

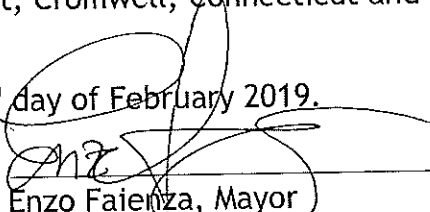
LEGAL NOTICE
TOWN OF CROMWELL

The Town Council of the Town of Cromwell, Connecticut will hold a Public Hearing on Wednesday February 13, 2019 at 6:45 p.m. in the Cromwell Town Hall, Council Chambers, located at 41 West Street, Cromwell, CT regarding amending Chapter 82-4, License tag and registration required: exceptions.

Citizens may attend and offer comments on the proposed amendments.

A copy of the amendment, in its entirety, is available for public inspection at the office of the Town Clerk, 41 West Street, Cromwell, Connecticut and will be posted on-line at www.cromwellct.com.

Dated at Cromwell, Connecticut this 5th day of February 2019.


Enzo Faienza, Mayor
For the Town of Cromwell

§ 82-4 License tag and registration required; exceptions.

A.

License tags required. Each dog kept by the owner in the Town shall be licensed and registered if the dog is six months of age or over, on or before June 30 annually or when the dog reaches six months of age. Dog licenses shall be issued by the Town Clerk upon payment of a license fee as established by the Connecticut General Statutes. The owner shall state at the time application is made for such license, and upon printed forms provided for such purpose, the name and address, and the name, breed, color and sex of each dog owned and kept by the owner. The owner shall submit to the Town Clerk a rabies certificate signed by a veterinarian, or copy thereof, evidencing that the dog is current for its rabies vaccination pursuant to § 82-5.

B.

Exceptions. The provisions shall not apply to dogs whose owners are nonresidents, conditioned upon possession of a valid tag from any jurisdiction; nor to dogs brought into the Town for the purpose of participation in any dog show; nor to dogs kept under a kennel license in accordance with the Connecticut General Statutes.

C.

No Licensure Fee For Guide Dogs. No licensure fee shall be required for dogs properly trained to guide and assist a blind, deaf or mobility impaired person or which has been placed temporarily by a nonprofit organization with such person for the purposes of breeding or training such dog to assist blind, deaf or mobility impaired persons, in accordance with the Connecticut General Statutes § 22-345, as it may be amended.

TOWN OF CROMWELL
TOWN COUNCIL MEETING
WEDNESDAY, FEBRUARY 13, 2019
7:00 P.M. TOWN HALL COUNCIL CHAMBERS

RECEIVED FOR RECORD
Feb 07:2019 02:46P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT *JA*

AGENDA

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF AGENDA
- D. COMMISSION CHAIRMAN REPORTS/LIASON REPORT/STAFF REPORTS
- E. CITIZEN COMMENTS
- F. MAYOR'S UPDATE
- G. TOWN MANAGER'S UPDATE
- H. CHIEF OF POLICE'S UPDATE
- I. PUBLIC WORKS DIRECTOR'S UPDATE
- J. FINANCE DIRECTOR'S UPDATE
 - 1. Budget Reports
- K. FINANCIAL
 - 1. Tax Refunds
 - 2. Discussion and action to appropriate \$18,185 within the CNR Fund for upgrades to the Finance Server.
- L. OLD BUSINESS
 - 1. Discussion and action to appoint audit firm for June 30, 2019 audit. -tabled
 - 2. Discussion and possible action on 313 Main Street/1 Community Field Road (possible Executive Session).
- M. NEW BUSINESS
 - 1. Discussion and possible action to amend Chapter 137 Food Establishments.
 - a. Authorize Mayor to set time and date of Public Hearing.
 - 2. Discussion and action to approve amending 82-4 License tag and registration required; exceptions.
 - 3. Discussion and possible action to approve revising and updating the Economic Development Incentive Guidelines.

4. Discussion and possible action to amend the Application for use of Town Facilities.

N. APPROVAL OF MINUTES

1. Regular Meeting, January 9, 2019
2. Special Meeting, January 28, 2019

O. APPOINTMENTS

1. Senior Services Commission
 - a. Shirley Banic, Term expires April 2020
2. Redevelopment Agency
 - a. Jennifer Donohue, Term Expires December 2022
 - b. Richard Nobile, Term Expires December 2022
 - c. Kevin Nolan, Term expires December 2020
 - d. Paul Warenda, Term expires December 2020
3. Mattabassett District
 - a. Bonnie Anderson, Term expires September 2021
4. Recreation Commission
 - a. Jim Vinchetti, Term expires December 2019

P. RESIGNATIONS

1. Recreation Commission
 - a. Richard Nobile

Q. EXECUTIVE SESSION

1. Strategy and Negotiations regarding pending claims & litigation.
 - a. CHRO complaint, Office Young v Cromwell Police Department.
2. Estate sale or acquisition.
 - a. 313 Main Street/1 Community Field Road. (Will possibly be moved from L.2)

R. COUNCIL LIAISON REPORTS

S. ADJOURN

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 2019 07

JOURNAL DETAIL 2017 1 TO 2019 13

	ORIGINAL APPROP	TRANSFERS/ ADJUSTMENTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
001 TOWN MANAGER'S OFFICE	365,585	903	366,488	206,972.40	689.41	158,826.19	56.7%
002 TOWN CLERK'S OFFICE	211,541	2,526	214,067	114,062.15	19,728.11	80,276.74	62.5%
003 REGISTRAR OF VOTERS	71,423	1,064	72,487	53,010.74	1,546.16	17,930.10	75.3%
004 PLANNING COMMISSION	3,525	0	3,525	1,243.11	359.59	1,922.30	45.5%
005 ECONOMIC DEVELOPMENT	24,761	380	25,141	10,028.61	.00	15,112.39	39.9%
006 BOARD OF FINANCE	1,350	0	1,350	160.10	.00	1,189.90	11.9%
008 CHARTER REVISION COMM	2	0	2	.00	.00	2.00	.0%
009 BOARD OF ASSESSMENT APPEALS	1,700	0	1,700	375.90	.00	1,324.10	22.1%
010 ZONING BOARD OF APPEALS	1,235	0	1,235	545.61	85.36	604.03	51.1%
011 INLAND WETLANDS	2,300	0	2,300	1,555.18	70.00	674.82	70.7%
012 COMM. FOR DISABLED PEOPLE	100	0	100	.00	.00	100.00	.0%
013 DONATIONS AND DUES	48,860	0	48,860	37,801.00	10,500.00	559.00	98.9%
014 TOWN COUNCIL	38,155	0	38,155	31,252.97	5,250.00	1,652.03	95.7%
015 LEGAL EXPENSE	212,764	0	212,764	92,344.68	103,537.11	16,882.21	92.1%
016 CENTRAL SERVICES	140,300	0	140,300	81,573.52	44,687.51	14,038.97	90.0%
017 INSURANCE EXPENSE	606,340	0	606,340	406,315.21	124,644.67	75,380.12	87.6%
018 GENERAL EXPENSE	593,002	0	593,002	779,172.57	3,000.00	10,829.43	98.6%
019 DEVELOPER/PLANNER	127,220	200,000	130,157	76,211.46	220.00	53,725.54	58.7%
020 FINANCE DEPARTMENT	399,405	2,937	402,891	230,354.83	6,785.43	165,750.74	58.9%
021 TAX COLLECTOR	144,691	604	145,295	88,598.56	917.57	55,778.87	61.6%
022 ASSESSOR'S OFFICE	232,032	2,361	234,393	140,941.37	2,281.00	91,170.63	61.1%
030 PUBLIC WORKS ADMIN.	272,232	2,345	274,577	150,629.26	10,781.79	113,185.95	58.8%
031 ENGINEERING	232,660	4,558	237,218	124,369.31	12,076.33	100,772.36	57.5%
032 SOLID WASTE REMOVAL	639,977	0	639,977	299,082.10	189,845.74	151,049.16	76.4%
033 BUILDING INSPECTION	193,938	4,436	198,374	112,825.44	1,566.67	83,981.89	57.7%
034 HIGHWAY DEPT.	1,380,563	0	1,380,563	519,517.32	206,066.62	654,979.06	52.6%
035 BUILDING MAINTENANCE	611,146	0	611,146	319,625.44	40,838.24	250,682.32	59.0%
036 PARKS & GROUNDS	415,380	0	415,380	203,957.86	30,533.91	180,888.23	56.5%
037 PUBLIC WORKS-OTHER	400,525	0	400,525	212,343.15	134,341.05	53,840.80	86.6%
038 VEHICLE MAINTENANCE	336,264	0	336,264	157,977.55	58,332.17	119,954.28	64.3%
040 POLICE DEPARTMENT	3,399,842	0	3,399,842	1,925,118.87	38,662.37	1,436,060.76	57.8%
041 EMERGENCY MANAGEMENT	19,950	0	19,950	6,750.00	750.00	12,450.00	37.6%
042 ANIMAL CONTROL	87,237	0	87,237	45,870.39	.00	41,366.61	52.6%
050 HEALTH DEPARTMENT	188,362	2,583	190,945	114,382.63	22,498.33	54,064.04	71.7%
051 HUMAN SERVICES	124,930	738	125,668	71,905.61	379.51	53,382.88	57.5%
053 SENIOR SERVICES	98,736	1,232	99,968	50,261.46	8,756.47	40,950.07	59.0%
054 YOUTH SERVICES	100,902	0	100,902	47,361.36	1,522.45	52,018.19	48.4%
055 TRANSPORTATION SERVICES	124,829	1,046	125,875	76,026.60	3,093.15	46,755.25	62.9%
060 RECREATION DEPARTMENT	237,062	4,404	241,466	125,439.56	7,244.57	108,781.87	54.9%
061 LIBRARY	574,539	5,211	579,750	353,235.29	15,780.78	210,733.93	63.7%
070 BONDED DEBT	3,687,300	0	3,687,300	398,650.00	.00	3,288,650.00	10.8%
080 EMPLOYEE BENEFITS	3,563,379	-43,006	3,520,373	1,819,649.72	816,448.10	884,275.18	74.9%
090 BOARD OF EDUCATION	29,724,214	0	29,724,214	13,499,729.50	.00	16,224,484.50	45.4%
119 DEVELOPMENT COMPLIANCE	95,333	2,192	97,525	54,564.46	280.00	42,680.54	56.2%

TOWN OF CROMWELL, CT

YEAR-TO-DATE BUDGET REPORT



FOR 2019 07		JOURNAL DETAIL 2017 1 TO 2019 13					
120	CONSERVATION COMMISSION	ORIGINAL APPROP	TRANSFERS/ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET PCT USED
120	CONSERVATION COMMISSION	1,210	0	1,210	215.00	.00	995.00 17.8%
GRAND TOTAL		49,736,821	200,000	49,936,821	23,042,007.85	1,924,100.17	24,970,712.98 50.0%

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

TOWN OF CROMWELL, CT

YEAR-TO-DATE BUDGET REPORT



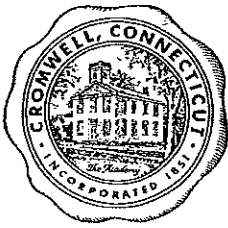
FOR 2019-07

JOURNAL DETAIL 2017-1 TO 2019-13

	ORIGINAL ESTIM REV	ESTIM REV ADJUSTMTS	REVISED EST REV	ACTUAL YTD REVENUE	REMAINING REVENUE	PCT COLL
002 TOWN CLERK'S OFFICE	-334,600	0	-334,600	-150,316.74	-184,283.26	44.9%
021 TAX COLLECTOR	-43,450,321	0	-43,450,321	-39,545,934.03	-3,904,386.97	91.0%
022 ASSESSOR'S OFFICE	-500	0	-500	-708.50	208.50	141.7%
030 PUBLIC WORKS ADMIN.	-40,300	0	-40,300	-27,210.06	-13,089.94	67.5%
033 BUILDING INSPECTION	-150,100	0	-150,100	-314,719.60	164,619.60	209.7%
040 POLICE DEPARTMENT	-88,700	0	-88,700	-34,736.13	-53,963.87	39.2%
042 ANIMAL CONTROL	-750	0	-750	-300.00	-450.00	40.0%
050 HEALTH DEPARTMENT	-25,500	0	-25,500	-3,960.00	-21,540.00	15.5%
053 SENIOR SERVICES	-1,500	0	-1,500	-1,418.00	-82.00	94.5%
054 YOUTH SERVICES	-4,000	0	-4,000	-80.00	-3,920.00	2.0%
061 LIBRARY	-8,000	0	-8,000	-4,279.56	-3,720.44	53.5%
205 BOARDS & COMMISSIONS	-4,720	0	-4,720	-16,442.20	11,722.20	348.4%
207 STATE OF CONNECTICUT	-4,517,124	0	-4,517,124	-2,557,092.44	-1,960,031.56	56.6%
208 MISCELLANEOUS SOURCES	-481,706	0	-481,706	-592,283.40	110,577.40	123.0%
999 FUND BALANCE	-629,000	0	-629,000	.00	-629,000.00	.0%
GRAND TOTAL	-49,736,821	0	-49,736,821	-43,249,480.66	-6,487,340.34	87.0%

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

Bill Dist/Susp/Bank	Name Address	Prop Loc/Vehicle Info. UniqueID/Reason	Paid Date	Tax	Int	L/F	Total Adjusted	Overpaid Tax
2015-04-0080738	FINANCIAL SER VEH TRUST 5550 BRITTON PKWY HILLIARD OH 43026	2016/WBS3U9C50G9P69028 80738	1/9/2017	792.28 1,459.36	0.00 0.00	0.00 0.00	792.28 1,459.36	-667.08
2015-04-0080749	FINANCIAL SER VEH TRUST 5550 BRITTON PKWY HILLIARD OH 43026	2015/WBA3D5C59FK290531 80749	1/9/2017	0.00 898.41	0.00 0.00	0.00 0.00	0.00 898.41	-898.41
2016-03-0051720	CAB EAST LLC 2975 BRECKINRIDGE BLVD DULUTH GA 30096	2016/IFMCU9J0GUA00839 51728	8/1/2017	583.04 635.82	0.00 0.00	0.00 0.00	583.04 635.82	-52.78
2016-03-0051726	CAB EAST LLC PO BOX 105704 ATLANTA GA 30348-5704	2014/IFADP3F23EL242963 51734	7/21/2017	43.05 257.88	0.00 0.00	0.00 0.00	43.05 257.88	-214.83
2016-03-0054218	FINANCIAL SER VEH TRUST 5550 BRITTON PKWY HILLIARD OH 43026-7456	2014/WBA5A7C58ED612947 54231	7/24/2017	52.15 628.21	0.00 0.00	0.00 0.00	52.15 628.21	-576.06
2016-03-0054223	FINANCIAL SER VEH TRUST 5550 BRITTON PKWY HILLIARD OH 43026-7456	2014/WBA5A7C55ED615143 54236	7/24/2017	209.18 628.21	0.00 0.00	0.00 0.00	209.18 628.21	-419.03
2016-03-0063064	VAULT TRUST 200 RENAISSANCE CENTE DETROIT MI 48275-0001	2014/IG11C5SLXEF156393 63103	7/21/2017	244.03 325.35	0.00 0.00	0.00 0.00	244.03 325.35	-81.32
2016-03-0063072	VAULT TRUST 200 RENAISSANCE CENTE DETROIT MI 48275-0001	2014/IGKKNVED4J295967 63111	7/21/2017	441.49 530.01	0.00 0.00	0.00 0.00	441.49 530.01	-88.52
2016-03-0063080	VAULT TRUST 200 RENAISSANCE CENTE DETROIT MI 48275-0001	2015/2G9NLFEX3F6246661 63119	7/21/2017	311.48 466.96	0.00 0.00	0.00 0.00	311.48 466.96	-155.48
2016-03-0063088	VAULT TRUST 200 RENAISSANCE CENTE DETROIT MI 48275-0001	2013/IG11E5SA6DUL50484 63127	7/21/2017	75.81 303.18	0.00 0.00	0.00 0.00	75.81 303.18	-227.37
2016-04-0081686	POINT LEASING LLC 1414 ASYLUM ST HARTFORD CT 06105-2207	2012/IFTNELEW1CDA84983 81686	12/28/2018	0.00 305.33	0.00 54.96	0.00 5.00	0.00 365.29	-305.33
2017-01-0002085	GLASS MARC J + GLASS LEVINE ROBERTA 12 TWIN OAKS DRIVE CROWWELL CT 06416	2016/2T1BR12E8WC021898 53720	1/7/2019	10,798.80 10,858.80	0.00 0.00	0.00 0.00	10,798.80 10,858.80	-60.00
2017-01-0003222	LYNCH ROBERT P JR 20 WILDWOOD ROAD CROWWELL CT 06416	2016/2T1BR12E8WC021898 53720	1/10/2019	3,477.04 3,503.12	0.00 52.15	0.00 0.00	3,477.04 3,555.27	-26.08
2017-03-0053714	DUGAY DONALD A + DUGAY FRANCES F 35 LINCOLN RD CROWWELL CT 06416-2145	2015/WBA3B5C55FP654324 54209	11/28/2018	1.61 11.82	0.00 0.00	0.00 0.00	1.61 11.82	-10.21
2017-03-0054204	FINANCIAL SER VEH TRUST 5550 BRITTON PKWY HILLIARD OH 43026-7456	2016/5UXWX9C54G0D75189 54236	11/28/2018	442.75 531.52	0.00 0.00	0.00 0.00	442.75 531.52	-88.77
2017-03-0054231	FINANCIAL SER VEH TRUST 5550 BRITTON PKWY HILLIARD OH 43026-7456	2016/5UXWX9C54G0D75189 54236	11/28/2018	234.41 703.88	0.00 0.00	0.00 0.00	234.41 703.88	-469.47
2017-03-0059927	PHAM MY H 10 NEWBURY RD CROWWELL CT 06416-1666	2010/1HGCCP2F49AA184012 59936	8/24/2018	179.72 196.00	0.00 0.00	0.00 0.00	179.72 196.00	-16.28
2017-03-0061198	SCHILLER SHIRLEY S PO BOX 1 CROWWELL CT 06416-0001	2003/2G4WS2J831190741 61209	12/26/2018	67.31 87.40	0.00 7.60	0.00 5.00	67.31 100.00	-20.09
TOTAL				17,954.15 22,331.26	0.00 114.71	0.00 10.00	17,954.15 22,455.97	-4,377.11



Town of Cromwell

NATHANIEL WHITE BUILDING
41 WEST STREET
CROMWELL, CONNECTICUT 06416

DATE: 1/8/2019
TO: ANTHONY SALVATORE, TOWN MANAGER
FROM: MARIANNE SYLVESTER, FINANCE DIRECTOR
RE: CNR REQUEST - SERVER UPGRADE

Marianne

I am requesting an appropriation of \$18,185 from CNR for a server and software upgrade.

We recently found out that the server that hosts the finance software, as well as assessment records, needs to be updated in order to accommodate a software upgrade. This includes an upgrade to the SQL software license.

This server update was unanticipated since we have not had to do such a major update in several years. Our intention is to have the software upgrade done between March 1st and June 1st, so it doesn't impact calendar year-end or fiscal year-end. I respectfully request this be appropriated as soon as possible so we can update our MUNIS software before June.

A & C COMPUTERS



Sales Service Consulting
Custom Networking

89 CHURCH STREET
EAST HARTFORD, CT 06108
(860) 289-7665

January 7th, 2019

Marianne Sylvester
Town of Cromwell

Dear Marianne,

Please find below the information that you requested.

Server Software

Microsoft Windows Server 2012 Standard - Server	\$ 995.00
Microsoft SQL Server 2014 Standard Server 4 Cores	\$ 5,999.00

Intel File Server – Rack Mount or Pedestal

Intel Quad Core Xeon Processor	
Intel Rack Server Chassis – Redundant Power Supply Built In.	
Intel Server Board - Boxed Product	
64 GB RAM Lifetime Warranty (Kingston)	
Qty (4) 2TB+ GB SATA Enterprise Data Hard Drives w/ Raid 5 setup	
Drives with Hot Swap (No Down Time to Replace Drive)	
DVD +/- RW Internal Drive	
Keyboard / Mouse	
System Price	\$ 6,950.00

Labor

Complete backup and image of server for data security.	\$ 440.00
Installation of Server 2012 on Server	\$ INC
Installation of SQL Server 2014 on Server	\$ INC
Setup User accounts and server security	\$ INC
Recover all data from previous server and restore to new server	\$ INC

Total for above work less backup and image current server	\$ 4,250.00
Work with vendors on software installs / data installs	\$ 110.00 per hour

Should you have any questions or concerns about the above quote, please do not hesitate to contact me @
(860) 289-7665.

Thank You,

Mark Austin
Mark Austin
SCI Inc
MA/djc

Accepted By: _____

Title : _____



THE POWER
OF BEING
UNDERSTOOD

AUDIT | TAX | CONSULTING

Dollar Cost Bid Proposal to Provide Professional Audit Services for:

TOWN OF CROMWELL, CONNECTICUT

February 7, 2019

Primary Contact:

Scott A. Bassett

Partner

Phone: 203-773-6615

Fax: 203-773-0591





RSM US LLP

**PROFESSIONAL AUDITING SERVICES
DOLLAR COST BID FOR
TOWN OF CROMWELL, CONNECTICUT
February 7, 2019**

1. Total All-Inclusive Maximum Price:
 - A. Proposal submitted by: RSM US LLP
 - B. The undersigned is entitled to represent the Firm, empowered to submit this bid and authorized to sign a contract with the Town of Cromwell, Connecticut.
 - C. The total all-inclusive maximum price for the years ending June 30, 2019 and 2020.
2. Rates and anticipated hours are provided in the accompanying schedule for partners, manager and staff.
3. All out-of-pocket expenses are included in the all inclusive maximum price as indicated in Appendix A.
4. Manner of Payment

It is our understanding progress payments will be made on the basis of hours of work completed during the course of the engagement and out-of-pocket expenses incurred in accordance with our firm's dollar cost bid proposal. Interim billings shall not cover a period of less than a month.

RSM US LLP

By: Scott A. Bassett
Scott A. Bassett
Partner

THE POWER OF BEING UNDERSTOOD
AUDIT | TAX | CONSULTING

Appendix A

Fee Structure

AUDIT FEE	2019	2020
General Audit	\$ 34,500	\$ 35,500
State Single Audit	\$ 5,500	\$ 6,000
Board of Education EFS Agreed Upon Procedures	\$ 5,350	\$ 5,500
Federal Single Audit	\$ 4,000	\$ 4,750
TOTAL AUDIT FEE	\$ 49,350	\$ 51,750

Rate for hours in excess of those above for services outside the specified scope:

\$140/hour year 01	\$143/hour year 02	\$145/hour year 03	\$147/hour year 04	\$150/hour year 05 *
--------------------	--------------------	--------------------	--------------------	----------------------

*All rates at blended amounts

RSM US LLP
Company Name
157 Church Street, 11th Floor
Street Address
New Haven, Connecticut 06510
City, State, Zip Code
February 7, 2019
Date

Scott A. Bassett
By (Signature)
Scott A. Bassett
Print Name
Partner
Title
203-773-6615 / 203-773-0591
Telephone/Fax



www.rsmus.com

RSM US LLP is a limited liability partnership and the U.S. member firm of RSM International, a global network of independent audit, tax and consulting firms. The member firms of RSM International collaborate to provide services to global clients, but are separate and distinct legal entities that cannot obligate each other. Each member firm is responsible only for its own acts and omissions, and not those of any other party.

For more information, visit rsmus.com/aboutus for more information regarding RSM US LLP and RSM International.

© 2019 RSM US LLP. All Rights Reserved.



RSM US LLP

December 14, 2018

157 Church Street, 11th Floor
New Haven, CT 06510

Town Council
Town of Cromwell, Connecticut

O +1 203 773 1909
F +1 203 773 0591

www.rsmus.com

Attention: Members of the Cromwell Town Council

This letter is to inform the Town Council of Town of Cromwell about significant matters related to the conduct of our audit as of and for the year ended June 30, 2018, so that it can appropriately discharge its oversight responsibility and we comply with our professional responsibilities.

The following summarizes various matters that must be communicated to you under auditing standards generally accepted in the United States of America.

The Respective Responsibilities of the Auditor and Management

Our responsibility under auditing standards generally accepted in the United States of America and *Government Auditing Standards* issued by the Comptroller General of the United States have been described to you in our arrangement letter dated June 11, 2018. The audit of the financial statements does not relieve management or those charged with governance of their responsibilities, which are also described in that letter.

Overview of the Planned Scope and Timing of the Financial Statement Audit

We have issued a separate communication dated June 11, 2018 regarding the planned scope and timing of our audit and have discussed with you our identification of, and planned audit response to, significant risks of material misstatement.

Significant Accounting Practices, Including Policies, Estimates and Disclosures

Significant accounting practices, including accounting policies, accounting estimates and financial statement disclosures affecting the Town are as follows:

Significant Estimates:

- Public Employee Retirement System Plan Assumptions
- OPEB Plans/Assumptions
- Allowance for Doubtful Accounts
- Depreciable Useful Life of Capital Assets
- Cost Sharing Plan and Assumptions

Adoption of Accounting Policies:

- The Town adopted GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other than Pension (OPEB) on July 1, 2017. This statement revised and established new financial reporting requirements for most governments that provide their employees with postemployment benefits other than pensions. The adoption of this statement resulted in a restatement to the July 1, 2017 net position.

THE POWER OF BEING UNDERSTOOD
AUDIT | TAX | CONSULTING

Audit Adjustments

There were no audit adjustments proposed by us.

Uncorrected Misstatements

We are not aware of any uncorrected misstatements other than misstatements that are clearly trivial.

Internal Control Matters and Compliance Findings

There were no significant deficiencies or material weaknesses in internal control over financial reporting identified during our audit of the basic financial statements and major awards, as required by *Government Auditing Standards* and *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* at 2 CFR 200 (Uniform Guidance).

Disagreements With Management

We encountered no disagreements with management over the application of significant accounting principles, the basis for management's judgments on any significant matters, the scope of the audit, or significant disclosures to be included in the Town's basic financial statements.

Consultation With Other Accountants

We are not aware of any consultations management had with other accountants about accounting or auditing matters.

Significant Issues Discussed With Management

No significant issues arising from the audit were discussed with or were the subject of correspondence with management.

Difficulties Encountered in Performing the Audit

We did not encounter any significant difficulties in dealing with management during the audit.

Management Representations

Attached is a copy of the management representation letter.

Closing

We will be pleased to respond to any questions you have about the foregoing. We appreciate the opportunity to continue to be of service to Town of Cromwell.

This report is intended solely for the information and use of the Town Council and is not intended to be, and should not be, used by anyone other than the Town Council.

RSM US LLP



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

TO: Anthony J. Salvatore
Town Manager

FR: Salvatore Nesci
Public Health Coordinator

DATE: February 6, 2019

RE: Food Service Establishment Classification and License Fees

- Current Town Ordinance Chapter 137-5B(1) establishes license fees for food service establishments relative to classification, (I, II, III, IV). (Attached)
- Classification is defined in Town Ordinance Chapter 137-1 (FOOD CLASSES). (Attached)
- Connecticut legislation passed in 2018 (CGS Sec. 19a-36g attached), classification of food service establishments has changed effective October 1, 2018. Classifications are established by the types of foods prepared as well as the processes used by the establishment.
- As a result, many food service establishments in Cromwell will be charged new license fees. Most of our former Class IV establishments are now considered Class III and many of our Class III are now Considered Class II. This new classification relative to our current fee structure shall result in a significant reduction in revenue. This applies to all new licenses issued and yearly renewals.
- Total license revenue for all food service establishment classes in 2018 was approximately \$16,395. Under the new classification, with no change to town ordinance, total revenue for 2019 would be approximately \$12,895. This is reduction of \$3500.
- Under the former classification system, the Town of Cromwell held the following number food service establishments by classification including exemptions (non-profit): 22 Class I, 7 Class II, 22 Class III, and 56 Class IV...totaling 107 food service establishments.
- Under the new classification system, the Town of Cromwell holds the following number of food service establishments by classification including exemptions (non-profit); 22 Class I, 23 Class II, 51 Class III and 11 Class 4...totaling 107 food service establishments.
- I am respectfully requesting amending town ordinance to reflect a change to our classifications as identified as well as an increase in the license fee for Class II from \$125 to \$150 and Class III from \$150 to \$200. (See attached)

Thank you for your time and consideration. I am available to answer any question and assist as needed.

Chapter 137. Food Establishments

[HISTORY: Adopted by the Town Council of the Town of Cromwell 4-6-2016.[1] 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

Alcoholic beverages — See Ch. 76.

Civil emergencies — See Ch. 110.

Health standards — See Ch. 146.

Peddling and soliciting — See Ch. 178.

Sanitation — See Ch. 189.

Zoning — See Ch. 236.

Farmers' markets — See Ch. 179

[1]

Editor's Note: This ordinance also superseded former Ch. 137, Food Establishments, adopted BOS 9-9-1980, as amended.

§ 137-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CERTIFIED AGENT

One who has been certified by the State of Connecticut as a food service establishment inspector.

DIRECTOR OF HEALTH

The Director of Health for the Town of Cromwell or the Registered Sanitarian, who is his authorized agent, who shall enforce this chapter.

FARMERS' MARKET

As defined in Chapter 179: An approved, formally organized and regularly scheduled event for the sale of local food produce and products in a common marketplace which is certified and operated under the general guidelines and auspices of the State Department of Agriculture.

FOOD

Any raw, cooked or processed edible substance, beverage or ingredient, including ice, used or intended for use, in whole or in part, for human consumption.

FOOD CLASSES

As defined by the State of Connecticut Public Health Code and Regulations in accordance with Connecticut General Statutes, § 19a-36g:

A-

~~Class I is a food service establishment with commercially packaged foods and/or hot or cold beverages only. No preparation, cooking or hot holding of potentially hazardous foods is included except that commercially packaged precooked foods may be heated and served in the original package within four hours.~~

B-

~~Class II is a food service establishment using cold or ready-to-eat commercially processed food requiring no further heat treatment and/or hot or cold beverages. No cooking, heating or~~

~~hot holding of potentially hazardous foods is included, except that commercially packaged precooked foods may be heated and served in the original package within four hours, and commercially precooked hot dogs, kielbasa and soup may be heated if transferred directly out of the original package and served within four hours.~~

C.

~~Class III is a food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and consumed by the public within four hours of preparation.~~

D.

~~Class IV is a food service establishment having on the premises exposed potentially hazardous foods that are prepared by hot processes and held for more than four hours prior to consumption by the public.~~

FOOD ESTABLISHMENT

Any vehicle or place where food or beverage intended for human consumption is manufactured, prepared, stored, offered for sale, sold, served or given to the public or nonmembers, including farmers' markets. For purposes of clarification, nothing in this chapter shall include any religious ceremony, functions at private homes or affairs in establishments which cater exclusively to members and their guests.

FOOD VENDING MACHINE

A device automatically operated to supply food without the direct supervision of a human being.

ITINERANT FOOD ESTABLISHMENTS

Commercial food vendors preparing and selling food from a truck, trailer, tent or other movable venue.

§ 137-2. License required; conditions of license; posting required.

It shall be unlawful for any person to operate a food establishment within the Town of Cromwell without possessing a valid license or a written determination from the Director of Health that no license is required. Only a person who complies with the requirements of the Public Health Code of the State of Connecticut shall be entitled to receive and retain such a license. Licenses shall not be transferred from one person to another person or from one location to another. Unless a different timeline is provided for in the license, all licenses shall expire on June 30 of each year. The owner or proprietor of a food establishment or a food vending machine shall keep a valid license posted in a conspicuous public location visible to the patrons of the establishment, protected against defacement or damage at all times.

§ 137-3. Exemptions.

Residents of the Town of Cromwell offering fresh fruits and vegetables grown on and sold from their own property shall be exempt from this chapter.

§ 137-4. Application procedure; fees.

A.

Any person desiring to operate a food establishment (including participation in a farmers' market) shall make application to the Director of Health. Such application shall be made at the time of submission of an application to any other Town agency if such an application is required for the planned activity or use or at least five days prior to the intended opening or change of ownership of such an establishment. The application

shall be on a form provided by the Department of Health, and it shall be within the Director's discretion to determine whether a license and/or plan review fee is required.

B.

Plan review fee. There shall be a nonrefundable application fee of \$100 payable at the time of application, unless exempt. Proposed food establishments that are exempt from a plan review fee include:

(1)

Farms and gardeners of the Town of Cromwell selling homegrown produce, homemade prepared foods and samples at a farmers' market.

(2)

Cromwell-licensed food establishments intending to participate in a farmers' market.

(3)

Charitable, philanthropic, ecclesiastical and civic organizations regularly organized and/or functioning in the Town.

C.

Such application form shall require, at a minimum:

(1)

The name, post office address and telephone number of the owner, owners or partners who shall be considered the applicant. The same information must be provided for the manager, who shall be responsible for the day-to-day operation of the establishment.

(2)

The location, type of proposed food operation that is intended and relevant plans for the construction and operation of the establishment.

(3)

The signature of the applicant and the application fee, if applicable.

(4)

Any other information deemed required by the Director of Health.

§ 137-5. License procedure; fees; renewal.

A.

It shall be within the discretion of the Director of Health to determine whether a license is required and the appropriate licensing fee in accordance with the following license fee schedule.

B.

License fee schedule. License fees shall be paid as follows:

(1)

Food establishment fees per class, including itinerant vendors:

(a)

Class I: \$100.

(b)

Class II: \$125. \$150.

(c)

Class III: \$150. \$200.

(d)

Class IV: \$200.

(e)

Temporary license, seven days or less: \$50.

(f)

For all food vending machines owned by one vendor at one location: \$10.

(g)

Food service plan review for extensive remodeling: \$50.

(h)

Public schools, nonprofit charitable and religious organizations and civic groups: no fee.

(i)

Local produce sold directly from a commercial garden or farm: no fee

(j)

Farms with a valid food establishment license issued by another health district or municipality: no fee.

(k)

Food establishments already holding a valid food establishment license from the Town of Cromwell: no fee.

(l)

Itinerant food establishments: an amount equal to the fee for that food establishment class.

(2)

Where there has been a failure to file the required application within the five-day period specified and the establishment has commenced and/or continued to operate without the required approval or license, there shall be a penalty which shall be added to and collected with all the other fees required. The penalty shall be 50% of the fees required, if any, or \$10, whichever is greater, for every seven calendar days or part thereof during which the establishment shall have operated without an appropriate approval or license from the Director of Health. This penalty shall be doubled for every additional week or part thereof during which operation of the establishment unlawfully continues. The imposition or payment of this penalty shall not be deemed to excuse the operation of a food establishment without the required approval or license or to prevent the imposition of any other penalty prescribed by this chapter or other provision of law.

(3)

Renewal of license. The holder of a valid food establishment license may submit an application, amended with the current date, if necessary, 30 days prior to the expiration of the current license. The license holder has the obligation to initiate the renewal request.

(4)

Duties of Director of Health in issuing license. After submission of a completed application and after investigation, the Director of Health shall determine whether a license is required and issue that license if the food establishment conforms to the requirements of this chapter and the regulations of the appropriate state agencies that are incorporated into this chapter. If the Director of Health finds that the establishment is incomplete or fails to meet these requirements or if the establishment does not comply with other municipal codes or regulations, the license may, at the discretion of the Director of Health, be either denied without prejudice, or action may be suspended for a stated period not to exceed 30 days for such compliance to be accomplished.

§ 137-6. Inspection; procedure upon discovery of violations.

A.

The Director of Health or his certified agent shall inspect and reinspect each food establishment within the Town of Cromwell as is necessary for the enforcement of this chapter.

B.

After proper identification, the Director of Health or his certified agent shall be permitted to enter at any reasonable time any food establishment, licensed or not, for the purpose of determining compliance with this chapter. Inspections necessary after business hours shall be allowed upon reasonable notice to the license holder or manager.

C.

The Director of Health or his certified agent shall be permitted to examine all areas of the food establishment and its surroundings and all employment and business records of the establishment to obtain pertinent information pertaining to the equipment, food and supplies purchased, received and used as well as the health and hygiene of the persons employed.

D.

The Director of Health or his certified agent may condemn, upon immediate notice, foods, foodstuffs and other related substances which have been subjected to fire, smoke, flooding, loss of refrigeration or other gross mistreatment. The Director of Health or his certified agent shall make an itemized list of such destroyed items to be kept as a record, a copy of which shall be made available to the license holder upon request.

E.

The Director of Health or his certified agent may, without prior written notice, obtain a sample and/or place a hold order upon any food, foodstuff or substance which he has determined or has probable cause to believe unwholesome, deteriorated, adulterated or otherwise potentially unsafe for consumption or use.

F.

The Director of Health or his certified agent will confirm such action with written notice to the license holder by means of an inspection report or notice of violation.

G.

Under a hold order such foods or other substances shall be suitably stored to maintain the conditions as originally found so long as adequate safeguards can be maintained against the removal or misuse of the items in question. No foodstuffs or the containers thereof shall be relabeled, repacked, reprocessed, altered or disposed of or used without the written permission of the Director of Health.

§ 137-7. Notice of violation; reinspection.

A.

Whenever the Director of Health or his certified agent makes an inspection and finds a violation of the Public Health Code or of this chapter, he shall make notice of such violation by means of an inspection report or other written notice. In any such notice of violation, there shall be stated:

(1)

The specific violation.

(2)

A definite and reasonable time for its correction, considering the duration of the operation of the food establishment, the hazard to the public and the complexity of the correction.

(3)

The consequence of failure to correct the violation.

(4)

A statement that an opportunity for an administrative hearing before the Department of Public Health can be requested to contest the notice of the violation or hold order if such a written request is submitted by the license holder to the Department of Public Health within three business days of the first knowledge of the notice, either written or oral.

B.

Whenever a reinspection is made subsequent to an initial inspection which resulted in the issuance of a notice of violation and the investigator finds that the violation(s) has not been corrected, an inspection fee of \$75 shall be paid and collected for each such reinspection required.

C.

The imposition of this fee or its payment shall not be deemed to excuse any violation found pursuant to this chapter or to prevent the imposition of any penalty prescribed by this chapter or other provision of law.

§ 137-8. Suspension of license.

A.

A license may be temporarily suspended by the Director of Health upon violation by the food establishment or its operators of any requirement of this chapter, for any condition that is deemed by the Director of Health to be an imminent health hazard, for serious or repeated violations or for interference with the Director of Health or his certified agent in the performance of his duties.

B.

Notice of suspension of a license must be given orally, but must be followed within 18 hours by written notice or confirmation. Said written notice must contain the reasons for the action and shall direct the operators of the establishment to immediately discontinue all food service operations. Said notice shall also inform the license holder of his right to a hearing before the Commissioner of Health if written request for such hearing is submitted to the Department of Public Health within three days of the notice of suspension.

C.

Any person whose license has been suspended may make written request for a reinspection. Such request must contain a signed statement that the cited violations have been corrected. A reinspection shall be made within five days of receipt of such a request, and if the violations have been corrected, the license will be reinstated.

D.

Upon receipt of an order of suspension, the license holder shall post a copy of said order upon the inner surface of a glass panel facing outwards onto the public entity to the establishment so that the public may have notice of the suspension of the license to operate. Failure to post said copy or to remove the same shall be an assumption of full liability for any cause of action, public or private, based upon defiance of said order, and the license holder and those having notice of said order shall hold the Town of Cromwell blameless.

§ 137-9. Revocation of license.

A.

A food establishment license may be revoked by the Director of Health for refusal to comply with an order of suspension or the regulations of the Public Health Code or for repeated violations which demonstrate an inability to provide wholesome and hygienic foods to the public. A license can only be revoked after an opportunity for a hearing has been provided before the Department of Public Health. Notice of a revocation of a license shall provide at least 12 working days before the date of delivery of the notice and the date of its effect. Said notice will be in writing and signed by the Director of Health.

B.

In accordance with Connecticut General Statutes, § 12-146a, a food establishment license may be denied or revoked by the Director of Health for any premises for which personal property taxes due on such property, used in a business enterprise located on the premises for which such license for food establishment is sought, are delinquent, as follows:

(1)

Such taxes remain unpaid, in whole or in part, for one year past the date upon which such taxes were due; and

(2)

The total unpaid taxes, for the current and any prior tax period(s) combined, exceed 50% of the current annual taxes due for such business personal property used by the business seeking such license for food establishment.

C.

All other procedures for revocation shall be as described in § 137-9, except that any person aggrieved by the denial or revocation pursuant to the preceding Subsection B may appeal such decision as provided in this Subsection C. Hearings concerning any denial or revocation of any food establishment license hereunder shall be in accordance with Connecticut General Statutes, § 7-152c, as the same may be amended from time to time. The Town Manager shall appoint not more than two persons to serve as hearing officers. No such hearing officer shall be a police officer or employee or person who issues citations. The compensation of the hearing officers shall be set by the Town Council. In addition to the requirements of Connecticut General Statutes, § 7-152c, all hearings under this chapter shall conform to the requirements for fundamental fairness, rules of evidence, and other procedures required by law for administrative hearings involving the denial or revocation of licenses.

D.

Except for a revocation pursuant to Subsection B above, a license holder or establishment that has had its license revoked shall not be eligible for consideration of a new application for a food establishment license until 30 days have elapsed after the correction of all defects and violations noted in prior inspection reports and notices of violations.

§ 137-10. Communications; appeals.

A.

All communications to the license holder shall be properly delivered and served when a copy of the inspection report or other notice has been left with the operator of the establishment, or in the door if the establishment is closed, or has been personally delivered or mailed by certified mail to the license holder as specified by name and address on the current license application. The term "operator" shall include the senior employee on the premises at the time of delivery.

B.

Any person aggrieved by a regulation or by an action of the Director of Health shall have the right to a review by the superior of that party. If such a review is not forthcoming or is unsatisfactory, the aggrieved party can petition for an appeal before the Commissioner of Health.

§ 137-11. Standards; limitation on appeals.

A.

The Director of Health is authorized to establish requirements for food establishments and vending machines beyond those requirements currently in effect as the regulations of the Connecticut Department of Health and the Department of Consumer Protection, which are herein incorporated into this chapter.

B.

The right to appeal is limited to 20 days after the enactment of the regulation.

§ 137-12. Submission of plans of new or renovated structures.

A.

When food establishments are hereafter constructed, renovated or remodeled, or when existing structures are to be converted for use as a food establishment, or when a change is to be made in the menu requiring a change in equipment or operation of an existing food establishment, such intentions shall require the submission of

detailed plans to the Director of Health prior to the obtaining of any other required permits and prior to the start of alterations.

B.

Such plans shall show the layout, construction materials, arrangement of work and storage areas, the location, size and type of fixed equipment and facilities. The menu, service expectations and any other information necessary to evaluate the proposed construction or alteration may be required for submission and evaluation.

§ 137-13. Violations and penalties.

Any person who shall violate any provision of this chapter shall, in addition to any other penalties or fees provided herein, be subject to a fine of not less than \$50 nor more than \$200 and/or imprisonment for up to 30 days for each day that an offense continues between the date of notice of violation and the date of correction, as known by reinspection or the date of disposition by a court of competent jurisdiction.

§ 137-14. Suspension of provisions.

During emergencies and disasters, the provisions of this chapter may be waived.

§ 137-15. Failure of Town to act on applications for temporary licenses.

If an application for a temporary license is submitted and not acted upon within 10 days, then the intended opening and operation of such establishment shall not be delayed by the Town.

Sec. 19a-36g. Food code. Definitions. As used in this section and sections 19a-36h to 19a-36o, inclusive:

(1) "Catering food service establishment" means a business that is involved in the (A) sale or distribution of food and drink prepared in bulk in one geographic location for retail service in individual portions in another location, or (B) preparation and service of food in a public or private venue that is not under the ownership or control of the operator of such business;

(2) "Certified food protection manager" means a food employee that has supervisory and management responsibility and the authority to direct and control food preparation and service;

(3) "Class 1 food establishment" means a food establishment that only offers for retail sale (A) prepackaged food that is not time or temperature controlled for safety, (B) commercially processed food that (i) is time or temperature controlled for safety and heated for hot holding, but (ii) is not permitted to be cooled, or (C) food prepared in the establishment that is not time or temperature controlled for safety;

(4) "Class 2 food establishment" means a retail food establishment that does not serve a population that is highly susceptible to food-borne illnesses and offers a limited menu of food that is prepared, cooked and served immediately, or that prepares and cooks food that is time or temperature controlled for safety and may require hot or cold holding, but that does not involve cooling;

(5) "Class 3 food establishment" means a retail food establishment that (A) does not serve a population that is highly susceptible to food-borne illnesses, and (B) has an extensive menu of foods, many of which are time or temperature controlled for safety and require complex preparation, including, but not limited to, handling of raw ingredients, cooking, cooling and reheating for hot holding;

(6) "Class 4 food establishment" means a retail food establishment that serves a population that is highly susceptible to food-borne illnesses, including, but not limited to, preschool students, hospital patients and nursing home patients or residents, or that conducts specialized food processes, including, but not limited to, smoking, curing or reduced oxygen packaging for the purposes of extending the shelf life of the food;

(7) "Cold holding" means maintained at a temperature of forty-one degrees Fahrenheit or below;

(8) "Commissioner" means the Commissioner of Public Health or the commissioner's designee;

(9) "Contact hour" means a minimum of fifty minutes of a training activity;

(10) "Department" means the Department of Public Health;

(11) "Director of health" means the director of a local health department or district health department appointed pursuant to section 19a-200 or 19a-242;

(12) "Food code" means the food code administered under section 19a-36h;

(13) "Food establishment" means an operation that (A) stores, prepares, packages, serves, vends directly to the consumer or otherwise provides food for human consumption, including, but not limited to, a restaurant, catering food service establishment, food service establishment, temporary food service establishment, itinerant food vending establishment, market, conveyance used to transport people, institution or food bank, or (B) relinquishes possession of food to a consumer directly, or indirectly through a delivery service, including, but not limited to, home delivery of grocery orders or restaurant takeout orders or a delivery service that is provided by common carriers. "Food establishment" does not include a vending machine, as defined in section 21a-34, a private residential dwelling in which food is prepared under section 21a-62a or a food manufacturing establishment, as defined in section 21a-151;

(14) "Food inspector" means a director of health, or his or her authorized agent, or a registered sanitarian who has been certified as a food inspector by the commissioner;

(15) "Food inspection training officer" means a certified food inspector who has received training developed or approved by the commissioner and been authorized by the commissioner to train candidates for food inspector certification;

(16) "Food-borne illness" means illness, including, but not limited to, illness due to heavy metal intoxications, staphylococcal food poisoning, botulism, salmonellosis, shigellosis, *Clostridium perfringens* intoxication and hepatitis A, acquired through the ingestion of a common-source food or water contaminated with a chemical, infectious agent or the toxic products of a chemical or infectious agent;

(17) "Food-borne outbreak" means illness, including, but not limited to, illness due to heavy metal intoxications, staphylococcal food poisoning, botulism, salmonellosis, shigellosis, *Clostridium perfringens* intoxication and hepatitis A, in two or more individuals, acquired through the ingestion of common-source food or water contaminated with a chemical, infectious agent or the toxic products of a chemical or infectious agent;

(18) "Hot holding" means maintained at a temperature of one hundred thirty-five degrees Fahrenheit or above;

(19) "Itinerant food vending establishment" means a vehicle-mounted, self-contained, mobile food establishment;

(20) "Permit" means a written document issued by a director of health that authorizes a person to operate a food establishment;

(21) "Temporary food service establishment" means a food establishment that operates for a period of not more than fourteen consecutive days in conjunction with a single event or celebration;

(22) "Time or temperature controlled for safety" means maintained at a certain temperature or maintained for a certain length of time, or both, to prevent microbial growth and toxin production; and

(23) "Variance" means a written document issued by the commissioner that authorizes a modification or waiver of one or more requirements of the food code.

(P.A. 17-93, S. 2.)

Sec. 19a-36h. Adoption by reference of United States Food and Drug Administration's Food Code. Regulations. (a) Not later than July 1, 2018, the commissioner shall adopt and administer by reference the United States Food and Drug Administration's Food Code, as amended from time to time, and any Food Code Supplement published by said administration as the state's food code for the purpose of regulating food establishments.

(b) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of this section and sections 19a-36i to 19a-36m, inclusive.

(P.A. 17-93, S. 3.)

Revised and Updated Economic Development Incentive Guidelines

(Please note that comments and new text is in bold type)

Town of Cromwell

I. Overview

The primary objective of offering economic development incentives is to encourage the strategic economic growth and expansion of businesses through the establishment of a public/private partnership, consistent with the Town of Cromwell's Plan of Conservation and Development ("POCD"). In addition, the Town of Cromwell, in adopting these incentive guidelines, establishes the following broad objectives:

1. Preservation and creation of jobs for local residents
2. High-quality, long-term growth of the Town of Cromwell's tax base
3. Stimulation of the local economic conditions to strengthen existing businesses and to develop growth in strategic industries
4. Accomplishment of community goals as stated in the current POCD

Any proposed incentives shall be subject to approval by the **Town Council**, upon the recommendation of the Town **Manager**.

II. General Requirements

Applicants for incentives will be considered if the following circumstances apply:

1. The proposed project is located in an appropriate zone as defined in the Cromwell Zoning Regulations

2. There is a commitment to remain in the town beyond the length of the abatement or other incentive period if applicable
3. All tax obligations to the Town by the Applicant are current
4. Reasonable efforts will be made to employ Town residents
5. The project meets goals and objectives identified in the current POCD
6. Reasonable efforts will be made to use Cromwell businesses during construction and operation

In addition, applicants must meet the following eligibility criteria:

1. Applicant must be a for-profit enterprise that is entitled to operate legally in the State of Connecticut
2. Applicant must not be in violation of any law, regulation or agreement with the Town, State or Federal Government
3. Applicant must demonstrate a solid financial base and reasonable growth potential
4. Applicant must be committed to make a significant investment in new or rehabilitated real or personal property
5. Applicant's project must provide the Town of Cromwell the opportunity to create new employment, enhance the tax base, encourage technological innovation or investment, or address another goal or objective identified in the POCD

III. Qualifying Locations

Areas targeted for strategic economic development will receive priority in consideration for incentives:

1. Downtown: lower Main Street (south of West Street) and areas east
2. Brownfields
3. Kirby Road
4. Geer Street and areas north
5. Route 3 Area, north of Court Street

6. Northern Tier (Commerce Drive and areas north)

IV. Qualifying Businesses

Generally, the following types of for-profit enterprises shall receive consideration for incentives:

1. Those belonging to target industries as identified in the current POCD or other economic development planning tools
2. Those belonging to targeted industry clusters as identified by the State of Connecticut Department of Economic and Community Development
3. Those proposing a project that advances a stated goal or objective of the POCD

In addition, there are location-specific requirements for the type of enterprises eligible for consideration:

1. Downtown
 - a. Strategic businesses (must be conforming use)
 - b. Locally owned small businesses consistent with POCD
 - c. Restaurants (excluding national chains)
 - d. Affordable 1 BR or loft-style dwellings targeting young professionals or retirees, with 2 BR dwellings considered only in special circumstances
 - e. Cultural establishments (theatres, performing arts)
 - f. Boutique retail shops – (clothing, book stores, art galleries)
 - g. Specialty food store (Italian market, bakery, chocolatier)
 - h. Upscale wine bar or martini bar
2. Brownfields
 - a. Any business that does not deteriorate the public image of Cromwell and does not have a significant environmental impact
3. Kirby Road
 - a. Professional services and office buildings
4. Geer Street

- a. Any development that is consistent and compatible with adjacent business parks in Rocky Hill (light manufacturing and business parks)
5. Route 3 Area
 - a. Retail businesses for any property with frontage on Route 3
 - b. For properties without frontage on Route 3, any development that is consistent and compatible with adjacent business parks in Rocky Hill (light manufacturing and business parks)
6. Northern Tier
 - a. Businesses with a significant and positive impact to Cromwell in industries that are consistent with the POCD for the area

V. Application Procedure

1. Applicant contacts Economic Development Coordinator or visits Office of Developmental Services at Town Hall
 - a. Copy of Economic Development Incentive Guidelines is issued, along with Exhibits A&B.
 - b. Contact information for Economic Development Coordinator is provided to applicant.
2. Economic Development Coordinator receives draft of application (see Exhibit A for details), helps applicant to complete application, and verifies its accuracy.
3. If applicant is existing Cromwell business, Economic Development Coordinator notifies Tax Collector's Office of pending application.
4. If existing Cromwell business, Tax Collector's Office issues statement of tax payment history to Economic Development Commission ("EDC").
5. EDC reviews application, votes to either recommend acceptance or denial of application, based upon guidelines and tax payment history, and provides commentary to **Town Manager**, with copies sent to Tax Assessor and Finance Director.
6. Tax Assessor and Finance Director review application and EDC's commentary and provide their own recommendations and commentary to **Town Manager**.

(There was some concern raised by the Council members at the last tax abatement discussion regarding the staff review and comments required in #6. versus the recommendation of the Economic Development Commission. The Council may wish amend this section.)

7. Economic Development Coordinator submits draft of proposal to applicant, along with request for updated application, with copies of draft sent to **Town Council**.
8. If applicant decides to proceed with construction/renovation, applicant provides updated application (timeline, extent of construction/renovation, etc.) to Economic Development Coordinator.
9. Economic Development Coordinator notifies **Town Manager** and **Town Council** of decision by applicant to proceed and provides a copy of the updated application.
10. **Town Manager** reviews updated application and makes recommendation to the **Town Council**.
11. The updated application and terms and conditions are presented to the **Town Council** for final approval, upon the recommendation of the **Town Manager**.
 - a. Economic Development Coordinator notifies applicant of decision
 - b. If approved, the **Town Manager** and Economic Development Coordinator work on specifics of contract based upon latest information and any additional conditions required by the **Town Council**.
12. If application is approved, **Town Manager** works with Town Attorney to draft formal contract that includes a strict but reasonable timeline and expiration date, along with other terms and conditions per the economic development incentive guidelines.
13. Economic Development Coordinator presents contract to applicant.
14. If signed by applicant, contract is then signed by **Town Manager**.
15. **Town Manager's** Office sends copies of signed contract to applicant, Tax Assessor, Tax Collector, Finance Director, Town Planner, and Economic Development Coordinator.

VI. Policy Waiver

In the event of unusual or extraordinary circumstances, the **Town Council**, upon the recommendation of the **Town Manager**, may alter or otherwise waive any and all requirements contained herein so long as the project is consistent with the goals and objectives of the current POCD.

VII. Types of Incentives

The Town may provide economic development incentives as it may be eligible to provide in accordance with State Statutes including but not limited to Personal and Real Property Tax Abatements (See Exhibit B) or Rebates; grants, loans, loan guarantee, down payment, employment or local hiring credit; public infrastructure improvements, job training program or other purchase assistance.

Exhibit A

APPLICATION REQUIREMENTS AND PROCEDURES:

Required Supporting Documentation

Applications should include where appropriate the following:

1. Letter requesting consideration for Economic Development Incentives Program.
2. Name and current address of the company to operate the business.
3. Name, address, and principles of entity that will own the real property.
4. Financial information on the operating business (3 years if possible).
5. Narrative on the business describing products or services to be produced or provided.
This should include current and future number of employees as well as any plans for future growth.
6. Listing of Chief Officers of the business and a brief description of their background.
7. Timeline of proposed schedule for construction and/or renovation
8. Number of jobs created, facility employment (total), and facility Payroll (total)
9. Circumstances, which would justify approval of the tax assessment reduction.
10. Construction cost:
 - a. Land cost, building costs
 - b. Construction payroll
 - c. New furniture and equipment
11. Operating cost:
 - a. Annual sales by the facility in the jurisdiction
 - b. Annual facility purchases of operating items subject to sales tax
12. Amount of facility purchases from local wholesalers
13. Amount of facility purchases from local service firms
14. Amount of facility purchases from local manufacturers (include SIC codes)

Exhibit B

Tax Abatement Options by Strategic Location

Unless otherwise restricted by Connecticut State Statute (see 12-65B), tax abatement will be offered as follows, based upon location and proposed amount to be spent on construction and renovations:

1. Downtown
 - a. Over \$3 million in construction and renovations, 100% of fixed assessment for 7 years
 - b. Over \$500 thousand... 100% of fixed assessment for 2 years
 - c. Over \$100 thousand... 50% of fixed assessment for 3 years
2. Brownfields
 - a. Maximum benefit
3. Kirby Road
 - a. Over \$3 million in construction and renovations, 100% of fixed assessment for 3 years OR 50% of fixed assessment for 7 years
 - b. Over \$500 thousand... 100% of fixed assessment for 1 year OR 60% of fixed assessment for 2 years
 - c. Over \$100 thousand... 50% of fixed assessment for 1 year OR 30% of fixed assessment for 2 years
4. Geer Street
 - a. Maximum benefit for 1st 5 buildings, on a case-by-case basis for each additional building
5. Route 3 Area
 - a. For retail businesses, same as Kirby Road
 - b. For light manufacturing and business parks, same as Geer Street
6. Northern Tier
 - a. On a case-by-case basis

TOWN OF CROMWELL
41 West Street
Cromwell, CT 06416
(860) 632-3412
(860) 632-3435 -Fax

APPLICATION FOR USE OF TOWN FACILITIES

Application Date: _____ Name of Organization: _____

Contact person: _____ Position: _____

Contact telephone numbers (home & work): _____

Contact mailing address: _____

Person responsible for supervision of event: _____

Supervisor telephone numbers (home & work): _____

Supervisor mailing address: _____

Date(s) requested: _____ Times requested from: _____ to _____

Room requested: _____ Number of attendees: _____

What is the purpose of this event or meeting? _____

What non town-equipment will be used? _____

What, if any, refreshments will be served? _____

As an authorized representative of the above named organization, I agree that the organization will be fully responsible for the care of the facilities requested and for the complete supervision of all persons entering in connection with this activity. I further agree that this organization will reimburse the Town of Cromwell in full for any and all damage to Town property resulting from the requested use. ~~I understand that I must complete and sign the Room Use Activity Report before and after utilizing the facility.~~ I have read the attached Town of Cromwell Policy for Use of Municipal Facilities or Town Gymnasium, ~~as applicable, the Room Chart, and the Room Use Activity Report~~ and hereby certify that the organization which I represent and the activity which we are sponsoring fully meets the conditions set forth, and hereby agree to observe all of the rules and procedures outlined in the policy.

Applicant's signature

Date

FOR OFFICE USE ONLY

Certificate of Insurance On File (Y/N): _____ Expiration date: _____

____ Approved or ____ Not Approved by _____

Town Manager

Approved by Board of Selectman 6/13/01

TOWN OF CROMWELL
POLICY FOR USE OF MUNICIPAL MEETING ROOMS

1. Since the facilities to be used are public property, rooms will be available for meetings and activities of Cromwell non-profit civic, cultural, and educational organizations.
2. Out-of-town groups will be allowed only on occasions when the building is NOT scheduled for local use, and the intended use by such group will directly benefit the citizens of Cromwell.
3. Permission to use these facilities does not constitute an endorsement by the Town of any group's beliefs, policies, or activities.
4. Priority will always be given to Official Town Business when there are conflicts of time and space.
5. Town Hall Facilities are normally available Monday through Saturday from 8:30 a.m. to 11:00 p.m. (8:30 a.m. to 10:30 p.m. for the Town Hall Gym) exclusive of Legal Holidays.
6. Applicants will be responsible for holding the Town of Cromwell harmless from any liability claim arising from the use of any area. Any applicant not affiliated with the Municipal Function shall provide a certificate of insurance in the amount of one million (\$1,000,000) dollars.
7. The Town Manager is responsible for scheduling and approving the use of any meeting room. Building Use Forms are available in the Town Manager's Office. The Town Manager reserves the right to reject any application or to cancel the privilege of use by any group if, in the Town Manager's opinion, said group might cause undue hardship on staff or the facility.
8. No smoking, consumption of alcoholic beverages or drugs will be allowed in the building.
9. Applications for meeting room use must be submitted to the Town Manager NO LESS than four (4) weeks prior to the event. Annual reservations must be renewed prior to January 31st of each year. Exceptions will only be granted for Official Town Business.
10. Applicants using meeting rooms shall be responsible for providing proper supervision and payments of costs arising from any damage or loss during such use.
11. Furnishings for the meeting rooms will be that only provided by the Town. The Town will not be responsible for equipment, supplies, or materials provided by the applicant.
12. Clean up from serving refreshments will be the responsibility of the applicant.
13. Soft soled shoes or sneakers will be required during scheduled use of the Town Hall Gym.
14. Applicants using meeting rooms when custodial staff is not scheduled shall be required to have and to pay such fees incurred, for the attendance of a custodian on an overtime basis.
15. Wedding ceremonies may be performed by a Justice of the Peace in Public Areas of the Town Hall with the approval of the Town Manager; contingent to the following"
 - A maximum of five people may attend the ceremony.
 - The Justice of the Peace is responsible for holding the Town of Cromwell harmless from any liability claim arising from the use of any area by providing a certificate of insurance in the amount of one million (\$1,000,000) dollars.
 - The Justice of the Peace will donate \$25.00 to either the Senior/Human Services, Library or Recreation Departments.

Applicant's initials _____

Approved by Board of Selectman 6/13/01

**TOWN OF CROMWELL
TOWN COUNCIL MEETING
JANUARY 9, 2019
7:00 P.M. TOWN HALL COUNCIL CHAMBERS**

MINUTES

Present: Mayor E. Faienza, Deputy Mayor R. Newton, S. Slade, F. Emanuele,
J. Demetriades, A. Waters, M. Johnson
Also Present: Town Manager A. Salvatore, Chief of Police D. LaMontagne, Assistant
Director of Public Works/Town Engineer J. Harriman, Director of Finance M. Sylvester,
Public and Press

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

F. Emanuele led the Pledge of Allegiance

C. APPROVAL OF AGENDA

Mayor Faienza recommended the following amendments; Table Financial #3,
New Business 1 & 2, hear both together; vote on them separately. Move New
Business #4 and Correspondence #1 to Executive Session. New Business #5.

Discussion and possible action to amend the entire ordinance

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to
approve amending the agenda.

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

D. COMMISSION CHAIRMAN REPORTS/LIASON REPORT/STAFF REPORTS

1. Economic Development Coordinator's Report

Director of Planning and Development/EDC Coordinator S. Popper submitted a
written report.

E. CITIZEN COMMENTS

1. M. Weidler, Main Street -Shadow Lane - collapsed dam & culvert.
2. R. Waters, South Street -Salt was used on roads the last storm and also
discussed Cromwell Creek
3. R. Jahn, Woodside Road -Spoke regarding items New Business 4 & 5.

F. MAYOR'S UPDATE

Mayor Faienza reported:

- Today is Police Appreciation Day; thanked the Cromwell Police Department.
- Had the opportunity to tour Scannell; it is an amazing project.
- He will reach out to the Fire District to resume talks on combining services.

- The Business visitations will continue in January.
- Café Luna had a soft opening.
- Joe's Filling Station is now open.
- The Chamber Division will be held at Autumn Lake.
- Acknowledged Ann Grasso from the Creative District.

G. TOWN MANAGER'S UPDATE

Town Manager Salvatore reported:

- Toured Scannell; the building is huge and has the availability for expansion.
- Had a Staff Meeting regarding the upcoming Budget Process.

H. CHIEF OF POLICE'S UPDATE

Chief Lamontagne reported:

- The newest officer, Ramon Lima, was sworn in on December 28th.
- The two officers in the academy are doing well.
- Officer Hennessey is in the 3rd week of FTO and is doing well.
- On December 18th there was a break in at the Sunoco Station. Officer John Carlson and K-9 Bane responded and apprehended the perpetrators who were attempting to steal the ATM machine. Chief Lamontagne stated that Officer Carlson and K-9 Bane did a phenomenal job.

I. PUBLIC WORKS DIRECTOR'S UPDATE

Assistant Director of Public Works J. Harriman provided the following updates:

- The Budget Process had begun.
- Christmas Tree Pickup.
- Work at the Transfer Station.
- Pothole patching.
- MS-4 report is due at the end of the month.
- Update on the Library Project.

J. FINANCE DIRECTOR'S UPDATE

1. Set Dates and Times for 2019-2020 budget Workshops

Mayor Faienza recommended the Capital Improvement Program Public Hearing on March 4th at 6:00 p.m. and the Budget Workshop at 6:10 p.m. The second Budget Workshop March 6th at 6:30 p.m.

Motion made by R. Newton seconded by F. Emanuele and *unanimously carried* to set the above dates for the 2019/2020 budget workshops.

2. Authorize Mayor to set Date/ Time for public hearing on the Capital Improvement Program

Motion made by R. Newton seconded by S. Slade and *unanimously carried* to authorize Mayor to set date/time for Public Hearing on the CIP. (March 4th at 6:00 p.m.)

3. Discussion and action to appoint audit firm for June 30, 2019 audit.

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

4. To consider and act upon a resolution recommending an appropriation, to be funded from borrowings to the extent not funded from available General Fund fund balance, as determined by the Board of Finance, or Sewer Usage Fund fund balance, as determined by the Cromwell Water Pollution Control Authority, for costs related to the design, site development, construction, furnishing, and equipping of a new Public Works Department Facility to be located on Town-owned land at 100 ~~Country~~ County Line Drive, Cromwell and, if approved, referring such recommendation to the Board of Finance for its consideration.

Motion made by R. Newton seconded by S. Slade and *carried* to approve an appropriation, to be funded from borrowings to the extent not funded from available General Fund fund balance, as determined by the Board of Finance, or Sewer Usage Fund fund balance, as determined by the Cromwell Water Pollution Control Authority, for costs related to the design, site development, construction, furnishing, and equipping of a new Public Works Department Facility to be located on Town-owned land at 100 ~~Country~~ County Line Drive, Cromwell and, if approved referring such recommendation to the Board of Finance for its consideration.

a. Authorize Mayor to set Date/Time for Special Town Meeting.

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

Abstained: J. Demetriades, M. Johnson, A. Waters

Motion carries

Motion made by R. Newton seconded by S. Slade and *carried* to authorize Mayor to set date/time for Special meeting.

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

Nay: M. Johnson, A. Waters, J. Demetriades

Motion carried

5. 2018-2019 Budget Report

Finance Director Sylvester presented the budget reports.

K. FINANCIAL

1. Tax Refunds

Motion made by A. Waters seconded by J. Demetriades and *unanimously carried* to approve tax refunds 1-9.

L. OLD BUSINESS

1. Discussion and possible action on Cromwell Creek drainage issues. -TABLED

Motion made by A. Waters seconded by F. Emanuele and *carried* to remove from the table.

Aye: J. Demetriades, F. Emanuele, R. Newton, E. Faienza, A. Waters, M. Johnson

Nay: S. Slade

Motion carried

Assistant Public Works Director/Town Engineer J. Harriman was available to answer questions
Discussion followed regarding the cost of several remedies that could be tried to resolve the issue.

Motion made by R. Newton seconded by S. Slade and *carried* that Public Works, through the Town Manager, continue maintenance to clean debris that is obstructing the water flow.

Aye: J. Demetriades, R. Newton, E. Faienza, S. Slade

Nay: F. Emanuele, A. Waters, M. Johnson

Motion carried

Mayor Faienza called for a five minutes recess at 8:30 p.m.

M. NEW BUSINESS

1. Grievance, RI-121 12/13/18

a. Step 3 -Lori Ouellette

The union was given the opportunity to present their side of the grievance. Union President L. Ouellette and union representative Vincenzo DiMinio presented the union's side of the grievance.

Chief Lamontagne presented the town's side of the grievance.

The Council was given the opportunity to comment and ask questions of both sides.

Motion made by R. Newton seconded by F. Emanuele and *carried to deny the grievance.*

Aye: M. Johnson, R. Newton, F. Emanuele, E. Faienza

Nay: A. Waters, S. Slade, J. Demetriades

Motion to deny grievance carried

2. Grievance, RI-121 -1/3/19

a. Step 3 -Lori Ouellette

Motion made by R. Newton seconded by F. Emanuele and *carried to deny the grievance.*

Aye: M. Johnson, R. Newton, F. Emanuele, E. Faienza

Nay: A. Waters, S. Slade, J. Demetriades

Motion to deny grievance carried

3. Grievance, NIPSEU

a. Step2 - Union

The union was given the opportunity to present their side of the grievance.
Detective Peter Pietraroia presented the union's side of the grievance.

Chief Lamontagne presented the town's side of the grievance.

The Council was given the opportunity to comment and ask questions of both sides.

Motion made by J. Demetriades seconded by A. Waters to approve the grievance.

Aye: J. Demetriades, A. Waters

Nay: F. Emanuele, R. Newton, E. Faienza, S. Slade

Abstained: M. Johnson

Motion failed

Motion made by R. Newton seconded by F. Emanuele and *carried* to deny the grievance.

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

Nay: J. Demetriades, A. Waters

Abstained: M. Johnson

Motion carried

4. Possible sale of property at 1 Community Field Road

a. Discussion and possible action

Moved to Executive Session

5. Possible change to Town Ordinance 82

a. Discussion and possible action ~~on Section 82-4B~~ to amend Ordinance 82.

Motion made by S. Slade seconded by R. Newton and *unanimously carried* to approve.

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to authorize Mayor to set the time and date of a Public Hearing.

6. Presentation of Town Manager's 2019 Goals and Objectives

S. Slade

- Work to have grievances dealt with at the lowest level as much as possible.
- Continue to have a Business Friendly environment and bring businesses to town.

A. Waters

- Continue working with EDC Development; Stuart Popper is doing a wonderful job.

M. Johnson

- Be more aggressive in planning and be transparent with what's going on. Have something that the people can look at and put their own ideas in and be more involved.
- Make the town more attractive when the golf tournament comes to town.
- Stop the revolving door; we should keep businesses in town and plan what type of businesses we want in a particular area in town. We should create our own community and avoid builders who just build and don't care what or where they are building.
- Be more specific when the next POCD is done.
- Other towns have more services for the people.

R. Newton

- Develop a fiscally sound budget. Pleased with new format of budget.
- Would like to see Department Heads be held accountable for their goals.
- Would like another Scannell brought to town.
- Have a building facilities need study for Town Hall regarding use of space. Feels that Human Resources should have a space of their own.

F. Emanuele

- H/R position is important; would like to see position increased to full-time.
- Attract more young people to town.
- Develop downtown and riverfront facility.
- Improve communications in town

James Demetriades

- Continue EDC efforts.
- Integrate Eco-friendly initiatives.
- Keep working to make the town more attractive and involve young people and new residents to become involved in the Community.
- Keep attracting young folks to Town.

E. Faienza

- Thanked Manager for working hard to complete last year's goals.
- Continue Economic Development and business visitations tours to learn of existing businesses needs.
- Keep budget as fiscally responsibly as possible while still meeting needs of the town.
- Look at budgeting funds for a feasibility study for the town hall and senior center.
- Would like to see some electronic message boards around town to keep residents informed of meetings and current events.

N. APPROVAL OF MINUTES

1. Regular Meeting December 12, 2018

Motion made by S. Slade seconded by F. Emanuele and *unanimously carried* to approve the December 12, 2018. (Noting that under adjourn J. Demetriades seconded the motion)

O. APPOINTMENTS

1. LGBTQ Committee

Motion made by S. Slade seconded by A. Waters and *unanimously carried* to appoint Lindsey Smolka, Maria Pavlick, Thomas Floran, Katelyn Puorro, Michael Roberts, Jacey Long, Andraya Yearwood, Kym Banton, Joyce Walter.

P. COUNCIL LIAISON REPORTS

None

Q. EXECUTIVE SESSION

1. Discussion and possible action, Sale of Town Property.

a. 1 Community Field Road

2. Discussion and possible action, first right of refusal to purchase property.

a. 313 Main Street

Motion made by S. Slade seconded by R. Newton and *unanimously carried* to adjourn to Executive Session at 10:40 p.m.

Town Manager Salvatore was invited into Executive Session.

Motion made by S. Slade seconded by A. Waters and *unanimously carried* to come out of Executive Session at 11:05 p.m.

Motion made by R. Newton seconded by S. Slade and *unanimously carried* to move to authorize the Town Manager to negotiate the sale of a portion of property at 1 Community Field Road adjacent to 313 Main Street and negotiate a right of first refusal for the future sale of 313 Main Street.

R. CORRESPONDENCE

1. Memo from Economic Development Coordinator to the Town Manager regarding to 313 Main Street

Moved to Executive Session

S. ADJOURN

Motion made by S. Slade seconded by F. Emanuele and *unanimously carried* to adjourn the Regular Meeting at 11:15 p.m.

Respectfully submitted

Re-matus

Re Matus
Secretary

January 8, 2019

Mayor Enzo Faienza
Cromwell Town Hall
41 West Street
Cromwell CT 06416

Dear Mayor Faienza,

On behalf of the Creative District Committee and Cromwell Arts Alliance, please accept our appreciation for the Town Council's unanimous support in creating a Creative District. We look forward to working with the town to gain all necessary approvals and permits before commencing with any projects. Further, we welcome any ideas the Council, Town Manager and Planning and Development may have in implementing this concept.


Sincerely,

A handwritten signature in black ink, appearing to read "Ann E. Grasso". The signature is fluid and cursive, with the first name "Ann" and last name "Grasso" being more prominent than the middle initial "E.".

Ann E. Grasso

cc. Marjorie Lemmon, James Demetriades

TOWN OF CROMWELL
TOWN COUNCIL SPECIAL MEETING
MONDAY, JANUARY 28, 2019
4:15 P.M. TOWN HALL COUNCIL CHAMBERS

RECEIVED FOR RECORD
Jan 29, 2019 02:39P
JOAN AHLQUIST
TOWN CLERK
CROMWELL, CT 

MINUTES

Present: Mayor E. Faienza, Deputy Mayor R. Newton, F. Emanuele, S. Slade,
J. Demetriades, A. Waters, M. Johnson

Absent:

Also Present: Town Manager A. Salvatore, Director of Finance M. Sylvester, Director of
Public Works L. Spina, Revenue Collector D. Sienna, CWPCA Chairman A. Kelly

A. CALL TO ORDER

Mayor Faienza called the meeting to order at 4:28 p.m.

B. NEW BUSINESS

1. Discussion and action to approve Resolution to establish a program to defer the due date of specific property taxes owed by Federal Shutdown Affected Employees.

***AN ACT ESTABLISHING THE FEDERAL SHUTDOWN AFFECTED EMPLOYEES
LOAN PROGRAM AND PROVIDING ADDITIONAL ASSISTANCE TO FEDERAL
EMPLOYEES.***

Sec. 7. (*Effective from passage*) (a) Notwithstanding the provisions of the general statutes or of any special act, charter, special act charter, home-rule ordinance, local ordinance or other local law, any municipality, as defined in section 7-148 of the general statutes, or any subdivision of a municipality, may, by a vote of its legislative body, or, in any town in which the legislative body is a town meeting, by a vote of the board of selectmen, establish a deferment program to defer the due date of taxes on real property, personal property or motor vehicles, or water or sewer rates, charges or assessments, owed by affected employees.

(b) Upon establishment of a deferment program, a municipality or subdivision thereof shall not charge or collect interest on any tax, rate, charge or assessment or part thereof that is payable by an affected employee and which became due during the period when such individual was an affected employee.

(c) Eligibility shall be determined by the municipality. Evidence of eligibility for a deferment may include the proof listed in subdivision (1) of section 3 of this act. Individuals need not receive unemployment benefits or participate in the federal shutdown affected employee loan program for purposes of being an affected employee. Municipalities may require individuals to recertify eligibility on a periodic basis of not less than thirty days.

(d) Each tax, rate, charge or assessment deferred under a program established pursuant to this section shall be due and payable without interest or penalty not later than sixty days after the date on which an individual is no longer an affected employee. Thereafter, any portion of the tax, rate, charge or assessment or installment or portion thereof which remains unpaid and all interest and penalties otherwise provided by law shall apply retroactively to the original due date for the tax, rate, charge or assessment or installment or portion thereof. All provisions of the general statutes relating to continuing, recording and releasing property tax liens and the precedence and enforcement of taxes, rates, charges and assessments shall remain applicable to any deferred tax, rate, charge or assessment or installment or portion thereof.

(e) Nothing in this section shall affect interest or penalties on, or lien rights or collection of, any tax, rate, charge or assessment due before December 22, 2018, or after the date on which an individual is no longer an affected employee.

Motion made by S. Slade seconded by A. Waters and *unanimously carried* to approve Resolution to establish a program to defer the due date of specific property taxes owed by Federal Shutdown Affected Employees.

2. Discussion and action regarding 15R Christian Hill Road.

Town Manager Salvatore presented the item.

Motion made by R. Newton seconded by A. Waters and *unanimously carried* to agree to waive taxes on 15R Christian Hill Road and accept the property.

3. Discussion and possible action regarding highway/Sewer facility.

Motion made by S. Slade seconded by A. Waters and *carried* to send this back to the Board of Finance for reconsideration for action regarding the Highway/Sewer facility as soon as possible.

Aye: S. Slade, A. Waters, E. Faienza, R. Newton, F. Emanuele, J. Demetriades

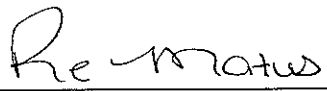
Abstained: M. Johnson

Motion carried

C. ADJOURN

Motion made by S. Slade seconded by R. Newton and *unanimously carried* to adjourn the Special Meeting at 5:05 p.m.

Respectfully submitted,



Re Matus
Secretary

TOWN OF CROMWELL

Municipal Program to defer the payment of taxes on real property, personal property or motor vehicles, or water or sewer rates, charges or assessments, owed by Federal Employees affected by the Federal Government Shutdown that began December 22, 2018.

I. PURPOSE

To implement the Municipal Tax Deferment Program (House Bill 5765, Section 7) approved by the Connecticut General Assembly and signed by Governor Ned Lamont on January 22, 2019.

II. DEFINITIONS

1. "Affected Employee" means a federal employee who, during the shutdown, is (A) a resident of this state, and (B) required to work as a federal employee without pay or furloughed as a federal employee without pay;
2. "Shutdown" means the federal fiscal year 2019 partial government shutdown that began on December 22, 2018.
3. "Tax" for purposes of this Program shall include the following: taxes on real property, personal property or motor vehicles, and water or sewer rates, charges or assessments.

III. TAX DEFERMENT PROGRAM

- a) The Town Council has approved a deferment program and shall not charge or collect interest on any Tax or part thereof that is payable by an Affected Employee and which became due during the period when such individual was an Affected Employee.
- b) Eligibility for the Deferment Program shall be determined by the town/city. Evidence of eligibility may include such proof as a paystub or bank statement, a federal employee identification card, the federal tax identification number of the employee's employer and a sworn affidavit from such employee indicating that such employee (i) is currently a federal employee residing in the town/city and (ii) is required to work as a federal employee without pay or furloughed as a federal employee without pay.
- c) The town may require individuals to recertify eligibility on a periodic basis of not less than thirty days.

- d) Each Tax deferred under the program, shall be due and payable without interest or penalty not later than sixty days after the date on which an individual is no longer an Affected Employee.
- e) Upon the expiration of the deferred due date set forth in subsection (d), any Tax or portion thereof which remains unpaid shall include all interest and penalties otherwise provided by law calculated retroactively to the original due date for payment of the Tax or any portion thereof that was deferred
- f) All provisions of the general statutes relating to continuing, recording and releasing property tax liens and the priority in collection of taxes, rates, charges and assessments shall remain applicable to any deferred Tax or portion thereof.
- g) Nothing in this program shall affect lien rights, interest or penalties on, or collection of, any Tax due before December 22, 2018, or sixty days after the date on which an individual is no longer an Affected Employee.