

MINUTES OF THE TOWN COUNCIL MEETING
OF THE TOWN OF SOUTHTON
January 10, 2011

The Town Council of the Town of Southington held a meeting on Monday, January 10, 2011. Edward S. Pocock, III, Chairman, called the meeting to order at 7:01 o'clock, p.m.

The following Councilpersons were present, viz:

Christopher J. Palmieri	Anthony E. D'Angelo
John N. Barry	Dawn A. Miceli
John C. Dobbins	Stephanie A. Urillo
Albert A. Natelli, Jr.	Peter J. Romano, Jr.

Edward S. Pocock, III

Ex-officio members present were as follows, viz:

Anthony J. Tranquillo, Director of Public Works/Town Engineer *
Mark J. Sciota, Deputy Town Manager/Town Attorney
John Weichsel, Town Manager

(*Arrived where noted)

A prayer was recited by John Barry, Councilman.

A moment of silence was observed for the victims of the tragedy in Arizona.

The Pledge of Allegiance was recited by everyone in attendance being led by Chief Thomas Murphy.

There were approximately 20 other persons in attendance.

EDWARD S. POCOCK, III, Chairman, Presiding:

II. Minutes

Mr. Palmieri made a motion to approve as presented. Mr. Dobbins seconded. Motion passed unanimously on a voice vote.

III. Councilmanic Communications

The Chair noted the blizzard at the end of last year. He thanked staff for their work on that. We opened up the shelter and that was in response to our biggest fear which was the winds. We had a bunch of trees come down and people actually utilized the shelter.

The CERT Team, once again, did a fantastic job. Highway department, bussing, the dialysis patients were still able to go.

I want to thank everyone for their input and their help. Kudos to staff for their fine work.

With the upcoming storm, keep a real close eye on the winds. They have already rearranged the dialysis patients off of Wednesday. Planning ahead for this one.

Mr. Dobbins acknowledged the public works department for the nice job they've done with the roads the last few storms that we've had. Last night I was out and the roads are clear. The new salt substitute does really seem to be doing a nice job. I think they deserve acknowledgement for the good job that they've done.

Dr. Urillo echoed that. She applauded the town for being proactive with regards to the severe storm and the winds. I think with regards to the upcoming storm, it may be just as bad with the winds they're predicting. I know that our town can once again come through to help the citizens to weather the winter storms that we seem to be having right in a row.

Dr. Natelli acknowledged Tom Snow who received his Eagle Scout over the weekend. He finished the project with 55 minutes to spare. They have to do a project by the time they're 18 years old and if they don't complete the project they do not get the award of Eagle Scout. This young man did a project that he worked with St. Thomas Church on and completed it with 55 minutes to spare. He should be acknowledged for that. Congratulations to him.

Mr. Barry brought up the CAFR (Audit) just received. He said he was very pleased; it was the last budget that he was Chairman in 2009-2010 and it ended with a surplus of around \$700,000. Very good news in terms of the fiscal health of our community.

It was the result of hard work of our administration and town employees from the bottom to the top. It shows us in that budget year, the town budget was flat. A zero percent increase. It wasn't easy to go with a zero increase in the budget, but we did it. We did it against some opposition. But it shows there are savings to be found in government. Ways to make it leaner and more efficient. When you have a zero percent increase and still end up with almost a \$700,000 surplus, I think it's a good way for us to go into the next budget cycle.

I want to thank the Town Manager and the Town Attorney and all the department heads. But I wanted to thank all the employees, too. In that year we eliminated a lot of overtime.

Explained about the Tax Office being open on Thursday only during the peak months.

We're in really good fiscal shape, but there are big challenges ahead. I look forward to the next budget cycle and hopefully we will use that as a guide as we go through the process.

The Chair reminded everyone the Polar Plunge is coming. He will be taking the dip this year for the police department. It's a donation for a good cause. Kids that can't afford to go to camp are going to be able to go to camp.

Mr. Barry brought up being on the Council you are able to meet a lot of different people and new people. It's one of the things I like about serving on the Council.

Over the last holiday, Father Brenza at Mary Our Queen Church passed away. I got to know him because I invited him to lead us in prayer. I wanted to reach out to the clergy in our community. I really enjoyed talking to him as he was very gracious. I then saw him over a Thanksgiving Day program at Mary Our Queen Church. If we could just have a moment of silence for the former Priest at Mary Our Queen Church in Southington who was a real friend to the people of Southington.

(A moment of silence was observed for Father Brenza.)

IV. Report of Special Committees

A. Sewer Committee

Mr. Dobbins reported the sewer committee held a special meeting on January 5th to review and make recommendations to the Council on three projects: (Attachment 1)

(1) RFQ for roof replacement at the treatment plant influent pump station. A total of six companies bid. The sewer committee recommends Preiss/Breismeister, PC of Norwalk/Glastonbury for the project in the amount of \$3,400.

He explained the lowest bid was not recommended as it did not include construction administration costs.

There was a savings of \$9,400 over prior proposals. This is an action item this evening under 8-c.

(2) RFQ for fuel storage replacement tanks at the water pollution control plant. This project includes removal of two oil tanks. The first is a 6,000 gallon tank located next to the digester plant. It's no longer in use due to the boiler they're using. They're using natural gas.

The second tank is a 10,000 gallon tank which is adjacent to the nitrification reactors and will be replaced with an above ground concrete encased tank. This tank is for the fuel for stand-by generators.

The committee recommends HRP Associates of Farmington. It is the amount of \$7,250. They have experience in the field of underground storage tank replacement.

The reason for this recommendation is the first and lowest bidder did not include construction administration costs.

On this bid there was a savings of \$20,450 over prior submittals this fall. This is an action item under 8-D.

(3) Plantsville Sanitary Sewer Settling Tank By-Pass is the last item. He gave a brief background on the project.

It's a 60,000 gallon reinforced tank abandoned in the late 1950's and remains part of the existing collection system. Concerns are accumulation of sediment and structural reliability.

The Town will provide construction services to the project to keep costs down. The committee did recommend the lowest bidder which was Woodard & Curran in the amount \$9,400. This is an action item under 8-E with two stipulations: (1) that the project manager be Jay Sheehan and the labor rates for all individuals who are providing work there will be included in their project.

All monies for these projects are to come from the sewer fund.

Our next meeting is Wednesday, the 12th, weather permitting.

B. Public Works Committee

Mr. Romano spoke on three items:

(1) Bulky Waste sticker renewal. The stickers have been ordered and the software has been updated and upgraded, as well. The current stickers have been extended out to the March 31st.

The Town Clerk has developed a renewal form that will be posted on line as soon as we have the stickers. Mr. Leary may make some modifications to the form, but it'll be ready for when the stickers do arrive.

(2) Streetlight Maintenance. We spoke streetlight maintenance in our last meeting. Ms. Turnquist from the engineering department forwarded us the weekly incident reports

from November thru December. We discussed this at committee level. Pro Energy is doing an excellent job with the street lighting maintenance.

They are slightly behind on the five day turnaround, which is still a heck of an improvement over the previous vendor. It's due to their own proactive maintenance in other areas. They've been doing a nightly audit of all areas and they've eaten so much of their inventory that they had to order more. That's why they fell behind a little bit.

They understood the importance of us getting back and making sure we stay within those five days. I had a meeting with staff.

Mr. Tranquillo advised of a meeting with Pro Energy late last week and they are totally caught up.

Mr. Romano acknowledged Ms. Turnquist who has been doing an excellent job with that program.

(3) Intersection Sight Distance Improvements. This is an action item. The purpose of this policy is to identify a process by which residents may go about requesting the removal of obstructions on town property that is impeding their sight of the road traffic. (Attachment 2)

This does not mean they automatically get to remove the obstruction. It only gives them a procedure of how to go about requesting that so they can alter it at their own cost with no liability to the town. This is only on town property.

That's action item 8-F.

Mr. Tranquillo pointed out this policy mirrors the state's policy and an informal policy we have had for the past thirty years.

Mr. Barry said he was in favor of the policy. He had a question on - which I am not in favor of - but present policy is that usually committee decisions are not the final decisions. It's usually the Town Council. It says in the policy "if adjoining property owners do not agree with what is being planned, the matter shall be reviewed by the public works committee, and its decision shall be final". Just in terms of keeping everything the same, I would think it should be that the Council would have final decision. The committee could make a recommendation to the Council, obviously.

Mr. Tranquillo indicated staff has no problem with that.

Dr. Urillo asked if once this is approved, will this be on the website for the public. Mr. Romano responded yes, it would be part of the website.

Discussion of how many of these issues actually come to the Council.

C. Emergency Medical Services Committee

Dr. Natelli reported on the EMS Committee. We met last week and we had three things that went out.

First, I will address the report from communications that was brought up previously. We have had Marcus Commissions go around the community and test our radio frequency. We run on two frequencies here in the town - frequency one and ten.

When he went to the foot of Meriden Mountain on Med-1, there were issues with Med-10 in that area. Now, the New Haven CMED traffic overlaps and confuses the transmissions. This may be causing some of the issues for cars calling in from the south side of Southington requesting a Med channel.

Better coordination on Med Channel coverage overlap will help, possibly even sharing sites. Another solution is receivers with directional antennas facing into your service area.

One other potential to eliminate this problem down the road is in two years the FCC is making it mandatory that we have narrower banding on the radio.

A solution we think we have is when the narrow bands come in, assigning different bands to different areas, so there is this lack of confusion.

We are working hard on that and Mr. Motes is on top of it.

(2) Report of the Ambulance Committee reviewing AMRs reports for September, October and November. They did meet the required 90+ percent in responding to Priority 1 calls.

Suffice it to say that they are responding and they meet and exceed national averages for their response times.

(3) We actually went down to AMRs dispatching headquarters in North Haven to get a feel for what happens when a call comes in. We saw a call come into Southington.

One of the challenges coming up shortly is that we are going to be dispatching from the police department and that will eliminate one problem which is dispatching itself.

It adds to AMRs success because it will take approximately 1.5 minutes for the call to come in and be dispatched from the PD. That is not taken away from the 7.59 AMR has to respond at this time.

In addition, AMR does ask its employees to come up to Southington and some of them have done it on their own, to review the streets and look at ways to get around the community. They do take a proactive stance in this.

Sometimes the customer can help the vendor find solutions. I think we did find one we're going to work on with AMR for a better response time.

Finally, AMR is using our fire department more and more when they don't think they'll be on a call on time. Chief Clark said this at the meeting and he's said that due to that, we respond faster to our calls in town.

Discussion followed regarding the response times because of the possible change in dispatch. Mr. Barry just wanted the public to feel safe that we are not prolonging the response time.

(End of Tape #1, Side A)
 (No Side B on Tape #1)
 (Beginning of Tape #2, Side A)

V. Town Manager's Report and Communications

Mr. Weichsel advised Tom West, Superintendent of the Water Department is here to present the following items.

The Chair noted for the record tonight we have with us Mr. West, Superintendent of Water, Bob Berkmoes, Secretary/Treasurer and Chief Murphy who is the current President of the Water Board.

A. Introduction of bond ordinance appropriating \$1,680,000 for design, construction and installation of water mains on West Center Street, West Street and Welch Road and scheduling public hearing on January 24, 2011. (Attachment 3)

Tom West explained this is some 12" water mains that are almost complete at this point. There are some side streets that still have to be tied in on West Center Street.

West Street is complete between West Center and Mill Street.

And, the completion of a loop that we started installing four years ago on Welch Road. This is a stream crossing that goes under the Eight Mile River on Welch Road. It's about 100'

but it is the most difficult portion of that project. That was completed late in the fall.

Still to be completed on this project are some of the hydrants that need to be activated, some of the water services are yet to be tied over on West Center Street and some of the side streets still have to be tied in on West Center Street.

Final paving on West Center Street will take place next year. It's our goal to coordinate with the town on paving on West Street between West Center and Mill Street so we have a final paved road that is without any trench excavation on it.

And, Welch Road, the final paving will take place in the spring.

Project is due to be complete by the end of May.

B. Introduction of bond ordinance appropriating \$1,730,000 for demolition and replacement of water storage tank at the Mariondale Drive Water Filtration Plant and scheduling public hearing on January 24, 2011. (Attachment 3)

Mr. West explained this tank was constructed in the early 90's. The tank is a steel tank with an epoxy paint coating inside and outside to protect it from rust. We found seven years ago that this tank was starting to deteriorate on the inside. We put a bid out four years ago to repaint the inside of the tank and at that time the cost was half a million dollars.

We bid it out again in a better bidding environment. It was still close to half a million dollars for the interior painting and a repair overcoat on the exterior.

We decided to hold up. We consulted with an engineering firm who did an economic analysis of repainting versus replacement with a new reinforced concrete tank. The reinforced concrete tanks have the benefit of minimal maintenance over time.

We have one concrete tank in town. That's located at Village Gate Drive. It's a half million gallon tank. It's been in place since the early 90's and it looks like the day we put it in.

This will be the complete replacement of the tank.

The intention is to bid this out in the spring to summer with demolition of the old tank starting in late August or early September. Construction of the new tank place will take place over the winter period and the tank being put on line by the middle of May of 2012.

The life span of a steel tank will be 60 to 80 years and some are in service for over a hundred depending on how they're maintained.

Discussion of maintenance over the life of the tank.

Similar longevity for a concrete tank as that of a steel tank.

General discussion on the Aquifer Protection Regulations and the Streamflow Regulations. Mr. West stated that the Aquifer Protection Regulations are positive to the water department. Applicants are going to apply best management practices to the storage and transfer of those materials on their property.

VI. Town Attorney's Report

A. Update on North Center School Project

Attorney Sciota advised staff and Mr. Cox from the BOE have met on numerous occasions with the Borghessi group. We're trying to get the floor plans in a state that the department heads, town staff and the BOE are comfortable with. We're well along with that project.

The site plan is still being reviewed. The Town Planner, Environmental Planner, the Town Engineer, the Manager and I are meeting with the Borghessi Group on the site plan.

My aspect of it is the purchase and sales agreement which is completed. It's being reviewed by the attorney I'm sending it to to make sure I didn't miss anything. The lease is just about ready to go to the attorney to make sure I didn't miss anything. Once that's completed, then it will go to the Borghessi Group.

There is an issue with the 8-24. The PZC felt that they were not brought into the process soon enough. We are going to be putting on a full presentation for them at their 18th meeting. The Borghessi Group and Dr. Erardi, Chairman of the committee will make the presentation.

We hope to get a favorable 8-24 on the 18th which will go back to you for the 24th which is your public hearing for this. And, if all goes well, you might be able to act on it then.

I do have two things for executive session: pending litigation and a personnel matter.

VII. Public Communications

Arthur Cyr, 103 Berlin Avenue. Discussed the decision of the Town Manager's position hiring. Either way, no matter what

you did, someone wasn't going to be happy. You made the decision. We're going to have a great team. It's time for all to be quiet and move on.

As for the North Center facility, I believe this Council and the BOE totally missed the boat when they set up the facilities committee. It was top heavy with BOE people. There are 3 BOE members, 4 BOE administrator/staff, only 2 town staff, 1 Town Councilor and 1 person from the BOF. No one from the PZC.

Our PZC is our planners for the future. How do we go about dealing with 3 major buildings in this town without putting anybody from the PZC on the committee?

The PZC was right when they said no. I can't wait to see if the BOF is going to try to pull the same thing on you because there is a major decision for millions and millions of dollars. We circumvented voter referendum by doing it this way. And, nobody asked the BOF what they thought.

I think we failed to communicate. I hope it's a learning experience for this Council.

The bonding on your action agenda tonight for the water department, I would like to stand here tonight and say I support the bonding. He asked a lot of questions. I say to you, you will answer my questions. If you don't like it, you need to think about the position you have in this town. I'll ask legitimate questions and if you don't like it, leave. I'm going to be here for a long time.

Benny Cammuso, Meriden Avenue. He spoke about the bulky waste station. Should we charge a little bit more if you go more than 2 or 3 times a week?

Spoke about the budget for next year and the need to keep it low.

We spoke about spending money for the New Town Manager to come to town. I don't think it's fair.

Look where we can save money for the taxpayers.

What're we going to do for the people with limited education? How many jobs are available when everybody comes out of college? Look into it.

Look at the housing. Think about it when you go for the budget this year.

Larry DePaolo from Blatchley Avenue. I want to fully support the water department's request for the bonding. It's no

cost to the taxpayers and it's fully funded by the water department customers.

He cited the Town Charter regarding bonding ordinances or special appropriations in excess of \$1 million shall not become effective until the same shall have been approved by a majority of those qualified to vote. Voting thereon, that the referendum called by the Council for that purpose.

Another: Any contract verbal or written made in violation of this Charter shall be null and void.

My question is on the North Center project: When we sign the contract, it's going to cost us the taxpayers over \$1 million. And, why are we not going to referendum on that?

Attorney Sciota responded when you have a lease for property --- we're selling the property and then we're leasing it back ---the town can enter leases on a periodic basis and not violate the Charter.

Ilio Fusciello, 82 Autran Avenue, spoke about his issue indicating he wanted to be paid.

(End of Tape #2, Side A)
(Beginning of Tape #2, Side B)

Ilio Fusciello continued.

Sandra Feld, 821 Glacier Way. I want to congratulate Mr. Dobbins on the great work the sewer committee did. Savings of \$9400 on the roof replacement and are you saying that you saved \$20,450 on Item D.

Mr. Dobbins stated the initial contact received back in September was for \$27,800 for professional services.

Ms. Feld stated that is terrific. Congratulations!
Great work.

VIII. Old Business

A. Action on scheduling public hearing on bond ordinance appropriating \$1,680,000 - water mains

The Chair stated the public hearing would be scheduled for the January 24th, 2011 meeting at 7:00 pm. Mr. D'Angelo made the motion to schedule the public hearing for the 24th at 7:00 pm. Ms. Miceli seconded. Motion passed unanimously on a voice vote.

B. Action on scheduling public hearing on bond ordinance appropriating \$1,730,000 - water storage tank

Mr. Dobbins made a motion to schedule this item for January 24, 2011 at 7:00 pm for a public hearing. Mr. Palmieri seconded. Motion passed unanimously on a voice vote.

C. Award of Bid: Roof Replacement at Treatment Plant influent pump station

Mr. Dobbins made a motion to award Preiss/Breismeister of Norwalk/Glastonbury in the amount of \$3400. Dr. Urillo seconded. Motion passed unanimously on a voice vote.

D. Award of Bid: Fuel Storage Tank Replacement at the WPCE

Mr. Dobbins made a motion to award the bid to HRP Associates of Farmington in the amount of \$7,250. Mr. D'Angelo seconded. Motion passed unanimously on a voice vote.

E. Award of Bid: Plantsville Settling Tank Bypass

Mr. Palmieri made a motion to award the bid to Woodard & Curran out of Cheshire with the stipulation that Jay Sheehan is the project manager for the project and the salaries rates are included, as well. Mr. Romano seconded. Motion passed unanimously on a voice vote.

F. Action on Intersection Sight Distance Improvement Policy

Mr. Palmieri made a motion to approve with the change as outlined this evening that the Town Council will have the final decision rather than the public works committee. Dr. Urillo seconded. Motion passed unanimously on a voice vote.

IX. New Business

A. Tax refunds (Attachment 4)

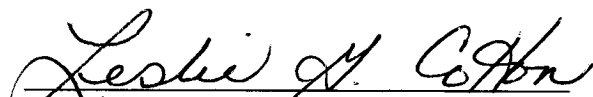
Ms. Miceli made a motion to accept the tax refunds that are in our packages this evening. Mr. Palmieri seconded. Motion passed unanimously on a voice vote.

X. Adjournment - Executive Session: Pending litigation and personnel matter

Dr. Urillo so moved the motion to go into executive session for pending litigation and a personnel matter. Ms. Miceli seconded. For the record, for the pending litigation it will be the Manager the Public Works Director and the Town Attorney. For personnel matter it will be at least the Town Manager and the Town Attorney. Motion passed unanimously on a voice vote.

(Whereupon, the meeting adjourned to Executive Session at 8:10 o'clock, p.m.)

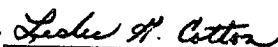
Attest:


Leslie G. Cotton, Town Clerk

RECEIVED & FILED
TOWN OF SOUTHINGTON

JAN 14 2011

11:55 AM

By 
Town Clerk

EXECUTIVE SESSION

The Southington Town Council entered executive session immediately following the Town Council meeting with the following in attendance in order to discuss pending litigation and a personnel matter.

The following Councilpersons were present, viz:

Anthony E. D'Angelo	Christopher J. Palmieri
John C. Dobbins	John N. Barry
Dawn A. Miceli	Peter J. Romano, Jr.
Stephanie A. Urillo	Edward S. Pocock, III, Chair

Ex-officio members present were as follows:

John Weichsel, Town Manager
 Mark J. Sciota, Deputy Town Manager/Town Attorney
 Anthony J. Tranquillo, Director of Public Works/Town Engineer

Absent:

Albert Natelli, Jr. Councilman

Mr. Tranquillo left after the pending litigation matter was discussed.

No motions were made or votes taken during executive session.

Ms. Miceli made a motion to adjourn from executive session. Mr. Palmieri seconded. Motion passed unanimously.

(Executive session was adjourned at 8:40 o'clock, p.m.)

REGULAR SESSION

Mr. D'Angelo made a motion to adjourn the Town Council meeting which was seconded by Mr. Barry. Motion passed unanimously.

(Meeting was adjourned at 8:41 o'clock, p.m.)

Mark J. Sciota
 Acting Secretary

Plantsville Sanitary Sewer Settling Tank Bypass

NAME	TOWN	CONTACT	PHONE NUMBER	EMAIL	PROPOSAL	COMMENTS
Woodard & Curran	Cheshire	Jay G. Sheehan	1-888-265-8969		9,400.00	
Wright-Pierce	Middletown	John W. Braccio	860-343-8297		9,600.00	
Close, Jensen and Miller	Wethersfield	Cory Garro	860-563-9375		10,500.00	
AECOM	Wakefield, MA	Donald J. Chelton	781-246-5200		10,700.00	
Tighe & Bond	Middletown	Robert Peirent	860-704-4760		12,300.00	
Weston & Sampson	Rocky Hill	Christopher B. Wester	860-513-1473	westerc@wseinc.com	16,700.00	
Ronald Haestad, Inc.	Waterbury	Ronald G. Litke	203-753-9800		17,000.00	
GHD, Inc.	Middletown	Rory Waddell	860-635-8200		18,800.00	
CDM	Wethersfield	Stephen E. Seigal	860-529-7615		9,700.00	

Roof Replacement at Treatment Plant Influent Pump Station Roof

NAME	TOWN	CONTACT	PHONE NUMBER	EMAIL	PROPOSAL	COMMENTS
Silver/Petrucci & Associates	Hamden	William R. Silver	203-230-9007 ex. 200	info@silverpetrucci.com	2,250.00	Fee does not include bidding or construction administration services
Ames & Whitaker Architects	Southington	Roger W. Saulnier	860-621-8944		15,500.00	\$11,000 for Field Investigations and Construction Documents \$2,000 for Bidding services \$2,500 for Construction Administration
Preiss/Breismeister P.C. Architects	Norwalk	Patricia Koelbel Gill	203-356-9666	pbarchts@pbarchts.com	3,400.00	Includes investigation of conditions, preparation of CAD drawings, design of roof, review of design with ToS, prep of estimated cost of construction, assistance with bidding and negotiation, and assistance with construction administration
FLB Architecture & Planning, Inc.	East Hartford	Alan F. Lamson	860-568-4030	flb@flbarch.com	3,760.00	Includes preliminary site visit, research to determine proper system, preparation of construction docs for bidding, preparation of statement of probable construction cost, services during construction
J Associates Architects	Newington	J.R. Victorick	860-665-7063	jvictorick@msn.com	6,430.00	Includes preliminary phase, contract document phase, bidding phase, contract administration, asbestos remediation specifications
Tighe & Bond	Middletown	Fred Mueller	860-704-4768		10,425.00	Includes engineering services, plan of existing roof, develop draft project manual, draft opinion of probable construction cost (additional fees for services during bidding, services during construction)

Fuel Storage Tank Replacement at the Water Pollution Control Plant

NAME	TOWN	CONTACT	PHONE NUMBER	EMAIL	PROPOSAL	COMMENTS
Wright-Pierce	Middletown	John W. Braccio	860-343-8297		5,000.00	
HRP Associates, Inc.	Farmington	Adam G. Fox	1-800-246-9021		7,250.00	
LMG Consulting Engineers, Inc.	Wethersfield	Peter J. Luchini	860-721-7234		8,380.00	
Silver/ Petrucelli + Associates	Hamden	Kenneth J. Sgorbati	203-230-9007 ex. 222	info@silverpetrucelli.com	10,700.00	
AECOM	Wakefield, MA	Donald J. Cheiton	781-246-5200		14,500.00	
Woodard & Curran	Cheshire	Jay G. Sheehan	1-888-265-8969		14,950.00	
Tighe & Bond	Middletown	Fred Mueller	860-704-4768		15,200.00	
URS Corporation	Rocky Hill	Paul F. Schmidt	860-529-8882		18,300.00	

Town of Southington

Engineering Department

ANTHONY J. TRANQUILLO, P.E.
DIRECTOR OF PUBLIC WORKS/TOWN ENGINEER



75 MAIN STREET
SOUTHINGTON, CT 06489
TEL. (860) 276-6231
FAX (860) 628-8669

MEMORANDUM

TO: Engineering Department

FROM: Anthony J. Tranquillo, P.E., Director of Public Works/Town Engineer

RE: **Intersection Sight Distance (ISD) Improvements**

DATE: May 25, 2010

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There are often requests for sight line improvements for private driveways serving private property. Sometimes, these ISD restrictions involve third party adjoining private property owners. In the spirit of cooperation and to enhance safety for all citizens, the following policy shall be in effect from this point forward:

All property owners have the right to request ISD improvements on Town property which involve removal of growth, miscellaneous obstructions, landscaping, and/or re-contouring, excavation and re-grading to improve sight lines under the following conditions:

- Property owner may be required to hire a licensed civil engineer to analyze the conditions, develop any necessary plans, and present their findings by map and/or report to the Town.
- The Town will cooperate in any reasonable manner necessary to allow the improvements to be made. A performance bond may be necessary if work is within the Town's right-of-way. A permit and proper insurance will be required of the applicant and/or his contractor.
- Any and all private property rights and associated costs required across or in front of any third party private property shall be the applicant's responsibility. The Town will not participate in any negotiations, damages or cost of physical improvements
- The Town will allow work within the Town's right-of-way as of right as long as it does not affect or inhibit use of the highway. Adjoining property owners affected by the work must be notified of the proposed changes by the applicant by Certified Mail. The adjoining property

owners shall have the right to comment and/or object to the plan. If the adjoining property owners do not agree with the work being planned, the matter shall be reviewed by the Southington Town Council and its decision shall be final. Any damages to the affected property owners must be paid by the applicant prior to the work. Once all plans are finalized and both public and private approvals are obtained, but before work commences, a permit shall be obtained from the Engineering Department.

AJT:smm

RESOLUTIONS OF TOWN COUNCIL INTRODUCING BOND ORDINANCES AND
ESTABLISHING PUBLIC HEARING

Item VIII A.

MR. D'Angelo presented the following resolution which was
seconded by MS. Miceli :

RESOLVED, that the following proposed Ordinance is hereby introduced:

ORDINANCE APPROPRIATING \$1,680,000 FOR COSTS RELATED TO THE DESIGN, CONSTRUCTION AND INSTALLATION OF WATER MAINS OF APPROXIMATELY 5300 LINEAR FEET ON WEST CENTER STREET BETWEEN SUMMER STREET AND WEST AND ON WEST STREET BETWEEN WEST CENTER STREET AND MILL STREET AND 110 LINEAR FEET ON WELCH ROAD, AT EIGHT MILE RIVER; AND AUTHORIZING THE ISSUANCE OF \$1,680,000 BONDS, NOTES AND TEMPORARY NOTES TO FINANCE SAID APPROPRIATION

BE IT ORDAINED,

(a) That the Town of Southington appropriate ONE MILLION SIX HUNDRED EIGHTY THOUSAND DOLLARS (\$1,680,000) for costs related to the design, construction and installation of (1) approximately 5300 linear feet of 12 inch ductile iron water main on West Center Street, between approximately Summer Street and West Street, and on West Street, between West Center Street and Mill Street, including new valves, hydrants, service connections and a temporary bypass system and (2) approximately 110 linear feet of 12 inch ductile iron water main on Welch Road, at Eight Mile River, crossing under a twin culvert, and including 60 linear feet of 36 inch reinforced concrete pipe. The appropriation may be spent for design, construction, acquisition and installation costs, equipment, materials, administrative, printing and permitting costs, engineering and inspection fees and costs, traffic control, erosion and sedimentation control, landscaping and turf establishment, consultant and legal fees, related improvements, related easement or land acquisition, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Board of Water Commissioners shall determine the scope and particulars of the project and may reduce or modify the project scope; and the entire appropriation may be expended on the project as so reduced or modified.

(b) That the Town issue its bonds or notes in an amount not to exceed ONE MILLION SIX HUNDRED EIGHTY THOUSAND DOLLARS (\$1,680,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 7-259, or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the estimated cost of the project described above is ONE MILLION SIX HUNDRED EIGHTY THOUSAND DOLLARS (\$1,680,000) and it is anticipated that the

payment of the expenses of the project, including all debt service on bonds, notes, obligations, temporary notes and interim funding obligations issued pursuant to this Ordinance shall be paid by the Water Department from the fees and other revenues of the Water Department.

(d) That no amount has been included in the Town budget for the current or any previous year in anticipation of such bond issue.

(e) That the period of usefulness of such project is not less than thirty years, as evidenced by the certificate of the Town Engineer filed with the Town Council and hereby approved.

(f) That the Town issue and renew its temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes, or obligations for the project and the receipt of grants. The amount of the notes or obligations outstanding at any time shall not exceed ONE MILLION SIX HUNDRED EIGHTY THOUSAND DOLLARS (\$1,680,000). The notes shall be issued pursuant to Sections 7-264 and 7-378, or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a and 7-378b of the General Statutes with respect to any temporary notes if the notes do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any interim funding obligations.

(g) The Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer shall sign the bonds, notes, obligations, temporary notes or interim funding obligations by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes, obligations, temporary notes or interim funding obligations. The Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to determine the amount, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes, obligations, temporary notes or interim funding obligations; to designate one or more bank or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes, obligations, temporary notes or interim funding obligations; to provide for the keeping of a record of the bonds, notes, obligations, temporary notes or interim funding obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes, obligations, temporary notes or interim funding obligations; to sell and deliver the bonds, notes, obligations, temporary notes or interim funding obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes, obligations, temporary notes or interim funding obligations.

(h) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that 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 project. The Town Manager or the Deputy Town Manager and the Director of Finance or 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, notes, obligations, temporary notes or interim funding obligations authorized by this Ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(i) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes, obligations, temporary notes or interim funding obligations 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, notes, obligations, temporary notes or interim funding obligations.

(j) That the Board of Water Commissioners is authorized to construct the project, to approve expenditures incurred for the project, and to contract with engineers, contractors and others on behalf of the Town for said project.

(k) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer and the Board of Water Commissioners are authorized to apply for and accept federal and state grants to help finance the appropriation for the project. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes, obligations, temporary notes or interim funding obligations.

(l) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer, on behalf of the Town, are authorized to apply for and accept state grants to finance the appropriation for the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State, and the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

(m) That no bonds, notes, obligations, temporary notes or interim funding obligations shall be issued by the Town pursuant to this Ordinance unless and until the Board of Water Commissioners shall have entered into an agreement, approved by the Town Manager, to charge such rates and fees as will be sufficient: (i) for the payment of the expenses of the project, and (ii) for the payment of all debt service, as the same becomes due and payable, on bonds, notes, obligations, temporary notes and interim funding obligations issued pursuant to this Ordinance to finance said project expenses.

(n) That the Town Council, the Town Manager, the Deputy Town Manager, the Town Engineer, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to construct and complete the project and to issue bonds, notes, obligations, temporary notes or interim funding obligations to finance the aforesaid appropriation. In the event that costs of the project are in excess of the amount hereby appropriated therefor, it is the intent of the Town that the Board of

Water Commissioners will supplement the appropriation with an appropriation from available funds.

(o) That this Ordinance shall become effective twenty (20) days after publication of notice of passage thereof in at least two newspapers having major and substantial circulation in the Town.

FURTHER RESOLVED, that this project be referred to the Planning and Zoning Commission for a report pursuant to Section 8-24 of the Connecticut General Statutes, Revision of 1958, as amended.

FURTHER RESOLVED, that the Town Council of the Town of Southington shall hold a public hearing in the Town Council Chambers of the Town Hall Building, 75 Main Street, Southington, Connecticut on 24th day, January, 2011, at 7:00 p.m. on the aforesaid Ordinance.

FURTHER RESOLVED, that the Town Manager cause a notice of said public hearing to be published in two newspapers having general, major and substantial circulation in the Town of Southington and to be posted on the public sign posts at least five days prior to the public hearing.

The foregoing resolution was approved by the following roll call vote:

IN FAVOR	OPPOSED	ABSTAIN
9	0	0

Item VIII : B.

M R. Dobbins presented the following resolution which was seconded by MR. Palmieri :

RESOLVED, that the following proposed Ordinance is hereby introduced:

ORDINANCE APPROPRIATING \$1,730,000 FOR COSTS RELATED TO THE DEMOLITION OF THE WATER STORAGE TANK LOCATED AT THE MARIONDALE DRIVE WATER FILTRATION PLANT AND ITS REPLACEMENT AT THE SAME LOCATION; AND AUTHORIZING THE ISSUANCE OF \$1,730,000 BONDS, NOTES AND TEMPORARY NOTES TO FINANCE SAID APPROPRIATION

BE IT ORDAINED,

(a) That the Town of Southington appropriate ONE MILLION SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$1,730,000) for demolition of the water storage tank located at the Mariondale Drive Water Filtration Plant, and its replacement at the same location with the construction of a new 2 million gallon prestressed, wire-wound concrete water storage tank. The appropriation may be spent for acquisition and installation costs, equipment, materials,

administrative, printing and permitting costs, engineering and inspection fees and costs, traffic control, consultant and legal fees, related improvements, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Board of Water Commissioners shall determine the scope and particulars of the project and may reduce or modify the project scope; and the entire appropriation may be expended on the project as so reduced or modified.

(b) That the Town issue its bonds or notes in an amount not to exceed ONE MILLION SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$1,730,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 7-259 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the estimated cost of the project described above is ONE MILLION SEVEN HUNDRED THIRTY THOUSAND DOLLARS (\$1,730,000) and it is anticipated that the payment of the expenses of the project, including all debt service on bonds, notes, obligations, temporary notes and interim funding obligations issued pursuant to this Ordinance shall be paid by the Water Department from the fees and other revenues of the Water Department.

(d) That no amount has been included in the Town budget for the current or any previous year in anticipation of such bond issue.

(e) That the period of usefulness of such project is not less than thirty years, as evidenced by the certificate of the Town Engineer filed with the Town Council and hereby approved.

(f) That the Town issue and renew its temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes, or obligations for the project and the receipt of grants. The amount of the notes or obligations outstanding at any time shall not exceed ONE MILLION SIX HUNDRED EIGHTY THOUSAND DOLLARS (\$1,680,000). The notes shall be issued pursuant to Sections 7-264 and 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.

(g) The Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer shall sign the bonds, notes, obligations, temporary notes or interim funding obligations by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to determine the amount, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes, obligations, temporary notes or interim funding obligations; to designate one or more bank or trust companies to be certifying bank, registrar, transfer agent

and paying agent for the bonds, notes, obligations, temporary notes or interim funding obligations; to provide for the keeping of a record of the bonds, notes, obligations, temporary notes or interim funding obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes, obligations, temporary notes or interim funding obligations; to sell and deliver the bonds, notes, obligations, temporary notes or interim funding obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes, obligations, temporary notes or interim funding obligations.

(h) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that 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 project. The Town Manager or the Deputy Town Manager and the Director of Finance or 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, notes, obligations, temporary notes or interim funding obligations authorized by this Ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(i) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes, obligations, temporary notes or interim funding obligations 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, notes, obligations, temporary notes or interim funding obligations.

(j) That the Board of Water Commissioners is authorized to construct the project, to approve expenditures incurred for the project, and to contract with engineers, contractors and others on behalf of the Town for said project.

(k) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer and the Board of Water Commissioners are authorized to apply for and accept federal and state grants to help finance the appropriation for the project. Any grant proceeds may be used to pay project costs or principal and interest on bonds, notes, obligations, temporary notes or interim funding obligations.

(l) That the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer, on behalf of the Town, are authorized to apply for and accept state grants to finance the appropriation for the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State, and the Town Manager or the Deputy Town Manager and the Director of Finance or the Treasurer are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

(m) That no bonds, notes, obligations, temporary notes or interim funding obligations shall be issued by the Town pursuant to this Ordinance unless and until the Board of Water Commissioners shall have entered into an agreement, approved by the Town Manager, to charge such rates and fees as will be sufficient: (i) for the payment of the expenses of the project, and (ii) for the payment of all debt service, as the same becomes due and payable, on bonds, notes, obligations, temporary notes and interim funding obligations issued pursuant to this Ordinance to finance said project expenses.

(n) That the Town Council, the Town Manager, the Deputy Town Manager, the Town Engineer, the Director of Finance, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to construct and complete the project and to issue bonds, notes, obligations, temporary notes or interim funding obligations to finance the aforesaid appropriation. In the event that costs of the project are in excess of the amount hereby appropriated therefor, it is the intent of the Town that the Board of Water Commissioners will supplement the appropriation with an appropriation from available funds.

(o) That this Ordinance shall become effective twenty (20) days after publication of notice of passage thereof in at least two newspapers having major and substantial circulation in the Town.

FURTHER RESOLVED, that the Town Council of the Town of Southington shall hold a public hearing in the Town Council Chambers of the Town Hall Building, 75 Main Street, Southington, Connecticut on 24th day, January, 2011, at 7:00 p.m. on the aforesaid Ordinance.

FURTHER RESOLVED, that the Town Manager cause a notice of said public hearing to be published in two newspapers having general, major and substantial circulation in the Town of Southington and to be posted on the public sign posts at least five days prior to the public hearing.

The foregoing resolution was approved by the following roll call vote:

IN FAVOR

OPPOSED

ABSTAIN

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List of Requests for Abatement or Refunds of Taxes - Town Council Meeting of January 10, 2011

<u>Taxpayer's Name</u>	<u>Reason for Refund</u>	<u>Amount of Refund</u>
AMC Realty (Clavette)	Overpayment List #017033 R 2007 & 2008	\$2,352.46
Mollor, Elizabeth	Overpayment List #19062 X 2009	\$958.22
VW Credit Leasing Ltd	Assessor C/C List #220646 M 2009	\$154.75
VW Credit Leasing Ltd	Assessor C/C List #220674 M 2009	\$153.24