

4c. Discussion of Conservation Commission activities with the Conservation Commission and Commission Liaison, Eric Rumsey

Councilors discussed the Conservation Commission activities with the Conservation Commission and Commission Liaison, Eric Rumsey.

5. Adjournment

Ms. Wakefield made a motion, seconded by Ms. La Berge to adjourn the meeting.
Voice Vote: Unanimous. Motion passed.
The meeting ended at 8:06 p.m.

Respectfully submitted,

Elizabeth Buzalski
Council Secretary

**TOWN COUNCIL
REGULAR MEETING**

DATE: TUESDAY, January 13, 2015
TIME: 7:30 P.M.
PLACE: TOWN MEETING ROOM
KILLINGLY TOWN HALL

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: December 2, 2014
 - b) Regular Town Council Meeting: December 9, 2014
 - c) Special Town Council Meeting: December 16, 2015
- 6. PRESENTATIONS, PROCLAMATIONS AND DECLARATIONS**
 - a) Presentation of Conservation Commission's Environmental Award
 - b) Proclamation recognizing Heart Health Awareness Month, February 2015
- 7. UNFINISHED BUSINESS FOR TOWN MEETING ACTION**
- 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*)

15. TOWN MEETING BUSINESS:

16. NEW BUSINESS:

a) Consideration and action on a resolution authorizing the Town Manager to execute and implement six civil rights affirmations required of municipalities taking advantage of Small Cities Grants. (Armstrong/Walker "Excessive Force" Certification, Relocation Plan, Title VI Compliance, Affirmative Action, Section 3 Plan, Fair Housing Policy)

b) Consideration and action on a resolution regarding deeds and easements associated with subdivision #10-459, originally of PSK Realty, LLC; 75 Tucker District Road

c) Consideration and action on a resolution to introduce and set a date for a Public Hearing and Town Meeting on an ordinance to accept the donation of two parcels of land: 953 North Main Street and 957 North Main Street

d) Consideration and possible action on a resolution to introduce and set a date for a Public Hearing 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

e) Review of 2014 goals and discussion re: setting 2015 goals

f) Discussion and possible action on approval of reduction in number of polling places

g) Discussion re: offer of donation of property at 800 North Main Street

h) Discussion re: DOT Master Municipal Agreement for Rights of Way Projects

i) Discussion and action on approval of proposed settlement of tax assessment appeal

17. COUNCIL MEMBER REPORTS AND COMMENTS

18. COMMUNICATIONS: Town Manager
Town Attorney

19. EXECUTIVE SESSION:

a) Report/summary of pending litigation

20. ADJOURNMENT

KILLINGLY TOWN COUNCIL

1. Chairperson Hallbergh called the meeting to order at 7:30 p.m.

2. Prayer by Mr. Alemian.

3. Pledge of Allegiance to the flag.

4. Upon roll call all Councilors were present. Also present were Town Manager Hendricks, Town Attorney St. Onge, Board of Education Liaison Burns and Council Secretary Buzalski.

5. Adoption of minutes of previous meetings

5a. Ms. Wakefield made a motion, seconded by Ms. LaBerge, to adopt the minutes of the Special Town Council Meeting of December 2, 2014.

Discussion followed.

Voice Vote: Majority, Mr. Alemian abstained. Motion passed.

5b. Ms. Wakefield made a motion, seconded by Ms. LaBerge, to adopt the minutes of the Regular Town Council Meeting of December 9, 2014.

Discussion followed. Mr. Sarantopoulos noted a correction to the top of page 252.

Voice Vote: Majority, Mr. Alemian abstained. Motion passed, with corrections.

5c. Ms. LaBerge made a motion, seconded by Ms. Wakefield, to adopt the minutes of the Special Town Council Meeting of December 16, 2014.

Discussion followed. Mr. Hallbergh noted a correction on the bottom of page 258.

Voice Vote: Majority, Mr. Gosper and Mr. Cesolini abstained. Motion passed, with corrections.

6. Presentations, proclamations and declarations:

6a) Presentation of Conservation Commission's Environmental Award

Donna Bromwell presented the Conservation Commission's Environmental Award to Frank Anastasio.

6b) Proclamation recognizing Heart Health Awareness Month, February 2015

Ms. Wakefield read the following:

PROCLAMATION RECOGNIZING
FEBRUARY AS WOMEN'S HEART HEALTH AWARENESS MONTH
AND FRIDAY, FEBRUARY 6, 2015 AS NATIONAL **WEAR RED DAY**

WHEREAS, the Killingly Town Council celebrates the extraordinary progress in women's heart health and recognizes that more still needs to be done in Killingly to safeguard women's health for generations to come; and

WHEREAS, heart disease continues to be the #1 killer of women, causing one in three deaths each year and is fatal to more women than all kinds of cancer combined; and

WHEREAS, women in the Town of Killingly need to take action to make heart health a priority for themselves and their families; and

WHEREAS, for more than 10 years, the American Heart Association has sponsored the National Wear Red Day highlighting the Go Red for Women campaign; now

THEREFORE, BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY, that this year on Friday, Feb. 6, 2015 Killingly residents are urged to join the nationwide movement to help raise awareness of the fight against women's heart disease by wearing red in support of the mission to build healthier lives, free of cardiovascular diseases and stroke; and

BE IT FURTHER PROCLAIMED that the Town Council urges all citizens to ‘raise your voice’ and wear red on National Wear Red Day on Friday, February 6, 2015 in support of **Go Red for Women**.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut,
this 13th day of January, 2015

7. Unfinished Business for Town Meeting Action: None

8. Discussion and Acceptance of Monthly Budget Reports:

8a. Summary Report on General Fund Appropriations for Town Government:

Mr. Alemian made a motion, seconded by Ms. Ricci, 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:

Mr. Sarantopoulos made a motion, seconded by Ms. Wakefield, 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 various activities of the Borough of Danielson.

10. Correspondence to Council:

The Town Manager received correspondence through Facebook applauding the Board of Education for its open forum meeting. Mr. Sarantopoulos asked the Town Manager a question on the East Killingly Dams. Town Manager Hendricks responded.

11. Citizens' Statements and Petitions:

Joshua Krug of 105 B Maple St. asked about the P&A Mill, and commented on the Education Budget, and negative balances on individual student lunch accounts.

12. Council/Staff Comments:

Mr. Alemian made a motion, seconded by Mr. Grandelski, to suspend the rules to allow Mary Bromm to speak about the status of the P&A Mill.

Voice vote: Unanimous. Motion passed.

Mary Bromm commented on the status of the P&A Mill and responded to questions from Councilors.

13. Appointments to Boards and Commissions:

Mr. Alemian made a motion, seconded by Mr. Gosper, to appoint **Patrick Fitzgerald, 90 Geer Road, Killingly** as a regular member of the Board of Recreation. The term for the regular member begins on January 1, 2015 and runs through December 31, 2017.

Discussion followed.

Voice vote: Majority, Mr. Grandelski abstained. Motion passed.

Ms. Ricci made a motion, seconded by Mr. Sarantopoulos, to appoint **James Frazer, 7 Litchfield Ave, Killingly** as an alternate member of the Board of Recreation. The unexpired term for the alternate member began on March 1, 2014 and continues until February 29, 2016.

Discussion followed.

Voice vote: Majority, Mr. Grandelski abstained. Motion passed.

Mr. Sarantopoulos made a motion, seconded by Mr. Cesolini, to appoint **Kyle Zadora, 6 Cranberry Bog Road, Killingly** as a regular member on the Permanent Building Commission. Mr. Zadora would fill the unexpired term which runs from December 16, 2013 until December 15, 2017. Mr. Zadora was originally appointed to the Permanent Building Commission in April 2010.

Discussion followed.

Voice vote: Majority, Mr. Grandelski abstained. Motion passed.

14. Unfinished Business:

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):

No action taken. Town Manager Hendricks commented on the progress of the project.

15. Town Meeting Business: None

16. New Business:

16a. Consideration and action on a resolution authorizing the Town Manager to execute and implement six civil rights affirmations required of municipalities taking advantage of Small Cities Grants. (Armstrong/Walker "Excessive Force" Certification, Relocation Plan, Title VI Compliance, Affirmative Action, Section 3 Plan, Fair Housing Policy)

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

Resolution authorizing the Town Manager to execute and implement six separate civil rights affirmations required of municipalities taking advantage of Small Cities Grants.

(Armstrong/Walker “Excessive Force” Certification, Relocation Policy, Title VI Compliance, Affirmative Action Policy, Section 3 Plan, Fair Housing Plan)

WHEREAS the Town of Killingly wishes to minimize the displacement of persons when using funds provided directly by the U.S. Department of Housing and Urban Development; and

WHEREAS the Town of Killingly is committed to upholding the laws governing relocation, displacement, and financial assistance, and realizes that its civil rights affirmations must supplement these laws; and

WHEREAS the Town of Killingly is committed to ensuring the fair and equitable treatment of all people, regardless of class, income, or socio-economic status, now

THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Town Manager is hereby authorized to execute and/or implement a(n) Armstrong/Walker Certification, Relocation Policy, Title VI Compliance certification, Affirmative Action Policy, Section 3 Plan, and Fair Housing Plan; and

BE IT FURTHER RESOLVED that the Town Manager of the Town of Killingly, or his designated representative, is responsible for responding to any person who alleges to be the victim of an illegal displacement or disparate treatment when requesting available financial assistance opportunities in the Town of Killingly.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut
this 13th day of January, 2015

Discussion followed.

Voice Vote: Majority – Yes, Mr. Gosper and Mr. Alemian - No. Motion passed.

16 b) Consideration and action on a resolution regarding deeds and easements associated with subdivision #10-459, originally of PSK Realty, LLC; 75 Tucker District Road

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

**RESOLUTION REGARDING DEEDS AND EASEMENTS ASSOCIATED WITH
SUBDIVISION #10-459, ORIGINALLY OF PSK REALTY, LLC;
75 TUCKER DISTRICT ROAD**

WHEREAS THE TOWN COUNCIL OF THE TOWN OF KILLINGLY recognizes that the 19-lot approved subdivision known as Subdivision #10-459, originally of PSK Realty, LLC at 75 Tucker District Road was purchased in its entirety in September 2014, and the new owner, 75 Tucker District Road LLC, has requested that the Killingly Planning and Zoning Commission

dissolve the subdivision and relinquish a conservation easement filed in the Killingly Land Records at Volume 1278 Page 555 and encompassing approximately 30.455+/- acres,

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Council has no objection to the release of said conservation easement, should the Planning and Zoning Commission approve its extinguishment.

BE IT FURTHER RESOLVED that the Town Council supports the retention of a warranty deed filed in the Killingly Land Records at Volume 1278 Page 553 and containing 1.3+/- acres for highway purposes, and is also supportive of receiving fire protection and drainage easements in favor of the Town along Tucker District Road, with the understanding that all legal costs and filing fees are to be borne by the subdivision owner, 75 Tucker District Road LLC.

KILLINGLY TOWN COUNCIL
John Hallbergh
Chairman

Dated at Killingly, Connecticut,
this 13th day of January, 2015

Discussion followed.

Voice Vote: Unanimous. Motion passed.

16c. Consideration and action on a resolution to introduce and set a date for a Public Hearing and Town Meeting on an ordinance to accept the donation of two parcels of land: 953 North Main Street and 957 North Main Street

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

**RESOLUTION TO INTRODUCE AND SET A DATE FOR A PUBLIC HEARING AND
SPECIAL TOWN MEETING ON AN 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 RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the following Ordinance be introduced and set down for a Public Hearing on Tuesday, February 10, 2015, at 7:00 p.m., and a Special Town Meeting on Tuesday, February 10, 2015, at 8:00 p.m., in the Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut:

**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 13th day of January, 2015

Discussion followed.

Voice Vote: Unanimous. Motion passed.

16d. Consideration and possible action on a resolution to introduce and set a date for a Public Hearing 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

Mr. Gosper made a motion, seconded by Mr. Alemian to consider a resolution to introduce and set a date for a Public Hearing 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

Discussion followed.

Voice Vote: Unanimous. Motion passed.

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

**RESOLUTION TO INTRODUCE AND SET A DATE FOR A PUBLIC HEARING 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**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the following Ordinance be introduced and set down for a Public Hearing on Tuesday, February 10, at 7:00 p.m., in the Town Meeting Room of the Killingly Town Hall, 172 Main Street, Killingly, Connecticut:

**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.

Citation Hearing Officer shall mean an individual(s) appointed by, 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 13th day of January, 2015

Discussion followed.

Voice Vote: Unanimous. Motion passed.

16e. Review of 2014 goals and discussion re: setting 2015 goals

Council members discussed the 2014 goals and what progress has been made on same.

16f. Discussion and possible action on approval of reduction in number of polling places

Council members discussed some of the issues with a reduction in the number of polling places.

16g. Discussion re: offer of donation of property at 800 North Main Street

Town Manager Hendricks explained the offer of a donation of property located at 800 North Main Street. Council members asked questions and commented.

16h. Discussion re: DOT Master Municipal Agreement for Rights of Way Projects

This item was taken off the agenda.

16i. Discussion and action on approval of proposed settlement of tax assessment appeal

Town Attorney St. Onge explained the proposed settlement of tax assessment appeal.

Mr. Cesolini made a motion, seconded by Mr. Grandelski, to accept the settlement as described by Town Attorney St. Onge.

Voice vote: Unanimous. Motion passed.

17. Council Member Reports:

Mr. Cesolini is looking forward to the new year.

Ms. Ricci commented on the suggested changes in polling places.

Mr. Alemian went to the Community Garden meeting.

Mr. Gosper had no new meetings to report.

Ms. LaBerge reported on the Killingly Community Education Council meeting and the Historical Society.

Ms. Wakefield reported on the Public Safety Committee meeting, the NDDH meeting, and the Special Commission on Law Enforcement Strategies meeting.

Mr. Grandelski did not go on the Housing Authority meeting, as it conflicted with the Town Council meeting. He reported on the Conservation Committee meeting.

Mr. Sarantopoulos reported on the Board of Education meeting, the Water Pollution Control Authority meeting, and the Permanent Building Commission meeting.

Mr. Hallbergh reported on Christmas in New England and the status of the revised MUUD regulations.

18. Communications:

18a. Town Manager: Candidates are being interviewed for the fourth Resident Trooper position.

18b. Town Attorney: None

19. Executive Session:

Mr. Cesolini made a motion, seconded by Mr. Alemian, to move to Executive Session.

Voice vote: Unanimous. Motion passed.

The Council went into Executive Session at 10:03 p.m.

The Council returned from Executive Session at 10:15 p.m.

20. Adjournment:

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

Voice Vote: Unanimous. Motion passed.

The meeting ended at 10:16 p.m.

Respectfully submitted,

Elizabeth Buzalski
Council Secretary
