

TOWN OF FARMINGTON

TOWN PLAN AND ZONING COMMISSION

DATE AND TIME: Monday, July 23, 2007 – 7:30 p.m.

PLACE: Town Hall Council Chambers

AGENDA

PUBLIC HEARING

1. Connecticut Campus LLC c/o Erickson Retirement for amendment to zoning regulations Article II, Section 9 and Article IV, Section 5 to allow continuing care retirement communities in SA zone including sale of alcoholic beverages.
Hearing continued from the June 25, 2007 meeting.
2. TPCC, LLC for approval of resubdivision for 8-lot subdivision for property located at 99 and 105 Town Farm Road and further described at Lots 15, 16 and 17, Assessor's Map 39, R40 zone.
3. Ronald and Jane Dahle for approval for 2-lot resubdivision for property located at 52 Northwoods Road, R40 zone.

NEW BUSINESS

1. 8-24 Referral – proposed lease of land located at 199 Town Farm Road for communication tower.

OLD BUSINESS

1. Housewright Development, Inc. for request to modify previous condition of approval concerning the issuance of certificates of occupancy for construction of 91-unit condominium for property located at 19 Perry Street.
2. Stephen Realty II Development Corp. for special permit and subdivision approval for 17-lot subdivision and removal of earth products by blasting for property identified as Lot # 48B on Assessor's Map #84 on the south side of Ridgeview Drive and bordered by the West Hartford Town Line, R20 zone.
3. Cumberland Farms, Inc. for special permit and site plan approval for gasoline service station and convenience store for property located at 352 Scott Swamp Road, B1 zone.
4. Metro Realty – review of affordability plan for the Village at Yorkshire.

PLANNER'S REPORT

1. 1 Markie Road – sign approval.

MINUTES

1. Approve minutes from the 7/9/07 meeting.

SJM

REGULAR MEETING TOWN PLAN AND ZONING COMMISSION

JULY 23, 2007

Present were Commissioners Brenneman, Bagdigian, Pogson, Charette, Wallace and Alternate Commissioners LeBouthillier, Beckert and Antigiovanni and Town Planner and clerk. The meeting opened at 9:25 p.m.

Alternate Commissioner Antigiovanni was appointed to vote on behalf of Commissioner Wolf.

NEW BUSINESS

8-24 Referral – 199 Town Farm Road

Proposed lease of land located at 199 Town Farm Road for communication tower. The Town Planner commented that he had distributed the proposed lease at the last meeting for review. He informed the Commission that two members of the Verizon team were in the audience to answer questions. Commissioner Charette asked if the tower looked as good as the photo. Ms. Sandy Carter, Verizon Regional Manager, responded that they were constructed well so that they blend into the surrounding environment. They currently have 16 of the tree towers in Vermont and have another 16 under construction. Commissioner LeBouthillier commented that he did see one in Vermont and that it did blend in well with the surrounding environment. He asked how the towers were maintained. Ms. Carter responded that a cell technician monitors each tower every month and evaluates the condition of the tower and makes repairs as needed. Commissioner LeBouthillier confirmed with Ms. Carter that not every branch on the tower was an antennae. Commissioner Beckert asked if the tower would be used exclusively by Verizon. Ms. Carter said that there would possibly be three carriers using the same tower. Chairman Brenneman confirmed with Ms. Carter that once a cell tower was obsolete or no longer needed it would be removed along with its equipment.

Upon a motion made and seconded (Charette/Pogson) it was unanimously

VOTED: To recommend approval of lease of land located at 199 Town Farm Road for communication tower as presented.

OLD BUSINESS

Housewright Development, Inc. - 19 Perry Street

Request to modify previous condition of approval concerning the issuance of certificates of occupancy for construction of 91-unit condominium for property located at 19 Perry Street. Attorney Greg Picuch of O'Connor Flaherty & Attmore represented Housewright Development, Inc. and reviewed the 91-unit development approval granted in February 2007. He stated that condition no. 11 required that no certificate of

occupancy shall be issued for the development until such time the entire 24+ acre parcel has been remediated in conformance with the standards of the Connecticut Department of Environmental Protection. The applicant has financial concerns about the condition and was now requesting a modification to this condition. He stated that the lagoon area seemed to be the main area of concern. He was hoping the Commission would agree to the amendment recommended by Attorney Aparo in a letter dated June 26, 2007. Attorney Picuch said that his client would likely consent to a three-year bond. At the last meeting the members asked to hear from the owners of 19 Perry Street. Mr. Frank Rocco from 19 Perry Street, LLC was present to answer questions from the Commission.

Commissioner Pogson asked why the remediation appeared to have stopped. Mr. Rocco said that most of the work had been done on the development site except up against and under the building. They will not have access to this area until the building is demolished. Commissioner Pogson asked why the other parcel had not been remediated yet. Mr. Rocco responded that that area was more complicated because of the wells and lagoon on that portion of the property and their involvement with the water company. Their focus has been on remediating the area to be developed. There was some discussion on the involvement of the water company. Mr. Rocco added that the insurance bond was to make sure that the work was completed. Substantial remediation has been done on the development site to date. The site had been broken into two pieces to get development into place. Funding from the sale to the water company would fund the balance of the remediation that would need to be performed.

Commissioner Charette commented that since the lagoon area still needed to be remediated construction should not be done for safety reasons. Mr. Rocco expressed concern that the remediation cannot take place when school is in session.

Commissioner Pogson said that the building needed to be demolished to remediate under it and wanted to know how long this process would take. Mr. Rocco estimated six weeks. There was some discussion on the demolition of the building and the amount of remediation yet to be done on the site. Mr. Rocco stated that there was not a lot of remediation work to be done once the building was demolished. There would be approximately one day of drilling once the building was down. He added that there had been some testing under the building to date.

Commissioner Wallace said that assuming the Town accepted a bond and they began building condos and remediating the lagoon what truck route would the trucks take. Mr. Rocco said that they would travel along the side of the condos. Commissioner Wallace asked what mechanism the Town would have to get the site cleaned up. Mr. Rocco said that the Town would have the bond for assurance and would be able to go to the bond issuer who would then in turn contract someone to perform the clean up work.

Attorney Picuch said that the applicant would like the remediation to occur concurrently with construction of the condominiums. Commissioner Pogson expressed his strong desire that the site is cleaned up before certificates of occupancy are issued. Commissioner Beckert suggested not allowing people to move in before the site was fully

remediated. Attorney Piecuch said that that condition would leave them in the same situation with the lender as condition no. 11 that they are seeking to have modified.

Mr. Tomicic said that he did some rough borings in the floor of the existing building and found that they had a relatively small amount of contamination to remediate.

Commissioner Beckert confirmed that the applicant wanted to remediate the lagoon while construction was taking place. Chairman Brenneman asked who was doing the demolition work. Mr. Rocco said that 19 Perry Street would be contracted by Housewright Development to do the demolition work. 19 Perry Street had commissioned a firm that specialized in the appraisal of land associated with water supplies to perform an appraisal and that information was shared with the water company.

Commissioner Wallace asked for the applicant's best estimate on when the remediation work on the lagoon would be done once they begin. Mr. Rocco estimated that it would take three months.

Chairman Brenneman asked for an estimated time on settling with the water company. Mr. Rocco said approximately three months. Commissioner Beckert asked if the applicant would consider a 30-month bond. Mr. Rocco said that that would be up to 19 Perry Street, LLC.

Stephen Realty II Development Corp.

Chairman Brenneman and Commission Pogson did not participate in this matter.

Members eligible to vote on this application were Commissioners Bagdigian, Charette, Wallace, LeBouthillier, Beckert and Antigiovanni.

Stephen Realty II Development Corp. for special permit and subdivision approval for 17-lot subdivision and removal of earth products by blasting for property identified as Lot # 48B on Assessor's Map #84 on the south side of Ridgeview Drive and bordered by the West Hartford Town Line, R20 zone. The Town Planner reviewed the various applications before the members for approval. He indicated that they were now voting on a proposed fourteen lot subdivision.

Commissioner Beckert asked the Town Planner if the members could reduce the number of lots. The Town Planner responded that the members could reduce the number of lots. Commissioner Beckert asked the Town Planner if the applicant had reviewed the comments dated July 17, 2007 from the Engineering Department. The Town Planner said yes. He also asked if the applicant had received a copy of the July 23, 2007 from the Town Planner. The Town Planner did not believe the applicant had reviewed the memo since it was written today.

Upon a motion made and seconded (Beckert/Charette) it was unanimously

VOTED: To approve the special permit for cluster subdivision with the following conditions:

1. The applicant shall eliminate Lots 7 and 12 from the plan presented resulting in a total of 12 lots. The final lot lines and lot configuration are to be reviewed and approved by staff;
2. The erosion and sedimentation plan shall be modified as directed by the Engineering Department in order to sufficiently protect the homes located on Ridgeview Drive. This may include but not be limited to the installation of a low berm, installation and operation of parts of the storm water system and installation of temporary sedimentation basins;
3. The applicant shall use floc logs within any sedimentation basins as directed by staff to control the release of sediment;
4. The deeds for the lots shall contain a restriction incorporating adherence to an integrated pest management plan;
5. The larger tract of open space (7.61 acres) shall be deeded to the Town subject to the approval of the Town Attorney. In the event this approval is not granted, the applicant shall form a homeowners association for the ownership and maintenance of this open space parcel with a conservation easement to the Town of Farmington;
6. The applicant shall prepare and adhere to a dust management plan as required by the Town of Farmington;
7. The applicant shall identify the development of the topography on the map (field/aerial). Field topography shall be undertaken for portions of the site as directed by the Engineering Department;
8. The applicant shall execute a Sanitary Sewer Agreement, between the developer and the Town of Farmington, prior to any construction of the proposed sanitary system. The Engineer will consult West Hartford and MDC for any permits required;
9. The applicant shall install laterals in MH's wherever possible;
10. The applicant shall install a hood in PCB1, PCB2 and PCB3;
11. The applicant shall include profile sheets previously submitted in this proposal;
12. The applicant shall provide a berm in the rear of lots 10-14, on the north side of the yard drains, to prevent any surface water from entering the northerly abutters;
13. Final phasing plan to be approved by Town Staff prior to construction;
14. Final wall plans and details shall be approved by the Town;
15. The applicant shall revise catch basin detail to include 4ft sumps;
16. The applicant shall revise sewer detail to indicate a 6" bedding of $\frac{3}{4}$ " stone (12" in rock) and stone to top of the pipe, filter fabric, 12" of sand and warning tape; and
17. The applicant shall seek approval from abutting private property owned by Tyler & Marcia Tingley to install hemlock and white pines trees along the maintenance drive in the vicinity of Lot 1.

Members voting felt that increasing the lot sizes by reducing the number of lots to 12 would be consistent with the existing character of the surrounding neighborhood.

Upon a motion made and seconded (Wallace/Beckert) it was

VOTED: 1 in favor (Wallace) to 5 in opposition to approve the special permit for blasting with conditions 5, 6, 9, 10 & 11 of the July 23, 2007 memo from Jeff Ollendorf for property identified as Lot # 48B on Assessor's Map #84 on the south side of Ridgeview Drive and bordered by the West Hartford Town Line, R20 zone with the exception that all processing be done offsite. The motion failed.

Upon a motion made and seconded (Antigiovanni/Beckert) it was

VOTED: 5 in favor to 1 opposed (Wallace) to approve the special permit for blasting (including rock crushing) for property identified as Lot # 48B on Assessor's Map #84 on the south side of Ridgeview Drive and bordered by the West Hartford Town Line, R20 zone with the following conditions:

1. Blasting activity and rock crushing shall be limited to 8 a.m. to 2 p.m. Monday – Friday excluding legal holidays as referred to in the Town's noise ordinance;
2. Trucking of earth material off-site shall be limited to 8 a.m. to 4 p.m. Monday – Friday excluding legal holidays as referred to in the Town's noise ordinance;
3. Final location of the rock-crushing unit must be approved by staff and shall be situated to minimize noise to adjoining residences;
4. The blasting operation shall be coordinated with the State Archaeologist office to ensure protection of the gristmill remains;
5. The applicant shall conduct the blasting operation in accordance with the plan prepared by Geodesign incorporated and Vets Explosives, Inc. and in accordance with the Farmington Zoning Regulations; and
6. The blasting, rock crushing and material hauling offsite shall be completed within a six-week period unless otherwise extended by the Commission.

Members voting in favor of the motion found that with the attached conditions the proposed earth work including blasting and rock crushing will not have a detrimental impact on the proposed neighborhood and would reduce truck traffic.

During discussion Commissioner Wallace requested a count on the number of trucks hauling material offsite for informational purposes only. The Town Planner said that Town staff could work with the applicant to obtain such information. The Town Planner reminded the members that the maker of this motion could amend his motion to include this condition of truck counts but Commissioner Antigiovanni did not wish to do so.

Upon a motion made and seconded (Wallace/Charette) it was unanimously

VOTED: To approve the waiver to subdivision regulation for the grade of the street intersection grade as presented.

Members voting in favor of the motion found that the granting of this waiver will reduce the height of the proposed retaining walls along the new road without compromising public safety.

Upon a motion made and seconded (Beckert/Charette) it was unanimously

VOTED: To approve the subdivision application for 12 lots as expressed previously and with all previously stated conditions.

Cumberland Farms, Inc. – 352 Scott Swamp Road

Members eligible to vote on this application were Chairman Brenneman and Commissioners Bagdigian, Charette, Pogson, Beckert and Antigiovanni.

Cumberland Farms, Inc. for special permit and site plan approval for gasoline service station and convenience store for property located at 352 Scott Swamp Road, B1 zone. The Town Planner in review stated that the last time the members discussed this application there were a couple of issues with the canopy and building roofline as well as the route of the sanitary sewer extension. The Town Planner handed the members a new design submitted by the applicant. He also handed the members proposed conditions of approval with specific review of condition no. 6 regarding the relocation of proposed sanitary sewer line extension.

Upon a motion made and seconded (Wallace/Pogson) it was unanimously

VOTED: To approve the special permit, site plan approval and sign package as presented for gasoline service station and convenience store for property located at 352 Scott Swamp Road, B1 zone with the following conditions:

1. The applicant shall have no outdoor display for this facility;
2. The existing site coverage shall be added to the zoning table on Drawing C-3;
3. The lighting underneath the canopy shall be limited to a maximum of 25-foot candles. The applicant shall undertake testing at the completion of the project to certify this requirement;
4. The heating and cooling units shall be screened from the street;
5. The gasoline dispensing area shall be in clear view of the position of the cashier/attendant;
6. The applicant shall make a reasonable effort, working with the property owner of 358-360 Scott Swamp Road, the DOT and the Town, to relocate the proposed sanitary sewer line extension either through the parking area or along the edge of Scott Swamp Road so as to avoid the displacement and possible loss of existing vegetation, a light standard and monument sign;
7. The hours of operation shall be from 5 a.m. to midnight;
8. The applicant shall install a sidewalk along the site frontage;
9. The cupola shall be unlit; and
10. The applicant shall not place neon signs in the windows.

11. The applicant shall have the proposed retaining wall to the rear of the dumpster enclosure designed and stamped by an engineer prior to construction. Design calculations are to be submitted to the Town of Farmington Engineering Division;
12. The existing sewer easement on this property and the adjoining property is in favor of the State of Connecticut. The State, through the efforts of the owner, will have to transfer all rights to the Town of Farmington prior to construction;
13. The applicant shall account for pitch through the manholes, Town of Farmington standard is a minimum of 2% grade through the sanitary manholes;
14. The applicant shall provide a detail for the paved leak-off and swale to the proposed water quality swale. Minimum dimensions should be provided. A deeper swale or berm may be required along the west side of the swale to prevent runoff onto the adjacent property;
15. Inverts for sanitary manhole are to be red brick;
16. Silt fence should be backed with a row of haybales along the wetlands;
17. A detailed sequence construction plan / notes should be included; and
18. Construct a temporary sediment basin or the proposed water quality basin prior to collect all runoff uphill of the wetlands. Water quality swale shall be cleaned prior to completion.

Members voting in favor of the motion found that the proposal with the attached conditions would harmonize with the existing commercial development in the neighborhood. The plan reduces a number of non-conforming issues on the site while reducing impacts to the natural environment. The site plan provides for adequate circulation on and offsite.

Metro Realty – Village at Yorkshire

Review of affordability plan for the Village at Yorkshire. Attorney Christian Hoheb said that his client was under contract to purchase the housing units at the Village at Yorkshire. The settlement agreement was for 80 affordable units and 11 market rate units. Attorney Hoheb further stated that his client was working with Nancy Parent for some time to try to meet more of the demands of Town residents. They were here today to propose changes to the original agreement. Mr. Geoff Sager from Metro Realty Group, Inc. then stated that when he looked at the affordability in the units proposed the one bedroom units were listed at \$863 per month and the two bedroom units were \$1,031 per month. He would like to give a preference to Farmington residents and make the units more affordable. In doing this he thought it would make sense to deep skew the rent. Mr. Sager stated that these rates were especially not affordable for seniors. He was proposing to have 4 units at \$150 per month for seniors living on social security only. He would then skew 11 1 bedroom units to \$600 per month. Other units would rent \$100 less for a one bedroom unit and \$150 less for a two bedroom than previously proposed. In order to accomplish this he was proposing 12 fewer affordable units. Mr. Sager also stated that the current agreement would generate \$1,100,000 per year in rental revenue and the proposed modification would generate \$990,000 per year in rental revenue. Overall, they would be collecting \$110,000 less per year. He also stated that he would like to extend the affordable period to 60 years from the 40 year time period stated in the

current proposal. He would refer interested residents to Nancy Parent's office who would then be able to give priority to Farmington senior residents. Mr. Sager stated that with this proposal he would have an opportunity to accommodate most of the people on the waiting list. Ms. Christine Nassau, Director of Marketing at Metro Realty Group, Inc. stated that she has worked with Nancy Parent regarding the rental units and she was in support of this proposal because it would help Farmington seniors. The Housing Authority did not meet in July but they will review the proposal at their next meeting and she will forward a formal letter of support for this proposal as soon as they have approved it. Mr. Sager added that he was hoping to receive approval from the members stating that if a letter is received from the Housing Authority in support of this proposal that the Town Planner can approve the modification to the affordability plan for the Village at Yorkshire.

The Town Planner said that his role would be to check the language of the agreement and the conditions.

There was some discussion on the income restriction for the 4 social security units and Ms. Nassau stated that the maximum gross income of residents is \$14,000 per year. The minimum age for the senior units is 62, the maximum occupancy per unit is two people and children are not allowed under any circumstances. The total number of affordable units will change from 80 to 68 units.

Upon a motion made and seconded (Beckert/Pogson) it was unanimously

VOTED: To approve the modification to the affordability plan for the Village at Yorkshire to include the following with the condition that the applicant receive a letter from the Housing Authority in support of this proposal:

1. The Affordable Housing Plan state that the units remain affordable for a term of 60 years;
2. The number of affordable elderly housing units will be 68;
3. Four one bedroom units will be deeply discounted at an initial rate of \$150 per month;
4. Eleven one bedroom units will initially rent at a rate of \$600 per month;
5. Eight one bedroom units will initially rent at a rate of \$760 per month; and
6. Forty-five two bedroom units will initially rent at a rate of \$885 per month.

Planner's Report

The Town Planner stated that he had been contacted by a representative of Landworks Development LLC with a request to have the Commission vote on a site plan modification for 340 Main Street.

Upon a motion made and seconded (Pogson/Bagdigian) it was unanimously

VOTED: To add Landworks Development LLC – 340 Main Street to the agenda.

Landworks Development LLC – 340 Main Street

The Town Planner stated that there was miscommunication between his office and Landworks Development LLC and that the Commission has been asked to formally approve the modification to the site plan presented. Final lighting, signage and landscaping would be brought before the Commission and or staff at a later date for approval.

A motion was made and seconded (Wallace/Pogson) to approve the modified site plan for property located at 340 Main Street as presented with the condition that the applicant add a push button handicap door at the main entrance and that the applicant come back with final lighting and signage to the Commission and landscaping plans to staff for approval.

Upon a motion made and seconded (Wallace/Pogson) it was unanimously

VOTED: To amend the prior motion by adding a condition that the applicant narrow the driveway opening to a width that is uniform with the rest of the driveway.

The members then voted to unanimously approve the original motion as amended.

Mona Bachand – 1 Markie Road

Commissioner Pogson recused himself from this matter.

The Town Planner stated that he was working with the owner of 1 Markie Road regarding the signage on the farm stand. There was a rooftop sign that measured 10.88 sq. ft. and if it were relocated it would be a legal sign. The hangers would have to be limited to two. The detached signs are A-frame signs and are not allowed under the regulations. He added that the owner could possibly have a sign on permanent posts instead. Chairman Brenneman asked where the rooftop sign could be relocated. The Town Planner said that it could be moved to the front eave of the stand. There was some discussion on the hanger signs and A-frame signs.

Upon a motion made and seconded (Bagdigian/Wallace) it was unanimously

VOTED: To approve the following signs for property located at 1 Markie Road:

1. The owner shall relocate the rooftop sign to the front eave;
2. The owner shall only have two hanger signs attached to the farm stand as permitted with the appropriate square footage;
3. The owner is not permitted to have a free standing sign; and
4. The owner shall remove A-frame signs from the property.

Farmington West Estates – Snowberry Lane

The Town Planner reported to the members that he received correspondence from Attorney Robert Reeve asking for a 45-day extension of time to submit all required documents for the Farmington West Estates, Snowberry Lane subdivision.

Upon a motion made and seconded (Wallace/Charette) it was unanimously

VOTED: To approve the 45-day extension of time submit required subdivision documents for Farmington West Estates for 31-lot subdivision for property located at Snowberry Cobble development, Snowberry Lane, AH zone.

Minutes

Upon a motion made and seconded (Charette/Wallace) it was unanimously

VOTED: To approve minutes from the July 9, 2007 meeting.

The meeting adjourned at 11:26 p.m.

SJM

**TOWN OF FARMINGTON, CT.
OFFICE OF THE TOWN MANAGER
REGULAR TOWN COUNCIL MEETING**

DATE: August 14, 2007
(Council Members are asked to call the Town Manager's office if they are
unable to attend the meeting.)
TIME: 7:00 P.M.
PLACE: COUNCIL CHAMBERS

AGENDA

- A. Call to Order.
- B. Pledge of Allegiance.
- C. Presentations and Recognitions.
 - 1. David A. Adler – Eagle Scout Award
 - 2. Michael J. Adler – Eagle Scout Award
- D. Public Hearing - None
- E. New Items.
- F. Public Comments - Anyone from the audience who wishes to address the
Town Council may do so at this time.
- G. Reading of Minutes.
 - 1. July 10, 2007 Regular Town Council Meeting
- H. Reading of Communications and Written Appeals.
 - 1. Lower Farmington River & Salmon Brook Wild & Scenic Study –
correspondence
 - 2. James V. Rio, Chief of Police – correspondence
 - 3. Representative Demetrios Giannaros – correspondence
 - 4. Kristen Blore – resident correspondence
 - 5. Kate Emery – resident correspondence
 - 6. Arnab Roy – resident correspondence
 - 7. Bill Corvo – resident correspondence
 - 8. Tom and Sonia Mason – resident correspondence
 - 9. John D. Rubino – resident correspondence
- I. Report of Committees.
 - 1. UCONN Committees
 - 2. Land Acquisition Committee
 - 3. Strategic Plan Implementation Committee
 - 4. Strategic Plan Implementation Goal #4 Committee
 - 5. Elderly Tax Relief Sub-Committee (attachment)

6. Ethics Sub-Committee
 7. Tunxis Mead Park and River Access Committee
- J. Report of the Council Chair and Liaisons
1. Chair Report – Fairview Drive and Orchard Road correspondence to neighborhood
 2. Board of Education Liaison Report
 3. Unionville Village Improvement Association Liaison Report
 4. Town Plan and Zoning Liaison Report
 5. Water Pollution Control Authority Report
 6. Economic Development Commission Liaison Report
 7. Any Other Liaison Reports
- K. Report of Town Manager – Charles House Property, Certificate of Achievement, Gas Tanker Spill Brickyard Road, Hartford Business Journal Article, Erickson Retirement Communities
- L. Appointments.
1. Building Code Board of Appeals (Morrissey) (R)
 2. Building Code Board of Appeals (DiPietro) (D)
 3. Conservation Commission (Hickey) (R)
 4. Conservation Commission (Hannon) (D)
 5. Economic Development Commission (Apuzzo) (R)
 6. Economic Development Commission (Bonk) (R)
 7. Economic Development Commission (Kleinman)(D)
 8. Economic Development Commission (Howard) (R)
 9. Historic District Commission (Whitaker) (R)
 10. Housing Authority (Sasso) (R)
 11. Human Relations Commission (Elling) (D)
 12. Human Relations Commission (Mambrino) (R)
 13. Human Relations Commission (Chakraborty) (R)
 14. Water Pollution Control Authority (Thompson) (R)
 15. North Central Regional Mental Health Board, Inc. (Wienke) (R)
 16. Plainville Area Cable TV Advisory Council (Erickson) (R)
 17. Plainville Area Cable TV Advisory Council (Skoglund) (R)
 18. Plainville Area Cable TV Advisory Council (Simpson) (D)
 19. Plainville Area Cable TV Advisory Council (Wolf) (R)
- M. Old Business. None
- N. New Business.
1. To Approve the 2007 Plan of Conservation and Development.
 2. To Authorize the Town Manager to Sign and Enter into a Lease Agreement entitled "Option and Lease Agreement" Between the Town of Farmington and Cellco Partnership.
 3. To Amend the Agreements Concerning the Assignment of Tax and Sewer Liens between the Town of Farmington, Jordan Properties, LLC and 19 Perry

Street, LLC.

4. To Accept a Donation from the Farmington Chamber of Commerce for "Welcome to Farmington" Signs.
 5. That the Taxes Due on October 1, 2006 Grand List for Lot 2A Meadow Road and 7 Coppermine Road be Abated.
 6. That the Taxes Due on the October 1, 2006 Grand List for 11 Farmstead Lane be Abated.
 7. To Approve the Property Tax Refunds.
 8. To Appropriate Transfers in the General Fund Budget.
 9. To Approve the 2007-2008 Town Manager Goals.
- O. Executive Session - Land Acquisition
- P. Adjournment.

PROCLAMATION

Whereas, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

Whereas, many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

Whereas, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas, David M. Adler from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas, David M. Adler's project involved conducting a buffet dinner and collection of toys for the Connecticut Children's Medical Center, and

Whereas, David worked with the Administrative Assistant of the Connecticut Children's Medical Center and was able to coordinate the donation of needed materials and volunteer labor, and

Whereas, as a result of David's work, the lives of the patients of the Connecticut Children's Medical Center will be enriched and enhanced.

Now, therefore, be it resolved, that on behalf of the Farmington Town Council, I hereby extend to Eagle Scout David M. Adler our best wishes and we hereby proclaim August 15, 2007 as David M. Adler Day in Farmington.

Dated at Farmington, Connecticut this 14th day of August 2007.

Michael Clark
Chair, Farmington Town Council

PROCLAMATION

Whereas, the Boy Scouts of America help train the youth of our community with skills which serve them well in the future, and

Whereas, many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

Whereas, one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas, Michael J. Adler from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas, Michael J. Adler's project involved the design and construction of an interactive rock display case for Farmington High School, and

Whereas, Michael J. Adler worked with Dr. Laura Butterfield and was able to coordinate the donation of needed materials and volunteer labor, and

Whereas, as a result of Michael's work, the lives of the students of the Farmington High School will be enriched and enhanced.

Now, therefore, be it resolved, that on behalf of the Farmington Town Council, I hereby extend to Eagle Scout Michael J. Adler our best wishes and we hereby proclaim August 16, 2007 as Michael J. Adler Day in Farmington.

Dated at Farmington, Connecticut this 14th day of August 2007.

Michael Clark
Chair, Farmington Town Council

MOTION:

Agenda Item K-1

Report of the Town Manager- Charles House Property, Certificate of Achievement, Gas Tanker Spill Brickyard Road, Hartford Business Journal Article, Erickson Retirement Communities

Charles House Property

On Monday July 23, 2007 Housewright Development Inc. and 19 Perry Street LLC appeared before the Town Plan and Zoning Commission seeking a modification to condition number 11 of their zoning approval. This modification would allow them to post a performance bond with the Town of Farmington to permit construction of the approved 91-unit housing development before the entire site is remediated. This bond would guarantee clean up of the full site while allowing the new residential housing units to be built and occupied. Condition 11 currently does not permit the new housing development to receive certificates of occupancy until the entire site is clean.

A representative of 19 Perry Street LLC told the Commission that the clean up is ongoing and that the existing building is now essentially free of hazardous material and is close to being ready for demolition. They also stated that they are in serious negotiations with the Connecticut Unionville Water Company about the purchase of the remainder of the property. The proceeds of this sale would be used to pay for a large portion of the remediation work. 19 Perry Street expects that these negotiations would take about three months to conclude. It could take another two summers for the entire site to be remediated. For that reason 19 Perry Street is requesting a change in the conditions of approval thus allowing them to post a bond for the remediation work and allowing the developer to begin construction. The TPZ has not acted on the modification and will be discussing this again at a TPZ meeting in September.

For your information the Town Attorney has notified me, that 19 Perry Street has transferred the three acres of open space to the Town of Farmington per the agreement with the Town of Farmington. Jeff Ollendorf, Town Planner will be at the meeting to answer any specific questions.

Certificate of Achievement

The Certificate of Achievement for Excellence in Financial Reporting has been awarded to the Town of Farmington by the Government Finance Officers Associations of the United States and Canada for the 15th year. The Certificate of Achievement, which was awarded for the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2006, is the highest form of recognition in the area of governmental accounting and financial reporting. Congratulations should go to Joseph Swetcky and his staff for this outstanding achievement.

Gas Tanker Spill Brickyard Road

For your information the remediation for the gas tanker spill on Brickyard Road is complete. The trailer has been removed and work will begin in the near future to restore the area. Environmental Services will be performing the restoration of the area.

Hartford Business Journal Article

Attached is an article from the *Hartford Business Journal* dated July 30, 2007 touting Farmington with the highest occupancy rate for retail space in the area.

MOTION:

Agenda Item K-1

Report of the Town Manager (continued)

Erickson Retirement Communities

Attorney Reeve, who represents Erickson Retirement Communities, offered to fund the cost of a fiscal impact analysis and demographic study. Even though the Town Plan and Zoning Commission has not approved the Community, he felt that it would be beneficial to the Town Council as well as residents of Farmington to have this information. I would only recommend this if the Town engaged a Consultant of its choice and Erickson fully funded the study. In speaking with Jeff Ollendorf, Town Planner he recommends that the Town solicit a proposal from the firm of Tischler-Bise who are experts in Fiscal and Economic Impact Analysis. I am looking for direction from the Town Council if this is something you wish me to pursue.

MOTION: Agenda Item L-1

That _____ be appointed to the Building Code Board of Appeals for a five-year term beginning immediately and ending September 30, 2012. (Morrissey) (R)

MOTION: Agenda Item L-2

That _____ be appointed to the Building Code Board of Appeals for a five-year term beginning immediately and ending September 30, 2012. (DiPietro) (D)

MOTION: Agenda Item L-3

That _____ be appointed to the Conservation Commission for a five-year term beginning immediately and ending September 30, 2012. (Hickey) (R)

MOTION: Agenda Item L-4

That _____ be appointed to the Conservation Commission for a five-year term beginning immediately and ending September 30, 2012. (Hannon)(D)

MOTION: Agenda Item L-5

That _____ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Apuzzo) (R)

MOTION: Agenda Item L-6

That _____ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Bonk) (R)

MOTION: Agenda Item L-7

That _____ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Kleinman) (D)

MOTION: Agenda Item L-8

That _____ be appointed to the Economic Development Commission for a two-year term beginning immediately and ending September 30, 2009. (Howard) (R)

MOTION: Agenda Item L-9

That _____ be appointed to the Historic District Commission for a five-year term beginning immediately and ending September 30, 2012. (Whitaker) (R)

MOTION: Agenda Item L-10

That _____ be appointed to the Housing Authority for a five-year term beginning immediately and ending September 30, 2012. (Sasso) (R)

MOTION: Agenda Item L-11

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2009. (Elling) (D)

MOTION: Agenda Item L-12

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2009. (Mambrino) (R)

MOTION: Agenda Item L-13

That _____ be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2009. (Chakraborty) (R)

MOTION: Agenda Item L-14

That _____ be appointed to the Water Pollution Control Authority for a five-year term beginning immediately and ending September 30, 2012. (Thompson) (R)

MOTION: Agenda Item L-15

That _____ be appointed to the North Central Regional Mental Health Board, Inc. for a two-year term beginning immediately and ending September 30, 2009. (Wienke) (R)

MOTION: Agenda Item L-16

That _____ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Erickson) (R)

MOTION: Agenda Item L-17

That _____ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Skoglund) (R)

MOTION:

Agenda Item L-18

That _____ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Simpson) (D)

MOTION:

Agenda Item L-19

That _____ be appointed to the Plainville Area Cable TV Advisory Council for a two-year term beginning immediately and ending June 30, 2009. (Wolf) (R)

MOTION:

Agenda Item N-1

To Approve the 2007 Plan of Conservation and Development as Presented and Revised.

NOTE:

Following the endorsement of the Town Council the Plan would be referred to the regional planning agency (CRCOG) for comment. The Town Plan and Zoning Commission would then hold a public hearing as part of a process for final adoption of the Plan.

The changes made to the Plan to date reflect the various comments made by Town Council members at a meeting in May.

Jeff Ollendorf will be available at the meeting to answer any questions that the Town Council may have.

Attachment

MOTION:

Agenda Item N-2

To Authorize the Town Manager, on Behalf of the Town of Farmington, to Sign and Enter into a Lease Agreement Entitled "Option and Lease Agreement" Between the Town of Farmington and Cellco Partnership d/b/a Verizon Wireless for Lease of 10,000 Square Feet of Area Along with Non-Exclusive Right of Ingress and Egress for the Purpose of Constructing, Operating and Maintaining a Cellular Tower and Supporting Equipment as Described In and Under the Terms of Such Agreement for Property Located at 199 Town Farm Road.

NOTE: The proposed lease area is 10,000 square feet and is located toward the rear portion of the property in the vicinity of several existing farm buildings (A sketch of the easement area is attached to the lease agreement). The tower to be constructed in the lease area will be approximately 130 feet in height and camouflaged to look like an evergreen tree. It is expected that one to three carriers will locate their antennas on this tower. The design of this monopine tower has been accepted by the State of Vermont.

At a meeting of the Town Plan and Zoning Commission held on July 23, 2007, it was unanimously voted to approve the 8-24 referral to lease the land located at 199 Town Farm Road for a communications tower.

A one- time payment to the Town of \$1,900 will be made once the lease is executed. This payment is made to the Town whether they build the tower or not. Once the tower is built, the Town will receive a minimum payment of \$22,800 per year plus there is a 3% increase a year. If other providers locate on this tower, the Town will receive 20% of the rental payment that is made to Verizon.

Jeff Ollendorf will be at the meeting to answer any questions.

MOTION:

Agenda Item N-3

That the Farmington Town Council moves that the Agreement of Assignment of Municipal Tax Liens and Agreement of Assignment of Municipal Sewer Liens, both dated August 17, 2006 be amended to remove the inclusion of Parcel B as described in Schedule A of each such agreement and that the Town Manager be authorized to execute any document necessary to effectuate such amendments.

And,

That the basis of this motion is that Dane and Juile Salzarulo of 14 Perry Street have asked to purchase this 6,517 square foot parcel from 19 Perry Street LLC to add to their existing residential lot. The conveyance of Parcel B to Mr. and Mrs. Salzarulo will allow them to maintain it for the benefit of themselves and the entire Perry Street neighborhood.

Further,

The removal of Parcel B from the above referenced agreements does not impact the effectiveness of those agreements or the security previously provided to the Town of Farmington.

Attachment(s)

MOTION:

Agenda Item N-4

To Accept Seven "Welcome to Farmington" Signs from the Farmington Chamber of Commerce.

NOTE:

The Farmington Chamber of Commerce would like to donate seven "Welcome to Farmington Signs" that will be placed at various locations entering the Town. The oval signs that will be cut into a rectangular panel will have white routed letters and routed boarder cut into a blue painted panel. The posts and back of the signs will be painted white. The proposed locations of the sites are as follows:

1. Rt. 6 East from Bristol into Farmington (Scott Swamp Rd.)
2. Rt. 177 North from Plainville into Farmington (Plainville Ave.)
3. Rt. 177 South from Avon into Unionville (Lovely St.)
4. Rt. 10 North from Plainville (Main St.)
5. Rt. 167 South from Avon into Unionville (West Avon Rd.)
6. Fiennemman Road from New Britain into Farmington

7. ALTERNATE: Town Farm Road from Avon into Farmington

The Town Plan and Zoning Commission approved the signs at its July 17, 2007 meeting. Town staff will install the signs and be responsible for the future maintenance of the signs. I am recommending this donation, which is another example of a private/public partnership.

If approved, I will send a letter to Mr. Ed Gales, Chamber of Commerce thanking the Chamber for its generous donation.

Attachment

MOTION:

Agenda Item N-5

That the Taxes Due on the October 1, 2006 Grand List for the Following Properties and Amounts be Abated in Accordance with Section 12-81(4) of the Connecticut General Statutes:

<u>Property</u>	<u>Tax</u>	<u>Reason</u>
Lot 2A Meadow Road	\$3,195.22	Acquired by Town
7 Coppermine Road	\$872.83	Acquired by Town

NOTE: During July 2007, the Town acquired the two above referenced parcels of property as part of the Town's open space acquisition program. These parcels have property taxes due and payable on the 2006 Grand List. Since the Town has acquired them, the properties are now considered exempt from taxation, and therefore the Town Council should abate the currently outstanding taxes. Notification of the abatement will be made to the Tax Collector who will remove the properties from the collectible list.

MOTION:

Agenda Item N-6

That the Taxes in the Amount of \$412.35 due on the 10/1/2006 Grand List for Lot 11, Farmstead Lane, Which Property is Currently Owned by the Farmington Land Trust be Abated.

NOTE:

Attached is a memorandum from the Tax Assessor indicating that a parcel of property known as Lot 11 Farmstead Lane was acquired by the Farmington Land Trust at the end of June 2007. Property owned by the Farmington Land Trust is considered... "to be held in trust for public purposes..." and is therefore exempt from property taxation under Section 12-81(5) of the Connecticut General Statutes.

Currently there is a tax bill from the 2006 Grand List due on this property in the amount of \$412.35. The Tax Assessor is recommending that this tax be abated in accordance with the State Statute. I concur with her recommendation.

Attachment

MOTION:

Agenda Item N-7

To Approve the Following Property Tax Refunds:

	NAME	REASON	AMOUNT
1.	Action Vending Inc.	Assessor's Adjustment	\$ 81.14
2.	Lindy Alender	Assessor's Adjustment	\$ 29.06
3.	American Leasing Corporation	Assessor's Adjustment	\$ 54.31
4.	Donald J. Angell	Assessor's Adjustment	\$ 32.23
5.	Janice Ashmont	Assessor's Correction	\$ 24.03
6.	Tyson Belanger	Assessor's Adjustment	\$ 30.13
7.	Courtney Bond	Assessor's Correction	\$ 249.37
8.	Helen Jean Bozak	Assessor's Adjustment	\$ 46.19
9.	Brooklake Living Comm.	Overpayment	\$ 152.40
10.	Richard Carlson	Assessor's Adjustment	\$ 50.96
11.	Chris Carlyle	Assessor's Adjustment	\$ 19.61
12.	John Corso	Assessor's Adjustment	\$ 61.64
13.	Norman or Denise Cote	Assessor's Adjustment	\$ 59.38
14.	Anthony Dagostino	Assessor's Adjustment	\$ 6.23
15.	Irving or Nan Dahlstrom	Assessor's Adjustment	\$ 13.13
16.	Loren A. Disney	Assessor's Adjustment	\$ 11.08
17.	Kevin B. Fox	Assessor's Adjustment	\$ 63.01
18.	GMAC	Assessor's Adjustment	\$ 474.19
19.	Russell or Constance Greenlaw	Assessor's Adjustment	\$ 7.30
20.	William D. Hill	Assessor's Adjustment	\$ 229.27
21.	Honda Lease Trust	Assessor's Adjustment	\$ 46.77
22.	Arpad or Rozalia Kastal	Assessor's Adjustment	\$ 326.19
23.	Krystyna Kleczkowski	Assessor's Adjustment	\$ 40.48
24.	Jeanette Lafreniere	Erroneous Payment	\$ 543.00
25.	Jennifer Magee	Assessor's Adjustment	\$ 57.53
26.	Henry and Maria Mahier	Assessor's Adjustment	\$ 163.57
27.	Marlin Leasing	Assessor's Correction	\$ 26.75
28.	Joseph Miceli	Assessor's Adjustment	\$ 6.61
29.	Miss Porter's School Inc.	Erroneous Payment	\$ 189.75
30.	Michael or Mary Murrhy	Assessor's Adjustment	\$ 11.59
31.	Nissan Infiniti	Assessor's Adjustment	\$ 642.01
32.	Martha or Luis Nunes	Assessor's Adjustment	\$ 15.36
33.	Vincent Pacileo	Assessor's Adjustment	\$ 25.95
34.	Rocas Enterprises LLC	Assessor's Adjustment	\$ 24.66
35.	Patchanee Rungruanunt	Erroneous Payment	\$ 2,316.82 *
36.	Saab Leasing Co.	Assessor's Adjustment	\$ 166.71
37.	Madelyn Sarrantonio	Assessor's Adjustment	\$ 31.60
38.	Edward Sutkowski	Assessor's Adjustment	\$ 12.84
39.	Unionville Auto Body Inc.	Assessor's Correction	\$ 285.72
		TOTAL:	\$ 6,628.57

* payment in error

MOTION:

Agenda Item N-8

That the Following Attached Appropriation Transfers be Made to and From the Accounts Listed on the Attached FY2006/2007 General Fund Budget.

Attachment

MOTION:

Agenda Item N-9

To Approve the Attached Town Manager 2007-2008 Town Manager Goals.

NOTE:

Attachments

MOTION:

Agenda Item O

Executive Session- To Discuss Matters Concerning the Sale or Acquisition of Real Property.

Discussion of the selection of a site or the lease, sale or purchase of real estate by a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would cause a likelihood of increased price until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned;

That attendance in the Executive Session shall be limited to:

Members of the Town Council
Town Manager

NOTE: Approval of this motion shall be by 2/3 vote.

Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.

MINUTES OF THE REGULAR MEETING OF THE
FARMINGTON TOWN COUNCIL HELD
AUGUST 14, 2007

Present:

Mike Clark, Chair
Mike Demicco
Jeffrey J. Hogan
Robert Huelin
Charles Keniston
William A. Wadsworth

Kathleen Eagen, Town Manager
Paula B. Ray, Town Clerk

A. Call to Order

The Chair called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance

The Council and members of the public recited the Pledge of Allegiance.

C. Presentations and Recognitions.

1. David A. Adler – Eagle Scout Award

Mr. Keniston read into the record the proclamation recorded with these minutes as Agenda Item C-1, and the Council congratulated David A. Adler on his accomplishments.

2. Michael J. Adler – Eagle Scout Award

Mr. Demicco read into the record the proclamation recorded with these minutes as Agenda Item C-2, and the Council congratulated Michael J. Adler on his accomplishments.

D. Public Hearing

There was no public hearing held.

E. New Items

Motion was made and seconded (Keniston/Wadsworth) to add to the agenda as Agenda Item N-10 to set a public hearing on September 11, 2007 at 7:10 p.m. in the Town Hall Council Chambers on proposed amendments to Chapter 176, Taxation, Article IV of the Town of Farmington code.

Adopted unanimously.

F. Public Comments

There were no public comments made.

Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.

G. Reading of Minutes

1. July 10, 2007 Regular Town Council Meeting

Motion was made and seconded (Wadsworth/Hogan) to approve the minutes of the July 10, 2007 Regular Town Council Meeting.

Adopted unanimously.

H. Reading of Communications and Written Appeals

1. James V. Rio, Chief of Police – correspondence
2. Representative Demetrios Giannaros – correspondence
3. Kristen Blore – resident correspondence
4. Kate Emery – resident correspondence
5. Arnab Roy – resident correspondence
6. Bill Corvo – resident correspondence
7. Tom and Sonia Mason – resident correspondence
8. John D. Rubino – resident correspondence

The Town Manager reported the following were received:

- a) A letter from the Lower Farmington River & Salmon Brook Wild and Scenic Study Committee discussing progress of the study committee recorded with these minutes as Agenda Item H-1.
- b) A letter from Chief James Rio regarding a newspaper article recorded with these minutes as Agenda Item H-2.
- c) A letter from Representative, Demetrios Giannaros regarding funding for the Town of Farmington in the State of Connecticut budget for fiscal year 2007-2008 recorded with these minutes as Agenda Item H-3.
- d) An email from Kristen Blore regarding proposed sewers for Fairview Drive and Orchard Road recorded with these minutes as Agenda Item H-4.
- e) An email from Katherine H. Emery regarding the Town of Farmington becoming a Clean Energy Community recorded with these minutes as Agenda Item H-5.
- f) An email from Arnab Roy regarding his displeasure with Comcast recorded with these minutes as Agenda Item H-6.
- g) An email from Bill Corvo regarding Town Farm Road flooding issues recorded with these minutes as Agenda Item H-7.
- h) An email from Tom and Sonia Mason regarding access to the river in the area of the new boathouse recorded with these minutes as Agenda H-8.

Mr. Hogan asked the Manager to find out if the Lower Farmington River & Salmon Brook Wild and Scenic Study Committee would like some kind of endorsement of the "Wild & Scenic" designation from the Town of Farmington. He felt their study would be very beneficial to the Town of Farmington by creating new and extra protections for the Farmington River.

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Mr. Wadsworth remarked that many of the issues the Lower Farmington River & Salmon Brook Wild and Scenic Study Committee were considering were similar to the Farmington River Access Committee. He wanted to be very supportive of their efforts and asked the Town Manager to get copies of their minutes, which would allow for coordination with their work.

Mr. Huelin asked what the staff response to the question of more access to the boathouse area had been. The Manager informed the Council at this time the staff didn't feel comfortable increasing access because of patrol issues in the area. She explained that the River Access Committee was currently addressing all of these issues.

Mr. Wadsworth asked for an updated list of the Town of Farmington's revenues from the State of Connecticut formula grants now that the legislative session had closed. Mr. Wadsworth submitted for the record the letter recorded with these minutes as Agenda Item H-10 from Andrew Buck regarding development in Farmington.

I. Report of Committees

1. UCONN Committees

Mr. Demicco reported the UCONN DEP Committee had met and the new member, Patty Callahan was in attendance. The new Executive Director of Correctional Managed Health Care is Dr. Robert Tressman and that he had initiated a strategic planning process specifically focusing on chronic disease care management and preventative care management. He reported the UCONN Communications Committee would be meeting with Farmington's State Representatives and Senators on September 18, 2007.

2. Land Acquisition Committee

There was no report.

3. Strategic Plan Implementation Committee

Mr. Hogan reported the Committee would not meet again until the Goal #4 Committee completed their work.

4. Strategic Plan Implementation Goal #4 Committee

The Chair reported the Committee would be having their second meeting August 15, 2007 and that they were working through the issues.

5. Elderly Tax Relief Sub-Committee

Mr. Keniston reported the Committee would be presenting their final draft that evening. He briefly summarized the Committee's proposal and answered Council questions. Mr. Demicco stated his disappointment with the proposal in the final draft. While he found the proposal fiscally prudent, he felt it was cheap.

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6. Ethics Sub-Committee

The Chair reported he had sent out copies of the draft plans to members of the Committee; Mary Grace Reed, Chair of the Board of Education; and Robert Villanova, Superintendent of Schools for final proof reading. Mr. Demicco stated that he was disappointed the public hearing, debate and vote on the proposed ordinance changes would not be until after the election. He felt everything had been finalized in June and couldn't understand why the grunt work of cleaning it up was taking so long.

7. Tunxis Mead Park and River Access Committee

Mr. Wadsworth reported last time that the grant phase of the program was almost complete, and they were still working on opening river access on other Town of Farmington owned land.

J. Report of the Council Chair and Liaisons

1. Chair Report

The Chair entered into the record a letter to Bill Corvo regarding Town Farm Road as Agenda Item J-3 and a letter sent by himself to Carol Presutti, President of the Farmington Chamber of Commerce regarding economic development as Agenda Item J-2. The Chair reported that a letter had been sent to the residents of Fairview Drive and Orchard Road informing them that there would not be a bonding issue for sewers in their neighborhood on the ballot this November and that the Town of Farmington staff is reviewing Chapter 156 "Sewers" before any action would be taken in their neighborhood, but that sewers are still needed in their neighborhood.

2. Board of Education Liaison Report

There was no report.

3. Unionville Village Improvement Association Liaison Report

Mr. Keniston reported that by Labor Day the developer of the Pioneer Steel Ball site expects to have in place opposite Ryan's Pharmacy the health food store, jeweler, and to the right of Ryan's Pharmacy a dry cleaner, Laundromat, Italian restaurant and bar, hair salon and barber shop, and a retail site. He informed the Council and public Unionville Day would be September 30, 2007.

The Chair reported he had received a request to investigate instituting a Historic District in Unionville. He asked the Manager to put together an Executive summary of the last attempt to establish a Historic District in Unionville.

4. Town Plan and Zoning Liaison Report

There was no report.

5. Water Pollution Control Authority Report

Mr. Demicco reported the Water Pollution Control had not had a meeting in August. He commented that most of the neighbors in the Fairview Drive and Orchard Road neighborhood were pleased the Town of Farmington is taking a

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step back on the sewer project in their neighborhood, but he felt the issues involved had not been properly studied and researched by the Town of Farmington staff before moving forward on the project. He also stated the communication from the Town of Farmington staff and the WPCA to the residents had been inadequate.

6. Economic Development Commission Liaison Report

Mr. Wadsworth suggested to get closure on issues and improve communication with the Chamber of Commerce the Council should meet with the Chamber of Commerce at one of their second meetings to discuss their issues. Mr. Huelin noted he didn't think that would be a good idea and it would be posturing. It would only amount to hauling them in to explain themselves in an inquisitional type fashion. He felt the Chamber of Commerce expressed an opinion and it should be left at that. Mr. Hogan stated he didn't see it as posturing and felt it would be an opportunity for dialogue.

7. Any Other Liaison Reports

There were no other liaison reports.

K. Report of Town Manager

Charles House Property

The Manager reported that 19 Perry Street LLC was going to the Department of Environmental Protection for a modification of their original condition of approval and that they have transferred the 3 acres of property to the Town of Farmington as promised in their agreement with the Town of Farmington.

Certificate of Achievement

The Manager reported the Town of Farmington had received a Certificate of Achievement for Excellence in Financial Reporting for the 15th year in a row. She congratulated Joseph Swetcky, Director of Finance and Administration on the accomplishment.

Gas Tanker Spill Brickyard Road

The Manager reported the remediation for the spill was complete and work had begun to restore the area.

Hartford Business Journal Article

The Manager called the Council's attention to an article from the Hartford Business Journal recorded with these minutes as Agenda Item K-1 regarding vacancy rates.

Erickson Retirement Communities

The Manager asked for Council consensus about having Erickson Retirement Communities finance a fiscal analysis and demographic study for the Town of Farmington. It was the consensus of the Town Council not to move forward at this time.

Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.

Mr. Wadsworth asked the Manager to provide the Land Acquisition Committee copies of the Assessor's cards and property survey for the 3 acres transferred to the Town of Farmington by 19 Perry Street LLC.

Motion was made and seconded (Huelin/Wadsworth) to accept the report of the Town Manager.

Adopted unanimously.

L. Appointments

1. Building Code Board of Appeals (Morrissey) (R)
2. Building Code Board of Appeals (DiPietro) (D)
3. Conservation Commission (Hickey) (R)
4. Conservation Commission (Hannon) (D)
5. Economic Development Commission (Apuzzo) (R)
6. Economic Development Commission (Bonk) (R)
7. Economic Development Commission (Kleinman)(D)
8. Economic Development Commission (Howard) (R)
9. Historic District Commission (Whitaker) (R)
10. Housing Authority (Sasso) (R)
11. Human Relations Commission (Elling) (D)

There was no action taken on items L-1 through L-11.

12. Human Relations Commission

Motion was made and seconded (Hogan/Wadsworth) that Donna Mambrino be appointed to the Human Relations Commission for a two-year term beginning immediately and ending June 30, 2009.

Adopted unanimously.

13. Human Relations Commission

Motion was made and seconded (Hogan/Wadsworth) that Nitya G. Chakraborty be appointed to a two-year term beginning immediately and ending June 30, 2009.

Adopted unanimously.

14. Water Pollution Control Authority (Thompson) (R)
15. North Central Regional Mental Health Board, Inc. (Wienke) (R)
16. Plainville Area Cable TV Advisory Council (Erickson) (R)
17. Plainville Area Cable TV Advisory Council (Skoglund) (R)
18. Plainville Area Cable TV Advisory Council (Simpson) (D)
19. Plainville Area Cable TV Advisory Council (Wolf) (R)

There was no action taken on Agenda Items L-14 through L-19.

Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.

M. Old Business.

There were no old business items on the agenda.

N. New Business

1. To Approve the 2007 Plan of Conservation and Development.

Motion was made and seconded (Hogan/Huelin) to approve the 2007 Plan of Conservation and Development as presented and revised.

Motion was made and seconded (Wadsworth/Hogan) to amend the motion by deleting the word "approve" and substituting "endorse".

Adopted unanimously.

Adopted as amended unanimously.

2. To Authorize the Town Manager to Sign and Enter into a Lease Agreement entitled "Option and Lease Agreement" Between the Town of Farmington and Celco Partnership.

Motion was made and seconded (Wadsworth/Keniston) to authorize the Town manager, on behalf of the Town of Farmington, to sign and enter into a lease agreement entitled "Option and Lease Agreement" between the Town of Farmington and Celco Partnership d/b/a Verizon Wireless for lease of 10,000 square feet of area along with non-exclusive right of ingress and egress for the purpose of constructing, operating and maintaining a cellular tower and supporting equipment as described in and under the terms of such agreement for property located at 199 Town Farm Road.

Ms. Joey Lee Miranda, Robinson & Cole entered into the record the letter recorded with these minutes as Agenda Item N-2.

Adopted unanimously.

3. To Amend the Agreements Concerning the Assignment of Tax and Sewer Liens between the Town of Farmington, Jordan Properties, LLC and 19 Perry Street, LLC.

Motion was made and seconded (Wadsworth/Huelin) that the Farmington Town Council moves that the agreement of assignment of Municipal Tax Liens and Agreement of Assignment of Municipal Sewer Liens both dated August 17, 2006 be amended to remove the inclusion of Parcel B as described in Schedule A of each such agreement and that the Town Manager be authorized to execute any document necessary to effectuate such amendments.

And,

Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.

That the basis of this motion is that Dane and Julie Salzarulo of 14 Perry Street have asked to purchase this 6,517 square foot parcel from 19 Perry Street LLC to add to their existing residential lot. The conveyance of Parcel B to Mr. and Mrs. Salzarulo will allow them to maintain it for the benefit of themselves and the entire Perry Street neighborhood.

Further,

The removal of Parcel B from the above referenced agreements does not impact the effectiveness of those agreements or the security previously provided the Town of Farmington.

Adopted unanimously.

4. To Accept a Donation from the Farmington Chamber of Commerce for "Welcome to Farmington" Signs.

Motion was made and seconded (Wadsworth/Huelin) to accept seven "Welcome to Farmington" signs from the Farmington Chamber of Commerce.

Adopted unanimously.

5. That the Taxes Due on October 1, 2006 Grand List for Lot 2A Meadow Road and 7 Coppermine Road be Abated.

Motion was made and seconded (Wadsworth/Hogan) to approve the motion recorded with these minutes as Agenda Item N- 5.

Adopted unanimously.

6. That the Taxes Due on the October 1, 2006 Grand List for 11 Farmstead Lane be Abated.

Motion was made and seconded (Wadsworth/Keniston) that the taxes in the amount of \$412.35 due on the 10/01/2006 Grand List for Lot 11, Farmstead lane, which property is currently owned by the Farmington Land Trust be abated.

Adopted.

Voting yes were Clark, Demicco, Huelin, Keniston, and Wadsworth.
Mr. Hogan abstained.

7. To Approve the Property Tax Refunds.

Motion was made and seconded (Wadsworth/Hogan) to approve the motion recorded with these minutes as Agenda Item N- 7.

Adopted unanimously.

Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.

8. To Appropriate Transfers in the General Fund Budget.

Motion was made and seconded (Wadsworth/Hogan) to approve the motion recorded with these minutes as Agenda Item N- 8.

Adopted unanimously.

9. To Approve the 2007-2008 Town Manager Goals.

Motion was made and seconded (Wadsworth/Hogan) to approve the motion recorded with these minutes as Agenda Item N-9.

It was the consensus of the Council to remove goals 2.7 #5 and 2.8 #7 for the 2007-20008 goals for consideration in the future.

Adopted unanimously.

10. To Set a Public Hearing on September 11, 2007 at 7:10 PM in the Town Hall Council Chambers on Proposed Amendments to Chapter 176. Article IV of the Town Code.

Motion was made and seconded (Keniston/Hogan) to set a public hearing on September 11, 2007 on proposed amendments to Chapter 176, "Taxation", Article IV, *Property Tax Relief for Elderly Homeowners*, which amendments would incorporate the proposal for elderly tax credits presented by the Subcommittee on Elderly Tax Relief dated August 14, 2007. Said proposal, which is estimated to cost \$99,785.00.

Adopted unanimously.

O. Executive Session

Motion was made and seconded (Wadsworth/Hogan) to move to Executive Session for the purpose of discussion of the selection of a site or lease, sale or purchase of real estate at 9:30 p.m. with the Town Manager and Town Council present.

Adopted unanimously.

The Council returned to Open Session at 10:05 p.m.

Minutes are considered "Draft" until approved at the next meeting. Please contact the Town Clerk's Office for a copy of final minutes.

P. Adjournment

Motion was made and seconded (Keniston/Demicco) to adjourn the meeting at 10:05 p.m.

Adopted unanimously.

Respectfully submitted,

Paula B. Ray, Clerk