

6. Adjournment

Ms. LaBerge made a motion, seconded by Mr. Gosper, to adjourn the meeting.

Voice Vote: Unanimous. Motion passed.

The meeting ended at 8:46 p.m.

Respectfully submitted,

Elizabeth Buzalski  
Council Secretary

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Date: Tuesday, October 13, 2015

Time: 7:00 p.m.

Place: Town Meeting Room  
Killingly Town Hall

**TOWN OF KILLINGLY  
PUBLIC HEARING  
October 13, 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 in Killingly, Connecticut, on Tuesday, October 13, 2015 at 7:00 p.m. at which time interested persons were heard upon the following:

**ORDINANCE TO AMEND CHAPTER 13, STREETS, SIDEWALKS AND PUBLIC PLACES, ARTICLE 1. IN GENERAL, SECTIONS 13.2, (b)(c)(d)(e)(f)**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Killingly Code of Ordinances, Chapter 13, STREETS, SIDEWALKS AND PUBLIC PLACES, ARTICLE 1: IN GENERAL, Section 13.2 be amended by the addition following underlined provisions:

**Chapter 13**

**STREETS, SIDEWALKS AND PUBLIC PLACES**

**Section 13.1 Liability of Town for snow and ice removal of public sidewalks**

- (a) Pursuant to Public Act 81-340 the town shall not be liable to any person injured in person or property caused by the presence of ice or snow on a public sidewalk unless the town is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street, provided such municipality shall be liable for its affirmative acts with respect to such sidewalk.
- (b) The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of ice and snow on such sidewalk toward the portion of the sidewalk abutting his property as the municipality had prior to the effective

date of this section and shall be liable to persons injured in person or property where a breach of said duty is the approximate cause of said injury.

(Ord. of 3-11-2003, § 13.1)

- (c) No action to recover damages for injury to the person or to property caused by the presence of ice or snow on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two (2) years from the date when the injury is first sustained.

(Ord. of 12-17-81, §§ I, II)

### **Section 13.2 Maintenance of sidewalks**

- (a) Generally the owner or owners of any property which abuts or is adjacent to a public sidewalk shall be responsible for maintaining as hereinafter required that portion of the sidewalk which is adjacent to his, her, or its property.
- (b) For the purpose of Snow and or Ice removal from public sidewalks not owned or maintained by the Town, the following paragraphs shall apply.
- (c) In the event of a snow storm with total accumulation of 8 inches or more, the Town of Killingly Highway Department or its designee will begin to remove the snow accumulated on the public sidewalks throughout the Town as soon as it is safe for the employees to perform such tasks.
- (d) It is understood that in the instance of storm events spaced closely together, or other events beyond the control of the Highway Department, these procedures may be modified when deemed to be in the best interest of the Town of Killingly in order to better serve the overall public safety including but not limited to pedestrian and vehicular traffic, town employees, resources, materials and equipment. These decisions/variances are at the sole discretion of the Town Manager or his designee.
- (e) The snow fall accumulation amount shall be determined by a snow gauge installed at the Town's highway garage.
- (f) In situations not covered by the paragraphs above, removal of Snow, Ice, and Debris. Such owner shall remove any accumulation of ice, snow, or debris within twenty-four (24) hours after such ice and snow has ceased to accumulate or such debris have been deposited, and if such owner shall fail to remove said accumulation of snow and ice or debris as aforesaid, the Town Manager may, but shall not be required to, cause the same to be removed at the expense of the Town, which expense shall be billed to and payable by the owner of the subject premises. If the owner of the subject premises shall fail to pay such costs within thirty (30) days of receipt of a bill for the same from the Town, the Town Manager is hereby authorized, pursuant to the provisions of 7-148 (c) (6) (C) (v) of the Connecticut General Statutes, to make the cost of such removal a lien on the property of the owner. Such lien shall be enforced and collected in the same manner as provided by law for the collection and enforcement of tax liens. In any circumstances where it is not practical to remove ice and

snow, the sidewalk shall be temporarily sanded by the owner thereof in order to provide as safe as possible pedestrian access across said sidewalk.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut  
This 13<sup>th</sup> day of October, 2015

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

All Council Members were present at the public hearing except Mr. Alemian, and Ms. Ricci. Also present were Town Manager Hendricks, Board of Education Liaison Burns and Council Secretary Buzalski.

David Griffiths, 70 Griffiths Rd, had questions on costs for cleaning sidewalks and liability. Town Manager Hendricks replied.

Mr. Alemian arrived at 7:06 p.m.

Marty Weiss, with property at 133 School St, Killingly, of 168 West Plausset Rd, Woodstock, had comments on liability shift from the Town to the abutting landowners.

Melissa Bergeron, 36 Charlton Ave, Dayville, spoke in favor of the sidewalk ordinance.

Ms. Ricci arrived at 7:12 p.m.

Bob Loiselle, Ballouville, spoke in favor of the sidewalk ordinance.

Stu Rivers, River Rd, Ballouville, asked if the Town is liable for the sidewalks, including the Borough. Town Manager Hendricks responded.

The public hearing ended at 7:17 p.m.

## **TOWN COUNCIL REGULAR MEETING**

**DATE:** TUESDAY, October 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: September 1, 2015, 2015
  - b) Regular Town Council Meeting: September 8, 2015 2015
6. **PRESENTATIONS, PROCLAMATIONS AND DECLARATIONS**

- a) Proclamation recognizing Red Ribbon Week/Young Marines
- b) Proclamation honoring Keri Costa as Killingly Public Schools' 2016 Teacher of the Year
- c) Proclamation honoring Pamela Ruff as St. James School 2016 Teacher of the Year
- d) Proclamation honoring Michael A. Daigle as Harvard H. Ellis Technical High Schools' 2016 Teacher of the Year
- e) Proclamation recognizing October 2015 as Breast Cancer Awareness Month
- f) Proclamation recognizing Mental Illness Awareness Week
- g) Presentation/discussion of DPW/Highway/Engineering projects—Dave Capacchione, Travis Sirrine, Troy Sposato
- h) Presentation/discussion of municipal grant process—Mary Bromm
- 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) Discussion of reduction in number of polling places
  - b) Discussion of change in paramedic intercept services
- 15. **TOWN MEETING BUSINESS:**
- 16. **NEW BUSINESS:**
  - a) Consideration and action on an ordinance to amend the Killingly Code of Ordinances, Chapter 13-Streets, Sidewalks and Public Places, Article 1, Section 13.2-Maintenance of sidewalks
  - b) Consideration and action on a resolution authorizing the Town Manager to appoint a representative from the Town of Killingly to the Eastern Regional Mental Health Board, Inc., Region 3, CAC 13/14
  - c) Consideration and action on a resolution to offer specific tax incentives/abatements to Fuel Cell Energy, Inc., subject to completion, legal review, and execution of a formal tax incentive/abatement agreement
- 17. **COUNCIL MEMBER REPORTS AND COMMENTS**
- 18. **COMMUNICATIONS:**
  - Town Manager
  - a) Update on audit/closeout of KHS project
  - Town Attorney
- 19. **EXECUTIVE SESSION:**
- 20. **ADJOURNMENT**

KILLINGLY TOWN COUNCIL  
Regular Meeting

1. Chairperson Hallbergh called the meeting to order at 7:30 p.m.
2. Prayer by Mr. Gosper.
3. Pledge of Allegiance to the flag.
4. Upon roll call all Councilors were present. Also present were Town Manager Hendricks, Board of Education Liaison Burns and Council Secretary Buzalski.

5. Adoption of minutes of previous meetings

5a. Ms. LaBerge made a motion, seconded by Ms. Ricci, to adopt the minutes of the Special Town Council Meeting of September 1, 2015.

Discussion followed.

Ms. LaBerge noted a correction on page 369 should be Special Meeting.

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

5b. Ms. Wakefield made a motion, seconded by Ms. LaBerge, to adopt the minutes of the Regular Town Council Meeting of September 8, 2015.

Discussion followed.

Mr. Grandelski noted that on page 371 item 10, Correspondence to Council, did not include his comments in the record. Mr. Sarantopoulos commented that the minutes are not a transcript of the meeting. The issue will be referred to the Town Attorney.

Voice Vote: Unanimous. Motion passed.

6. Presentations, proclamations and declarations:

6a. Proclamation recognizing Red Ribbon Week/Young Marines

Mr. Sarantopoulos read the following:

PROCLAMATION RECOGNIZING  
NATCHAUG RIVER YOUNG MARINES  
2015 National Young Marine Unit of the Year  
Red Ribbon Week 2015

**WHEREAS**, Red Ribbon Week is a nationally recognized program to exhibit support and commitment for ridding communities of illicit drug use and those that promote their use; and

**WHEREAS**, Red Ribbon Week will take place October 23<sup>rd</sup> through October 31<sup>st</sup>; and

**WHEREAS**, the Natchaug River Young Marines located in Killingly along with more than 400 Young Marine units from across the country, proudly stand in support of and are committed to the fight against illegal drugs and will actively participate in this campaign; and

**WHEREAS**, the Young Marine program promotes good citizenship and an active, healthy, drug-free lifestyle; and

**WHEREAS**, the best way to develop and maintain a healthy lifestyle is through education and awareness and the best way to educate is to lead by example; now

**THEREFORE, BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY** that the Natchaug River Young Marines should be recognized as an outstanding opportunity and example for our local youth and for their continuing efforts to educate and promote a healthy, drug-free lifestyle; and

**BE IT FURTHER PROCLAIMED** that the Young Marine program should receive the support of the Town Council and the residents of our Town for their positive impact on our youth and our community by wearing a red ribbon during Red Ribbon Week.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut,  
This 13th day of October, 2015

6b. Proclamation honoring Keri Costa as Killingly Public Schools' 2016 Teacher of the Year  
Ms. Ricci read the following:

PROCLAMATION HONORING  
KERI COSTA  
KILLINGLY PUBLIC SCHOOLS  
2016 TEACHER OF THE YEAR

**WHEREAS** Keri Costa earned her Bachelor of Arts in Mathematics and Elementary Education from Eastern Connecticut State University, earned her Master's Degree from Sacred Heart University, and was hired as a first grade teacher at Killingly Memorial School in 2005; and

**WHEREAS** Keri is currently a dedicated second grade teacher at Killingly Memorial School, who demonstrates commitment to her professional goals and exhibits tremendous teacher leadership, while increasing student achievement and strengthening a positive school climate; and

**WHEREAS** Keri served as a pre-kindergarten through grade eight team leader, pushing her team to develop comprehensive and individualized reading plans, served on the technology committee, provided curriculum support, and also served on the faculty council; and

**WHEREAS** Keri is a true hands-on practitioner who provides high levels of engagement, integrates technology, and encourages student discourse, which bring her lessons to life for students; and

**WHEREAS** her passion for children and teaching is evident in everything she does, empowering children to have an attitude of "I can" instead of "I cannot" and seems to have a "magic wand" for students who struggle with behavioral and attention concerns; then

**NOW, THEREFORE, BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY** that Keri Costa be publicly recognized for her exemplary service,

extensive experience and excellent teaching skills and for the well-earned distinction and respect she has received from her students and peers as the 2016 Killingly Public Schools Teacher of the Year; and

**BE IT FURTHER PROCLAIMED** that she be commended for her devotion to her students, their families, the School District, and the community.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut,  
This 13th day of October, 2015

6c. Proclamation honoring Pamela Ruff as St. James School 2016 Teacher of the Year  
Ms. LaBerge read the following:

PROCLAMATION HONORING  
PAMELA RUFF  
ST. JAMES SCHOOL  
2016 TEACHER OF THE YEAR

**WHEREAS** Pamela Ruff has served as an enthusiastic teacher at St. James School for ten years; and

**WHEREAS**, in addition to her duties as an eighth grade homeroom teacher, Middle School Literature teacher, and Language Arts teacher, Mrs. Ruff works as both the school's eighth grade advisor and Student Council advisor, which require many extra hours and additional responsibility; and

**WHEREAS** Pamela models the school's mission in her Christian values, gladly performing her duties with patience, kindness, flexibility, and dedication; and

**WHEREAS** Pamela works diligently with other school personnel to create a positive professional environment which focuses on the needs of the students and their families, acting as the primary motivator in all circumstances; and

**WHEREAS** Pamela designs creative, engaging, educationally sound lessons for all her students and communicates frequently and intelligently with parents, administration, and other community members; then

**NOW, THEREFORE, BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY** that Pamela Ruff be publicly recognized for her exemplary service and the well-earned distinction and respect she receives from her students and peers as the 2016 St. James School Teacher of the Year; and

**BE IT FURTHER PROCLAIMED** that she be commended for her devotion to her students, their families, their school, and the community.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut,  
This 13th day of October 2015

6d. Proclamation honoring Michael A. Daigle as Harvard H. Ellis Technical High Schools' 2016 Teacher of the Year

Mr. Cesolini read the following:

PROCLAMATION HONORING  
MICHAEL A. DAIGLE  
HARVARD H. ELLIS TECHNICAL HIGH SCHOOL'S  
2016 TEACHER OF THE YEAR

**WHEREAS** Michael A. Daigle has served as a dedicated teacher at Harvard H. Ellis Technical High School since the autumn of 1988, leaving the private business sector to enter public education; and

**WHEREAS**, in addition to his duties as a teacher, Michael serves on numerous school-wide committees, helping students and families, as well as being an active member in numerous non-profit, community organizations, including directing/coordinating SkillsUSA, a nation-wide, trade-skills competition of our nation's most-talented technical students; and

**WHEREAS** Michael was instrumental in guiding his students in assisting work with Ellis' renovation project, which promotes the quality of education of the school; and

**WHEREAS** Michael takes an active role in the lives of his students, encouraging them to appreciate diversity, become active and independent learners, and become self-advocates and lifelong learners as they prepare to become skilled workers in the community; and

**WHEREAS** Michael works closely with other school personnel to continually improve the environment for both students and teachers at Ellis Tech, and with enthusiasm, continues his professional development, including being certified in all of Connecticut's mandates, continually serving as a role model for his students' education; then

**NOW, THEREFORE, BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY** that Michael A. Daigle be publicly recognized for his exemplary service and the well-earned distinction and respect he receives from his students and peers as the 2016 Harvard H. Ellis Technical High School Teacher of the Year; and



**BE IT FURTHER PROCLAIMED** that he be commended for his devotion to his students, their families, their school, and their community.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut,  
This 13th day of October, 2015

6e. Proclamation recognizing October 2015 as Breast Cancer Awareness Month  
Ms. Ricci read the following:

**PROCLAMATION RECOGNIZING OCTOBER 2015 AS  
BREAST CANCER AWARENESS MONTH**

**WHEREAS**, breast cancer is the second most diagnosed form of cancer for women in the United States and is expected to be detected in 1 out of 8 women in America every year; and

**WHEREAS**, early detection is important to ensure the most effective diagnosis and treatment possible; and

**WHEREAS**, it is vital to educate women on the risk factors and the causes of breast cancer, as well as possible preventative measures and annual mammography screening for women over 40; and

**WHEREAS**, researchers, scientists, numerous nonprofit organizations, and breast cancer survivors are dedicated to discovering the cure for breast cancer and educating women about breast cancer; and

**WHEREAS**, all breast cancer survivors should be recognized for their determination and courage and acknowledge that these survivors give us hope for a better future for those affected by this disease;

**NOW, THEREFORE, BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY** that the month of October hereby be recognized as Breast Cancer Awareness Month; and

**BE IT FURTHER PROCLAIMED** that all citizens learn the facts about breast cancer and along with practicing a healthy life style, obtain regular breast cancer screenings.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut  
this 13<sup>th</sup> day of October, 2015

## 6f. Proclamation recognizing Mental Illness Awareness Week

Ms. Wakefield read the following:

Proclamation Recognizing  
Mental Illness Awareness Week  
October 4 – October 10, 2015

**WHEREAS**, mental health is part of overall health and wellness; and

**WHEREAS**, one in five adults experiences a mental health problem in any given year and one in 17 adults lives with mental illness such as major depression, bipolar disorder or schizophrenia; and

**WHEREAS**, approximately one-half of chronic mental illness begins by the age of 14 and three-quarters by age 24 and long delays – sometimes decades – often occur between the time symptoms first appear and when individuals get help; and

**WHEREAS**, early identification and treatment can make a difference in successful management of mental illness and recovery; and

**WHEREAS**, it is important to maintain mental health and learn the symptoms of mental illness in order to get help when it is needed; and

**WHEREAS**, every citizen and community can make a difference in helping end the fear, ignorance and shame that for too long have surrounded mental illness, and discouraged people from getting help; and

**WHEREAS**, public education and civic activities can demystify mental health issues, promote early intervention, and help to improve the lives of individuals and families affected by mental illness;

**NOW, THEREFORE BE IT PROCLAIMED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY** that October 4 through October 10, 2015 was recognized as Mental Illness Awareness Week to increase public understanding of the importance of mental health and to promote identification and treatment of mental illnesses; and

**AND BE IT FURTHER PROCLAIMED** that all citizens, businesses, schools, and community organizations are encouraged to recognize Mental Illness Awareness Week by promoting mental health awareness activities, and by participating in the grassroots activities of the Eastern Regional Mental Health Board, to make their communities' mental health needs known to the decision-makers of the State of Connecticut.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut,  
This 13<sup>th</sup> day of October, 2015

6g. Presentation/discussion of DPW/Highway/Engineering projects—Dave Capacchione, Travis Serrine, Troy Sposato

Town Engineer Capacchione gave an update of the Department of Public Works, the Highway Department and Engineering projects in Killingly.

Highway Department Supervisor Serrine talked about road and bridge maintenance.

Matthew Dube, Engineering Tech presented a cost-saving study on changing the sand/salt ratio. Councilors asked questions and made comments.

6h. Presentation/discussion of municipal grant process—Mary Bromm

The presentation on the municipal grant process was postponed until the November Regular Meeting.

18a. Town Manager Hendricks gave an update on the audit/closeout of Killingly High School project. Councilors asked questions and made comments.

Mr. Grandelski made a motion, seconded by Ms. LaBerge, to suspend the rules to allow Superintendent Farr to speak.

Voice Vote: Unanimous. Motion passed.

Superintendent Farr responded to questions from Counselors.

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:

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 various activities of the Borough of Danielson.

10. Correspondence to Council: The Danielson Rotary Club will be hosting a dinner in honor of the Teachers of the Year on Thursday, Nov 12th at the Imperial Room. Town Manager Hendricks has tickets at \$30 each.

Mr. Grandelski asked about the non-renewal of the landfill permit affecting motor vehicle registration. Town Manager explained the situation, and that not many people were affected.

#### 11. Citizens' Statements and Petitions:

Hoween Flexer, 5 Francis St, Danielson, gave an update on the walk to the polling place and the rules for absentee ballots.

Russ Levine, 350 Ledge Rd, Dayville, found the employees of the Highway Department extremely helpful, but he has issues with trees interfering with the roadways and open drainage pits with no markers. He also has an issue with not receiving his Zoning permit in a timely manner. There is also a lawsuit pending against him by the Town that he feels is unfair.

Donna Bromwell, Bailey Hill Rd, reported that the Conservation Commission gave three driving tours with about 90 people participating and Walktober had about 60 people participating.

Frank Anistasia, 30 Saw Mill Hill Rd, South Killingly, supports reappointing all four candidates for the Agricultural Commission.

Jack Dusso, Laurel Drive, Rogers, spoke about Councilors not wanting federal grants and felt that the issues with the school should have already been taken care of.

Stu Rivers, River Road, thinks that going to one polling place is a bad idea. He was impressed by the Highway Department presentation, but was concerned that there is no plan all of the road work that needs to be done.

#### 12. Council/Staff Comments:

Mr. Sarantopoulos wanted to know if the walk that Hoween Flexer was compulsory. He supports the decision to go to one polling place.

Mr. Alemian clarified his position on receiving grants.

Mr. Gosper clarified his position on receiving grants.

Ms. LaBerge stated that the Borough contracts with the town for sidewalk maintenance. She was originally in favor of one polling place, but changed her mind upon receiving more information.

Mr. Sarantopoulos asked whether the Public Hearing was recorded. He felt that the meeting with the Borough Council was very productive.

Town Manager Hendricks reminded everyone that Zoning has 30 days to respond to requests for permits and that loss of a key employee has slowed down the process. He urged citizens with concerns to talk to him.

Mr. Sarantopoulos commented on Mr. Levine's issue

Mr. Hallbergh commented on Mr. Dusso's comments and the time it takes to close out projects with the State.

#### 13. Appointments to Boards and Commissions:

Mr. Alemian made a motion, seconded by Ms. Ricci, to reappoint **Adam Griffiths**, 98 Griffiths Rd, as an Alternate on the Agricultural Commission for an additional term. The new term begins November 1, 2015 and runs through October 31, 2018.

Discussion followed.

Roll call vote: Mr. Cesolini – Yes, Mr. Sarantopoulos – No, Mr. Grandelski – Yes,

Ms. Wakefield – Yes, Ms. LaBerge – Yes, Mr. Alemian – Yes, Ms. Ricci – Yes, Mr. Hallbergh – Yes Majority. Motion passed.

Mr. **Byron Martin**, 111 North Street, Killingly, as a Regular Member on the Agricultural Commission for an additional term. The new term begins November 1, 2015 and runs through October 31, 2018.

Ms. Wakefield made a motion, seconded by **Susan Barry**, PO Box 128, East Killingly as an Alternate on the Agricultural Commission for an additional term. The new term begins November 1, 2015 and runs through October 31, 2018.

Discussion followed.

Voice vote: Unanimous. Motion passed.

Mr. Alemian made a motion, seconded by Ms. Ricci, to reappoint **Christel Shaw**, 297 Cranberry Bog Rd, Danielson, as an Alternate on the Agricultural Commission for an additional term. The new term begins November 1, 2015 and runs through October 31, 2018.

Discussion followed.

Voice vote: Unanimous. Motion passed.

14. Unfinished Business: None

15. Town Meeting Business: None

16. New Business:

16a) Consideration and action on an ordinance to amend the Killingly Code of Ordinances, Chapter 13-Streets, Sidewalks and Public Places, Article 1, Section 13.2-Maintenance of sidewalks

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

**ORDINANCE TO AMEND THE KILLINGLY CODE OF ORDINANCES, CHAPTER 13-STREETS, SIDEWALKS AND PUBLIC PLACES, ARTICLE 1, SECTION 13.2-MAINTENANCE OF SIDEWALKS**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that the Killingly Code of Ordinances, Chapter 13-Streets, Sidewalks and Public Places, Article 1, Section 13.2-Maintenance of sidewalks, be amended by the addition of the following underlined provisions:

**Chapter 13**  
**STREETS, SIDEWALKS AND PUBLIC PLACES**  
**ARTICLE I. IN GENERAL** <sup>[2]</sup>

**Section 13.2 Maintenance of sidewalks**

- (a) Generally the owner or owners of any property which abuts or is adjacent to a public sidewalk shall be responsible for maintaining as hereinafter required that portion of the sidewalk which is adjacent to his, her, or its property.
- (b) For the purpose of Snow and or Ice removal from public sidewalks not owned or maintained by the Town, the following paragraphs shall apply.
- (c) In the event of a snow storm with total accumulation of 8 inches or more, the Town of

Killingly Highway Department or its designee will begin to remove the snow accumulated on the public sidewalks throughout the Town as soon as it is safe for the employees to perform such tasks.

- (d) It is understood that in the instance of storm events spaced closely together, or other events beyond the control of the Highway Department, these procedures may be modified when deemed to be in the best interest of the Town of Killingly in order to better serve the overall public safety including but not limited to pedestrian and vehicular traffic, town employees, resources, materials and equipment. These decisions/variances are at the sole discretion of the Town Manager or his designee.
- (e) The snow fall accumulation amount shall be determined by a snow gauge installed at the Town's highway garage.
- (f) In situations not covered by the paragraphs above, removal of Snow, Ice, and Debris. Such owner shall remove any accumulation of ice, snow, or debris within twenty-four (24) hours after such ice and snow has ceased to accumulate or such debris have been deposited, and if such owner shall fail to remove said accumulation of snow and ice or debris as aforesaid, the Town Manager may, but shall not be required to, cause the same to be removed at the expense of the Town, which expense shall be billed to and payable by the owner of the subject premises. If the owner of the subject premises shall fail to pay such costs within thirty (30) days of receipt of a bill for the same from the Town, the Town Manager is hereby authorized, pursuant to the provisions of 7-148 (c) (6) (C) (v) of the Connecticut General Statutes, to make the cost of such removal a lien on the property of the owner. Such lien shall be enforced and collected in the same manner as provided by law for the collection and enforcement of tax liens. In any circumstances where it is not practical to remove ice and snow, the sidewalk shall be temporarily sanded by the owner thereof in order to provide as safe as possible pedestrian access across said sidewalk.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut

This 13<sup>th</sup> day of October, 2015

Discussion followed

Roll call vote: Mr. Sarantopoulos – Yes, Mr. Grandelski – Yes,

Ms. Wakefield – Yes, Ms. LaBerge – Yes, Mr. Alemian – Yes, Ms. Ricci – Yes, Mr. Cesolini – Yes, Mr. Hallbergh – Yes. Unanimous. Motion passed.

16b) Consideration and action on a resolution authorizing the Town Manager to appoint a representative from the Town of Killingly to the Eastern Regional Mental Health Board, Inc., Region 3, CAC 13/14

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

**A RESOLUTION AUTHORIZING THE TOWN MANAGER TO APPOINT A REPRESENTATIVE FROM THE TOWN OF KILLINGLY TO THE EASTERN**

**REGIONAL MENTAL HEALTH BOARD, INC., REGION 3, CAC 13/14**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that Town Manager Sean Hendricks has the authority to appointment a Killingly resident as the Town's representative to the Eastern Regional Mental Health Board, Inc., Region 3, CAC 13/14.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut  
This 13<sup>th</sup> day of October, 2015.

Discussion followed  
Voice vote: Unanimous. Motion passed.

16c) Consideration and action on a resolution to offer specific tax incentives/abatements to Fuel Cell Energy, Inc., subject to completion, legal review, and execution of a formal tax incentive/abatement agreement

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

**RESOLUTION TO OFFER SPECIFIC TAX INCENTIVES/ABATEMENTS TO FUEL CELL ENERGY, INC., SUBJECT TO COMPLETION, LEGAL REVIEW, AND EXECUTION OF A FORMAL TAX INCENTIVE/ABATEMENT AGREEMENT**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF KILLINGLY that in the event that Fuel Cell Energy, Inc. elects to construct its approximately 11.2 megawatt power generation plant in Killingly, the Town, as authorized under Killingly Code of Ordinances, Section 14-6, will abate the taxes due on the personal property of Fuel Cell, Inc. for a period of ten years. Fuel Cell Energy will be assessed fixed payments lieu of actual assessment in the amount of \$200,000 per year for five years and \$220,000 per year for the final five years. This commitment is subject to agreement between the two parties on other terms that may be contained in a formal tax abatement agreement, and it is subject to a legal review of said agreement.

KILLINGLY TOWN COUNCIL  
John Hallbergh  
Chairman

Dated at Killingly, Connecticut  
This 13<sup>th</sup> day of October, 2015

Discussion followed  
Voice vote: Unanimous. Motion passed.

17. Council Member Reports: None

18. Communications: None

18a. Town Manager: None

18b. Town Attorney: None

19. Executive Session: None

20. Adjournment:

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

Voice Vote: Unanimous. Motion passed.

The meeting ended at 10:56 p.m.

Respectfully submitted,

Elizabeth Buzalski  
Council Secretary

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