



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR STEPHEN WOODS

NEWINGTON TOWN COUNCIL **Helen Nelson Room (Main Level) – Town Hall** **131 Cedar Street**

November 13, 2012

7:00 p.m. or Immediately Following Public Hearing

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. PUBLIC PARTICIPATION – IN GENERAL (**In Person/Via Telephone**)
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)
- IV. CONSIDERATION OF OLD BUSINESS (**Action May be Taken**)
 - A. Refunding of the 2003, 2004 & 2005 Bonds
 - B. Expansion of the Town Hall Project Building Committee
- V. CONSIDERATION OF NEW BUSINESS (**Action May Be Taken Only by Waiving the Rules.**)
 - A. Elderly Tax Exempt
 - B. Economic Development Update
 - C. Blight Process Update
 - D. Town Council Rules of Procedure
 - E. Emergency Management Performance Grant
- VI. RESIGNATIONS/APPOINTMENTS (**Action May Be Taken**)
 - A. Appointments to Boards and Commissions
 - 1. Balf-Town Committee
 - 2. Newington Commercial Façade Easement Rehabilitation Loan Program Committee
 - 3. Committee on Community Safety
 - 4. Conservation Commission
 - 5. Development Commission
 - 6. Downtown Revitalization Committee
 - 7. Education Facilities Project Building Committee
 - 8. EMS Committee
 - 9. Employee Insurance and Pension Benefits Committee
 - 10. Environmental Quality Commission
 - 11. Board of Ethics
 - 12. Fair Rent Commission
 - 13. Firehouse Expansion Project Building Committee
 - 14. Human Rights Commission

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townmanager@newingtonct.gov
www.newingtonct.gov

- 15. NHS Track Renovation Project Building Committee
- 16. Open Space Committee
- 17. School Code Compliance Committee
- 18. Standing Insurance Committee
- 19. Vehicle Appeals Board

VII. TAX REFUNDS (**Action Requested**)

VIII. MINUTES OF PREVIOUS MEETINGS (**Action Requested**)

- A. October 23, 2012 - Regular Meeting

IX. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER, OTHER TOWN AGENCIES AND OFFICIALS, OTHER GOVERNMENTAL AGENCIES AND OFFICIALS AND THE PUBLIC

X. COUNCIL LIAISON/COMMITTEE REPORTS

XI. PUBLIC PARTICIPATION – IN GENERAL (**In Person/Via Telephone**)
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)

XII. REMARKS BY COUNCILORS

XIII. EXECUTIVE SESSION RE: COLLECTIVE BARGAINING & PERSONNEL

XIV. ADJOURNMENT



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

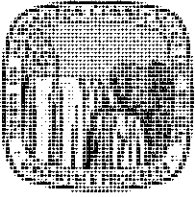
MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: November 8, 2012
Re: Refunding of 2003-2005 Bond Issue

At the October 23, 2012 Council meeting Finance Director Ann Harter and the Town's Financial Advisor discussed the potential savings in debt services if the Town were to refinance (refund) the 2003-2005 bond issue.

Following the Public Hearing, and if the Council concurs with the previously discussed recommendations, the attached resolution should be adopted.

Attach.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Finance Department

Ann J. Harter
Director of Finance

Memorandum

To: John Salomone, Town Manager
From: Ann Harter, Director of Finance *AH*
Date: November 9, 2012
Re: Refunding of Bonds

Per request of Councilor Cohen, attached is an analysis comparing the current debt service schedule for the 2003, 2004, and 2005 bonds to the "refinanced" schedule to illustrate the potential savings in our debt service payments. Keep in mind the total exact dollar amount savings will not be known until the sale is completed over the next couple months.

The Town has flexibility with how to allocate the savings. The schedule shows two ways to structure the refunding principal amounts.

1. *Savings in a single fiscal year* - this reduces the principal payment in 2013-2014 to \$530,000. The rationale for taking the savings in the 2014 fiscal year is because in this difficult budgetary environment due to the economy, municipalities prefer to take most of the savings in the first year or two, rather than spreading it throughout the term of the issue. Additionally, the Town would not appreciate the full benefit of the savings when we foresee issuing substantially more debt in the preceding fiscal year.
2. *Savings over multiple years* - this evens out the principal payments over the issues producing a potential savings of \$148 thousand in 2013-2014. Subsequent years realize a gradual reduction in debt service payments.

NEWINGTON'S LONG-TERM DEBT SCHEDULE WITH REFUNDING

Fiscal Year Ending June 30,	Existing Debt Service			Refunding Debt Service						
	Principal	Interest	Total P&I	Savings in a single fiscal year			Savings spread over multiple years			
2013	950,000	276,375 *	1,226,374	Principal	Interest	Total P&I	Principal	Interest	Total P&I	Savings
2014	950,000	355,672	1,305,672	1,090,000	131,200	1,221,200	1,090,000	131,200	1,221,200	5,174
2015	950,000	318,928	1,268,928	530,000	240,600	770,600	916,400	240,600	1,157,000	148,672
2016	950,000	283,432	1,233,432	1,030,000	230,000	1,260,000	916,400	230,000	1,146,400	122,528
2017	950,000	246,430	1,196,430	1,012,000	204,250	1,216,250	916,400	204,250	1,120,650	112,782
2018	950,000	208,992	1,158,992	1,010,000	178,750	1,188,750	916,400	178,750	1,095,150	101,280
2019	620,000	171,336	791,336	1,000,000	153,500	1,153,500	916,400	153,500	1,069,900	89,092
2020	620,000	144,796	764,796	665,000	123,500	788,500	645,000	123,500	768,500	22,836
2021	620,000	118,040	738,040	660,000	103,550	763,550	645,000	103,550	748,550	16,246
2022	620,000	91,064	711,064	650,000	83,750	733,750	645,000	83,750	728,750	9,290
2023	620,000	63,641	683,641	640,000	64,250	704,250	645,000	64,250	709,250	1,814
2024	620,000	35,953	655,953	630,000	45,050	675,050	645,000	45,050	690,050	(6,410)
2025	185,000	7,863	192,863	625,000	26,150	651,150	645,000	26,150	671,150	(15,197)
2026	0	0	0	185,000	7,400	192,400	185,000	7,400	192,400	463
TOTALS	\$ 9,605,000	\$ 2,322,519	\$ 11,927,519	\$ 9,727,000	\$ 1,591,950	\$ 11,318,950	\$ 9,727,000	\$ 1,591,950	\$ 11,318,950	\$ 608,569

*Reflects interest payment of \$114,622.50 on November 15, 2012

AGENDA ITEM: IV.A.

DATE: 11-13-12

RESOLUTION NO: _____

Town Council Resolution: Refunding Bonds

RESOLVED:

That the Newington Town Council hereby adopts a resolution authorizing the issue of up to \$11,000,000 in general obligation bonds to refund certain prior bonds of the Town and to finance such additional amounts as are needed to pay all fees, costs, expenses and redemption premium in connection with the refunding of the prior bonds and the authorization, issuance and sale of the refunding bonds and appropriating the proceeds of such bonds for the foregoing purpose that was introduced at the Town Council meeting of October 23, 2012 and heard at the Public Hearing on November 13, 2012, a copy of the full text of such resolution is attached and shall be entered into the record.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

TOWN OF NEWINGTON

TOWN COUNCIL

**RESOLUTION WITH RESPECT TO THE
AUTHORIZATION, ISSUANCE AND SALE OF UP TO
\$11,000,000 AGGREGATE PRINCIPAL AMOUNT OF TOWN OF
NEWINGTON GENERAL OBLIGATION REFUNDING BONDS**

WHEREAS, Section 7-370c of the Connecticut General Statutes provides authority for any municipality to issue refunding bonds for the payment, funding or refunding of bonds, notes or other obligations previously issued; and

WHEREAS, Section 7-370c provides that such refunding bonds shall be authorized and issued by resolution of the legislative body of the municipality; and

WHEREAS, the Town of Newington, Connecticut (the "Town"), desires to refund all or any portion of any one or more series of the Town's outstanding general obligation bonds (the "Prior Bonds").

NOW THEREFORE, BE IT RESOLVED,

(1) That the Town issue its general obligation bonds in the aggregate principal amount of up to \$11,000,000 (the "Bonds") to refund certain of the Prior Bonds and to finance such additional amounts as are needed to pay all fees, costs, expenses and redemption premium, if any, in connection with the refunding of the Prior Bonds and the authorization, issuance and sale of the Bonds, including, but not limited to, legal, advisory, printing and administrative expenses, underwriter's discount, and expenses in connection with credit enhancement, if necessary, and the proceeds of the Bonds be appropriated for the foregoing purposes; provided, however, that the refunding of the Prior Bonds provides a net debt service savings to the Town and that the amount of the Bonds issued does not exceed the amount needed to refund the Prior Bonds and to pay the costs authorized herein.

(2) That the Town Manager and the Director of Finance of the Town (the "Officials") are hereby authorized to determine the date, rates of interest, principal payment amounts, maturities, dates of principal and interest payments, the form of such Bonds, the provisions for protecting and enforcing the rights and remedies of the holders of such Bonds and such other terms, conditions and particular matters regarding the Bonds and the issuance and securing thereof, all in accordance with the Connecticut General Statutes and the Charter of the Town, and to take such actions and execute such documents including, but not limited to, a contract of purchase, to provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, U.S. Securities and Exchange Commission Rule 15c2-12, and any other applicable provision of law thereto enabling. The Bonds authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(3) That the Bonds shall be signed by the Officials either by their genuine signatures or by facsimiles of such signatures printed on the Bonds and that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as bond counsel to render an opinion approving the legality of the issuance of the Bonds.

(4) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, escrow agent, transfer agent and paying agent for such Bonds; to provide for the keeping of a record of the Bonds; to designate a financial advisor to the Town in connection with the sale of the Bonds; and to designate an underwriter in connection with any negotiated sale and purchase of the Bonds.

(5) That the Officials are authorized to sell the Bonds at a public or negotiated sale; to deliver the Bonds and to perform all other acts which are necessary or appropriate to issue the Bonds; to make representations and covenants on behalf of the Town for the benefit of the holders of the Bonds to provide secondary market disclosure information in accordance with U.S. Securities and Exchange Commission Rule 15c2-12, as it may be amended from time to time, including, but not limited to, executing and delivering a continuing disclosure agreement; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(6) That the Officials are authorized to refund the Prior Bonds from the proceeds of the Bonds and other moneys as they may determine to make available for this purpose, and to defease the Prior Bonds by executing and delivering an escrow agreement in such form and upon such terms as they shall approve, such approval to be conclusively evidenced by their execution thereof.

(7) That the Officials are hereby authorized on behalf of the Town to make such representations and covenants for the benefit of the holders of the Bonds which are necessary or appropriate to ensure the exemption of interest on the Bonds from taxation under the Internal Revenue Code of 1986, as amended, including, but not limited to, covenants to pay rebates of investment earnings to the United States in future years; their respective approvals to be conclusively evidenced by their signature on any such agreements relating thereto.

(8) That the Officials be authorized to designate other officials or employees of the Town to take such actions and execute such documents, as are determined to be necessary or advisable and in the best interests of the Town in order to refund the Prior Bonds and to issue, sell and deliver the Bonds, and that the execution and delivery of such documents shall be conclusive evidence of such determination.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: November 8, 2012
Re: Town Hall Renovations PBC Expansion

As discussed at the October 23 Town Council meeting, the Board of Parks and Recreation has requested to add two members from the Board to the Town Hall Renovations Project Building Committee. This request was made because the scope of the project will include either a new facility to replace the Mortensen Center or to substantially renovate the existing one.

The Town Council can choose a number of different ways to accommodate the request from the Parks and Recreation commission. The options were thoroughly discussed at the October 23 meeting. I will be drafting an alternate resolution reflecting these discussions for the November 13 meeting. The resolution will be distributed as soon as it is completed.

It is not necessary for a building committee to contain only elected officials. In past building committees appointed members have included non-elected officials in addition to elected officials. Any of the above scenarios can be considered, depending on what the Town Council deems necessary for the additional members.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: November 9, 2012
Re: Elderly Tax Exemption

The item to discuss an elderly tax exemption was tabled at the October 23 Council meeting and will appear on the November 13 agenda for discussion. Attached, please see a survey of Newington's elderly tax exemption benefits as compared to other area towns' benefits.

Original Town Survey of Local Option Elderly Benefits

Elderly Local Option Comparison with Area Towns 2010GL

	Number of Participants	Town Costs	Average Benefit
East Granby	70	\$40,000	\$571
East Hartford	910	\$567,298	\$623
Enfield	684	\$414,439	\$606
Glastonbury	457	\$484,950	\$1,061
Granby	176	\$243,000	\$1,381
Hartford	716	\$334,422	\$467
Newington	500	\$175,000	\$350
South Windsor	296	\$ 206,100	\$696
Somers	140	\$173,692	\$1,241
Tolland	205	\$167,121	\$815
West Hartford	213	\$191,086	\$897
Wethersfield	500	\$230,990	\$462
Windsor	450	\$65,000	\$144
	5,317	\$3,293,098	\$619
Low End of Range	70	\$40,000	\$144
Mean	409	\$253,315	\$619
High End of Range	910	\$567,298	\$1,381

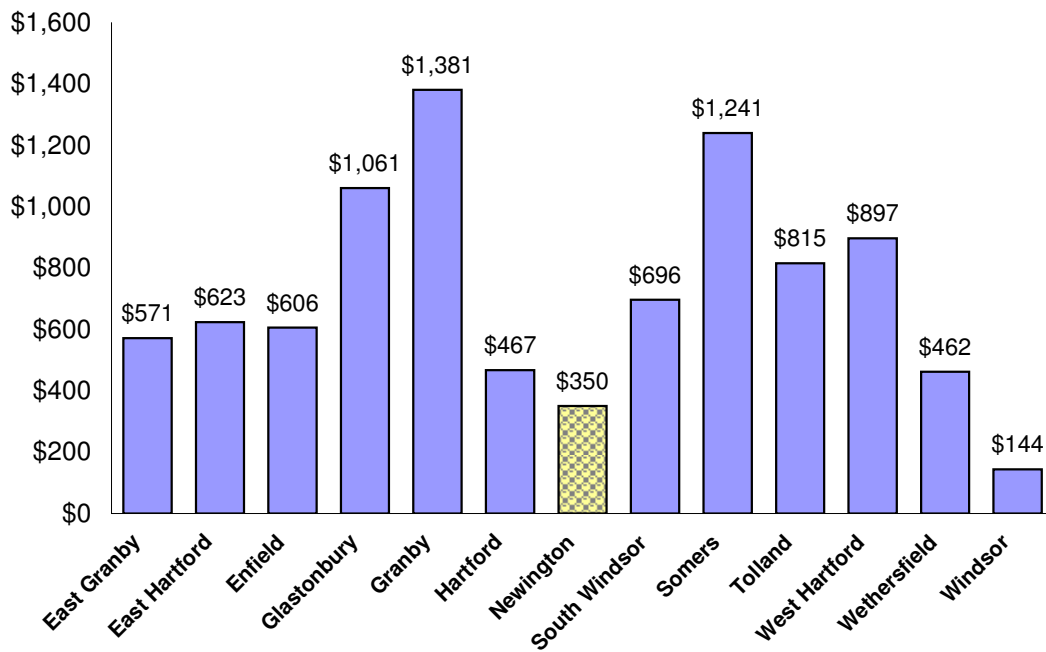
Town of Newington Costs At Various Benefit Levels

Number of Participants		500
\$ Amount Of Benefit	Annual Cost	
\$100	\$50,000	
\$200	\$100,000	
\$300	\$150,000	
\$350	\$175,000	← Newington
\$400	\$200,000	
\$500	\$250,000	
\$600	\$300,000	
\$619	\$309,676	← Survey Average
\$700	\$350,000	
\$800	\$400,000	
\$900	\$450,000	
\$1,000	\$500,000	
\$1,100	\$550,000	
\$1,200	\$600,000	
\$1,300	\$650,000	
\$1,400	\$700,000	

Area Towns without comparable programs

Manchester	deferral	deferral	deferral
Rocky Hill	na	na	na

Average Area Town Local Option Elderly Benefit



Increased by Town Council by \$50K- Impact on Town Survey

**Elderly Local Option
Comparison with Area Towns 2010GL**

	Number of Participants	Town Costs	Average Benefit
East Granby	70	\$40,000	\$571
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Tolland	205	\$167,121	\$815
West Hartford	213	\$191,086	\$897
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Windsor	450	\$65,000	\$144
	5,334	\$3,353,098	\$629
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Mean	410	\$257,931	\$629
High End of Range	910	\$567,298	\$1,381

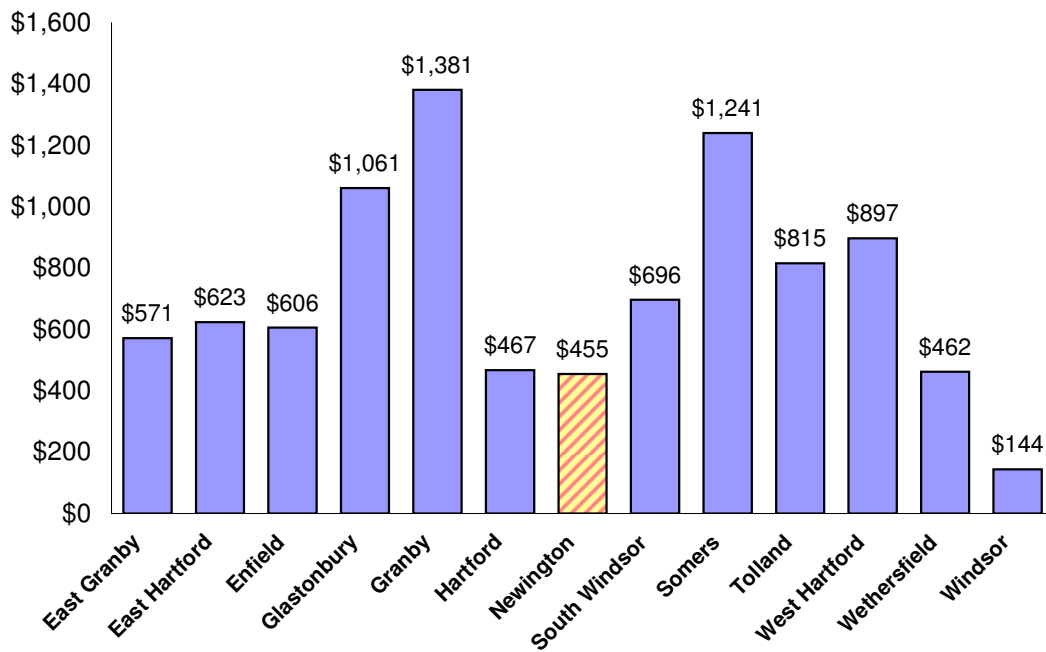
**Town of Newington
Costs At Various Benefit Levels**

Number of Participants		517
\$ Amount Of Benefit	Annual Cost	
\$100	\$50,000	
\$200	\$100,000	
\$300	\$150,000	
\$400	\$200,000	
\$455	\$235,000	← Newington
\$500	\$250,000	
\$600	\$300,000	
\$629	\$314,314	← Survey Average
\$700	\$350,000	
\$800	\$400,000	
\$900	\$450,000	
\$1,000	\$500,000	
\$1,100	\$550,000	
\$1,200	\$600,000	
\$1,300	\$650,000	
\$1,400	\$700,000	

Area Towns without comparable programs

Manchester	deferral	deferral	deferral
Rocky Hill	na	na	na

Average Area Town Local Option Elderly Benefit





John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: November 09, 2012
Re: Economic Development/Planning Update

There are many activities related to economic development and planning involving Connecticut Fast-Track and National Welding. Andy Brecher and Craig Minor will be present at the November 13, 2012 Council meeting to update the Council and the citizens on our progress and planning sessions that are being sponsored by various regional agencies.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: November 08, 2012
Re: Blighted Property Process Update

On July 24, 2012 the Town Council adopted a revised chapter 184 of the Code of Ordinances – Blighted Properties. The new ordinance went into effect on August 8, 2012. With the new ordinance in effect, the Town has received a number of new complaints about potential blighted properties. A staff blight team has been formed to review, understand and determine how to administer and enforce the new regulations. Below is an overview of the blight process, as well as a synopsis of blighted complaints received to date.

The Blight Team & Intake Process

A staff blight team, consisting of myself, Town Planner Craig Minor, Zoning Officer Art Hanke, Building Inspector Doug Jourdan, Highway Superintendent Tom Molloy, Parks Superintendent Bruce Till, CCHD Director Paul Hutcheon, Human Services Director Karen Futoma, Town Attorney Peter Boorman and Executive Assistant Jaime Trevethan meets regularly to discuss and administer the new ordinance. Per the ordinance, I have appointed Art Hanke as the Blight Enforcement Officer. Mr. Hanke is the first point of inspection and follow-up for all blight complaints and may determine whether a property meets the criteria to be listed as a blighted property. Mr. Hanke may receive assistance from the CCHD, Building Inspector or Fire Marshal as warranted.

All blight complaints are received and processed through the Town Manager's office. Once a complaint is received, a file is created for the property and the property is added to a master list of potential blighted properties. Jaime Trevethan receives blight complaints, starts and maintains the files. Any updates or action taken is noted in the files. Residents who report potential blighted properties are welcome to leave contact information for follow-up or may choose to remain anonymous.

All complaints are first screened by the Police Department to determine whether there is any prior history at the location that may pose a danger to the Enforcement Officer during inspection. The Human Services Department is also notified of new complaints in order to reach out to the affected residents, if necessary. The Assessor's office researches ownership of the property.

Inspection, Notification & Enforcement

Once the property has been screened by the Police and Human Services department, the Blight Enforcement Officer will perform inspection(s) of the property. The Enforcement Officer may determine that a property does or does not meet the blighted property criteria, or may determine that while the property does not currently meet the blight criteria it may deteriorate to a blighted condition in the near future. These properties are marked for re-inspection as the Enforcement Officer deems necessary.

Properties that do not meet the blight criteria are noted as such in the file and are moved to an “inactive” complaint list. When a property clearly meets the blight criteria, the Enforcement Officer will move forward with the notification process, including a Notice of Violation Warning Letter. The process for notification, enforcement and appeals will be administered as required by the ordinance (attached). Per ordinance, I have appointed three citizens to serve as appeals Hearing Officers: former Mayor Rod Mortensen and former Councilors Chris Banach and Kris Nasinnyk.

Current Statistics

There have been 27 new or renewed residential blight complaints since (or shortly before) the ordinance went into effect in August. The Blight Enforcement Officer has inspected most of the properties and has determined the following:

- Four properties do not meet the criteria to be considered a blighted property, and have been removed from the list of potential blighted properties.
- Five properties meet the criteria to be considered a blighted property. The Town Manager and Enforcement officer are in consultation with the Town Attorney to draw up and send Notice of Violation Warning Letters. The Enforcement Officer, and when necessary Human Services Department, will attempt to work with property owners to rectify blighted conditions in a timely manner in order to avoid further action against the property owners.
- The Town has taken corrective action on two properties in which it was determined that the blighted conditions pose a safety or health hazard to the public. Liens have been placed on both properties to eventually recover the Town’s expenses related to rectifying these properties. It should be noted that the Town will only take corrective action as a last resort and only when the property poses a serious hazard to the public.

The remaining properties fall under the following categories:

- Do not currently meet the criteria to be considered a blighted property, but have potential to meet the criteria in the near future if not rectified. For example, there are several properties with overgrown grass that is less than 12” in height and therefore not a blighted condition. However, the property may become blighted if the grass remains unmowed. The Enforcement officer will reinspect these properties to ensure compliance with the ordinance.
- Have been inspected, but require further research and/or inspection. For example, if a resident reports a specific blighted condition (i.e. broken fence) but the Enforcement Officer does not observe the condition during the initial inspection, the property may be reinspected.

- Do not currently meet the criteria to be considered a blighted property but meet conditions to be enforced under other sections of the Code of Ordinances, such as junk cars.
- A small number of recent complaints are awaiting initial inspection, as the Enforcement Officer works through a backlog of new complaints.

It should be noted that several properties on the complaint list are abandoned, bank-owned or vacant and in the process of foreclosure. This will present challenges in notification and enforcement of properties that are determined to meet blighted conditions. The blight team will work with the Town Attorney to determine the proper course of enforcement of these properties.

Per the ordinance, a list of blighted properties will be made available to the Council at least once per year. The initial list will be provided once the properties that have been determined to be blight proceed through the notification, enforcement and appeals process without satisfactory improvement. Councilors should contact me with questions about any specific properties.

Attach.

FINAL VERSION ADOPTED ON 7/24/12 BY THE COUNCIL

The Newington Town Council repealed Chapter 182 of the Code and adopted the Blighted Premises Code on 7/24/12.

**TOWN OF NEWINGTON
BLIGHTED PREMISES CODE**

§ 1. Title

This chapter shall be known as the “Blighted Premises Code of the Town of Newington” (“the code”) and the standards established by this code shall be referred to as and constitute the minimum property standards of the Town of Newington (“Town”).

§ 2. Intent and Authority

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

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

C. This code is adopted in accordance with the provisions of Connecticut General Statutes §7-148 (c)(7)(H)(XV), § 7-148aa, 7-148ff and 7-152c and further incorporates all authority and power that currently or in the future is conferred under Connecticut General Statutes.

§ 3. Scope of Provisions

A. Applicability.

1. This code shall apply uniformly to the maintenance, use and occupancy of all premises now in existence or hereafter constructed, maintained or modified and shall include:
 - a. Dwellings or dwelling units, including one-family and two-family dwellings and buildings with multiple-unit dwellings;
 - b. Lots, plots or parcels of land whether vacant or occupied;

- c. Buildings of non-dwelling use, including commercial properties and mixed use properties that may include one or more dwelling units;
 - d. Accessory structures to any building;
 - e. All apartments, boarding houses, group homes, lodging houses, rooming houses, tenement houses and unrelated family units.
2. This code shall not apply to public property.

§ 4. Definitions

The following definitions apply to this chapter.

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

Blighted premises shall mean:

- A. Any building or structure, or any part of a structure that is a separate unit, or a parcel of land, or any necessary structure, or fence, where at least one of the following conditions exists:
 - 1. The Blighted Premises Enforcement Officer determines that existing conditions pose a serious threat to the health, safety and welfare of town citizenry;
 - 2. It is not being maintained, as evidenced by the existence, to a significant degree, of one or more of the following conditions:
 - a. Missing, broken or boarded windows or doors;
 - b. Collapsing or deteriorating exterior walls, shutters, roofs, stairs, porches, handrails, railings, basement hatchways, chimneys, flues, or floors;
 - c. Exterior walls which contain holes, breaks, loose or rotting materials or which are not properly surface coated to prevent deterioration;
 - d. Foundation walls which contain open cracks and breaks;
 - e. Overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts which contain rust or other decay;
 - f. Chimneys and similar appurtenances which are in a state of disrepair;
 - g. Insect screens which contain tears or ragged edges;
 - h. Garbage or trash improperly stored or accumulated on the premises, or abandoned vehicles on the premises (unless the premises is a junkyard licensed by the State of Connecticut);
 - i. Overgrown grass or weeds at least one foot in height;
 - j. Vermin infestations;
 - k. In the case of a fence, broken or rotted boards or in an otherwise dilapidated condition; or
 - l. Any other exterior condition reflecting a level of maintenance which is not in keeping with community standards or which constitutes a blighting factor for adjacent property owners or occupiers or which is an element leading to the progressive deterioration of the neighborhood.

3. It is attracting illegal activity as documented in Police Department records;
 4. It is a fire hazard as determined by the Fire Marshal or as documented in the Fire Department records; and/or
 5. It is a factor creating a substantial and unreasonable interference with the use and enjoyment of other premises within the surrounding area as documented by neighborhood complaints, police reports, the cancellation of insurance on proximate properties; or similar circumstances.
- B. Blighted premises shall not include any such building, structure or parcel of land located on any active farm or public property.

Blighted Premises Enforcement Officer shall mean an individual or individuals appointed by the Town Manager to inspect and re-inspect blighted premises, issue notice of violation warning letters in accordance with § 10 of this Code, and issue citations for violations of this Code in accordance with § 11 of this Code. Said individual shall not be the Town Manager or a Citation Hearing Officer

Citation Hearing Officer shall mean an individual or individuals appointed by the Town Manager to conduct hearings authorized by this chapter.

Community standard shall mean a judgment by a reasonable member of the community.

Connecticut General Statutes shall include any applicable amendments.

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

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

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

Proximate property shall mean any premises or parcel of land within one thousand (1,000) feet of the boundary of a blighted premise.

Public property shall mean any building, structure or parcel of land owned by the United States, State of Connecticut or Town of Newington.

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

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

§ 5. Signs, Awnings and Marquees

- A. Signs. All permanent signs and billboards exposed to public view permitted by reason of other ordinances or laws shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked or whose supporting members have deteriorated shall be removed forthwith or put into a good state of repair by the owner/occupier.
- B. Awnings and marquees. Any awning or marquee and its accompanying structural member which extends over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event that such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event that said awnings or marquees are made of cloth, plastic or of similar materials, said cloth or plastic where exposed to public view shall be maintained in good condition and shall not show evidence of excessive weathering, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

§ 6. Removal of Weeds and Similar Vegetation

- A. Every owner/occupier of properties upon which a building exists, or who is in possession of a vacant lot in an approved subdivision which fronts on a paved public road and to which a public water and/or public sewer lateral has been provided, shall cut, to a height of not more than one foot, all grass, weeds and similar vegetation not planted as a crop to be harvested or for ornamental purposes
- B. Every owner/occupier of property shall keep his property free from vegetation of any type which, based on the reasonable opinion of the Blighted Premises Enforcement Officer, is injurious to public health.
- C. Any violation of § 6A or 6B shall constitute a nuisance which may be abated by the town at the expense of the owner/occupier or any one or more of them to whom the Blighted Premises Enforcement Officer has given not less than 10 days written notice of intention to abate such nuisance. Such expense may be collected by the Town in a civil action against any one or more of the above-named persons responsible therefore.

§ 7. Solid Waste, Storage and Littering

- A. Accumulation restricted. It shall be unlawful for an owner/occupier to allow solid waste to accumulate on premises in the town in such a manner as to create an offensive, unsightly or unsanitary condition.
- B. Storage requirements. In the event that property usage would result in the stacking or piling of materials, including equipment and appliances, even if wanted and useful, they must be so arranged as to prohibit the creation of a blighting factor to their neighbors. Furthermore, all useful, wanted material, including equipment and appliances, stored out of doors shall be stored in an orderly fashion and, to the extent reasonably feasible, shall be located in the rear yard and not visible from the adjacent public street.

§ 8. Blighted Premises List

- A. No owner/occupier of real property within the Town shall cause or allow blighted premises to be created nor shall any owner/occupier allow the continued existence of blighted premises.
- B. Blighted Premises List
 - 1. Upon enactment of this ordinance, the Town Manager shall request that all Town department heads report any property of which they are aware which appears to be blighted, as defined by this ordinance. Such reports shall be submitted within thirty (30) days of the Town Manager's request.
 - 2. The Town Manager shall use all available relevant information to complete a list of blighted properties to be known as the Blighted Premises List.
 - 3. The Town Manager shall maintain and update the Blighted Premises List.
 - 4. At least ten days prior to placing a property on the Blighted Premises List, the Town Manager shall provide written notice to the owner/occupier of the subject property of the intended placement. Said written notice shall indicate the conditions on said property that shall cause placement on the Blighted Premises List, unless corrected, and the steps necessary for removal from said List.
- C. For the purpose of documenting continuous blighted conditions, the Blighted Premises Enforcement Officer shall undertake regular inspections of all properties that are:
 - 1 on the Blighted Premises List, or
 - 2 actively under a Notice of Violation of Warning Letter in accordance with § 10 of this Code, or
 - 3 actively under a Citation in accordance with § 11 of this Code.

The Blighted Premises Enforcement Officer shall have all power and authority prescribed by Connecticut General Statutes to enter a suspected Blighted Premises or a designated Blighted Premises for purposes of performing his duties hereunder.

§ 9. Removal from Blighted Premises List

- A. If the owner/occupier of a property that is included on the Blighted Premises List has remedied the conditions that caused the property to be placed on the Blighted Premises List, and no other blighted condition exists on the property, the owner/occupier may make written request to the Blighted Premises Enforcement Officer requesting inspection of the property. The Blighted Premises Enforcement Officer shall inspect the property within five days of receipt of the written request for the purpose of determining whether the blighted conditions on the property no longer exist. Within ten (10) days of the inspection, the Blighted Premises Enforcement Officer shall provide a copy of the written report of his/her inspection of the property to the owner/occupier.
- B. If after inspection of a property that is on the Blighted Premises List, the Blighted Premises Enforcement Officer determines that the conditions that caused the premises to be placed on the List have been remedied, and that no other blighted condition exists on the premises, then the Blighted Premises Enforcement Officer shall provide written notice to the Town Manager that the premises is no longer a Blighted premises along with a copy of his/her written report of inspection of the premises. Upon receipt of a determination that a premises is no longer a Blighted premises, the Town Manager shall

remove the premises from the Blighted Premises List, with written confirmation to the owner/occupier.

§ 10. Complaints - - Notice of Violation Warning Letter

- A. Any person or legal entity, including but not limited to a civic organization, municipal agency, or town employee may report a complaint of violation of this ordinance with the Blighted Premises Enforcement Officer.
- B. The Blighted Premises Enforcement Officer, upon his or her determination that there is a violation of this code, shall forward a notice of violation warning letter to the owner/occupier at the time such determination has been made and shall include the property for consideration of inclusion on the Blighted Premises List. Such a notice of violation warning letter from the Blighted Premises Enforcement Officer shall be issued prior to issuing a citation. Such notice of violation warning letter shall include:
 - 1. A description of the real estate sufficient for identification, specifying the violation which is alleged to exist and the remedial action required;
 - 2. A due date, within a reasonable time, for the performance of any act required to remedy the violation; and
 - 3. The amount of the civil penalties/fines, liens, special assessments, costs or fees that may be imposed for noncompliance.
 - 4. Contact information for the Town Director of Human Services for the purpose of encouraging social work assistance to those in need.
- C. The owner/occupier may not contest a notice of violation warning letter before a Citation Hearing Officer.
- D. Delivery of a notice of violation warning letter or citation to the owner/occupier shall be by one or more of the following methods:
 - 1. By personal delivery to the owner/occupier or by leaving the notice of violation warning letter or citation at the usual place of abode of the owner/occupier with a person of suitable age and discretion;
 - 2. By certified, register or regular mail addressed to the owner/occupier at his last known address, with postage prepared thereon; or
 - 3. By posting and keeping posted for 24 hours a copy of the notice of violation warning letter or citation in placard form in a conspicuous place on the premises.

§ 11. Enforcement by Citation

- A. If the corrective actions specified in the notice of violation warning letter are not taken the Blighted Premises Enforcement Officer or his/her designee shall issue a written citation to the owner/occupier.
- B. A citation shall be in writing and include:
 - 1. A description of the real estate sufficient for identification, specifying the violation which is alleged to exist and the remedial action required;
 - 2. Detailed information regarding the contents of the notice of violation warning letter (which may be a copy of such notice of violation warning letter) and the failure of the owner/occupier to take the corrective actions specified therein;

3. Notice of potential liens that may be asserted by the Town pursuant to § 14 of this Code.
 4. The amount of the civil penalties/fines, special assessments, costs or fees due for noncompliance; and
 5. Contact information for the Town Director of Human Services for the purpose of encouraging social work assistance to those in need.
 6. A statement that the owner/occupier may contest his liability and request a hearing before the Citation Hearing Officer by delivering in person or by mail written notice of objection within ten (10) days of the date of receipt of the citation.
- C. Delivery of the citation shall be by the manner provided in § 10 D.

§ 12. Hearing

- A. An owner/occupier may request a hearing after receiving a citation. Said owner/occupier must make his/her request for a hearing within ten (10) days of his/her receipt of the citation.
- B. The Citation Hearing Officer is designated to conduct hearings in accordance with Conn. Gen. Stat. Sec. 7-152c when requested by an owner/occupier who has been cited under this chapter.
- C. If the owner/occupier who was sent a written citation pursuant to § 11 of this Code wishes to admit liability for any alleged violation, he/she may, without requesting a hearing, pay the full amount of the assessed civil penalties/fines, special assessments, costs or fees in person or by mail to the Town Manager. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any owner/occupier who does not deliver or mail written demand for a hearing within ten days of the date of receipt of the citation shall be deemed to have admitted liability, and the Town Manager shall certify such person's failure to respond to the Citation Hearing Officer. The Citation Hearing Officer shall thereupon enter and affirm the civil penalties/fines, special assessments, costs or fees provided for by the code and shall follow the procedures set forth in Conn. Gen. Stat. Sec. 7-152c (f).
- D. Any owner/occupier who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the Citation Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the Blighted Premises Enforcement Officer shall be filed and retained by the Town, and shall be deemed to be a business record within the scope of Conn. Gen. Stat. Sec. 52-180 and evidence of the facts contained therein. The presence of the Blighted Premises Enforcement Officer shall be required at the hearing if such person so requests. A person wishing to contest his/her liability shall appear at the hearing and shall present evidence. A designated Town official, other than the Citation Hearing Officer, shall present evidence on behalf of the Town. If the owner/occupier who requested the hearing fails to appear, the Citation Hearing Officer may enter a default against him/her upon a finding of proper notice and liability under this ordinance. At the hearing the Citation Hearing Officer shall accept relevant evidence that may include copies of police reports, investigatory and citation reports, and other documents. The Citation Hearing Officer shall conduct the

hearing in the order and form and with such methods of proof as is fair, reasonable and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Citation Hearing Officer shall provide a decision upon completion of the hearing. If the Citation Hearing Officer determines that the person is not liable under the citation, the Citation Hearing Officer shall dismiss the matter and enter his/her determination in writing accordingly. If the Citation Hearing Officer determines that the person is liable under the violation, the Citation Hearing Officer shall enter his/her determination in writing accordingly and include any assessment of civil penalties/fines, special assessments, costs or fees against such person as apply, and shall further provide a copy of his written decision to the Town Manager for his review under Section 8B of this Code.

§ 13. Appointment of Citation Hearing Officers

The Town Manager shall appoint three residents to serve as the Citation Hearing Officers pursuant to § 182-5 of Newington Code of Ordinances. Said residents shall not be the Town Manager, a police officer or employee or person who issues citations, zoning enforcement officer, or blighted premises enforcement officer or other code compliance authority.

§ 14. Penalties for Offenses - - Prejudgment Lien

- A. The owner/occupier of premises where a violation of any of the provisions of this code shall exist or who shall maintain any building or premises in which such violation exist may:
1. Be assessed a civil penalty/fine of not more than \$100 for each violation. Each day that a violation exists after a citation as described in § 11 is given to the owner/occupier shall constitute a new violation and a civil penalty may be imposed for such violation; and/or
 2. Be required to abate the violation at the owner/occupier's expense.
 3. Be subject to the town's remediation of the blighted condition and assessing the costs of said remediation against the subject property by levying a lien on the subject real estate.
 4. Be subject to special assessment pursuant to Conn. Gen. Stat. Sec. 7-148ff.
- B. Once a finding by the Citation Hearing Officer is made that a person is in violation as provided by Section 12 above, a prejudgment lien on the real property that is the subject of the violation may be imposed by the Town for any unpaid civil penalty imposed by the Town pursuant to the provisions of this code which is adopted pursuant to Conn. Gen. Stat. Sec. 7-148 (c)(7)(H)(xv) and shall constitute a lien upon the real estate against which the civil penalty was imposed from the date of such civil penalty. Each such lien shall be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien may be enforced in the same manner as property tax liens, including foreclosure of the real property.
- C. Where the Blighted Enforcement Officer has determined that a blighted condition exists as defined by this code, the Town Manager may order the remediation of the blighted condition and assess the costs against the subject real estate in the form of lien which shall be recorded in the land records in the same manner as provided in § 14 B.

- D. In addition to all other remedies and any civil penalties/fine, special assessments or lien imposed herein, the provisions of this code may be enforced by injunctive proceedings in the superior court. The Town may recover from such owner/occupier any and all costs and fees, including reasonable attorney's fees, expended by the Town in enforcing the provisions of this code.

§ 15. Appeals - - Special Consideration

- A. Any person aggrieved by any order, requirement or decision of the Citation Hearing Officer may take an appeal in accordance with Conn. Gen. Stat. § 7-152c (g).
- B. Notwithstanding anything herein to the contrary, special consideration may be given to individuals who demonstrate that the violation results from an inability to maintain an owner-occupied residence and no person with that ability resides therein. Such special consideration shall be limited to the reduction or elimination of civil penalties/fines, special assessments and/or an agreement that the Town or its agents may perform the necessary work and place a lien against the premises for the cost thereof in accordance with the provisions of this code.

§ 16. Report to Town Council

The Town Manager shall report, at least annually, to the Council on the Blighted Premises List and the civil penalties/fines, special assessments, liens or any other remedies imposed herein and may revise same.

§ 17. Severability

In the event that any part or portion of this code is declared invalid for any reason, all the other provisions of this code shall remain in full force and effect.

§ 18. Terms and Provisions

- A. Where terms are specifically defined or the meaning of such terms are clearly indicated by their context, that meaning is to be used in the interpretation of this code.
- B. Where terms are not specifically defined and such terms are defined in the Charter and Municipal Code of the Town of Newington, such terms shall have the same meaning for the interpretation and enforcement of this chapter.
- C. Where terms are not specifically defined in this chapter, they shall have their ordinarily accepted meaning or such meaning as the context may imply.
- D. The provisions of this code shall not be construed to prevent the enforcement of other codes, ordinances or regulations of the Town of Newington.
- E. In any case where a provision of this code is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, regulation or other provision of the Charter and Municipal Code of the Town of Newington or the State of Connecticut, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people of the Town of Newington shall prevail.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: November 08, 2012
Re: Town Council Rules of Procedure

The Town Council may review and revise its Rules of Procedure as it sees fit. Revisions to the Rules may be passed with no fewer than five affirmative votes. Councilor Castelle, the Rules of Procedure Subcommittee Chair, has requested to revisit the Council's current rules, adopted on March 9, 2012. Councilor Castelle and Subcommittee members will present and discuss proposed amendments to the current rules.



John Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: John Salomone, Town Manager
Date: November 9, 2012
Re: EMPG Funding

The Town of Newington has been the recipient of Emergency Management Grant (EMPG) funding since 2000. Under its guidelines, partial reimbursement for the salary of the Town's Emergency Management Director, Chris Schroeder, as well as funding for other emergency management activities. This grant funding comes to us from the State Department of Emergency Management and Homeland Security.

If the Council concurs, the attached resolution will be included for consideration at the November 27 Council meeting.

cc. C. Schroeder, Fire Marshal

To: Emergency Management Program Grant (EMPG) Supported Local Directors

Subject: Allowable Emergency Management Performance Grant Payments to Towns and Cities

1. Purpose: The purpose of this Advisory Bulletin is to establish a uniform policy for the Emergency Management Performance Grant (EMPG) payments to towns. Each town's annual budget submission will be reviewed for compliance with this bulletin and references. Items not in compliance will be deleted. The State and Local Assistance Program (SLA) is funded by the Emergency Management Performance Grant (EMPG). The Department of Emergency Services and Public Protection is the State Administrative Agency (SAA) for the EMPG; therefore, the Commissioner of DESPP, or his designee, has sole authority to allocate funding from the EMPG and designate an eligible funding match to the EMPG.
2. Historical References:
 - a. Civil Preparedness Guide 1-3, August 1992.
 - b. Civil Preparedness Guide 1-8A, October 1985. This Guide lists most of the criteria for an eligible Civil Preparedness program.
 - c. Division of Emergency Management and Homeland Security EMPG SLA Application Package is issued annually with attachments. This letter requests each EMPG supported town to submit an annual request for EMPG funding.
3. General Considerations and Objectives of this Policy:
 - a. Federal funding constraints will determine the total annual allocation.
 - b. Town/City allocations are calculated based on a per capita basis.
 - c. The purpose of the EMPG Program is to provide financial assistance to jurisdictions for developing and staffing a comprehensive, all-hazard Emergency Management program.
 - d. The program is performance oriented and requires participating jurisdictions to demonstrate a commitment to planning, training and exercises to build and improve their ability to respond to all-hazard emergencies and coordinating a multi agency emergency response.
 - e. This program will reimburse up to 50% of eligible costs associated with creating and maintaining a comprehensive all Hazard Emergency Management program.
4. Criteria Governing Allowable Costs: These criteria are required in order to insure equitable allocation of limited funds by restricting expenditures not essential to maintaining an Emergency Management program and to achieve economies demanded by federal budget constraints. All costs are federally reimbursable at 50% with a required 50% municipal match (cash and/or limited in-kind services).

Allowable Costs

- 1) Full-Time or Deputy Local Directors: May count 100% of their Salary and benefits to be reimbursed at a rate of 50%.
- 2) Full-Time Administrative or Support Staff: May count 100% of their Salary and benefits to be reimbursed at a rate of 50%.
- 3) Part-Time Local Director: Town paid salary and benefits are eligible if individual is not otherwise employed by the town. If the Director is otherwise employed by the town, then he or she may only count the percentage of their salary and benefits for time actually employed in emergency management (civil preparedness) programs management towards reimbursement.
- 4) Part-Time Deputy Local Director: Town paid salary and benefits are eligible if individual is not otherwise employed by town. If the Deputy Director is otherwise employed by the town, then he or she may only count the percentage of their salary and benefits for time actually employed in emergency management (civil preparedness) programs management towards reimbursement. All work will be reimbursed at a rate of 50%. **If the town chooses to have a part-time deputy local director, any EMPG funds used must be taken from the town's existing EMPG annual allocation—no additional funds will be provided for this position.**
- 5) Part-Time Administrative or Support Staff:
 - (a) Not Otherwise Employed by the Town – Part-time administrative or support staff is eligible in the same manner as full-time staff.
 - (b) Otherwise Employed by the Town – Town employees performing civil preparedness work may count 100% of their time on an hourly basis. All work will be based upon the percentage of time actually employed in emergency management (civil preparedness) programs management. The salary and benefits are reimbursed at a rate of 50%.
- 6) Emergency Management Directors (EMDs) Serving in more than One Municipality. Under certain circumstances, an individual may serve as the EMD for more than one municipality. The following circumstances must be met:
 - o Towns considering sharing one EMD must submit a written proposal to the DESPP Commissioner, or his designee;
 - o In addition to the conditions shown below, the proposal must explain how the EMD will be compensated and by whom. The EMD must not replicate the same hours for both towns. The EMD and the towns must show that each town is paying for a discrete, separate number of hours, and must ensure that no double billing for hours occurs;
 - o If approved by the DESPP Commissioner, or his designee, the merger plan/agreement must be signed by each town's chief executive officer;
 - o The plan/agreement must be reviewed and signed off on formally by each CEO annually, and must be annexed to the local emergency operations plan of each town;

- There must be at least one additional individual in each town, besides the EMD, who has received the proper training on NIMS, high band radio use, Web EOC, shelter information, and whatever other information is deemed necessary by DEMHS or the town to perform the duties of an emergency management director in an emergency;
 - Each town must have functioning emergency management equipment, especially communications equipment. If the towns are very small, it might be possible for them to merge their Emergency Operations Centers, however each town must have and maintain basic equipment, kept in working condition and tested regularly;
 - As a general rule, the towns should be contiguous, or there must be an explanation in the agreement between the towns as to why these towns are sharing an EMD.
- 7) Travel / Training Costs: Requests for reimbursement of travel costs for training and travel in direct support of the emergency management program will be approved on a case by case basis and must be submitted to DEMHS via the respective Regional Coordinator for prior approval within the existing annual budget (no budget increase). Reimbursements will be paid within the quarterly reimbursement and audit quality documentation of expenditures will be required.
- 8) EOC Communications Costs:
- (a) A main voice phone line and 1 FAX line are allowable providing they are used for Emergency Management program support only.
 - (b) Cell phone, Blackberry or Pager service for the EMD.
 - (c) Satellite TV (preferred) or Cable TV equipment and monthly costs.
 - (d) Satellite Radio Network
- 9) Information Technology (IT) Equipment for EOC:
- (a) Desktop computers (at least one must be equipped with Web EOC).
 - (b) Laptop computers (at least one must be equipped with Web EOC).
Laptop computers also must be placed on the town equipment inventory system.
 - (c) Networked printers, fax machines and scanners.
 - (d) Wireless networking (WI-FI) at the local EOC. (Note: Will only be considered eligible if the EOC is already equipped with a main voice phone, fax line, cell phones, pager service, a high-band radio and WEB EOC).
 - (e) Ham radios (Go Kits).
 - (f) Internet Service Provider (ISP) costs.
- 10) All Other Expenses: Other costs that are in direct support of the local Emergency Management Program may be included in the proposed budget and must be pre approved by DEMHS on a case by case basis if funding is available.

Un-Allowed Costs

- 1) Part-Time Deputy Directors, Liaison Representatives or Similar Positions who are employed by the Town in a Non-Civil Preparedness Position: EMPG

reimbursement of salaries is not authorized. An exception may be requested in cases when the Deputy is temporarily performing the duties of a full-time Deputy Director; reimbursement will be limited to the period of substitution. An exception may be requested on a project application basis when the representative is required to work on an emergency management project; reimbursement will be limited to 20% of the annual allocation for that town.

Allowed In-Kind Costs:

The total aggregate (Federal Reimbursement) of all in-kind costs claimed under this section cannot exceed \$10,000 or 33% of the total municipal EMPG budget (whichever is lesser).

The following in-kind costs are allowable and mutually exclusive under this section:

- 1) Volunteer time for local Directors and Deputy Directors (for work that would otherwise be eligible for full-time pay) will be counted as in-kind services at a rate of \$30.00 per hour up to \$240.00 per day.
- 2) Volunteer time for clerical or administrative support (for work that would otherwise be eligible for full-time pay) will be counted as in-kind services at a rate of \$25.00 per hour up to \$200.00 per day.
- 3) Maintenance of a Direction and Control communications system (batteries, repairs, repair parts, monthly telephone costs) and service charges is allowable for EOC equipment.
- 4) Donated equipment (new equipment only) for use in the EOC.

Un-Allowed In-Kind Costs:

- 1) Any costs counted towards other federal cost-sharing requirements cannot be claimed under this cost-sharing in-kind service.
- 2) Costs that exceed \$10,000 or 33% of the total municipal EMPG budget (whichever is lesser).

Further guidance is available in 44 CFR Section 13.24 (Google on the web).

5. Program Requirements: In order to participate in the EMPG SLA program, jurisdictions must meet the following criteria. Failure to meet these minimum criteria by the end of the fiscal year (plus a 90-day grace period) will result in a funding reduction for the following fiscal year.

TASK #	Description	Reduction Percentage
1	Have an officially appointed Emergency Management Director (EMD).	Funding suspended until condition is met.
2	Have a local Emergency Operations Plan (EOP) updated annually and signed by the EMD and Chief Executive Officer of that jurisdiction. The EOP must also be approved by the Commissioner of DESPP or his designee.	Funding suspended until condition is met.

3	Participate in the State DEMHS High-band radio network.	Funding suspended until condition is met.
4	Participation in the WEB EOC computer network.	Funding suspended until condition is met.
5	Towns must submit sheltering data to DEMHS to Rita Stewart at rita.stewart@ct.gov or in conjunction with Item #2 above.	Funding suspended until condition is met.
6	EMDs must provide 24 hour contact information to their respective DEMHS Regional Coordinator to facilitate emergency situation reporting and coordination of requests for state assistance.	5% of annual budget.
7	Conduct at least 1 exercise of their EOP annually and submit after action reviews to DEMHS through their respective Regional Coordinator. Major activations (including situation reports to substantiate the activation) also qualify.	5% of annual budget.
8	Submit an annual proposed budget to DEMHS through their respective Regional Coordinator.	5% of annual budget.
9	Submit audit quality documentation (Reimbursement Request Forms, Financial and Progress Reports) of program expenses to DEMHS on a quarterly basis through their respective Regional Coordinator in a timely manner.	Failure to submit audit quality document will result in non-reimbursement of expenses.

6. Program Assistance: DEMHS Regional Coordinators will be available to assist jurisdictions in development of budget proposals, reimbursement requests and all associated reporting and documentation associated with this program.

Regional Coordinators will review all budget submissions and make recommendations on EMPG program eligibility, and make submissions along with recommendations to DESPP HQ for final approval.

Signed Copy on File _____ 12/20/11
 William J. Hackett _____ Date
 Director

Supersedes edition of August 10th, 2010

AGENDA ITEM: _____

DATE: _____

RESOLUTION NO.: _____

RESOLVED:

That Town Manager John L. Salomone is hereby authorized to act on behalf of the Newington Town Council and the Town of Newington in executing a Memorandum of Understanding with the State of Connecticut, Department of Emergency Management and Homeland Security, for participation in the Emergency Management Performance Grant program.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

AGENDA ITEM: VII

DATE: 11-13-2012

RESOLUTION NO. _____

RESOLVED:

That property tax refunds in the amount of \$5,714.75 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

TAX REFUNDS – November 13, 2012

EAN Holdings Enterprise 8 Ella Grasso Turnpike Windsor Locks, CT 06096	\$571.91
Scott or Sherry Rusbarsky 11 Dolphin CT Jackson, NJ 08527	\$174.42
JP Morgan Chase 900 Stewart Ave. NY2-S503-Attn: Constance Garden City, NY 11530	\$443.29
Kristen O'Brien 66 Cedar Street Newington, CT 06111	\$25.13
Ally Financial Louisville PPC P.O. Box 9001951 Louisville, KY 40290-1951	\$468.18
Ally Financial Louisville PPC P.O. Box 9001951 Louisville, KY 40290-1951	\$1,600.57
Ally Bank Louisville PPC P.O. Box 9001951 Louisville, KY 40290-1951	\$874.93
ARI Fleet LT 4001 Leadenhall Road Mt. Laurel, NJ 08054	\$300.23
Nissan Infiniti – LT Tax Operations P.O. Box 650214 Dallas, TX 75264-0214	\$823.29
Daniel Bourget Custom Metal Crafters, Inc. 815 North Mountain Road Newington, CT 06111	\$432.80
TOTAL	\$5,714.75