

TOWN OF KILLINGLY
PUBLIC HEARING
Tuesday, February 10, 2015

A PUBLIC HEARING of the Town Council was held, pursuant to Section 506 of the Killingly Town Charter, in the Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut, on Tuesday, February 10, 2015 at 7:00 p.m. at which time interested persons were heard upon the following ordinances:

**ORDINANCE TO ACCEPT THE DONATION OF A PORTION OF TWO PARCELS OF
LAND LOCATED AT 953 NORTH MAIN STREET AND 957 NORTH MAIN STREET
AND
ORDINANCE TO AMEND THE KILLINGLY CODE OF ORDINANCES,
CHAPTER 4, BUILDINGS AND BUILDING REGULATIONS BY ADDING ARTICLE VI.
PROPERTY MAINTENANCE CODE AND REGULATIONS CONCERNING BLIGHT**

Chairman Hallbergh called the public hearing to order at 7:00 p.m.

Mr. Hallbergh, Mr. Sarantopoulos, Ms. Wakefield, Ms. LaBerge, and Ms. Ricci were present at the public hearing. Also present were Town Manager Hendricks, Town Attorney St. Onge, and Council Secretary Buzalski. Mr. Grandelski, Mr. Alemian, Mr. Gosper and Mr. Cesolini were absent with notification.

Public comment was opened.

There were no public comments.

The Public Hearing was closed at 7:02 p.m.

Date: Tuesday, February 10, 2015

Time: 7:30 p.m.

Place: Town Meeting Room
Killingly Town Hall

**KILLINGLY TOWN COUNCIL
REGULAR MEETING
AGENDA**

1. CALL TO ORDER
2. PRAYER
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
5. ADOPTION OF MINUTES OF PREVIOUS MEETINGS
 - a) Special Town Council Meeting: January 6, 2015
 - b) Regular Town Council Meeting: January 13, 2015
6. PRESENTATIONS, PROCLAMATIONS AND DECLARATIONS
 - a) Proclamation recognizing National FFA Week

- b) Proclamation recognizing the month of February as Teen Dating Violence Prevention and Awareness Month
- c) Presentation of FY 13-14 Town financial audit report - Jennifer Hawkins of Mahoney Sabol and Company, LLC
- d) Presentation on the Clean Energy Communities Municipal Pledge - Shawn Johnston of Eversource
- e) Presentation of EMS service proposal - Randy Daggett of KB Ambulance Corps
- 7. UNFINISHED BUSINESS FOR TOWN MEETING ACTION
 - a) Consideration and action on an ordinance to accept the donation of two parcels of land: 953 North Main Street and 957 North Main Street
- 8. DISCUSSION AND ACCEPTANCE OF MONTHLY BUDGET REPORTS
 - a) Summary Report on General Fund Appropriations for Town Government
 - b) System Object Based on Adjusted Budget for the Board of Education
- 9. REPORTS FROM LIAISONS
 - a) Board of Education Liaison
 - b) Borough Council Liaison
- 10. CORRESPONDENCE TO COUNCIL
- 11. CITIZEN'S STATEMENTS AND PETITIONS

Pursuant to the Town Council's Rules of Procedure, Article IV, Section 2, all presentations by citizens shall be limited to an aggregate of forty-five (45) minutes and each citizen's presentation shall not exceed five (5) minutes unless otherwise indicated by a majority vote of the Town Council.
- 12. COUNCIL/STAFF COMMENTS
- 13. APPOINTMENTS TO BOARDS AND COMMISSIONS
- 14. UNFINISHED BUSINESS FOR TOWN COUNCIL ACTION
 - a) Consideration and action on a resolution to authorize encumbering \$50,000 from the High School and Regional Vo-Ag Center capital project account to complete repairs to the High School gym floor (*Tabled on September 10, 2013*)
 - b) Consideration and action on an ordinance to amend the Killingly Code of Ordinances, Chapter 4, Buildings and Building Regulations by adding Article VI. Property Maintenance Code and Regulations Concerning Blight
 - c) Discussion re: offer of donation of property at 800 North Main Street
- 15. TOWN MEETING BUSINESS
 - a) Consideration and action on an ordinance to accept the donation of two parcels of land: 953 North Main Street and 957 North Main Street
- 16. NEW BUSINESS
 - a) Consideration and action on a resolution to accept the Town's Basic Financial Statements and Related Audit Reports for the fiscal year ended June 30, 2014 and to appoint Mahoney Sabol & Company, LLP, Certified Public Accountants, to perform the Town's Audit for Fiscal Year 2014-2015
 - b) Consideration and action on a resolution authorizing the Town Manager to execute a multi-year contract with First Southwest, for Financial Advisory services related to the Town's debt service program and capital projects planning
 - c) Consideration and action on a resolution authorizing the Town Manager to execute a multi-year contract with the ICMA Retirement Corporation Governmental Money

- Purchase Plan & Trust, for the investment of Town contributions to employees' retirement accounts
- d) Consideration and action on a resolution to designate the conservation easement at 72 Putnam Pike as the 1892 Conservation Area
 - e) Consideration and action on a resolution to authorize execution and delivery of a Memorandum of Agreement Regarding Use of Federal Fiscal Year 2014 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 4
17. COUNCIL MEMBER REPORTS AND COMMENTS
18. COMMUNICATIONS Town Manager
 Town Attorney
19. EXECUTIVE SESSION
20. ADJOURNMENT

KILLINGLY TOWN COUNCIL
Tuesday, February 10, 2015

The regular meeting of the Killingly Town Council was held Tuesday, February 10, 2015, at 7:30 p.m. in the second floor Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut.

- 1. Chairperson Hallbergh called the meeting to order at 7:30 p.m.
 - 2. Prayer by Ms. Wakefield.
 - 3. Pledge of Allegiance to the flag.
 - 4. Upon roll call, all Councilors were present except Mr. Gosper, who was absent with notification.
- Also present were Town Manager Hendricks, Board of Education Liaison Burns, Town Attorney St. Onge and Secretary Buzalski.

5. Adoption of Minutes of Previous Meeting

5a) Ms. Wakefield made a motion, seconded by Ms. Ricci, to adopt the minutes of the Special Town Council Meeting of January 6, 2015.

Discussion followed.

Voice Vote: Unanimous

Motion passed.

5b) Ms. Wakefield made a motion, seconded by Ms. LaBerge, to adopt the minutes of the Town Council Meeting of January 13, 2015.

Discussion followed.

Voice Vote: Unanimous

Motion passed.

6. Presentations, Proclamations and Declarations

6b) Proclamation recognizing the month of February as Teen Dating Violence Prevention and Awareness Month

Ms. Wakefield read the following:

**PROCLAMATION RECOGNIZING THE MONTH OF
FEBRUARY 2015 AS TEEN DATING VIOLENCE**

**PREVENTION AND AWARENESS MONTH
IN THE TOWN OF KILLINGLY**

WHEREAS, Teen Dating Violence Prevention and Awareness Month is a national effort to raise awareness about abuse in teen and 20-something relationships and promotes programs that prevent this abuse during the month of February; and

WHEREAS, teen dating violence is a wide-spread problem, affecting youth in every community across the nation; and

WHEREAS, one in three young people are affected by physical, sexual, or verbal dating violence; one in ten in a serious relationship have reported being slapped, pushed, hit, threatened or coerced by their partner, and recognizing breakups are a time of greater risk, even when a relationship was never physically abusive; and

WHEREAS, young people can choose better relationships when they understand that healthy relationships are based on respect and learn to identify early warning signs of an abusive relationship; and

WHEREAS, elimination of dating violence must be achieved through cooperation of individuals, organizations, and communities and young people across the nation have organized to put a stop to dating abuse and work along side their adult allies to educate young people about this violence; and

WHEREAS, Dating Violence Prevention and Awareness Month provides an excellent opportunity for citizens to learn more about preventing dating violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims; now

THEREFORE, the Killingly Town Council does hereby proclaim the month of February 2015, as Dating Violence Prevention and Awareness Month in the Town of Killingly.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut,
this 10th day of February, 2015

6a) Proclamation recognizing National FFA Week

Mr. Hallbergh read the following:

WHEREAS, the FFA and agricultural education programs provide a strong foundation for the youth of America and the future of the food, fiber and natural resources systems; and

WHEREAS, FFA promotes premier leadership, personal growth and career success among its members; and

WHEREAS, agricultural education and FFA ensure a steady supply of young professional to meet the growing needs in the science, business and technology of agriculture; and

WHEREAS, the FFA motto “learning to do, doing to learn, earning to live, living to serve” gives direction of purpose to these students who take an active role in succeeding in agricultural education; and

WHEREAS, FFA promotes citizenship, volunteerism, patriotism and cooperation;

NOW, THEREFORE, BE IT PROCLAIMED BY THE KILLINGLY TOWN COUNCIL that the week of February 21 – 28, 2015 be recognized as FFA Week.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut,
this 10th day of February, 2015

6c) Presentation of FY 13-14 Town financial audit report - Jennifer Hawkins of Mahoney Sabol and Company, LLC

Jennifer Hawkins of Mahoney Sabol and Company, LLC presented the 2014 Audit Results.

Mr. Cesolini made a motion, seconded by Ms. LaBerge, to move agenda item 7a up.

Voice vote: Unanimous

Motion passed.

7. Unfinished Business for Town Meeting Action

7a) Consideration and action on an ordinance to accept the donation of two parcels of land: 953 North Main Street and 957 North Main Street

Mr. Cesolini made a motion, seconded by Ms. Wakefield to adopt the following:

**ORDINANCE TO ACCEPT THE DONATION OF A PORTION OF TWO PARCELS OF
LAND LOCATED AT 953 NORTH MAIN STREET AND 957 NORTH MAIN STREET**

BE IT ORDAINED BY THE TOWN OF KILLINGLY that the Town Manager is herein authorized to perform such duties as may be necessary to accept and acquire the donated portions of land located at 953 North Main Street and 957 North Main Street.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015

Discussion followed.

Voice vote: Unanimous

Motion passed.

15. Town Meeting Business

15a) Consideration and action on an ordinance to accept the donation of two parcels of land: 953 North Main Street and 957 North Main Street

At 8:00 p.m. the Council meeting was recessed in order for a Town Meeting to take place.

The Council meeting resumed at 8:04 p.m.

Jennifer Hawkins of Mahoney Sabol and Company, LLC continued her presentation and responded to questions and comments from Councilors.

6d) Presentation on the Clean Energy Communities Municipal Pledge - Shawn Johnston of Eversource

Shawn Johnston of Eversource gave a presentation on the Clean Energy Communities Municipal Pledge

6e) Presentation of EMS service proposal - Randy Daggett of KB Ambulance Corps

Randy Daggett of KB Ambulance Corps presented the EMS service proposal.

8. Discussion and Acceptance of Monthly Budget Reports

8a) Summary Report on General Fund Appropriations for Town Government

Ms. Wakefield made a motion, seconded by Mr. Alemian, to accept the summary report on general fund appropriations for Town Government.

Discussion followed.

Voice Vote: Unanimous

Motion passed.

8b) System Object Based on Adjusted Budget for the Board of Education

Ms. Wakefield made a motion, seconded by Ms. LaBerge, to accept the system object based on adjusted budget for the Board of Education.

Discussion followed.

Voice Vote: Unanimous

Motion passed.

9. Reports from Liaisons

9a. Report from the Board of Education Liaison

Board of Education Liaison Burns reported on activities of the Board of Education and the Schools and responded to questions and comments from Councilors.

9b. Report from the Borough Liaison

Council Member LaBerge reported on the Borough of Danielson.

10. Correspondence to Council

All correspondence was distributed prior to the meeting.

Mr. Alemian received an email from Viola Anger about the prescription drug program. Town Manager Hendricks responded that information on how to participate will be forthcoming.

11. Citizens' Statements and Petitions:

Pursuant to the Town Council's Rules of Procedure, Article IV, Section 2, all presentations by citizens shall be limited to an aggregate of forty-five (45) minutes and each citizen's presentation shall not exceed five (5) minutes unless otherwise indicated by a majority vote of the Town Council.

Robert Senecal, Katherine Ave, Danielson, requested that the number of dogs allowed per household be reduced from five to two or three.

Donna Bromwell, 699 Bailey Hill Rd, East Killingly, commented on agenda item 16d, the naming of the conservation property.

Hoween Flexer, Francis St, Danielson, announced that the library is doing employment assistance and job search series.

Kevin Geaudreau, Rogers, felt that the letters sent out about not shoveling sidewalks had a threatening tone.

12. Council/Staff Comments

Ms. Wakefield noted that elderly or disabled citizens can get help with shoveling through either the Rec Center or the Engineering Department.

Mr. Sarantopoulos noted that last year's requested budget did have another plow for sidewalks that was not approved.

Mr. Hendricks apologized that the letters were seen as threatening.

Mr. Grandelski commented on the volume of snow and the design of sidewalks.

Mr. Hallbergh would refer Mr. Senecal to Planning and Zoning for his request.

13. Appointments to Boards and Commissions: None

14. Unfinished Business

14a) Consideration and action on a resolution to authorize encumbering \$50,000 from the High School and Regional Vo-Ag Center capital project account to complete repairs to the High School gym floor (*Tabled on September 10, 2013*)

Mr. Alemian made a motion, seconded by Ms. Ricci, to remove this item from the table.

Discussion followed.

Voice vote: Unanimous.

Mr. Alemian made a motion, seconded by Ms. Wakefield to adopt the following:

**RESOLUTION TO AUTHORIZE ENCUMBERING A PROJECTED \$50,000
EXPENDITURE FROM THE HIGH SCHOOL AND REGIONAL VO-AG CENTER
CAPITAL PROJECT ACCOUNT TO COMPLETE REPAIRS TO THE HIGH SCHOOL
GYM FLOOR**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Town Manager be authorized to encumber \$50,000 for projected expenditures of up to the amount in the High School and Regional Vocational-Agricultural Center capital project account to complete repairs to the gym floor as proposed in the Dalene Hardwood Flooring Company proposal dated July 9, 2013.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015

Discussion followed.

Voice vote: Unanimous.

Motion passed.

14b) Consideration and action on an ordinance to amend the Killingly Code of Ordinances, Chapter 4, Buildings and Building Regulations by adding Article VI. Property Maintenance Code and Regulations Concerning Blight

Ms. Wakefield made a motion, seconded by Ms. LaBerge to adopt the following:

**ORDINANCE TO AMEND THE KILLINGLY CODE OF ORDINANCES,
CHAPTER 4, BUILDINGS AND BUILDING REGULATIONS BY ADDING ARTICLE
VI. PROPERTY MAINTENANCE CODE AND REGULATIONS CONCERNING
BLIGHT**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Killingly Code of Ordinances, Chapter 4, Buildings and Building Regulations, be amended by adding the following:

**Article VI. PROPERTY MAINTENANCE CODE AND REGULATIONS CONCERNING
BLIGHT**

A. IN GENERAL

Section 4-180 Title

This ordinance shall be known as the “Property Maintenance Code and Regulations Concerning Blight (the “ordinance”) and the standards established by this ordinance shall be referred to as and constitute the minimum property standards within the Town of Killingly (the “Town”).

Section 4-181 Intent and Authority

A. This ordinance is intended to protect, preserve and promote public health, safety and welfare; and to reduce environmental hazards to health, safety and welfare, insofar as they are affected by the maintenance of residential and non-residential structures, equipment and premises as provided by this ordinance. This ordinance is further intended to provide minimum standards governing the condition, occupancy and maintenance of occupied and unoccupied premises and establish reasonable safeguards for the health, safety and welfare of the occupants and users of said premises, the community and the general public. This ordinance is intended to maintain and

preserve the integrity of the Town's neighborhoods, to preserve and protect property values and to control visual blight.

B. This ordinance establishes the minimum standards and responsibilities for the maintenance of all premises and delegates administrative responsibility and enforcement powers and creates enforcement procedures.

C. This ordinance prohibits any owner or occupier, as defined herein, from allowing, creating, maintaining, or causing to be created or maintained a blighted premise within the Town.

D. This ordinance is adopted in accordance with the provisions of Connecticut General Statutes §7-148(c)(7)(H)(xv), §7-148aa and §7-152c and existing Killingly Ordinance Section 1-7 through 1-11.

Section 4-182 Scope of Provisions

A. Applicability

1. This ordinance shall apply uniformly throughout the Town to the maintenance, use and occupancy of all premises now in existence or hereafter constructed, maintained or modified and shall include:

- (a) Dwellings or dwelling units, including one-family and two-family dwellings and buildings with multiple-unit dwellings
- (b) Lots, plots or parcels of land whether vacant or occupied;
- (c) Buildings not exclusively of dwelling use, including commercial, industrial and mixed-use properties that may include one or more dwelling units;
- (d) Accessory structures to any building;
- (e) All apartments, boarding houses, group homes, lodging houses, rooming houses and unrelated family units.

B. DEFINITIONS AND WORD USAGE

Section 4-183 Terms – how constructed

A. Unless another meaning is clearly indicated by the context, the words listed in the article shall have the meanings indicated in this Article, and such meanings shall be used in the interpretation and enforcement of this code.

B. Where terms are not defined in this code and are defined in other zoning, fire, building or health ordinances of the Town of Killingly, they shall have the same meanings ascribed to them in those ordinances.

C. Where terms are not defined under the provisions of this code or under the provisions of other ordinances of the Town of Killingly, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

Section 4-184 Definitions

Accessory structure shall mean a structure, the use of which is customarily incidental and subordinate to that of principal building, structure or use on the same lot.

Blighted premise shall mean:

A. Any building or structure, or any part of a structure that is a separate unit, or a parcel of land, or any accessory structure, or fence, where the Building Official determines that two or more of the following conditions exists:

1. The existing conditions pose a serious threat to the health, safety and welfare of town citizenry;
2. The building or structure, or any part of a structure that is a separate unit, or a parcel of land, or any accessory structure, or fence (the “premise”) is not being properly maintained, as evidenced by the existence, to a significant degree, of one or more of the following conditions:
 - (a) Missing, broken or boarded windows or doors;
 - (b) Collapsing or deteriorating exterior walls, roofs, stairs, porches, handrails, railings, basement hatchways, or floors;
 - (c) Exterior walls which contain holes, breaks, loose or rotting materials or which are not properly surface coated to prevent deterioration;
 - (d) Foundation walls which contain open cracks or breaks;
 - (e) Overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts which contain hazardous decay;
 - (f) Chimneys, flues and similar appurtenances which are in a state of disrepair;
 - (g) Insect screens which contain tears or ragged edges;
 - (h) Garbage, trash or debris improperly stored or accumulated on the premises, or abandoned vehicles on the premises (unless the premise is a junkyard licensed by the State of Connecticut);
 - (i) Overgrown grass and offensive weeds at least 18 inches in height and/or other invasive noxious plants such as poison ivy, poison sumac, poison oak or ragweed are present on any portion of the property that is proximate to a public right of way;
 - (j) Vermin infestations;
 - (k) In the case of a fence, broken or rotted boards or in an otherwise dilapidated condition; or
 - (l) Any other exterior condition leading to the progressive deterioration of the neighborhood.
3. The premise is attracting illegal activity constituting a public nuisance, as defined in Connecticut General Statutes 19a-343, as documented in police department records;
4. The premise contains remnants of a burned structure or material and/or is a fire hazard as determined by the Fire Marshal or as documented in the fire department records;
5. The premise is a factor creating a substantial and unreasonable interference with the use and enjoyment of other premises within the surrounding area as documented by neighborhood complaints, police reports, the cancellation of insurance on proximate properties; or similar circumstances constituting a nuisance.

Citation Hearing Officer shall mean an individual(s) appointed by the Town Manager to conduct hearings authorized by this chapter.

Connecticut General Statutes shall include any applicable amendments.

Deterioration shall mean the condition or appearance of a building or structure, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, or other evidence of physical decay or neglect, excessive use or lack of maintenance.

Legal occupancy shall mean occupancy in accordance with state building and fire codes, local zoning regulations, local housing ordinances and all other pertinent codes.

Neighborhood shall mean an area of the Town comprised of all premises or parcels of land, any part of which is within a radius of 1,000 feet of any part of another parcel or lot within the Town.

Noxious vegetation shall mean any vegetation that is injurious to the public health, safety, peace, or convenience

Nuisance is an unreasonable interference with the public's right to property. It includes conduct that interferes with public health, safety, peace or convenience.

Owner/occupier shall mean any person, institution, foundation, entity or authority which owns, leases, rents, possesses, or is responsible for property within the Town.

Proximate property shall mean any premises or parcel of land within 1,000 feet of a blighted premise within a village.

Solid waste means any solid, liquid, semisolid or contained gaseous material including but not limited to demolition debris, trash, refuse, and the like.

Vacant shall mean a period of 60 days or longer during which a building or structure or part thereof is not legally occupied by human beings.

Vacant parcel shall mean a parcel of land with no structure(s) thereon.

Vegetation shall mean grass or plants not planted as a crop or for ornamental purposes

Village shall mean a geographical area localized in a community within accepted similar zip code; i.e. cul-de-sac, subdivision, sub areas with similar uses.

Section 4-185 Signs, Awnings and Marquees

A. Signs - All permanent signs and billboards exposed to public view permitted by reason of other ordinances or laws shall be maintained in good repair. Any signs which are excessively weathered or faded or those upon which the paint has excessively peeled or cracked or whose supporting members have deteriorated shall be removed forthwith or put into a good state of repair by the owner of the sign.

B. Awnings and marquees - Any awning or marquee and its accompanying structural member which extends over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event that such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting structure, be removed forthwith. In the event that said awnings or marquees are made of cloth, plastic or of similar materials, said cloth or plastic where exposed to public view shall be maintained in good condition and shall not show evidence of excessive

weathering, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

Section 4-186 Removal of weeds or similar vegetation

- A. Every owner/occupier of property shall keep his property free from noxious vegetation of any type which, in the opinion of the Building Official, is proximate to a public right of way.
- B. Any violation shall constitute a nuisance which may be abated by the Town at the expense of the owner, lessor, lessee or any other person in possession or any one or any combination of these to whom the Building Official has given not less than 10 days written notice of intention to abate such nuisance. Such expense may be collected by the Town in a civil action against any one or more of the above-named persons responsible therefore.

Section 4-187 Solid Waste, Storage and Littering

- A. Accumulation restricted. It shall be unlawful for an owner/occupier to allow solid waste to accumulate anywhere on premises in the Town in such a manner as to create an offensive, unsightly or unsanitary condition.
- B. Storage requirements. In the event that property usage would result in the stacking or piling of materials, including equipment, even if wanted and useful, they must be so arranged as to prohibit the creation of a blighting factor to their neighbors. Furthermore, all useful, wanted material, including equipment, stored outdoors, shall be stored in an orderly fashion and, to the extent reasonably feasible, shall be located in the rear yard.

Section 4-188 Blighted Premises

- A. No owner/occupier of real property within the Town shall cause or allow blighted premises to be created nor shall any owner/occupier allow the continued existence of blighted premises.
- B. The Building Official shall be authorized to proceed in accordance with the provisions of this ordinance with regard to enforcement of this ordinance.

C. ADMINISTRATION AND ENFORCEMENT

Section 4-189 Inspections, Complaints and Enforcement

- A. The Building Official or his/her designee is authorized and empowered to make inspections of all premise(s) located within the Town of Killingly pursuant to:
 - 1. A complaint that an alleged violation of the provisions of this code or of applicable rules or regulations may exist pursuant thereto may exist, or
 - 2. When the Building Official has sufficient reason to believe that a violation of this code or any rules or regulations pursuant thereto has been or is being committed.
 - 3. If an owner, occupant or other person in charge of a premise(s) fails or refuses to permit free access and entry to the premise(s) under his control, or any part thereof, with respect to which an inspection authorized by this code is sought to be made, the Town Manager or his/her designee may petition a court of competent jurisdiction to obtain an inspection warrant.
- B. Notice of Violation
Whenever the Building Official determines a violation of this ordinance in fact exists, enforcement shall be in accordance with Section 4-77 – Notice of Violation (NOV), excepting however, that the Building Official may issue a NOV warning letter prior to issuance of the actual Notice of Violation. The NOV warning letter may allow corrective work to be completed

in ten (10) days or as agreed to by both parties. If the property is rehabilitated to the satisfaction of the Building Official, no further enforcement action will be taken.

Section 4-190 Enforcement by Citation and Penalties

- A. If the remedial action(s) specified in the Notice of Violation are not timely performed, the Building Official shall issue a written citation to the owner/occupier.
- B. Citation Procedures shall be in accordance with Sections 1-9 and 1-10 as to penalties, citation hearing officers, hearings, notice of assessment and appeal. The owner/occupier may not contest a Notice of Violation warning letter before a Citation Hearing Officer.
- C. Penalties for offenses:
 - 1. Each violation of any provision of this code shall be considered a separate offense hereunder.
 - 2. Each day any violation of any provision of this code shall continue shall constitute a separate offense hereunder.
 - 3. Each separate offense shall be punishable by a fine of not more than \$100 per day administered pursuant to the provision of Section 1-9 and 1-10 of the Killingly Code of Ordinances.
 - 4. The imposition of any fine or civil penalty shall not be construed to prevent the enforcement of other laws related to the premise(s) or to prevent the initiation of other enforcement measures or penalties, as appropriate.

KILLINGLY TOWN COUNCIL

John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015

Discussion followed.

Roll Call vote: Ms. Ricci – Yes, Mr. Cesolini – No, Mr. Sarantopoulos – Yes, Mr. Grandelski – Yes, Ms. Wakefield – Yes, Ms. LaBerge – Yes, Mr. Alemian – Yes, Mr. Hallbergh – Yes
Motion passed.

14c) Discussion re: offer of donation of property at 800 North Main Street
Council members discussed the offer of donation of property at 800 North Main Street.

16. New Business

16a) Consideration and action on a resolution to accept the Town's Basic Financial Statements and Related Audit Reports for the fiscal year ended June 30, 2014 and to appoint Mahoney Sabol & Company, LLP, Certified Public Accountants, to perform the Town's Audit for Fiscal Year 2014-2015

Ms. Ricci made a motion, seconded by Ms. Wakefield to adopt the following:

**RESOLUTION TO ACCEPT THE TOWN'S BASIC FINANCIAL STATEMENTS
AND RELATED AUDIT REPORTS FOR THE FISCAL YEAR ENDED JUNE 30,
2014 AND TO APPOINT MAHONEY SABOL & COMPANY, LLP, CERTIFIED**

**PUBLIC ACCOUNTANTS, TO PERFORM THE TOWN'S AUDIT FOR FISCAL
YEAR 2014-2015**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Town's *Basic Financial Statements, Independent Auditor's Report, Supplemental Statements and Federal and State Single Audit Reports* as prepared by Mahoney Sabol & Company, Certified Public Accountants, LLP for the fiscal year ended June 30, 2014 be hereby accepted, and

BE IT FURTHER RESOLVED that pursuant to Section 510 of the Town Charter, Mahoney Sabol & Company, LLP, Certified Public Accountants, LLP, are hereby designated to be the Town's Independent Auditors for the fiscal period July 1, 2014 to June 30, 2015.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015
Discussion followed.
Voice vote: Unanimous
Motion passed.

16b) Consideration and action on a resolution authorizing the Town Manager to execute a multi-year contract with First Southwest, for Financial Advisory services related to the Town's debt service program and capital projects planning

Mr. Cesolini made a motion, seconded by Ms. LaBerge to adopt the following:

**RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A MULTI-
YEAR CONTRACT WITH FIRST SOUTHWEST, FOR FINANCIAL ADVISORY
SERVICES RELATED TO THE TOWN'S DEBT SERVICE PROGRAM AND CAPITAL
PROJECT PLANNING**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that, in accordance with Section 602 of the Killingly Town Charter, the Town Council may authorize the Town Manager to enter into and deliver to the United States Government or any agency thereof, the State of Connecticut or any agency or political subdivision thereof, or any other body politic or corporate any and all documents which it deems to be necessary or appropriate; and

BE IT FURTHER RESOLVED that Town Manager Sean Hendricks, Chief Executive Officer for the Town of Killingly, is hereby authorized to execute and deliver to First Southwest a contract with the terms being effective February 2015 through June 30, 2017 with two additional one year extensions and any and all related documents on behalf of the Town of Killingly and to do and perform all acts and duties deemed necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such financial advisory service.

KILLINGLY TOWN COUNCIL
John Hallbergh

Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015

Discussion followed.

Voice vote: Unanimous.

Motion passed.

16c) Consideration and action on a resolution authorizing the Town Manager to execute a multi-year contract with the ICMA Retirement Corporation Governmental Money Purchase Plan & Trust, for the investment of Town contributions to employees' retirement accounts

Ms. Wakefield made a motion, seconded by Ms. Ricci to adopt the following:

**RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A
MULTI-YEAR CONTRACT WITH THE ICMA RETIREMENT CORPORATION
GOVERNMENTAL MONEY PURCHASE PLAN & TRUST, FOR THE INVESTMENT
OF TOWN CONTRIBUTIONS TO
EMPLOYEES' RETIREMENT ACCOUNTS**

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the establishment of a money purchase retirement plan benefits employees by providing funds for retirement and funds for their beneficiaries in the event of death; and

WHEREAS, the Employer desires that its money purchase retirement plan be administered by ICMA-RC and that the funds held in such plan be invested in the VantageTrust, a trust established by public employers for the collective investment of funds held under their retirement and deferred compensation plans:

NOW THEREFORE BE IT RESOLVED that the Employer hereby establishes or has established a money purchase retirement plan (the "Plan"), in the form of the ICMA Retirement Corporation Governmental Money Purchase Plan & Trust, pursuant to the specific provisions of the Adoption Agreement (executed copy attached hereto); such Plan shall be maintained for the exclusive benefit of eligible employees and their beneficiaries; and

BE IT FURTHER RESOLVED that the Employer hereby executes the Declaration of Trust of VantageTrust, intending this execution to be operative with respect to any retirement or deferred compensation plan subsequently established by the Employer, if the assets of the plan are to be invested in the VantageTrust; and

BE IT FURTHER RESOLVED that the Employer hereby agrees to serve as trustee under the Plan and to invest funds held under the Plan in the VantageTrust; and

BE IT FURTHER resolved that the Town Manager shall be the coordinator for the Plan; shall receive reports, notices, etc., from the ICMA Retirement Corporation or the VantageTrust; shall

cast, on behalf of the Employer, any required votes under the VantageTrust; may delegate any administrative duties relating to the Plan to appropriate departments; and

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that, in accordance with Section 602 of the Killingly Town Charter, the Town Council may authorize the Town Manager to enter into and deliver to the United States Government or any agency thereof, the State of Connecticut or any agency or political subdivision thereof, or any other body politic or corporate any and all documents which it deems to be necessary or appropriate; and

BE IT FURTHER RESOLVED that the Employer hereby authorizes the Town Manager to execute all necessary agreements with the ICMA Retirement Corporation incidental to the administration of the Plan.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015

Discussion followed.

Mr. Sarantopoulos made a motion, seconded by Ms. Wakefield, to suspend the rules to allow Mary Calorio to speak.

Voice vote: Unanimous.

Motion passed.

Ms. Calorio explained the benefits of the new plan and responded to Counselor questions and comments.

On the resolution, voice vote: Unanimous.

Motion passed.

16d) Consideration and action on a resolution to designate the conservation easement at 72 Putnam Pike as the 1892 Conservation Area

Mr. Grandelski made a motion, seconded by Ms. Ricci to adopt the following:

**RESOLUTION TO DESIGNATE THE CONSERVATION EASEMENT AT 72 PUTNAM
PIKE AS THE 1892 CONSERVATION AREA**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Conservation Easement area at 72 Putnam Pike be designated and named the 1892 Conservation Area.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015

Discussion followed.
Voice vote: Unanimous.
Motion passed.

16e) Consideration and action on a resolution to authorize execution and delivery of a Memorandum of Agreement Regarding Use of Federal Fiscal Year 2014 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 4
Mr. Cesolini made a motion, seconded by Ms. Wakefield to adopt the following:

**RESOLUTION TO AUTHORIZE EXECUTION AND DELIVERY OF A
MEMORANDUM OF AGREEMENT REGARDING USE OF FEDERAL FISCAL YEAR
2014 STATE HOMELAND SECURITY GRANT FUNDING AND CUSTODIAL
OWNERSHIP OF REGIONAL ASSETS IN DEMHS REGION 4**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that, in accordance with Section 602 of the Killingly Town Charter, the Town Council may authorize the Town Manager to enter into and deliver to the United States Government or any agency thereof, the State of Connecticut or any agency or political subdivision thereof, or any other body politic or corporate any and all documents which it deems to be necessary or appropriate; and

BE IT FURTHER RESOLVED that Town Manager Sean Hendricks, Chief Executive Officer for the Town of Killingly, is hereby authorized to execute and deliver to the State of Connecticut Department of Emergency Management and Homeland Security (DEMHS) the attached Memorandum of Agreement (MOA) Regarding Use of Federal Fiscal Year 2013 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 4 and is further authorized to execute and deliver to the said DEMHS any and all related documents on behalf of the Town of Killingly and to do and perform all acts and duties deemed necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such MOA or related documents.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 10th day of February, 2015
Discussion followed.
Voice vote: Unanimous.
Motion passed.

17. Council Member Reports and Comments

Mr. Sarantopoulos reported on the Board of Education meeting and the Water Pollution Control Authority meeting.

Mr. Grandelski reported on the Conservation Commission meeting and the Housing Authority meeting.

Ms. Wakefield reported that Public Safety Commission did not meet in January, and reported on the Solid Waste meeting and the Special Commission on Law Enforcement meeting.

Ms. LaBerge reported that the Historic District Commission did not meet in January.

Mr. Alemian did not make the Ag Commission meeting in January, and the Board of Recreation did not meet because of the snow.

Ms. Ricci reported that the Inland-Wetlands meeting was postponed because of snow, the Economic Development Commission meeting was postponed because they did not have a quorum, and the Planning and Zoning meeting.

Mr. Hallbergh reported on the NECOG meeting.

18. Communications:

18a. Town Manager: Reported that he received approval letters from DEP for the Rogers pump station project.

18b. Town Attorney: None

19. Executive Session: None

20. Adjournment:

Ms. Wakefield made a motion, seconded by Mr. Alemian to adjourn the meeting.

Voice Vote: Unanimous.

Motion passed.

The meeting ended at 10:49 p.m.

Respectfully submitted,

Elizabeth Buzalski
Council Secretary
