cost exceeds \$1,000,000; a **100%** abatement for property taxes over the current assessed value for a period of two years if the total amount invested to improve the Lebanon Avenue property not including land cost exceeds \$1,000,001 but is less than \$3,000,000 and a **100%** abatement for property taxes over the current assessed value for a period of three years if the total amount invested to improve the Lebanon Avenue property not including land purchase cost exceeded 3,000,000.

Based on the applicants submission, if the Lebanon Avenue property increased in value, in an amount equal to the improvements proposed, the town would reap \$25,000 annually if the parcel was annually assessed at \$1 million; 75,000 if the property was assessed at 3 million; and 125,000 if the property was assessed at \$5 million. The total amount proposed to be abated to the applicant would be approximately \$25,000 (based on a mill rate of .025) if the amount invested was \$1,000,000 or \$50,000 for the total amount of the

abatement if the amount invested was \$1,000,001 to \$3, 00,000 and \$75,000 if the amount invested was \$3,000,000 or more. The applicant would have three (3) years from the date that the CTIP is approved to secure purchase of the Lebanon Avenue property and three years from the date of purchase to secure a building permit for construction of the proposed building. The CTIP benefits would be assessed upon issuance of a Certificate of Occupancy for the completion of the proposed building on the Lebanon Avenue site and is not transferrable to another property or applicant.

Recommended Motion – Motion to approve the CTIP application for a Wellness Center at 11 Hayward Road, as recommended by the Economic Development Commission, and to forward it to a Town Meeting to take place at 7:00 p.m. on June 29, 2011



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

MEMORANDUM

To: Board of Selectmen

Cc:

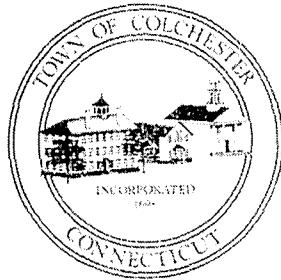
From : Gregg Schuster, First Selectman *GS*

Date: June 2, 2011

Re: Recreation Manager Job Description

The Recreation Manager is a new position funded in the FY11-12 Adopted Budget. This position will be responsible for overseeing the Recreation Department.

Recommended Motion – “Move to approve the job description of the Recreation Manager as recommended by the First Selectman.”



Town of Colchester Job Description

Parks & Recreation Department Recreation Manager

GENERAL STATEMENT OF DUTIES

Highly responsible administrative and technical work involving planning, directing and supervising all operations of the Parks and Recreation Department. Recommends departmental policies, develops programs, and work objectives for each division of the department.

WORK SCHEDULE

Primarily Monday-Friday, 8:30am-4:30pm, however, often requires evening and weekend hours as programs/events dictate. May also be responsible for covering late office hours.

SUPERVISION RECEIVED

Works under the direct supervision of the First Selectman and works cooperatively with the Parks & Recreation Commission

SUPERVISION EXERCISED

Directs the Parks & Recreation clerical staff, program operations, and all other subordinate staff.

ESSENTIAL DUTIES

- Prepares and administers annual budget for department. Directs and controls expenditures of allocated appropriations.
- Attend Parks & Recreation Commission meetings and, when necessary, Board of Selectmen and Board of Finance meetings.
- Provide technical direction to municipal staff, represents department before Federal and State agencies, Town officials, civic organizations, and private citizens. Interprets and administers pertinent laws.
- Facilitates the department in reaching its vision and mission, develops and plans strategically for the implementation of goals and objectives.
- Promotes and markets the philosophical objectives and benefits of parks and recreation to the public via the media.
- Directs department operations. Assists subordinate supervisors as needed.
- Responsible for the hiring, training, and evaluating of staff through the guidance of the Human Resources Office. Ensures adequate coordination for efficient scheduling and resource sharing.
- Periodically monitor and review the operations of the department for the purpose of evaluating effectiveness of operations, procedures, policies and practices. Identify problems, troubleshoot and take corrective action. Prepare complete and accurate research and operational reports as required to recommend ways and means of improving services.

- Identifies, prepares and recommends annual estimates, recommends purchases of new equipment, materials, and services. Prepares specification for equipment, services, materials and supplies.
- Initiates, plans and directs efforts to increase funding through volunteers, sponsors, donations, grants and alternative revenue sources.
- Establishes fees and charges for services/programs.
- Plan and administer recreational programs, sports, cultural and social activities, classes and special events.
- Assist in coordination of activities among interfacing units/organizations, setting priorities and resolving conflicts. Develop methods to meet identified community needs.
- Other duties, as necessary or required.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

- Executive capacity for decision making and implementation of policy, coupled with practical, working knowledge of modern principles and practices of organization, supervision and fiscal administration of municipal Parks and Recreation.
- Considerable knowledge of relevant Town, State and Federal laws, statutes, regulations and administrative procedures, including OSHA regulations, and Risk Management Principles.
- Strong interpersonal, negotiation, oral and written communication skills.
- Working knowledge of labor relations practices and procedures.

EDUCATION AND EXPERIENCE

- Bachelor's Degree from an accredited college or university in Parks and Recreation Administration, Leisure Services, or Public Administration, plus a minimum of four (4) years of increasingly responsible experience, including land use administration and maintenance experience, of which two (2) years should be in a supervisory capacity.
- Must have or obtain certification as Parks and Recreation Professional (CPRP) as designated by the National Recreation and Park Association.
- Must possess a valid motor vehicle operator's license.

It is the policy of the Town of Colchester to provide a safe and healthy workplace for all employees. The Town of Colchester is committed to reducing and controlling the frequency and severity of work-related accidents. It is the responsibility of every employee to report all accidents, incidents and occupational illnesses, as well as any perceived hazardous conditions. While performing the duties of employment, it is the employee's responsibility to work in a safe and responsible manner. This includes following both OSHA and Town of Colchester safety policies. While performing the duties of this job, the employee is required to work in outside weather conditions.

*This job description is not all-inclusive and is subject to change by the Board of Selectmen at any time.
Full-time; salary; exempt; non-union.*



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

MEMORANDUM

To: Board of Selectmen

CC:

From : Gregg Schuster, First Selectman

Date: June 2, 2011

Re: Hiring Policy Update

I am proposing the following changes to the Hiring & Firing Policy.

RECOMMENDED MOTION: Motion to approve the Hiring Policy, as amended, and to update the Town Policy Manual.

Town of Colchester Employee Hiring and Dismissal Policy

1.0 Purpose

- 1.1 **The Town of Colchester Charter, Article IV The Board of Selectmen, § C-402, C.** “The appointment and dismissal of all Town employees shall be administered by the Board of Selectmen, but the Board of Selectmen may delegate such authority as is deemed necessary for the sound administration of Town government.”
- 1.2 **The Town of Colchester Charter, Article XIII Town Employees and Appointed Officials, § C-1301** “The appointment and dismissal of all Town employees, except those who are elected or are under the jurisdiction of the Board of Police Commissioners, shall be made by the Board of Selectmen, but the Board of Selectmen may delegate such authority as is deemed necessary for the sound administration of Town government. All appointments shall be made on the basis of merit and after examination of qualifications. The Board of Selectmen shall neither appoint nor dismiss Town employees associated with fire protection services except as recommended by the Fire Chief. Before the appointment or dismissal of any Town employee, the Board of Selectmen shall consult with the board, department or individual to whom the services of such employee are to be or have been rendered.”
- 1.3 The purpose of this policy is to specify the Board of Selectmen’s delegation of authority for the hiring and dismissal of Town employees and joint Town/Board of Education (BOE) employees as it pertains to the language of the Town of Colchester charter noted in sections 1.1 and 1.2 of this policy.

2.0 Town Employee Hiring and Dismissal

- 2.1 The First Selectman shall hire and dismiss employees of the town, except employees whose employment is otherwise provided by law, and except department heads (Appendix A).
- 2.2 The Board of Selectmen shall be given notice of all full-time and part-time employees who are hired or dismissed by the First Selectman **at prior to** the next Board of Selectmen meeting immediately following the hiring or dismissal. This notification requirement to the Board of Selectmen shall not apply to per-diem or temporary/seasonal employee hiring or dismissal actions.

2.3 At its next meeting following such hiring or dismissal notification to an employee, the Board of Selectmen, by a majority vote, may request a review of the decision to hire or dismiss and make a recommendation to the First Selectman.

2.4 The authority to hire and dismiss department heads and employees whose employment is otherwise provided by law rests solely with the Board of Selectmen.

3.0 Joint Town/Board of Education Employee Hiring and Dismissal

3.1 Joint Town/Board of Education employees, including department heads serving as joint employees, may be hired or dismissed following the approval of the Board of Selectmen and Board of Education by majority vote or its designee. The Chief Financial Officer's hiring and dismissal shall be processed per the Town of Colchester Charter.

DRAFT

Appendix A – Department Heads

The following positions are identified as department heads for purposes of this policy as referenced in section 2.1:

Assessor

Building Official

CHVFD Chief

Cragin Memorial Library Director

~~Director of Health~~

~~Fleet Maintenance Supervisor~~

Public Works Director

Recreation Manager

Senior Center Director

Town Engineer

Town Planner/Planning Director

Youth and Social Services Bureau Director

AGRICULTURE COMMISSIONChapter XX

Agriculture Commission

1. § XX-1. Establishment of.

In accordance with Section § C-402.D of the Town of Colchester Charter, an Agriculture Commission is established for the Town of Colchester.

2. Appointment, § XX-2. Membership, Terms, Meetings, and Officers terms of appointment and meetings.

a. Appointment and Membership.

A. The Agriculture Commission shall consist of five (5) regular members and two (2) alternate members, all of whom shall be appointed by the Board of Selectmen. Insofar as practical, members appointed shall be representative of all groups interested. The Board of Selectmen shall to the extent possible appoint members who have knowledge in the management, protection, and regulation of agriculture, as defined by Connecticut General Statutes Section 1-1(q), particularly those or who are directly involved in agriculture, as defined by C.G.S. § 1-1(q). Members shall serve without compensation. Any in the event of any vacancy in office, arising for any reason, shall be filled by the Board of Selectmen shall fill the vacancy for the balance unexpired portion of the term of the vacant position.

b. Terms of Office.

B. Regular and alternate members shall serve for terms of three (3) years except that members first appointed shall serve as follows:

~~The initial terms of office of all regular members and alternate members shall begin on the same date, to be chosen by the Board of Selectmen. (1) Three (3) regular members and one (1) alternate member shall be appointed for an initial terms term of three (3) years.~~

~~(2) Two (2) regular members and one (1) alternate member shall be appointed for an initial terms term of two (2) years. Thereafter, all terms of regular members and alternate members shall be three years.~~

e. Meeting and Officers.

C. The initial organizational meeting of the Agriculture Commission shall be held within one (1) month after the official date of appointment of its members, which date shall be chosen by the Board of Selectmen appoints its members. Thereafter, the Agriculture Commission shall hold an annual organizational meeting in January of each year. The At the initial organizational meeting and thereafter, at each annual organizational meeting, the Commission shall elect a chairman chair, vice chairman, chair and secretary at each organizational meeting. Such officers shall serve until the conclusion of the next annual organizational meeting following the meeting at which they were elected. The failure of any regular member to attend four (4) consecutive meetings of the Commission shall

~~constitute cause for the Board of Selectmen to remove the member and fill the position thus vacated.~~

~~3.~~ **§ XX-3. Powers and Duties of Agriculture Commission.**

A. The Agriculture Commission shall have the following powers and duties ~~related to information and education concerning agriculture~~:

~~a. Information and Education.~~

- ~~i. (1) To serve as a conduit of agricultural information ~~among for~~ local farmers ~~and~~ other Town boards, ~~commission, commissions~~ and officials, ~~as well as~~ non-profit agencies, civic organizations, and other governmental agencies and officials.~~
- ~~ii. (2) To serve as a source of information ~~to for~~ the public about local agricultural enterprises.~~
- ~~iii. (3) To provide information to Town agencies and officials about agricultural laws and legal issues ~~regard~~ regarding farm machinery, buildings, and operations.~~
- ~~iv. (4) To provide information and guidance to Town agencies and officials on agriculture-related issues, including, but not limited to, zoning, inland wetlands, and public works matters.~~

~~b. Agricultural Support~~

B. The Agriculture Commission shall have the following powers and duties related to agricultural support within the Town of Colchester:

- ~~i. (1) To offer support ~~young to new~~ farms and new farmers.~~
- ~~ii. (2) To offer support to local, regional, and state vocational agriculture education programs.~~

~~c. Conflict Resolution~~

C. The Agriculture Commission shall have the following powers and duties related to conflict resolution for issues impacting agriculture within the Town of Colchester:

- ~~i. ~~To review regulatory language and practices among Town agencies and, if appropriate, recommend~~ (1) To review state and federal regulations and to recommend, at its discretion, policy changes to Town agencies and officials to help assure ensure a consistent definition and treatment of agriculture, farming, and farms.~~
- ~~ii. ~~To act as a sounding board and offer guidance, as it deems appropriate, to~~ (2) To meet with and advise Town agencies and officials at its discretion.~~

concerning the impact of proposed Town ordinances, regulations, and policies on farms and agriculture within the Town.

~~iii.~~ (3) To serve as a resource ~~for~~of information and ~~non-binding~~provide advice for Town ~~Agencies~~agencies, officials, residents and taxpayers, concerning the resolution of agriculture-related conflicts.

~~d.~~ **Economic Opportunities**

D. The Agriculture Commission shall have the following powers and duties related to economic opportunities involving agriculture:

~~i.~~ (1) To identify innovative opportunities for farming additional lands ~~in~~within the Town of Colchester.

~~ii.~~ (2) To promote opportunities for residents and local businesses to support ~~and value~~ farming.

~~iii.~~ (3) To serve as a conduit between non-profit agencies, funders, and local farmers.

~~iv.~~ (4) To work to create a climate that supports the economic viability of farming as a career ~~in~~within the Town Colchester.

~~v.~~ (5) To work to create a sustainable agriculture community ~~in~~within the Town of Colchester.

E. The Agriculture Commission shall be an advisory body, and all advice, guidance and recommendations shall be non-binding.

~~Alarm Ordinance~~ — Chapter XX

Alarm Systems

§ XX-1. Statutory authority.

Pursuant to C.G.S. § 7-148(c)(7)(H)(xiv), the Town adopts the following alarm systems ordinance.

~~1. § XX-2. Purpose.~~

The purpose of this ~~ordinance~~ chapter is to regulate the ~~registration, installation, maintenance and operation and use of burglar, fire, medical or any other alarms or emergency signaling alarm systems,~~ devices and equipment in businesses and residences within the Town of Colchester ~~and to support and enforce the maintenance of said system.~~

~~2. Applicability~~

~~The provisions of this ordinance shall apply to any person or entity who operates or owns any alarm system that automatically summons the police, fire, medical or ambulance personnel or other Town agency in response to an alarm signal.~~

~~3. Definitions~~ § XX-3. Definitions.

As used in this chapter, the following words or phrases shall have the meanings indicated:

ADMINISTRATOR — means the First Selectman or his or her designee appointed to administer the provisions of this chapter.

~~a. Alarm Systems~~

~~i. Alarm System: Any~~ ALARM SYSTEM — means any device or equipment which ~~is capable of activating the municipal fire alarm system, or~~ is capable of automatically calling and relaying recorded emergency messages to any ~~State Police, Municipal Police or Fire Department~~ state police or municipal police or fire/EMS department telephone number, or which is capable of automatically calling and relaying recorded emergency messages or other forms of emergency signals to an intermediate third party which shall thereafter call and relay such emergency ~~message to a State Police or Municipal Police or Fire Department~~ messages to a state police or municipal police or fire/EMS department telephone number.

~~ii. Burglar Alarm: means any alarm system falling within the definition of paragraph (a) above, which is designated to transmit a signal in event of intrusion, hold up, or other type of emergency situation.~~

~~iii. Fire Alarm: means any system, which falls within the definition of paragraph (a) above, which is designated to transmit an alarm relating to fire.~~

~~b. All alarm system: means any system, which sounds an audible signal that may be heard outside the protected premises. Said systems shall be equipped with a device that will limit the duration of such audible signal to not more than ten minutes~~

~~e.— An Alarm Owner or User: ALARM OWNER — means any person, ~~firm~~ company, corporation or other ~~business~~ entity that ~~owns, controls, installs, operates or maintains any~~ is the owner, operator or user of an alarm system ~~as defined in Section C (1) above.~~ —~~

~~d.— Automatic Telephone Dialing Service: refers to an alarm system, which automatically sends over regular telephone lines, by direct connection, or otherwise, a pre-recorded voice message indicating the existence of an emergency situation that the alarm is designated to detect.~~

~~e.—~~

~~f.—~~

~~g.— Central Station Operating Company: refers to a company equipped to receive burglar, fire, panic, intruder or hold-up alarms from each of its customers and which then transmits to the Connecticut State Police or to the Colchester Emergency Communications Center the location and type of any such alarm the central station operating company receives~~

FALSE ALARM — means any alarm signal which causes an emergency response to the location of the alarm which is caused by mistake, misuse or malfunction; or unintentional activation caused by flaw or defect in design, installation, maintenance or equipment of the alarm system.

~~h.— False Alarm: means an alarm (such as a Fire or Burglar Alarm) that is set off needlessly.~~

§ XX-4. Maintenance.

~~i.— Key Holder: refers to any person whose name appears on the registration form as a key holder or is designated in writing by the alarm owner or user to respond to the premises of alarm activation when requested by the Police Department or Fire Department (e.g. Reset system, gain entry, etc.).~~

An Alarm Owner shall be responsible for maintaining and keeping in good working order at all times each Alarm System on the premises owned or occupied by the Alarm Owner in order to minimize False Alarms.

~~4.— Registrations~~

§ XX-5. Registration of alarm systems.

~~a.— The alarm owner / user or central station operating company shall within 30 days of installation or activation of an alarm system, A. To operate an Alarm System within the Town of Colchester, an Alarm Owner must complete a registration form provided by the ~~Town of Colchester~~ which Administrator. The registration form shall include information concerning the ~~alarm device~~, Alarm System, its location, ~~key holder(s)~~ and any other necessary information. ~~as determined by the Administrator~~. All Alarm Systems within the Town shall be registered with the Administrator within ninety (90) days of the effective date of this chapter.~~

~~b.— B. It shall be the responsibility of the ~~alarm owner / user or central station operating company~~ an Alarm Owner to notify the ~~Town of Colchester Fire Department~~ within 10 days Administrator, in writing, within ten (10) days of changes in registration information.~~

~~5.— Connection to Telephone Lines Restrictions~~

- ~~a.~~ No person, firm, corporation or other business entity shall connect to a telephone company's network any automatic dialing device or alarm system which causes the number "911" to be automatically dialed.
- ~~b.~~ Automatic dialing devices may only be connected to a seven-digit telephone number assigned by the Colchester Communications Center. The automatic dialing device must be equipped to disconnect after five rings.

6. False Alarm, Registration, Violations & Charges

§ XX-6. False alarm and registration penalties.

~~a.~~ A. In the event there are three ~~false alarm responses to~~ (3) False Alarms at the same location within the same calendar year, a written warning ~~will~~ shall be issued to the ~~alarm owner / user~~ Alarm Owner upon the occurrence of the third ~~false alarm, notifying them of impending charges for further false alarms occurring within a twelve (12) month period.~~ False Alarm. The warning shall notify the Alarm Owner that any further False Alarms occurring within the same calendar year shall lead to the following penalties:

~~b.~~ (1) A ~~charge~~ fine of \$25.00 shall be imposed on the ~~alarm owner / user~~ Alarm Owner upon the occurrence of the fourth ~~false alarm response~~ False Alarm within a ~~twelve (12) month period~~ calendar year.

~~e.~~ (2) A ~~charge~~ fine of \$50.00 shall be imposed on the ~~alarm owner / user~~ Alarm Owner upon the occurrence of all subsequent ~~false alarm responses~~ False Alarms after ~~four (4)~~ the fourth False Alarm within ~~the twelve (12) month period~~ a calendar year.

~~d.~~ B. A ~~charge~~ fine of \$50.00 shall be imposed on ~~the alarm owner / user~~ any Alarm Owner for failure to register an ~~alarm system~~ Alarm System with the ~~Town of Colchester Emergency Services.~~ Administrator.

~~e.~~ C. A ~~charge~~ fine of \$50.00 shall be imposed on ~~the alarm owner / user~~ any Alarm Owner for failure to provide notification of any changes in registration to the ~~Town of Colchester Emergency Services.~~ Administrator.

~~f.~~ A charge of \$50.00 shall be imposed on the alarm owner / user for the failure of a key holder to timely respond to the premises of the alarm when requested by the Police Department or Fire Department.

~~g.~~ A charge of \$50.00 shall be imposed on the alarm owner / user upon the occurrence of any automatic dialing violation as set forth in Section E hereof.

~~h.~~ A charge of \$25.00 shall be imposed on the alarm owner / user for the failure of an alarm owner / user to notify the Colchester Emergency Communication Center and the emergency agency affected of an alarm system service test, repair or adjustment of an alarm system, which results in a false alarm response.

~~i.~~ Charges D. All ~~fin~~ es for violations ~~will~~ of this chapter shall be payable to the Town of Colchester and deposited into the ~~General Fund~~ Town's general fund.

7. Notification (24 hour)

- ~~a. If an alarm owner / user notifies the proper agency that will receive the alarm when activated, Colchester Communications 860-537-3414 or State Police Dispatch 860-537-7500 prior to any service test, repair or adjustment of an alarm system that may activate a false alarm, no charge shall be imposed. In the case of fire alarm systems, the alarm owner / user shall notify the Colchester Communications Center at 860-537-3414 as soon as all service, test, repair or adjustment of the alarm system has been completed.~~

8.—Enforcement

- ~~a. The Town of Colchester may institute civil proceedings to enforce the provisions of this ordinance.~~

E. All fines imposed pursuant to this chapter shall be subject to appeal in accordance with Chapter 93 of the Code of the Town of Colchester.

9.—Disclaimer of Liability

- ~~a. Notwithstanding the provisions of this ordinance, the Town of Colchester and its departments, officers, agents and employees shall be under no obligation whatsoever to ensure or verify the adequacy, proper installation, maintenance, use or resetting of any alarm device. The Town of Colchester assumes no liability for the failure of alarm devices. Each alarm owner / user shall be deemed to hold and save harmless the Town of Colchester and its departments, officers, agents and employees from any and all liability arising out of, resulting from or relating to an alarm owner / user's installation, operation, maintenance and use of an alarm system.~~

DRAFT

Chapter XX

Rapid Access Systems Ordinance

§ XX-1. Statutory authority.

~~1. Rapid Access System~~

Pursuant to C.G.S. § 7-148(c)(4)(B), the Town adopts the following rapid access systems ordinance.

a. § XX-2. Purpose.

The purpose of this ~~section is to provide prompt entrance to~~ chapter is to enable fire and emergency personnel to promptly enter commercial and industrial structures within the Town of Colchester ~~to fire and emergency personnel~~ by requiring the installation of a rapid entry access system in new or renovated commercial and industrial structures.

b. § XX-3. Definitions.

- ~~i. Rapid entry system. A rapid entry system consists of a heavy-duty key vault the specifications of which shall be approved by the Fire Chief.~~

As used in this chapter, the following words or phrases shall have the meanings indicated:

FIRE DEPARTMENT — means the Town of Colchester Fire Department.

RAPID ACCESS SYSTEM — means a rapid access system consisting of a heavy-duty key vault or other storage device that holds a key for providing emergency personnel with access to a commercial or industrial structure.

- ~~ii. — Renovation: Renovation shall mean updating or repair of an~~ RENOVATED STRUCTURE — means any existing commercial or industrial building, ~~or conversion of an existing that has been updated or repaired, or any~~ structure that has been converted to a commercial or industrial purposes requiring use, which required the issuance of a building permit ~~and from the Town of Colchester and for which~~ the cost of which work shall exceed work associated with the building or structure exceeded ten thousand dollars (\$10,000.00).

§ XX-4. Registration and maintenance.

~~e. A.~~ A. No certificate of occupancy shall henceforth be issued for any new or renovated commercial or industrial structure unless there shall be installed thereon a rapid access system approved by the ~~fire department as to specification and location thereof.~~ Fire Department. Keys to such rapid access system shall be maintained exclusively by the ~~fire department~~ Fire Department.

~~d. B.~~ B. Upon installation of such rapid access system, the building owner shall, at ~~his, her or its~~ such owner's expense -maintain all components thereof ~~and make repair or replacement thereof.~~ If the Fire Department determines that a rapid access system must be repaired or replaced, it shall provide written notice to the building owner, and the building owner shall repair or replace said rapid access system within seven (7) ~~day~~ days of receipt of written notice ~~to repair or replace~~ from the ~~fire department~~ Fire Department.

e. § XX-5. Penalty.

Any building owner ~~violating~~who violates the provisions of this ~~section~~chapter shall be fined twenty-five dollars (\$ 25.00) for each ~~occurrence.~~ ~~Each day of violation shall be considered a separate offense.~~violation per day so long as the violation continues.

DRAFT

Fire Hydrants and Water MainsChapter XX

1.—General

a.—Purpose

To authorize the Colchester Board of Selectmen to regulate the installation and the Colchester Fire Department to regulate the maintenance of fire hydrants in the Town of Colchester.

b.—Permits

A permit issued by the Colchester Water Department is required to use or operate fire hydrants or valves intended for fire suppression purposes, which are installed on the Town of Colchester water system and are accessible to public highways, alleys, or private ways to or generally used by the public.

e.—Plans

Plans and specification for fire hydrant systems shall be submitted to the Colchester Water Department, Fire Marshal's Office, and the Colchester Fire Department for review and recommendation prior to construction.

2.—Water Supplies and Fire Hydrants

Fire Hydrants

a.—General

Water supplies and fire hydrants shall be in accordance with Sections C-1203(a)(1) and (5) of the Town of Colchester Charter and Articles X through XI, inclusive, Chapters 74, 93, 150, and Section 109-6(B) of the Town of Colchester Code of Ordinances.

§ XX-1. Statutory authority.

b.—Required Water Supply for Fire Protection

When the Colchester Water Department serves the property, an approved water supply capable of supplying the required fire flow for fire protection shall be provided by the property owner. The property owner of all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within in the jurisdiction shall provide water mains and fire hydrants.

Pursuant to C.G.S. § 7-148(c)(4)(B), the Town adopts the following fire hydrants ordinance.

Primary water mains and water mains with cross-connections greater than 600 feet (180m) apart, a twelve-inch (300mm) diameter water main shall be installed. All cross-connecting (distributing) water mains shall be a minimum of eight inch (200mm) in diameter.

§ XX-2. Purpose.

When determined by the Fire Marshal, any portion of a facility or building that is in excess of 150 feet (45.72m) from a water supply on a public street, (as measured around the exterior of the facility or building) on-site fire hydrants and mains shall be provided by the property owner.

To purpose of this chapter is to authorize the Colchester Fire Department to regulate the installation, location, operation and maintenance of fire hydrants within the Town.

i. Installation and spacing of fire hydrants

§ XX-3. Fire hydrant regulations.

Fire hydrant spacing in commercial and industrial areas shall not exceed three hundred and fifty feet (350') between hydrants. Hydrant spacing in residential areas shall not exceed five hundred 500 feet. Primary hydrant locations shall be at or as near as possible to any intersection with intermediate hydrants installed where the spacing between intersections exceeds six hundred feet (600') or as required by the fire marshal.

A. The Board of Selectmen shall collectively adopt and enforce regulations regarding the specifications for and the location, operation and maintenance of all fire hydrants within the Town (the "Fire Hydrant Regulations").

ii. ——— Acceptable fire hydrants

Fire hydrants shall be dry barrel compression hydrants with dry top design and contain a break-a-way feature. Hydrants shall meet AWWA C502 standard, shall be UL listed and FM approved with a maximum working pressure of 250 PSI. Hydrants shall be manufactured of cast iron with three nozzles (2) hose (1) pumper 5" storz. If a 4.5" NST thread is provided, a 4.5" NST to 5" Storz adaptor shall be provided and installed. Valve size shall be 5.25 inches. Color shall be yellow with white nozzle caps. Hydrants shall be on the approved equipment list of the Colchester Water Department.

B. Any property owner that is required to install a private or municipal fire hydrant shall install said fire hydrant in a manner which is in full accordance with the Fire Hydrant Regulations. The Building Official of the Town shall not issue a building permit or certificate of occupancy to an applicant until the Fire Marshal confirms compliance with the provisions of this chapter.

e. — Fire Hydrants

Fire hydrants shall be clearly marked in accordance with the latest edition of National Fire Protection Association (NFPA) standards. Hydrant locations shall be identified by the installation of approved reflective markers as approved by the Colchester Water department.

§ XX-4. Out of service fire hydrants and repair of fire hydrants on private property.

d. — Systems out of service

The Fire Chief and Fire Marshal shall be notified when any required fire hydrant is out of service and or restoration of service. Hydrants that are "A. Fire hydrants that are out of service" shall be clearly marked by the Colchester Sewer and Water Department.

3. — Tampering with Fire Hydrant Equipment, Barriers, Security Devices, Signs, and/or Seals

B. The Fire Marshal may order the repair of a defective fire hydrant on private property and bill the cost of such work to the owner if the Town incurs costs associated with the repair of the defective fire hydrant.

a. — Fire department property

~~Apparatus, equipment and appurtenances belonging to or under the supervision and control of the Colchester Fire Department shall not be molested, tampered with, damaged or otherwise disturbed.~~

§ XX-5. Tampering with fire hydrant equipment prohibited.

~~b. Fire hydrants and fire appliances~~

~~A. Fire hydrants and fire appliances~~apparatus and equipment required by this ~~ordinance~~chapter shall not be removed, ~~tampered with, tampered with,~~ or otherwise disturbed except for ~~the purpose~~purposes of: extinguishing a fire; training; recharging, repairing or ~~making repairs,~~ flushing, a fire hydrant; or when ~~allowed~~permitted by the Colchester Sewer and Water Department. ~~When a fire protection device is taken out of service for replacement or repair, it shall be replaced or repaired as soon as practicable. or the Fire Marshal.~~

~~4. Obstruction and Impairment of Fire Hydrants and Fire Protection Systems~~

§ XX-6. Clearing of fire hydrants.

~~a. General~~

~~All fire hydrants~~A. All private property owners whose property contains a fire hydrant shall be continuously ~~maintained and kept~~maintain the area around the fire hydrant and keep the area clear of weeds, rubbish and any ~~and all other~~ obstructions ~~and clearance shall be maintained on all sides and above all fire hydrants~~which might prohibit access for use and/or maintenance of the fire hydrant. Landscaping or decorations shall not obstruct or hide any fire hydrant from clear view, nor prohibit access for use and/or maintenance of fire hydrants.

B. It shall be unlawful for any person to obstruct ~~the~~ access to any fire hydrant by placing, locating or permitting any debris, building material, personal property or other obstruction ~~or, or about any fire hydrant~~ which may ~~in any manner~~ interfere with ~~its immediate~~the use ~~of a fire hydrant.~~ Parking, placing or locating any motor vehicle, or boat, trailer or other personal property within ten ~~(10)~~ feet of a fire hydrant is prohibited.

~~b. Removal Required~~

C. All ~~owners, entities, or persons in possession and control of~~ private property ~~that includes~~owners whose property contains a fire hydrant shall remove snow and ice abutting the fire hydrant that has accumulated higher than a point four inches below the bottom of the lowest outlet on any fire hydrant within ~~24~~twenty-four hours after the cessation of a snow or ice storm.

~~e. Clear space around/access to hydrants~~

~~A minimum clear space of 3-foot (.914m) shall be maintained around the circumference of fire hydrants except as otherwise required or approved.~~



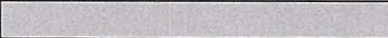
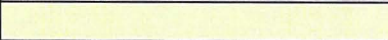
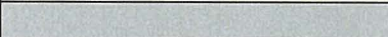
~~d. Marking of fire hydrants~~

~~Fire protection equipment and fire hydrants shall be clearly identified in accordance with the latest edition of NFPA standards. Fire hydrant tops and caps shall be marked in accordance with the latest edition of NFPA 291 Recommended Practice for Fire Flow Testing and Marking of Hydrants.~~

~~All resolutions, orders, and ordinances or portions of the same in conflict herewith are hereby repealed.~~

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