

TOWN OF CROMWELL  
TOWN COUNCIL  
REGULAR MEETING  
WEDNESDAY MARCH 8, 2017  
7:00 PM TOWN HALL ROOM 224/5

RECEIVED FOR FILING  
3/3 2017 at 12:31 P.M.  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

*Gloria Brendergast, asst.*  
TOWN CLERK

AGENDA

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF AGENDA
- D. COMMISSION CHAIRMAN REPORTS/LIASON REPORT
  - 1. Mattabassett presentation.
- E. CITIZEN COMMENTS
- F. MAYOR'S REPORT
- G. TOWN MANAGER'S REPORT
- H. CHIEF OF POLICE'S REPORT
- I. PUBLIC WORK DIRECTOR'S REPORT
- J. FINANCE DIRECTOR'S REPORT
  - 1. Budget Reports
- K. FINANCIAL
  - 1. Tax Refunds
  - 2. Discussion and action to grant permission to apply for and receive the 2017 Distracted Driving High Visibility Grant.
    - a. Approve appropriation (amount will be provided the evening of the meeting) from Capital Non-Recurring of which 75% will be reimbursement to the Town.
  - 3. Discussion and action to approve Other Fund Budgets:
    - a. Dog License Fund budget - \$24,024
    - b. Sidewalk Fund budget - \$7,500
    - c. Authorize Mayor to set the date/time for a special town meeting for all four special revenue funds (Dog License Fund, Sidewalk Fund, Sewer Usage Fund, Sewer Assessment Fund).
- L. STAFF REPORTS
  - 1. S. Popper, EDC written report
- M. UNFINISHED BUSINESS
  - 1. Continue discussion and possible action on Solid Waste Report. - Tabled
  - 2. Discussion and possible action for use of Town Facilities (including Pavilion) -Tabled.
- N. NEW BUSINESS
  - 1. Discussion and action to extend the Cromwell Landing Agreement.
  - 2. Grievance - Step3
    - a. M. Fuller, UE Local 222

**O. APPROVAL OF MINUTES**

1. Regular Meeting, February 8, 2017
2. Special Meeting, February 21, 2017
2. Special Meeting, Budget Workshop, February 27, 2017
3. Special Meeting, Budget Workshop, March 1, 2017

**P. RESIGNATIONS**

**Q. APPOINTMENTS**

1. Conservation Commission
  - a. Joseph Corlis, reappointment, Term expires 1/21
  - b. John Whitney, reappointment, Term expires 1/21
  - c. Amanda Drew, reappointment, Alternate, Term expires 01/21
2. Municipal Agent for Elderly
  - a. Amy Saada. Term expires December 2017
3. Committee to Support People with Disabilities
  - a. Lucuille Wrzos, term expires June 2017

**R. TOWN COUNCIL COMMISSION LIAISON REPORTS**

**S. EXECUTIVE SESSION**

1. Discuss the lease, sale or purchase, or acquisition of real estate by the Town of Cromwell.
  - a. Action if necessary

**T. ADJOURNMENT**

**Rules for Citizen Comments**

1. Each speaker will have a total of 3 minutes to speak on the issues of their choice;
2. The Mayor shall recognize only one speaker at a time;
3. The purpose of the Citizen Comment period is to give the residents of Cromwell, or others, the opportunity to make comments regarding matters of public concern, town policies or actions of the town, and to ask questions of the Council of Town Staff. All questions and comments will be taken under advisement and questions raised may be answered this evening or addressed at a later date. There will be no open debate with the Council members during the public comment period and all questions and comments shall be directed to the Mayor;
4. The Mayor shall have the right to discontinue recognition of any speaker whom the Mayor believes is not using proper decorum for a public meeting; is verbally abusive of a member, or members of the Council, Town staff, or the public; becomes belligerent; or uses profanity.

# TOWN OF CROMWELL, CT

## YEAR-TO-DATE BUDGET REPORT

FOR 2017 08

	ORIGINAL APPROP	TRANFRS/ADJUSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
001 TOWN MANAGER'S OFFICE	315,341	7,120	322,461	211,407.18	1,143.07	109,910.75	65.9%
002 TOWN CLERK'S OFFICE	199,255	3,900	203,155	122,132.51	16,558.37	64,464.12	68.3%
003 REGISTRAR OF VOTERS	78,449	1,028	79,477	48,683.82	9,585.24	21,207.94	73.3%
004 PLANNING COMMISSION	0	0	3,225	797.50	266.01	2,161.49	33.0%
005 ECONOMIC DEVELOPMENT	12,335	3,200	15,535	8,838.45	214.33	6,482.22	58.3%
006 BOARD OF FINANCE	1,650	0	1,650	450.00	.00	1,200.00	27.3%
008 CHARTER REVISION COMM	1,501	0	1,501	918.60	.00	582.40	61.2%
009 BOARD OF ASSESSMENT APPEALS	1,100	0	1,100	275.40	.00	824.60	25.0%
010 ZONING BOARD OF APPEALS	1,535	0	1,535	114.97	66.00	1,354.03	11.8%
011 INLAND WETLANDS	2,185	0	2,185	827.33	122.90	1,234.77	43.5%
012 COMM. FOR DISABLED PEOPLE	100	0	100	.00	.00	100.00	0%
013 DONATIONS AND DUES	44,266	0	44,266	43,756.33	.00	509.67	98.8%
014 TOWN COUNCIL	35,155	0	35,155	33,594.65	.00	1,560.35	95.6%
015 LEGAL EXPENSE	220,766	0	220,766	133,817.37	40,661.92	46,286.71	79.0%
016 CENTRAL SERVICES	142,300	0	142,300	93,803.28	38,101.63	10,395.09	92.7%
017 INSURANCE EXPENSE	641,220	0	641,220	450,606.07	137,617.94	52,995.99	91.7%
018 GENERAL EXPENSE	943,400	187,789	1,131,189	1,121,150.62	5,000.00	5,038.38	99.6%
019 DEVELOPER/PLANNER	136,725	3,039	139,764	88,642.12	.00	51,121.88	63.4%
020 FINANCE DEPARTMENT	363,304	8,148	371,450	234,711.05	4,319.78	132,419.17	64.4%
021 TAX COLLECTOR	166,409	3,636	170,045	94,417.33	220.05	75,407.62	55.7%
022 ASSESSOR'S OFFICE	224,099	4,388	228,487	144,334.32	5,082.68	79,070.00	65.4%
030 PUBLIC WORKS ADMIN.	255,703	4,811	260,514	160,349.01	4,239.21	95,925.78	63.2%
031 ENGINEERING	213,606	3,962	217,568	126,222.12	17,732.39	73,613.49	66.2%
032 SOLID WASTE REMOVAL	609,713	1,170	610,883	296,944.45	21,272.56	92,665.99	84.8%
033 BUILDING INSPECTION	184,708	4,032	188,740	118,795.50	1,222.67	68,721.83	63.6%
034 HIGHWAY DEPT.	1,277,226	30,836	1,308,062	617,983.30	145,338.23	544,740.47	58.4%
035 BUILDING MAINTENANCE	564,570	6,670	571,240	334,073.19	48,591.35	188,575.46	67.0%
036 PARKS & GROUNDS	383,105	3,638	386,743	228,082.16	16,182.35	142,478.49	63.2%
037 PUBLIC WORKS-OTHER	488,275	0	488,275	235,615.60	179,989.98	72,669.42	85.1%
038 VEHICLE MAINTENANCE	339,634	2,434	342,068	166,926.86	45,750.27	129,390.87	62.2%
040 POLICE DEPARTMENT	3,156,791	41,255	3,198,056	1,986,599.12	23,897.01	1,187,559.87	62.9%
041 EMERGENCY MANAGEMENT	19,950	0	19,950	8,160.33	.00	11,789.67	40.9%
042 ANIMAL CONTROL	81,907	0	81,907	52,348.77	.00	29,558.23	63.9%
050 HEALTH DEPARTMENT	179,416	2,664	182,080	116,657.53	24,744.47	40,678.00	77.7%
051 HUMAN SERVICES	113,708	0	113,708	72,801.08	289.96	40,616.96	64.3%
053 SENIOR SERVICES	93,333	1,121	94,454	51,900.38	7,495.41	35,058.21	62.9%
054 YOUTH SERVICES	106,830	2,113	108,943	64,611.50	2,783.82	41,547.68	61.9%
055 TRANSPORTATION SERVICES	112,045	2,077	114,122	72,930.02	1,498.79	39,693.19	65.2%
060 RECREATION DEPARTMENT	240,035	0	240,035	160,243.91	2,166.61	77,624.48	67.7%
061 LIBRARY	570,285	0	570,285	356,100.48	13,265.89	200,918.63	64.8%
070 BONDED DEBT	3,588,112	0	3,588,112	379,055.63	.00	3,209,056.37	10.6%
080 EMPLOYEE BENEFITS	3,367,742	-140,240	3,227,502	1,818,672.10	799,255.47	609,574.43	81.1%
090 BOARD OF EDUCATION	28,768,297	0	28,768,297	15,180,132.48	.00	13,588,164.52	52.8%
119 DEVELOPMENT COMPLIANCE	99,035	2,190	101,225	63,886.09	50.00	36,288.91	63.8%

# TOWN OF CROMWELL, CT



## YEAR-TO-DATE BUDGET REPORT

FOR 2017 08

120 CONSERVATION COMMISSION	ORIGINAL APPROP	TRANSFRS/ADJUSTMNTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
120 CONSERVATION COMMISSION	1,510	0	1,510	60.00	.00	1,450.00	4.0%
GRAND TOTAL	48,348,856	190,989	48,539,845	25,502,430.51	1,814,726.36	21,222,688.13	56.3%

\*\* END OF REPORT - Generated by marianne sylvestre \*\*

# TOWN OF CROMWELL, CT

## YEAR-TO-DATE BUDGET REPORT



FOR 2017 08

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
002 TOWN CLERK'S OFFICE	-288,300	-6,700	-295,000	-250,978.41	-44,021.59	85.1%
021 TAX COLLECTOR	-40,523,965	-1,026,526	-41,550,491	-41,184,734.15	-365,756.85	99.1%
022 ASSESSOR'S OFFICE	-600	100	-500	-424.03	-75.97	84.8%
030 PUBLIC WORKS ADMIN.	-75,300	25,000	-50,300	-23,190.61	-27,109.39	46.1%
033 BUILDING INSPECTION	-150,050	0	-150,050	-99,630.00	-50,420.00	66.4%
040 POLICE DEPARTMENT	-76,500	-3,000	-79,500	-44,703.88	-34,796.12	56.2%
042 ANIMAL CONTROL	-1,000	250	-750	-675.00	-75.00	90.0%
050 HEALTH DEPARTMENT	-28,100	3,000	-25,100	-1,385.00	-23,715.00	5.5%
053 SENIOR SERVICES	-2,000	500	-1,500	-1,665.90	165.90	111.1%
054 YOUTH SERVICES	-4,830	80	-4,750	-1,070.00	-3,680.00	22.5%
060 RECREATION DEPARTMENT	0	0	0	-80.00	80.00	100.0%
061 LIBRARY	-9,000	0	-9,000	-5,224.18	-3,775.82	58.0%
206 BOARDS & COMMISSIONS	-7,750	1,500	-6,250	-2,648.40	-3,601.60	42.4%
207 STATE OF CONNECTICUT	-5,185,513	295,421	-4,890,092	-3,006,091.37	-1,884,000.63	61.5%
208 MISCELLANEOUS SOURCES	-385,026	-28,147	-413,173	-266,355.94	-146,817.06	64.5%
999 FUND BALANCE	-1,003,793	133,393	-872,400	-872,400.00	-872,400.00	.0%
<b>GRAND TOTAL</b>	<b>-47,743,727</b>	<b>-605,129</b>	<b>-48,348,856</b>	<b>-44,888,856.87</b>	<b>-3,459,999.13</b>	<b>92.8%</b>

\*\* END OF REPORT - Generated by marianne sylvester \*\*

Condition(s) : Bill Dist/Susp/Bank	Name Address	Int Date: 03/01/2017	Prop Loc/Vehicle Info. UniqueID/Reason	Paid Date	Tax	Int	L/F	Total Adjusted	Overpaid Tax
2015-01-0000001	100 BERLIN HOLDINGS LLC 12 LIDEWATER DRIVE ORMOND BEACH FL 32174		100 BERLIN ROAD C0459100	1/24/2017	188,328.00	0.00	0.00	188,328.00	
2015-01-0000351	BEERS PHILIP & MICHELLE 21 JENNIFER LANE CROMWELL CT 06416		Sec. 12-129 Refund of Excess Payments. 21 JENNIFER LANE 10901500	1/31/2017	14,523.80	0.00	0.00	14,523.80	-46.87
2015-01-0001188	CURRAN RYAN & TRACIE 9 NEWBURY ROAD CROMWELL CT 06416		Sec. 12-129 Refund of Excess Payments. 9 NEWBURY ROAD 19609500	2/7/2017	11,245.20	0.00	0.00	11,245.20	-7,261.90
2015-01-0001988	Garamer's Nurseries Inc 400 Brooks St PO Box 260 Rocky Hill, Ct 06867		SHUNPIKE ROAD 10614300	1/31/2017	0.00	0.00	0.00	0.00	-208.72
2015-01-0001991	GAROFALO SALVATORE & SAVERS COLLEEN 33 BELLAIRE MANOR CROMWELL CT 06416		Sec. 12-129 Refund of Excess Payments. 33 BELLAIRE MANOR 00353900	2/27/2017	4,328.20	0.00	0.00	4,328.20	-448.13
2015-01-0004231	POTTER RICHARD W PO BOX 5 CROMWELL CT 06416		Sec. 12-129 Refund of Excess Payments. 85 COURT STREET 00376900	1/25/2017	4,255.56	0.00	0.00	4,255.56	-350.00
2015-01-0005749	YAROSLAVA VOLP & STEYSKIV OLENA 15 BRIAR COURT CROMWELL CT 06416		Sec. 12-129 Refund of Excess Payments. 15 BRIAR COURT 38E 00358400	1/19/2017	2,915.74	0.00	0.00	2,915.74	-79.70
2015-02-0040801	PAINT SPOT INC THE 34-36 SHUNPIKE ROAD CROMWELL CT 06416		Sec. 12-129 Refund of Excess Payments. 34 SHUNPIKE ROAD P4025600	1/23/2017	398.18	0.00	0.00	398.18	-500.00
2015-03-0058465	MULLER WYNN N 45 COLES RD CROMWELL CT 06416-2608		Sec. 12-129 Refund of Excess Payments. 1999/JF19F6351XH710639 58473	7/18/2016	6.15	0.00	0.00	6.15	-199.09
2015-03-0059568	PETERSON ALAN J 9 BROOKS LN CROMWELL CT 06416-2108		Sec. 12-129 Refund of Excess Payments. 1997/1J4GZ588XVC564942 59577	8/1/2016	74.06	0.00	0.00	74.06	-67.91
2015-03-0060681	RUDE KATHLEEN J + RUDE JAMES R 25 HIGH RIDGE RD CROMWELL CT 06416-2430		Sec. 12-129 Refund of Excess Payments. 2004/1N4AL1E34C160198 60691	7/21/2016	42.27	0.00	0.00	42.27	-30.22
2015-04-0080716	FEDELI JAMES R 30 EVERGREEN RD CROMWELL CT 06416-1653		Sec. 12-129 Refund of Excess Payments. 2013/JN1CV6AR8DM756353 80716	2/1/2017	8.44	0.00	0.00	8.44	-93.23
2015-04-0081945	ROHE JESSICA B 1 KIM ILEEN CT CROMWELL CT 06416		2005/2HG5E516X5H537299 81945	1/9/2017	74.65	0.00	0.00	74.65	-5.00
2015-04-0082390	VIOLA LAWN SERVICE AND LANDSCAPING LLC 35 SOUTH STREET CROMWELL CT 06416		Sec. 12-129 Refund of Excess Payments. 2007/1FVMFOCV97LX15587 82390	1/31/2017	96.02	0.00	0.00	96.02	-21.37
TOTAL					227,007.97	0.00	0.00	227,007.97	-9,574.32
					236,582.29	473.38	0.00	237,055.67	




# CROMWELL POLICE DEPARTMENT

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*Denise Lamontagne*  
*Chief of Police*

## MEMO

**TO:** Anthony Salvatore  
Town Manager

**FROM:** Chief Denise Lamontagne 

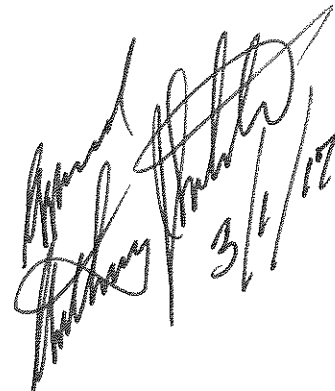
**SUBJECT:** 2017 Distracted Driving High Visibility Grant

**DATE:** February 28, 2017

I am requesting to be added to the March 8, 2017 Town Council agenda.

I am requesting that the Town Council grant permission to apply for and receive the 2017 Distracted Driving High Visibility Grant. I am also requesting the money (figures will be provided at the meeting) be appropriated from Capital Non-Recurring of which 75% will be reimbursed to the Town.

On March 23, 2017 I will be requesting the Board of Finance grant permission to appropriate said funds.

  
3/1/17

DEPARTMENT-ACCOUNT	ADJUSTED BUDGET DEC. 31, 2016	ACTUAL EXPENDITURE 2014-15	ACTUAL EXPENDITURE 2015-16	ACTUAL EXPENDITURE DEC. 31, 2016	ESTIMATED EXPENDITURE 2016-17	DEPARTMENT REQUEST 2017-18	TOWN MANAGER RECOMMENDED 2017-18	TOWN COUNCIL RECOMMENDED 2017-18	BOARD OF FINANCE RECOMMENDED 2017-18
<b>DOG FUND</b>									
VETERINARIAN FEES	4,000	2,062	1,915	711	4,000	4,000	4,000		
OUTSIDE SERVICES	11,124	8,090	7,849	8,087	11,124	11,124	11,124		
VEHICLE MAINTENANCE	1,500	300	300	300	1,500	1,500	1,500		
EQUIP.REPAIR+REPLACEMENT	1,000	561	618	-	1,000	1,000	1,000		
DEPARTMENTAL EXPENSE	1,200	1,119	1,160	96	1,200	1,200	1,200		
TRAINING/WORKSHOPS	1,000	1,343	1,000	861	1,000	1,000	1,000		
UNIFORMS	1,200	1,200	900	355	1,200	1,200	1,200		
GASOLINE + OTHER FLUIDS	3,000	2,436	1,761	683	3,000	3,000	3,000		
<b>TOTAL</b>	<b>24,024</b>	<b>17,111</b>	<b>15,503</b>	<b>11,093</b>	<b>24,024</b>	<b>24,024</b>	<b>24,024</b>	<b>-</b>	<b>-</b>
<b>FUNDING:</b>									
FEEs+FUND INCOME	6,500	7,341	6,906	4,566	6,500	6,500	6,500		
FUND BALANCE	8,000	-	-	-	10,000	12,000	1,200		
GENERAL FUND	9,524	13,024	9,524	-	7,524	5,524	5,524		
<b>TOTAL</b>	<b>24,024</b>	<b>20,365</b>	<b>16,430</b>	<b>4,566</b>	<b>24,024</b>	<b>24,024</b>	<b>13,224</b>	<b>-</b>	<b>-</b>



DEPARTMENT- ACCOUNT	ADJUSTED BUDGET DEC. 31, 2016	ACTUAL EXPENDITURE 2014-15	ACTUAL EXPENDITURE 2015-16	ACTUAL EXPENDITURE DEC. 31, 2016	ESTIMATED EXPENDITURE 2016-17	DEPARTMENT REQUEST 2017-18	TOWN MANAGER RECOMMENDED 2017-18	TOWN COUNCIL RECOMMENDED 2017-18	BOARD OF FINANCE RECOMMENDED 2017-18
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**SIDEWALK PROGRAM FUND**

MISCELLANEOUS REPAIRS

TOTAL

10,000	10,338	14,772	7,500	10,000	7,500	7,500	7,500	-	-
10,000	10,338	14,772	7,500	10,000	7,500	7,500	7,500	-	-

**To: Town Council**  
**From: Stuart B. Popper Director of Planning and Development**  
**Date: March 1, 2017**  
**Re: Economic Development Coordinator Report for March 2017**

**1. Economic Development**

- T Mobile will be opening a new store in the former Radio Shack store in the Kmart Shopping Center.
- Two Men and a Truck have submitted an application for an Inland Wetlands Permit for a new building on County Line Drive next to Brother's Auto Body.
- I continue to work with the Town Manager, Town Attorney and the Developer on the MOU for 60 and 61 River Road.

**2. Cromwell Landing Park Improvements**

- A firm has been selected to design the improvements to the park.

**3. Historic Cromwell Signs**

- The CT DOT has approved the permits for the installation of the new Historic Cromwell signs on Berlin Road and West Street.

**4. New Regulations to allow Breweries, Brew Pubs, Distilleries and Wineries**

- I researched and prepared new zoning regulations to permit the Manufacture of Alcoholic Beverages in the Industrial Zone District.
- In addition I prepared new regulations to allow for retails sales and small engine repair in the Industrial Zone District.
- The Planning and Zoning Commission opened the public hearing on the new regulations on February 21, 2017 and continued it to the March 7, 2017 meeting.

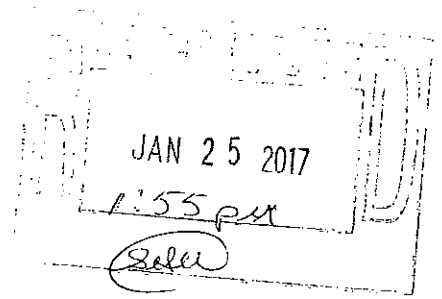
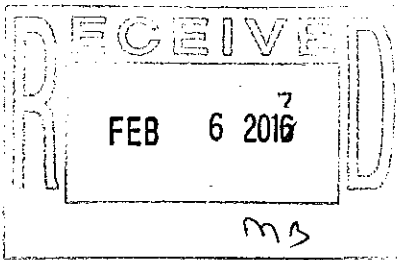
**5. Planning and Zoning Commission**

At the February 21, 2017 meeting the Planning and Zoning Commission took the following actions:

- Voted to issue a positive report on the Section 8-24 Mandatory Referral for the Sale of Town Owned Land at 35 Nooks Hill Road.
- Voted to issue a positive report on the Section 8-24 Mandatory Referral for the Sale of Town Owned Land (a portion of) at 55 Nooks Hill Road.
- Voted to approve with conditions Application #17-01: Use Permit for Travelers Championship Golf Tournament at 100 Golf Club Road. Greater Hartford Community Foundation Inc. is the Applicant; Tournament Players Club of Connecticut Inc. is the Owner.

**6. Business Visitations**

- We did not conduct any business visitations in February. We will be conducting visits in March.



**Grievance Complaint Form**

Name FULLER MICHAEL L  
(Last, First, Middle Initial)

Address 24 GARTFIELD AVE  
(Street, City, State, Zip Code)

Telephone No. (Home) — (Work) —

Name and Address of Municipal Agency Where Employed TOWN OF CROMWELL

Occupation HWY DEPT Grade or Title MAIT III

Grievance UNFAIR DISCIPLINE

Violations (Contract Article(s), Rules or Regulations, Policy, Past Practice, Laws) SECTION 1  
SECTION 2 ARTICLE #8 DISCIPLINE

Remedy Requested MAKE GRIEVANT WHOLE FOR ALL LOSSES  
THE UNION IS REQUESTING DELAY OF DISIPLINE DURING  
GRIEVANCE PROCEDURE STEPS I - IV DEPENDET OF  
OUTCOME OF ALL STEPS

Michael Sullen  
Signature of Employee

1/25/17  
Date

Michael J Greco  
Signature of Steward

1-25-17  
Date

(over)

Informal Step Disposition: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

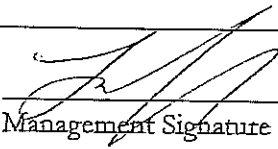
\_\_\_\_\_ Appealed \_\_\_\_\_ Accepted

\_\_\_\_\_ Management Signature

\_\_\_\_\_ Date

First Step Disposition: Grievance is denied, as I feel the discipline is warranted.

\_\_\_\_\_ Appealed \_\_\_\_\_ Accepted

  
\_\_\_\_\_ Management Signature

2-1-2017  
\_\_\_\_\_ Date

\_\_\_\_\_ Steward Signature

\_\_\_\_\_ Date

Second Step Disposition: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Appealed \_\_\_\_\_ Accepted

\_\_\_\_\_ Management Signature

\_\_\_\_\_ Date

\_\_\_\_\_ Steward Signature

\_\_\_\_\_ Date

Third Step Disposition: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Appealed \_\_\_\_\_ Accepted

\_\_\_\_\_ Management Signature

\_\_\_\_\_ Date

\_\_\_\_\_ Steward Signature

\_\_\_\_\_ Date



## Town of Cromwell Office of the Town Manager

Nathaniel White Building  
41 West St  
Cromwell, CT 06416

Anthony J. Salvatore, Sr.  
Town Manager

Phone: (860) 632-3412  
Fax: (860) 632-3435

To: Michael Fuller, Grievant

From: Anthony J. Salvatore, Town Manager

Date: February 9, 2017

Cc: Michael Greco, President, UE Local 222, CILU/CIPU, CILU #83  
Louis J. Spina, Jr., Director of Public Works

Re: **Step 2 Grievance Response – One (1) day suspension – CDL medical certification**

In accordance with Article 7, Section 3 of the 2016-2019 Collective Bargaining Agreement between the Town of Cromwell and UE, Local 222, CILU/CIPU, CILU #83, this is the Town's Step 2 response to the grievance you filed alleging that the Town violated Article 8, Sections 1 and 2 of the Agreement by issuing you a one (1) day suspension without pay for allowing your CDL medical certification to lapse.

The grievance is denied for the reasons described below.

Your CDL medical certification expired on November 24, 2016. You were aware of the upcoming expiration based on a conversation you had with Public Works Director Louis Spina on November 14, 2016. On Tuesday, November 29, 2016 the Town determined that your CDL medical certification expired on November 24, 2016. Maintaining and using a CDL is an essential function of your job and maintaining a CDL with an up to date medical examination is a Federal Department of Transportation requirement.

In the conversation with the Public Works Director you told him you thought your vision may have worsened since your last CDL medical examination and that you might need eyeglasses. In that conversation, Mr. Spina directed you to get your CDL medical examination as soon as possible. You did not get medically recertified until December 2, 2016. In addition, you also had a discussion with Marion Bironi of my office sometime in November that the Town was no longer paying for your CDL Medical Examination.

In letting your medical certification lapse you violated a condition of your employment and put yourself and the Town in a position of potential liability. During the lapse of your medical certification you were not qualified to operate equipment requiring a CDL nor could you have responded to an emergency had one occurred.

It is disturbing to me that you and the Union are pursuing this grievance because you could have, and perhaps should have, been suspended without pay for the period of November 29 through December 2 when it is undisputed that you were not qualified to perform your job or even terminated for the same reason.

For all of the reasons described above, the grievance is denied.

TOWN OF CROMWELL  
TOWN COUNCIL  
REGULAR MEETING  
WEDNESDAY FEBRUARY 8, 2017  
7:00 PM TOWN HALL ROOM 224/5

RECEIVED FOR FILING  
2-15 2017 at 4:33M  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.  
*Jean Aulicist*  
TOWN CLERK

MINUTES

Present: Mayor E. Faienza, Deputy Mayor R. Newton, E. Weners, S. Slade,  
F. Emanuele, A. Waters, T. Tokarz

Absent: None

Also Present: Town Manager A. Salvatore, Chief of Police D. LaMontagne, Finance  
Director M. Sylvester, Director of Health W. Bell, Building Official D. Jolley, public  
and press

**A. CALL TO ORDER**

Mayor Faienza called the meeting to order at 7:00 p.m.

**B. PLEDGE OF ALLEGIANCE**

S. Slade led the Pledge of Allegiance.

**C. APPROVAL OF AGENDA**

Mayor Faienza added P.2. Senior Services Commission, Caroljoyce Cannito and  
Q.3. Linda Demetriades.

Motion made by R. Newton seconded by F. Emanuele and *unanimously carried* to  
approve the agenda as amended.

**D. COMMISSION CHAIRMAN REPORTS/LIASON REPORT**

Paul Sousa, Board of Education liaison gave a report regarding recent Board of  
Education activities.

**E. CITIZEN COMMENTS**

1. A. Varricchio, Kowal Drive -against charging residents to use the park facilities.
2. L. Wrzos, Holly Hill Drive -spoke regarding funding programs for children with disabilities.
3. L. Gagnon, Commander American Legion - written statement attached to the agenda.
4. R. Waters, South Street -stated that some people are not taking their hats off during the Pledge of Allegiance.

**F. MAYOR'S REPORT**

Mayor Faienza reported:

- Last month's business tours included Edgewood Party Rental, Vindicator Cycle, and Energy Zone. Stuart Popper is working on the next business tours.

- The Fire District and town will continue to work on ways to collaborate to save the taxpayers' money.
- Charter Revision is meeting on February 15<sup>th</sup>, they are almost finished with their revisions.
- The proposed meeting of the Boards of Education, Finance and the Town Council will have a joint meeting on March 6<sup>th</sup>.
- There will be a reception for the three new directors, and a thank you to Jim Gere for filling in as the Senior/Human Services Director.
- The Man-of-the-year ceremony will be held at town hall at 2:30 in the lobby.
- The Middlesex County Chamber canceled tomorrow's meeting due to the possibility of inclement weather.
- Budget Workshops will be Monday February 27<sup>th</sup> and Wednesday March 1<sup>st</sup>. A Public Hearing for the 5 year Capital Plan will be on the 27<sup>th</sup> at 6:00 prior to the start of our first workshop meeting.
- Dr. Talty announced her plans to retire at last night's Board of Education Meeting.
- Public Works Director Spina submitted a Road Report for informational purposes.

#### **G. TOWN MANAGER'S REPORT**

Town Manager Salvatore reported:

- The three new directors are on board and doing very well.
- RFQ for the boardwalk is moving ahead.
- Streetlights are basically all done.
- The weather has not been favorable so they haven't been able to work on the walking trail at Evergreen Hill Park.
- He and the Finance Director have been working on the budgets.
- The second truck made it back today; it was well worth it to have it refurbished.
- With assistance from the Finance Department, all Public Works Divisions are all under one line item.
- The Parks Maintenance is now Parks & Grounds and the Tax Collector is now the Collector of Revenue.
- He has arranged for a Shred-it-date for Town Residents. It will be held at the Town Hall Parking Lot on April 15<sup>th</sup> from 10 a.m. - 1 p.m. or until the truck is full.
- Was sorry to hear that Dr. Talty is retiring; they have been having discussions to look for ways to combine services and save the taxpayers' money.

#### **H. CHIEF OF POLICE'S REPORT**

Chief LaMontagne reported:

- Distributed the Monthly Incident Report for January.
- The Department has received 1025 calls for Service.
- The Mobil Mart was robbed at gunpoint on January 27<sup>th</sup>.



- Kudos to Sgt. Parsons for stopping a driver that was driving erratic and after smelling marijuana seized drugs and approximately \$3,500 in cash. Sgt. Parson's has a keen sense of recognizing illegal activities and has been mentoring other officers.
- Next week she will be looking for approval to hire a certified officer.
- The fund-raiser for the K-9 that was held at Chicago Sam's on January 29<sup>th</sup> raised over \$5,100 that day alone.
- Thanked Dr. Talty for the fundraiser that the Student Council sponsored, raising \$700.00 and WIS for holding a Hat Day that raised \$300.00 for the K-9.

#### **I. PUBLIC WORK DIRECTOR'S REPORT**

Town Manager Salvatore presented Public Works Director L. Spina's report:

- Street Light Project - LED replacement project is 99% complete. There are a few fixtures remaining to be swapped out. There is a stretch on RT. 372 that will not be done because the State DOT owns them. Also, the first 6 fixtures on industrial Park Rd are currently being maintained by Middletown so are excluded from project.
- North Rd. Bridge - The RFQ process completed in January. Town panel selected a consultant and the State accepted with and agreed with our decision (Cardinal Engineering).
- Raymond Place Project - work continues thru mild winter. Currently working on drainage and water taps.
- Coles Rd. - There is a current advertisement for a RFP/RFQ with fee proposals. Results are due back later this month.
- Library Expansion - There is a current advertisement for a RFP/RFQ with fee proposals. Results are due back later this month.

#### **J. FINANCE DIRECTOR'S REPORT**

Finance Director Sylvester reported:

1. Budget Reports were included in the packet.

- Spoke about the State Cuts and the Special Education Grant.
- Spoke about the 1.4 million dollar teachers pension cost that the State is attempting to pass down to the town.
- 11% of the town's revenue comes from State Aid.
- They are working with the ECS cut for the current year.
- Revenue and taxes are coming in strong.
- Some areas of the budget are tight.

#### **K. FINANCIAL**

1. Tax Refunds

Motion made by A. Waters seconded by S. Slade and *unanimously carried* to approve tax refunds 1 -19.

#### **L. STAFF REPORTS**

EDC Stuart Popper submitted a written report.

**M. UNFINISHED BUSINESS**

1. Continue discussion and possible action on Solid Waste Report. - Tabled  
Left tabled

2. To consider and act upon Library Expansion Project. -Tabled  
**Motion** made by R. Newton seconded by E. Wenners and *unanimously carried* to remove from table.

No action taken (will be discussed under New Business #1)

3. Discussion and action to approve amending:

a. Chapter 151-46, Outdoor Wood-burning furnaces. -tabled  
**Motion** made by R. Newton seconded by S. Slade and *unanimously carried* to remove from the table.

Health Director W. Bell presented the request.

**Motion** made by E. Wenners seconded by R. Newton and *unanimously carried* to approve amending Chapter 151-46, Outdoor Wood-burning furnaces, as attached.

b. Chapter 99, Building Construction -tabled  
**Motion** made by F. Emanuele seconded by T. Tokarz and *unanimously carried* to remove from the table.

Building Official D. Jolley presented the request.

**Motion** made by E. Wenners seconded by R. Newton and *unanimously carried* to approve amending Chapter 99, Building Construction, as attached.

**N. NEW BUSINESS**

1. Discussion and action to appropriate \$100,000 within the CNR Fund for costs associated with the architectural study/design and other related costs for the Library expansion.

a. Transfer \$100,000 from the General Fund fund balance to the Capital/Non-Recurring Fund fund balance.

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to approve 1 and 1a.

~~b. Authorize Mayor to set time and date of Special Town Meeting.~~  
Item b. withdrawn.

2. Discussion and possible action on Proposed Transfer Station Policy for Cromwell Condominium Properties.

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to approve with a change in the wording of #5 to read:

Policy will be in effect for the calendar year 2017. The Town of Cromwell reserves the right to change and/or discontinue present policy at the discretion of the Town Council.

3. Appoint the American Legion Carlson-Sjovall Post No. 105 as the agent for the Town for the Memorial Day Service and Parade.

**Motion** made by S. Slade seconded by F. Emanuele and *unanimously carried* to appoint American Legion Carlson-Sjovall Post No.105 as agent for the Town for the Memorial Day Service and Parade.

4. Authorize Mayor to set time and date for Public Hearing on Capital Plan.

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to authorize the Mayor to set time and date for the Public Hearing on the Capital Plan and any other public hearings necessary.

5. Discussion and possible action for use of Town Facilities.

Town Manager Salvatore presented the item. After a short discussion the Council requested that Town Manager Salvatore come back next month with additional information.

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried to table*.

#### **O. APPROVAL OF MINUTES**

1. Regular Meeting, January 11, 2017

**Motion** made by R. Newton seconded by E. Wenners and *unanimously carried* to approve the minutes of January 11, 2017.

#### **P. RESIGNATIONS**

1. Inland/Wetlands and Watercourses Agency

a. J. Scott Lamberson

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to accept Mr. Lamberson's resignation with regret.

2. Senior Commission

a. Caroljoyce Cannito

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to accept Ms. Cannito's resignation with regret.

#### **Q. APPOINTMENTS**

1. Recreation Commission

a. John Schmaltz, reappointment, term expires December 2017

**Motion** made by S. Slade seconded by A. Waters and *unanimously carried* to reappoint Mr. Schmaltz to the Recreation Commission.

2. Board of Assessment Appeals

a. William Vincenzi, to fill a vacancy, term expires November 2017

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve Mr. Vincenzi's appointment to the Board of Assessment Appeals.

3. Committee to Support People with Disabilities. Term expires June 2018.
  - a. Linda Demetriades**Motion** made by S. Slade seconded by T. Tokarz and *unanimously carried* to appoint Ms. Demetriades to the Committee to Support People with Disabilities.

**R. TOWN COUNCIL COMMISSION LIAISON REPORTS**

- T. Tokarz-Inland Wetlands and Mattabasset District.
- A. Waters-Economic Development Commission - Riverfront Revitalization.
- E. Faienza -DEEP Public Hearing regarding the Crematorium.
- R. Newton-CWPCA
- E. Wenners-Board of Finance
- S. Slade-Fire Commission (Santa's Run was discussed)

**S. EXECUTIVE SESSION**

1. Discuss the lease, sale or purchase, or acquisition of real estate by the Town of Cromwell.

- a. Action if necessary

**Motion** made by T. Tokarz seconded by R. Newton and *unanimously carried* to adjourn to Executive Session at 9:01 p.m.

Town Manager Salvatore was invited into Executive Session.

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to come out of Executive Session at 9:32 p.m.

No action taken

**T. ADJOURNMENT**

**Motion** made by S. Slade seconded by E. Wenners and *unanimously carried* to adjourn the Regular Meeting at 9:33 p.m.

Respectfully submitted,



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Re Matus  
Secretary



**The American Legion Carlson-Sjovall Post No. 105  
P.O. Box 77  
Cromwell, CT 06416-0077**

**CROMWELL TOWN COUNCIL MEETING  
February 8, 2017**

**Good evening, Mayor Faienza, Members of the Council and Mr. Salvatore. My name is Lou Gagnon. For many years I have had the honor and the privilege of serving as Commander of the American Legion Carlson-Sjovall Post No. 105 here in Cromwell, CT.**

**On your agenda this evening under “New Business” is an item designating Post 105 as the Town’s Agent for the 2017 Memorial Day Services and Parade. Cromwell is one of the few towns in Connecticut that continues to observe Memorial Day every year on May 30<sup>th</sup>.**

**Please accept the thanks of Post 105 for this annual designation as the Town’s Agent and for the funding each year to support these activities. For many years Post 105 has been proud to serve in this capacity and coordinate these annual events that include:**

- The Memorial Day Service on the Green in downtown Cromwell**
- The annual Memorial Day parade**
- Commemorative wreaths and American flags for the Town Greens and downtown areas; and**
- Flowers and flags for all veterans’ gravesites in each of the 4 Town cemeteries.**

**Later this year we look forward to completion of the enhancements underway on Valor Green. Valor Green is at Main and Prospect streets and was first dedicated in 1973 to those who served in the Korean and Vietnam conflicts. Currently two simple stone markers with plaques are at the base of the flagpole on the Green.**

**Let me briefly bring you up to date on the work there. Last fall a stone retaining wall was built and lighting was added to highlight the wall. This spring:**

- **The memorial wall itself will be built.**
- **Flags in honor of each of the Armed Services will be installed in front of the wall with lighting.**
- **The Town staff will do landscaping.**
- **The Post plans fund-raising through the sale of commemorative brick pavers. These will make up the walk-way from the parking area to the wall.**
- **We have approached Assistant Superintendent of Schools, John Maloney, and the schools will be involved in helping with the fundraising.**

**We thank the Town Council and the Town staff for helping to make this possible.**

**As a community, Cromwell has always stood solidly behind its Vets and for this we are most grateful and proud to call this Town our home. Thank you.**

**Louis P. Gagnon, Post Commander**

## Incident Statistics Report

01/01/2017 00:00 Thru 01/31/2017 23:59

Call Type Description	Total for Period
911 Hang Up Call	9
Administrative Matter	20
Alarm - All types	13
ALARM-FALSE BILLABLE	45
All Other Offenses	5
Animal Complaint	26
Assault, Simple	1
Assist Motorist	22
Assist Other Agency	22
Burglary	1
Car Seat Installation	1
Civil Matter	3
Counterfeit/Forgery	2
Credit Card/ATM Fraud	1
Dis Conduct/BOP	2
Domestic Incident	7
Drug/Narcotic Violation	1
DUI	4
Dumping	1
Escort	4
Fingerprinting	34
FV Protocol / P.A.	7
Harrassing Phone Calls	1
Identity Theft	1
Juvenile Incident	7
Larceny - From Building	2
Larceny - From MV	6
Larceny - MV Parts/Access	1
Larceny -Shoplifting	9
Larceny- Other	5
Medical Emergency	61
Missing Person	1
MV Accident	36
MV Abandoned	1
MV Parking Violation	16
MV Theft	3
MV Violation	130
MVA NR PRIV PROP	4
Noise Complaint	7

## Incident Statistics Report

01/01/2017 00:00 Thru 01/31/2017 23:59

Call Type Description	Total for Period
Nursing Home Fax Report	1
Prescription Forgery	1
Property Check	130
Property Lost/Found	8
Property Seized	1
Prostitution	1
Record Only Call	7
Road Cond/TCS Out	16
ROBBERY	1
Runaway	2
See Complainant	21
Suspicious Activity	54
TEST CALL	4
Threaten/Harass/Intimidation	4
Town Ordinance	3
Traffic Assignment	1
Trespassing	1
Unfounded Complaint	13
Untimely Death	2
Unwanted Person	7
Well Being Check	17
<b>Total:</b>	<b>817</b>



## 151-46 OUTDOOR WOOD-BURNING FURNACES

- A. Definition. For purposes of this section, in accord with CT.G.S.22a-174K, an “outdoor wood-burning furnace” is defined as an accessory structure or appliance designed to be located outside living space ordinarily used for human habitation and designed to transfer or provide heat, via liquid or other means, through the burning of wood or solid waste, for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic, swimming pool, hot tub or Jacuzzi water. “Outdoor wood-burning furnace” does not include a fire pit, wood-fired barbecue or chiminea.
- B. Outdoor wood-burning furnaces as defined in CT.G.S.22a-174K are permitted in all zones by a zoning permit providing the proposed unit complies with all the requirements of CT.G.S.22a-174K and is located a minimum of 200 feet from the nearest residence or commercial area and the chimney does not exceed the maximum height of structures permitted in the zone. Only outdoor wood-burning furnaces which have been certified under the voluntary partnership agreement with E.P.A., are acceptable.
- C. Limitations for installation and construction. No person shall, from the effective date of this section, construct, install, establish, modify, operate or use an outdoor wood-burning furnace, unless:
  - 1. The outdoor wood-burning furnace was constructed, installed, established, modified, operated or in use prior to the effective date of this section; and
  - 2. The outdoor wood-burning furnace complies with the provisions of CT.G.S.22a-174K.
- D. Operational limitations. All installed and constructed outdoor wood-burning furnaces, as established under Subsection B are subject to regulation for proper use and operation, and improper operation will be determined by, but not limited to, the following factors:
  - 1. Generation of heavy, thick, blinding, environmentally polluting, hazardous or public health compromising smoke or furnace discharge; or
  - 2. Generation of toxic, environmentally polluting, hazardous or public health compromising odors; or
  - 3. Failure to operate the unit in accord with the manufacturer’s recommendations.
  - 4. The furnace shall be operative only during the months of November thru April.
- E. Enforcement Officer: means the person designated by the Town Manager, including the Director of Health, the Town’s Zoning Enforcement Officer, the Chief of Police and/or the Town Manager’s designee(s).



TOWN OF CROMWELL  
BUILDING DEPARTMENT  
Nathaniel White Building  
41 West Street, Cromwell, CT 06416

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**FEBRUARY 8, 2017 TOWN COUNCIL MEETING**

TO: Anthony J. Salvatore, Town Manager and Town Council Members  
FROM: David Jolley, Building Official *D. J.*  
DATE: January 31, 2017  
RE: **Changes to "Chapter 99 Building Construction"**

At the January 11, 2017 Council Meeting, I requested changes to Chapter 99 of the Town Code. My request was approved with specific changes to 99-4 "Refunds of Fees".

Please review the following edits.

As noted before, deleted words are ~~struck-out~~ and new words are underlined.

F:Daves letters and memos/memo 12-05-16

PROPOSED

**Chapter 99. Building Construction**

[HISTORY: Adopted by the Board of Selectmen of the Town of Cromwell 8-3-1976.  
Amendments noted where applicable.]

**CHARTER REVISION**

Effective with the general election held in November 2013, the Town changed to a Town Council/Town Manager form of government. According to Charter §11.04, any references in Town ordinances to the "First Selectman" or to the "Board of Selectmen" shall now be deemed to refer to the "Town Manager" or the "Town Council," as appropriate.

**GENERAL REFERENCES**

Housing standards – See Ch. 151

Sewers – See Ch. 193.

Streets and sidewalks - See Ch. 204.

**§99-1. Adoption of standards by reference.**

The Town of Cromwell hereby adopts as its Building Code the Connecticut State Building Code as it now exists and as it may hereafter be amended by the State Building Inspector and The Codes and Standards Committee.

**§99-2. Fees.**

A. Building Permits Valuations: The applicant for a permit shall provide an estimated permit value at the time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued. If in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied unless the applicant can show detailed estimates that meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

B. Plan Review: The Building Official shall determine whether a plan review fee is required and the appropriate fee according to the following schedule. All required plan review fees shall be paid to the Town of Cromwell prior to the acceptance of a permit application and/or construction documents. The Building Official shall determine if any project should be sent to an outside agency for plan review and such agency shall be approved by the Building Official. All costs for outside review shall be paid by the applicant.

1) Schedule of fees for plan review:

a) Residential Construction: Detached one- and two-family dwelling and multiple single-family dwellings (townhouses) not more than three stories above grade plane with a separate means of egress and their accessory structures, including all mechanicals, additions, alterations: \$50.00 per dwelling.

b) Plan review for all construction other than residential construction: \$200.00.

- 2) Resubmitted Plans and/or Construction Documents: \$50.00 per Residential dwelling, \$200.00 for all other construction. The Building Official shall determine whether resubmitted plans and or construction documents are subject to this fee or fraction thereof. The fee is to be paid prior to the resubmission.

C. Permit Fees: A permit shall not be valid until the following fees have been paid.

- 1) Standard fee for all permits: \$20.00 for the first thousand in estimated construction costs or fraction thereof.
- 2) Standard fee for all permits after the first thousand in estimated construction costs is \$15.00 per thousand or fraction thereof.

D. Final Certificates: The following certificates shall not be issued until all fees as set forth herein have been paid to the Town of Cromwell. The Building Official shall determine whether the following certificate fees are applicable.

- 1) Certificate of Approval: \$20.00
- 2) Certificate of Occupancy: \$20.00

E. Related Fees: The payment of the fees set forth herein for the construction, alteration, removal or demolition work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law. Fees, including but not limited to those related to all permits and reinspections, shall be paid prior to the issuance of any Certificate of Approval or Certificate of Occupancy. The Building Official shall determine whether any related fee is applicable.

- 1) Additional permits – per section 99-2(C).
- 2) Reinspection fee: \$30.00 per inspection.

F. Waiver of fees for municipal projects.

[Added TC 6-16-2014]

- 1) The Chief Building Official or his designee shall waive any of the building permit fees set forth in §99-2B, C, D and E for any permits issued to the Town of Cromwell or the Cromwell Board of Education.
- 2) The State of Connecticut education fee cannot be waived and must be paid by the municipality or the Cromwell Board of Education.
- 3) The waiver of fees does not apply to the Cromwell Fire District or to the Mattabasset Regional Sewer District.

### **§99-3. Building permit application procedure.**

- A. Application to the office of the Building Official for the permits set forth in §99-3 hereof, shall be on a form prescribed by the office of the Building Official and in accordance with procedures established by that office.
- B. All permits issued are subject to any conditions imposed in the application and may be subject to revocation for violations thereof.
- C. Premises on which taxes are delinquent. No application for a Building Permit or a Certificate of Occupancy shall be approved for premises on which taxes are delinquent except in accordance with Chapter 213 of the Cromwell Town Code. For purposes of

this section, delinquent taxes are defined in Chapter 213, § 213-2 [Added BOS 1-10-1996; amended BOS 1-10-2012<sup>(1)</sup>]

[1] Editor's Note: This ordinance, which provided an effective date of 12-10-1996, also repealed former Subsection D, Denial of permit, added BOS 1-10-1996, which immediately followed.

#### §99-4. Refunds of fees.

- A. Application for a refund of any fee paid hereunder shall be made, in writing, to the office of the Building Official, specifying the reason for the refund. After review of such application, the office of the Building Official shall make a recommendation, in writing, to the Town Manager ~~Board of Selectmen~~ for action thereon. (Dave)
- B. Refunds will be considered on an individual basis by the Town Manager ~~Board of Selectmen~~ with respect to permits if application for refund is made within six months of the date of their original issuance. No refund application shall be considered after six months from the original permit issuance date. (Dave)
- C. Fees for those final certificates and permits as set forth in § 99-2D hereof shall not be refundable. (Dave)
- D. In the case of a revocation of a permit or abandonment or discontinuance of a building project, the value of the work actually completed shall be computed by the office of the Building Official, and any excess fee shall be returned to the permit holder, subject to the following conditions:
  - (1) The maximum refund shall be 70% of the fee paid.
  - (2) All penalties imposed against the permit holder under the Building Code shall first be deducted from any approved refund.
- E. The Town Manager ~~Board of Selectmen~~ may approve, modify or deny the refund request. (Dave)

#### §99-5. Violations and penalties; appeals.

- A. All violations of the provisions of this ordinance and/or the Connecticut State Building Code as incorporated herein, shall be punishable by a fine of not more than \$500 for each offense. Each day that a violation continues shall be deemed a separate offense.
- B. Any person who shall continue any work in or about a building or structure after having been served by the Building Official's office with a stop order, except such work as he is directed to perform by the Building Official's office to remove a violation or unsafe condition, shall be subject to an additional fine of not less than \$25 nor more than \$500 for each offense. Every day that a violation continues shall be deemed a separate offense.
- C. The appeal provisions of Chapter 1, Article I of the Town Code shall not apply to violations of this Chapter or the State Building Code incorporated herein. Refer to The Connecticut State Building Code "Means of Appeal".

[Added BOS 4-9-1997]

Building/DavesNotes-Letters-Memos/PermitCode-2016-2

RECEIVED FOR FILING  
2/22/2017 at 1:02 P.M.  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

TOWN OF CROMWELL  
TOWN COUNCIL  
SPECIAL MEETING  
TUESDAY FEBRUARY 21, 2017  
4:30 PM TOWN HALL ROOM 224/5

*Gloria Prendergast, Asst*  
TOWN CLERK

MINUTES

Present: Mayor E. Faienza, Deputy Mayor R. Newton, E. Wenners, S. Slade,  
A. Waters, T. Tokarz

Absent: F. Emanuele

Also Present: Town Manager A. Salvatore, Director Public Works L. Spina, Director  
Planning and Development S. Popper, Public and Press

A. CALL TO ORDER

Mayor Faienza called the Special Meeting to order at 4:30 p.m.

B. EXECUTIVE SESSION

1. Discuss the lease, sale or purchase, or acquisition of real estate by the Town of  
Cromwell.

a. Action if necessary

Motion made by T. Tokarz seconded by A. Waters and *unanimously carried* to go  
into Executive Session at 4:30 p.m.

Town Manager Salvatore, Public Works Director Spina and Director of Planning and  
Development Popper were invited into Executive Session.

Motion made by E. Wenners seconded by A. Waters and *unanimously carried*  
to come out of Executive Session at 5:11 p.m.

No Action taken

C. ADJOURN

Motion made by R. Newton seconded by S. Slade and *unanimously carried*  
to adjourn the Special Meeting at 5:12 p.m.

Respectfully submitted,

*Re Matus*

Re Matus  
Secretary

RECEIVED FOR FILING  
3-1 2017 at 2:37 PM.  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

*L. LaMontagne*  
TOWN CLERK

TOWN OF CROMWELL  
TOWN COUNCIL  
SPECIAL MEETING  
BUDGET WORKSHOP  
MONDAY FEBRUARY 27, 2017  
TOWN HALL ROOM 224/5 6:10 P.M.

MINUTES

Present: Mayor E. Faienza, Deputy Mayor R. Newton, Counselors F. Emanuele,  
A. Waters, T. Tokarz, S. Slade, E. Wenners

Absent:

Also Present: Town Manager A. Salvatore, Director of Finance M. Sylvester, Town Clerk  
J. Ahlquist, Registrars, B. Anderson and A. Kelly, Building Official D. Jolley, Tax  
Collector D. Sienna, Health Director W. Bell, Director of Recreation and Youth Services  
C. Rusack, Library Director D. Carter, Chief of Police D. LaMontagne, Director of  
Public Works L. Spina, Parks & Grounds Supervisor M. Conant, Public and Press

**A. CALL TO ORDER**

Mayor Faienza called the meeting to order at 6:10 p.m.

**B. BUDGET WORKSHOP**

**a. Discussion and Action on General Fund Budget Requests:**

**2. Town Clerk -\$208,223**

**Motion** made by A. Waters seconded by E. Wenners and *unanimously carried to*  
approve \$208,223.

**3. Elections Department-\$75,477**

**Motion** made by A. Waters seconded by T. Tokarz and *unanimously carried to*  
approve \$75,477.

**7. Building Inspection-\$193,277**

**Motion** made by E. Wenners seconded by F. Emanuele and *unanimously carried to*  
approve \$193,277.

**9. Tax Collector -\$144,537**

**Motion** made by F. Emanuele seconded by R. Newton and *unanimously carried to*  
approve \$144,537.

**38. Health Department-\$185,277**

**Motion** made by E. Wenners seconded by F. Emanuele and *unanimously carried* to approve \$185,277.

**42. Youth Services-\$110,364**

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve \$110,364.

**43. Recreation-\$254,076**

**Motion** made by A. Waters seconded by T. Tokarz to approve \$254,076.

A lengthy discussion followed regarding funding programs for People with Special Needs versus funding programs for people without Special Needs. Town Manager Salvatore stated that he contacted Town Attorney, Kari Olson, regarding this issue and received an opinion that all programs have to be equal. Attorney Olson also stated that the way programming and payments were handled in the past were not appropriate. Recreation Director C. Rusack stated that in the past people with special needs were sent to programs outside of the Town of Cromwell and he feels that it would be beneficial to the participants as well as their families to stay in town and bond with Cromwell families. In the past there were no programs in Cromwell; he is in the process of planning spring programs such as, Music Therapy, Stretch Therapy and Intro- to Sports and Games. In addition he is helping to promote Chill Toppsoccer, Rocky Hill Challenger Baseball which are also special needs program. Additional programs will be planned according to the applicable season.

Mayor Faienza stated that he and Town Manager Salvatore have spoken to and met with a group of parents that have children with special needs and are aware of their concerns. Since Special Needs programs were not handled properly in the past they are working to correct this situation. Mayor Faienza suggested adding \$5,000 to Program Subsidy to fund programs that may be more costly, such as for people with Special and or financial needs.

The consensus of the majority of the Council was that everyone that needs Financial Aid must apply to receive assistance.

**Amended Motion** made by R. Newton seconded by F. Emanuele and *carried* to add \$5,000 to Program Subsidy Line Item.

Aye: T. Tokarz, F. Emanuele, E. Faienza, R. Newton, E. Wenners

Nay: A. Waters, S. Slade

*Amended Motion carried*

**Motion** made by E. Wenners seconded by F. Emanuele and *carried* to approve \$259,076.

Aye: T. Tokarz, F. Emanuele, E. Faienza, R. Newton, E. Wenners

Nay: A. Waters, S. Slade

*Mayor Faienza called for a five-minute recess. The meeting resumed at 7:30 p.m.*



**22. Committee to Support People with Disabilities-\$100**

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to approve \$100.

**44. Library-\$590,579**

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to approve \$590,579.

**35. Emergency Management-\$19,950**

**Motion** made by A. Waters seconded by R. Newton and *unanimously carried* to approve \$19,950.

**36. Police-\$3,352,449**

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve \$3,352,449.

**37. Animal Control-\$79,658**

**Motion** made by S. Slade seconded by A. Waters and *unanimously carried* to approve \$79,658.

**27. Public Works Department -\$4,228,648**

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to approve \$4,228,648.

**1. Town Manager-\$355,302**

Waters stated that it is his opinion that hiring a Human Resources Position goes against the Charter. Several Counselors disagreed with Mr. Waters' statement.

After a short discussion the consensus of the Council was that a part time Human Resources Coordinator should be approved. The research to hire a part time Human Resources Coordinator was done by the Town Manager as part of his goals for 2017 that were assigned to him by the Council.

**Motion** made by T. Tokarz seconded by A. Waters and *carried* to approve ~~\$355,302.~~

Aye: T. Tokarz, F. Emanuele, E. Faienza, R. Newton, E. Wenners, S. Slade

Nay: A. Waters

*Motion carried*

**8. Finance/Treasurer Department-\$387,996**

**Motion** made by R. Newton seconded by A. Waters and *unanimously carried* to approve \$387,996.

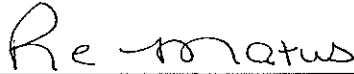
**b. Any other Budget matter.**

None

**C. ADJOURN**

**Motion** made by S. Slade seconded by F. Emanuele and *unanimously carried* to adjourn the Special Meeting at 9:30 p.m.

Respectfully submitted,



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Re Matus  
Secretary

TOWN OF CROMWELL  
TOWN COUNCIL  
SPECIAL MEETING  
BUDGET WORKSHOP  
WEDNESDAY, MARCH 1, 2017  
TOWN HALL ROOM 224/5 6:30 P.M

RECEIVED FOR FILING <sup>a</sup>  
3-3 2017 at 10:03 M.  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

  
TOWN CLERK

MINUTES

Present: Mayor E. Faienza, Deputy Mayor R. Newton, Counselors F. Emanuele,  
A. Waters, T. Tokarz, S. Slade, E. Wenners

Absent:

Also Present: Town Manager A. Salvatore, Director of Finance M. Sylvester, Assessor  
S. Baron, Senior/Human Services Director A. Saada, Director of Planning and  
Development S. Popper, Public and Press

**A. CALL TO ORDER**

Mayor Faienza called the meeting to order at 6:32 p.m.

**B. BUDGET WORKSHOP**

**a. Discussion and Action on General Fund Budget Requests:**

**1. Any unfinished business from February 27, 2017 Budget Workshop.**

Town Manager Salvatore asked for an adjustment in #36. Police Department Budget.  
A clerical error was made during the budget preparation in a wage line causing an  
\$8,000 shortage.

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to  
reopen #36. Police Department and approve increasing the wage line \$8,000.

**Motion** made by R. Newton seconded by E. Wenners and *unanimously carried* to  
approve the amended total of the Police Department Budget of \$3,360,449.

E. Wenners provided a copy of a page of the December 14<sup>th</sup> Council Meeting when the  
Manager's goals were discussed, The minutes show a request was made by Mr. Wenners  
to increase and expand the sidewalk program to specifically include the area around  
Valor Green as well as other selected roads.

Town Manager Salvatore stated that he would do his best to find funds within the Public  
Works Budget to install sidewalks especially in the area of Valor Green.

**b. Discussion and Action on General Fund Budget Requests:**

**10. Assessor's Office-\$231,901**

**Motion** made by A. Waters seconded by E. Wenners and *unanimously carried* to  
approve \$231,901.

**21. Board of Assessment-\$3,200**

**Motion** made by R. Newton seconded by A. Waters and *unanimously carried* to approve \$3,200.

**39. Human Services Administration-\$118,139**

**Motion** made by R. Newton seconded by F. Emanuele and *unanimously carried* to approve \$118,139.

**40. Senior Services-\$95,862**

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve \$95,862.

**41. Transportation Service-\$118,427**

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve \$118,427.

**4. Economic Development-\$13,336**

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve \$13,336.

**5. Town Planner-\$142,781**

**Motion** made by A. Waters seconded by T. Tokarz and *unanimously carried* to approve \$142,781.

**6. Development Compliance-\$103,117**

**Motion** made by A. Waters seconded by T. Tokarz and *unanimously carried* to approve \$103,117.

**23. Planning Commission-\$3,225**

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve \$3,225.

**24. Zoning Board of Appeals-\$1,535**

**Motion** made by T. Tokarz seconded by A. Waters and *unanimously carried* to approve \$1,535.

**25. Inland Wetlands-\$2,200**

**Motion** made by A. Waters seconded by T. Tokarz and *unanimously carried* to approve \$2,200.

**26. Conservation Commission-\$1,510**

**Motion** made by A. Waters seconded by T. Tokarz and *unanimously carried* to approve \$1,510.

**12. Donations & Dues-\$46,042**

**Motion** made by A. Waters seconded by F. Emanuele to approve \$46,042.

A lengthy discussion followed with Counselor Waters and Slade requesting that the Middletown Transit request be reduced by \$1,000 and be reallocated to other Cromwell Organizations. Town Manager Salvatore stated that they haven't received an increase since F/Y 02/03 and their request was for \$10,000. He felt that it was appropriate to raise Cromwell's donation this year since they bring many riders to shop at Cromwell businesses.

**Motion** made by A. Waters seconded by S. Slade to reduce the Middletown Transit donation from \$4,000 to \$3,000 and distribute the \$1,000 between other Cromwell organizations.

Aye: S. Slade, A. Waters

Nay: T. Tokarz, F. Emanuele, E. Faienza, R. Newton, E. Wenners

Motion failed.

**Main Motion** to approve \$46,042 *carried*.

Aye: T. Tokarz, F. Emanuele, E. Faienza, R. Newton, E. Wenners

Nay: S. Slade, A. Waters

**13. Legal Expense-\$222,764**

**Motion** made by A. Waters seconded by R. Newton and *unanimously carried* to approve \$222,764.

(After a short discussion with the Finance Director and Town Manager of whether to reduce this line the consensus of the Council was to approve the requested amount.)

**14. Central Service-\$140,300**

**Motion** made by F. Emanuele seconded by A. Waters and *unanimously carried* to approve \$140,300.

**15. Insurance Expense-\$595,400**

**Motion** made by A. Waters seconded by R. Newton and *unanimously carried* to approve \$595,400.

**16. General Expense-\$791,001**

**Motion** made by A. Waters seconded by E. Wenners to approve.

R. Newton spoke about removing the Economic Development \$30,000 request for the Phase II Environmental Study. A short discussion followed.

**Amended Motion** made by R. Newton seconded by S. Slade and *unanimously carried* to remove the CNR request of \$30,000 for the Phase II Environmental Study.

**Motion** made by F. Emanuele seconded by A. Waters and *unanimously carried* to approve \$761,001.

**17. Town Council-\$36,730**

**Motion** made by T. Tokarz seconded by A. Waters and *unanimously carried* to approve \$36,730.

**18. Board of Finance-\$1,350**

**Motion** made by A. Waters seconded by T. Tokarz and *unanimously carried* to approve \$1,350.

**20. Charter Revision Committee-\$1,501**

**Motion** made by A. Waters seconded by F. Emanuele and *unanimously carried* to approve \$1,501.

**45. Employee Benefits-\$3,406,867**

**Motion** made by A. Waters seconded by R. Newton and *unanimously carried* to approve \$3,406,867.

**46. Debt Service-\$3,687,524**

**Motion** made by A. Waters seconded by R. Newton and *unanimously carried* to approve \$3,687,524.

**c. Any other Budget matter.**

None

**d. Approve Grand Total of General Fund Budget**

**Motion** made by S. Slade seconded by R. Newton and *carried* to approve \$16,246,101.

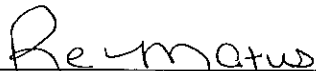
Aye: T. Tokarz, A. Waters, F. Emanuele, R. Newton, E. Faienza, E. Wenners

Nay: S. Slade (disagreed with requested item in #12 Donations)

**C. ADJOURN**

**Motion** made by S. Slade seconded by R. Newton and *unanimously carried* to adjourn the Special Meeting at 8:55 p.m.

Respectfully submitted,



Re Matus  
Secretary