



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR ROY ZARTARIAN

NEWINGTON TOWN COUNCIL

*****L-101 (Lower Level)*** – Town Hall
131 Cedar Street**

**AGENDA
October 25, 2016**

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- I. PLEDGE OF ALLEGIANCE
 - II. ROLL CALL
 - III. APPROVAL OF AGENDA
 - IV. PUBLIC PARTICIPATION – IN GENERAL (**In Person/Via Telephone: 860-665-8736**)
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)
 - V. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION
 - VI. CONSIDERATION OF OLD BUSINESS (**Action May Be Taken**)
 - A. Ordinance Amendment, Chapter 8, Article XII, Committee on Community Safety (Disband)
 1. Introduce Ordinance
 2. Set Public Hearing Date (November 22, 2016)
 - B. Approval of AMR Agreement
 - C. Consideration of Canceling the November 8, 2016 Regular Town Council Meeting
 - VII. RESIGNATIONS/APPOINTMENTS (**Action May Be Taken**)
 - A. Appointments to Boards and Commissions
 1. Affordable Housing Monitoring Agency
 2. Board of Education – Liaison
 3. Commission on Aging and Disabled
 4. Balf-Town Committee
 5. Building Code Board of Appeals
 6. Capitol Region Council of Governments (CRCOG)
 7. Central Connecticut Health District Board of Directors (CCHD)
 8. Committee on Community Safety
 9. Conservation/Inland Wetlands Commission
 10. Development Commission
 11. Employee Insurance & Pension Benefits Committee
 12. Environmental Quality Commission
 13. Board of Ethics
 14. Fair Rent Commission
 15. Newington Housing Authority

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16. Human Rights Commission
17. John Wallace Wing Reconfiguration Project Building Committee
18. Library Board of Directors
19. Newington CATV Advisory Council
20. Newington School Career Technical Program Renovation Project Building Committee
21. Open Space Committee
22. Standing Insurance Committee
23. STEM Academy PBC
24. Town Hall Renovations Project Building Committee
25. Town Plan & Zoning Commission
26. Tri-Town Community Cable Access
27. Vehicle Appeals Board
28. Zoning Board of Appeals

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

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

X. COUNCIL LIAISON/COMMITTEE REPORTS

XI. PUBLIC PARTICIPATION – IN GENERAL (**In Person/Via Telephone: 860-665-8736**)
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)

XII. REMARKS BY COUNCILORS

XIII. ADJOURNMENT



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council

From: Jaime Trevethan, Asst. to the Town Manager (on behalf of Tanya D. Lane,
Town Manager)

Date: October 21, 2016

Re: Disband Committee on Community Safety

At its September 27th Council meeting, the Council discussed disbanding the Committee on Community Safety. The Committee was created under the Code of Ordinances Chapter 8, Article XII on August 12, 2008 and has been inactive for a number of years. Items of concern regarding community safety are under the jurisdiction of the Police Department. In addition, Chief Clark recently formed and staffed the Police Community Council, a resident committee that works with the NPD to identify and address items related to community safety.

Since the Committee on Community Safety was established via ordinance, the Council will need to consider amending the Code of Ordinances, Chapter 8, "Boards, Commissions, Committees and Bureaus" by repealing Article XII, "Committee on Community Safety". This will require following the ordinance amendment process as dictated in Charter Sections 405 and 406.

A resolution is attached for Council consideration to formally introduce the ordinance amendment and set a public hearing date of November 22, 2016.

Attach.

AGENDA ITEM: VI.A.

DATE: 10-25-16

RESOLUTION NO. _____

INTRODUCTION:

I hereby introduce for the Town Council's consideration proposed amendments to the Town of Newington Code of Ordinances, Chapter 8, Boards, Committees, Commissions and Bureaus by repealing Chapter 8, Article XII, Committee on Community Safety, a copy of which has been filed with the Clerk of the Council.

Introduced by: _____

RESOLVED:

That a Public Hearing be held on November 22, 2016 at 6:50 p.m. in consideration of proposed amendments to the Town of Newington Code of Ordinances, Chapter 8, Boards, Committees, Commissions and Bureaus.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

Chapter 8

BOARDS, COMMITTEES, COMMISSIONS AND BUREAUS

****DRAFT 10/21/16****

[HISTORY: Adopted by the Town Council of the Town of Newington as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Code of Ethics — See Ch. 32.

Planning and zoning boards — See Ch. 91, Arts. I and II.

Department of Senior and Disabled Center Services — See Ch. 109.

Article I

Human Rights Commission

[Adopted 9-23-1975 (§§ 2-61 to 2-65 of the 1974 Code)]

§ 8-1 Establishment.

There is hereby established a Human Rights Commission (hereinafter referred to as "the Commission") for the purposes stated herein, which shall be appointed and organized and shall have the duties and powers as hereinafter set forth.

§ 8-2 Purposes.

The purposes of the Commission shall be as follows:

- A. To promote mutual understanding and respect among all racial, religious, ethnic, and other groups.
- B. To secure equality of treatment of, and opportunity for, all human beings.
- C. To cooperate with governmental and nongovernmental agencies with organizations having like or kindred functions to those of the Commission, as it deems necessary or desirable.
- D. To make such studies in the field of human rights as in the judgment of the Commission will aid in effectuating its general purpose.
- E. To demonstrate to federal or state funding agencies or courts that Newington has an official body which does review issues or challenges involving compliance with federal and state laws on human rights and which can make recommendations to the Town Council for action.

§ 8-3 Membership; terms; vacancies.

- A. The Commission shall consist of nine electors of the Town who shall be appointed by the Town Council for terms of three years. Three members shall be appointed for a term expiring on November 30 in an odd-numbered year; three members shall be appointed for a term expiring on November 30 in an even-numbered year, and three members shall be appointed for a term expiring November 30 in an odd-numbered year and commencing the year after the even-numbered-year appointment.
- B. A reasonable effort shall be made to solicit Commission members so as to represent a broad cross

Commented [1]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

section of the community.

- C. The Mayor or a Town Council member designated by the Mayor, the Town Manager, the Department of Human Services Director, a member of the Newington Housing Authority designated by said Authority and a member of the Board of Education designated by said Board shall serve as ex officio members of the Commission without the right to vote in meetings of said Commission.
- D. Any vacancy on the Commission from whatever cause occurring shall be filled, within a reasonable time, by appointment by the Town Council for the unexpired portion of the term.

§ 8-4 Organization; meetings; absences.
[Amended 1-25-1983]

- A. At its initial meeting and at its first meeting on or after December 1 of each year, the Commission shall elect from its membership a Chairperson, a Vice Chairperson and a Secretary. The Commission shall be authorized to create such subcommittees and advisory committees as it shall deem helpful to the accomplishment of its responsibilities.
- B. The Commission shall hold a minimum of four meetings each year at such reasonably regular intervals as it may designate. The Chairperson may call a special meeting at any time. Any four members of the Commission may at any time request in writing that the Chairperson call a special meeting. The Chairperson shall, within three days after receipt of such a request, call a special meeting for a time within five days after the date of the request for such meeting. A quorum at any meeting shall consist of five voting members, and the vote of a majority of the Commission shall be required for any action to be taken.
- C. Any regular member who is absent from three consecutive meetings of the Commission for whatever reason shall advise the Chairperson in open session or in writing of the reason or reasons for such absences. The Commission shall thereupon evaluate the continuation of the membership of such member. If the Commission finds by not less than six affirmative votes that such member has by his absences unsatisfactorily performed his duty as a member of the Commission, the Chairperson shall so notify the Town Council. Such a finding shall make such member subject to removal or suspension under the provisions of the Town Charter.

§ 8-5 Responsibilities.
[Amended 1-25-1983]

The responsibilities of the Commission shall be as follows:

- A. To work with federal, state and Town agencies, as well as with private, civic, religious, business, industrial, labor, and other Newington organizations, groups or persons, and to recommend to the Town Council any programs arising therefrom which will help all members of the community to enjoy equality of opportunity in all phases of community life.
- B. To engage in, study and research and to publish reports designed to increase understanding within the community and conduct other appropriate activities in furtherance of its goals.
- C. To seek compliance with all state and federal laws relating to human rights and opportunities, including but not limited to C.G.S. § 31-126 (unfair employment practices) and § 53-35 (discrimination in public accommodations, rental housing and commercial property, sale of building lots and mobile home parks).
- D. To receive complaints regarding inequity of treatment or of discrimination in the Town and, when appropriate, to refer such complaints to the Connecticut Commission on Human Rights and Opportunities and to other agencies having jurisdiction in the particular matter; provided, however, that no action shall be taken upon any complaint received by the Commission unless the same has

been filed by either an official or agency of the federal, state or local government or by a natural person and unless such complaint alleges one or more acts occurring within the Town whereby the complainant's legal rights have been directly or indirectly violated in the area of public accommodations, housing, employment or other matters within the purview of the Human Rights Commission and sets forth the specifics thereof.

- E. To carry out such projects in the area of human rights as shall be assigned to it by the Town Council.
- F. To offer its services and to cooperate with every other agency and department of the Town in promoting a healthy community.
- G. To submit to the Town Council annually, or more frequently as the need arises, reports concerning the activities of the Commission.
- H. To promote activities and programs to carry out the purposes of the Commission.
- I. To pursue a community-wide program of education that furthers intergroup understanding, tolerance and acceptance.
- J. To advise and recommend to the Town Council appropriate programs to be wholly or partially implemented with federal, state and Town funds.
- K. To perform independent investigation for the purpose of making reports or recommendations to the Town Council with respect to new or proposed programs or issues involving human and group rights and relations.

Article II Youth Services Bureau

[Adopted 8-24-1976 (§§ 2-70 to 2-72 of the 1974 Code)]

§ 8-6 Establishment.

There is hereby established a Youth Services Bureau within the Department of Human Services.

§ 8-7 Purposes.

The purposes of the Youth Services Bureau shall be as follows:

- A. To assess the need for services to youth and to evaluate gaps in the array of existing services.
- B. To identify and inventory youth services available from public and private agencies.
- C. To organize, coordinate, support and sponsor projects, programs and activities directed toward delinquency prevention, diversion from the criminal justice system, social adjustment and personal development with respect to young people.
- D. To keep the Director of Human Services informed of its work and the results of its assessments and evaluations.

§ 8-8 Organization.

The Youth Services Bureau shall be headed by a Coordinator of Youth Services who shall be appointed and may be removed by the Town Manager in accordance with § C-610 of the Town Charter, subject to the provisions of Article IX of the Town Charter. The Coordinator of Youth Services shall be administratively responsible to the Director of Human Services for the proper and effective functioning of the Youth Services Bureau, and said Coordinator shall see to it that the activities of said Bureau are coordinated with the programs and activities of the Department of Human Services, generally.

Article III
Youth-Adult Council

[Adopted 1-24-1978; amended 11-27-1990 (§ 2-73 of the 1974 Code)]

§ 8-9 Establishment.

There is hereby established a Youth-Adult Council which shall constitute an advisory board pursuant to the regulations of the State of Connecticut Department of Children and Youth Services. The Youth-Adult Council shall provide policy advice on the formulation, development and alteration of youth-serving programs of the Youth Services Bureau within the Human Services Department, foster cooperation and coordination among public and private youth-serving agencies, promote voluntary service and assistance for youth programs and enhance communication between youths and adults through community education.

§ 8-10 Membership.

The Youth-Adult Council shall consist of 15 members who shall be appointed by the Mayor for terms of two years, provided, of those first appointed, eight shall serve for a period of one year. Annually thereafter, members shall be appointed to succeed those whose terms expire.

A. All such members shall be representatives of public agencies with statutory responsibilities for youth and family and/or private sector organizations representing community social institutions, but not less than 10 such members shall be residents of the Town of Newington, provided each of the following shall be represented by at least one member:

- (1) The Newington Police Department, to be recommended by the Chief of Police;
- (2) The Newington School Department, to be recommended by the Superintendent of Schools;
- (3) A private human-serving agency, to be recommended by such agency, and provided further that at least five members shall be service consumers as defined by the regulations of the State of Connecticut Department of Children and Youth Services and at least two shall be less than 21 years of age.

B. No more than a bare majority of the members of such Council shall be from any one political party.

§ 8-11 Liaison.

The Town Council, Board of Education, and Parks and Recreation Department shall each appoint a liaison to provide communication about relevant issues between the Youth-Adult Council and their respective organizations.

Article IV
Fair Rent Commission

[Adopted 4-28-1981 (§§ 2-90 to 2-92 of the 1974 Code)]

§ 8-12 Establishment and authority.

There is hereby established, in accordance with C.G.S. § 7-148b, a Fair Rent Commission. Said Commission shall have all the powers and duties now or hereafter provided for fair rent commissions by the Connecticut General Statutes.

§ 8-13 Membership; terms.

The Fair Rent Commission shall consist of five electors of the Town who shall be appointed by the Town Council for terms of two years, expiring on November 30 in an odd-numbered year. Two members shall be tenants of a dwelling unit; two members shall be landlords of a dwelling unit(s) let for rental within the Town; and one member shall be an elector who is currently neither landlord nor tenant of a dwelling unit. In addition, said Commission shall consist of three alternate members who shall be electors of the Town

Commented [2]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

of Newington and who shall be appointed by the Town Council for terms of two years expiring on November 30 in an odd-numbered year. One alternate member shall be a tenant of a dwelling unit, one alternate member shall be a landlord of a dwelling unit or units let for rental within the Town, and one alternate member shall be an elector who is currently neither landlord or tenant of a dwelling unit. If, during his term, the status of a Commissioner or alternate member changes with respect to whether he is a tenant or a landlord or neither, he shall be disqualified from office and his position shall be deemed vacant. Any vacancy on said Commission from whatever cause arising shall be filled, within a reasonable time, by appointment by the Town Council for the unexpired portion of the term.

§ 8-14 Organization; meetings; absences; counsel.

- A. At its initial meeting and at its first meeting on or after December 1 of each odd-numbered year, the Commission shall elect from its membership a Chairperson, a Vice Chairperson and a Secretary. In addition to any schedule for regular meetings which such Commission may establish, any member of the Commission may at any time request, in writing, that the Chairperson call a special meeting, whereupon the Chairperson shall, within three days after receipt of such request, call a special meeting for a time within five days after the date of the request of such meeting. A quorum at any meeting shall consist of three members, and the affirmative vote of three members shall be required for any action to be taken.
- B. Any member who is absent from three consecutive meetings of the Commission, for whatever reason, shall advise the Chairperson in open session or in writing of the reason or reasons of such absences. The Commission shall thereupon evaluate the worthiness for such member to continue membership. If the Commission finds that such member has, by his absences, unsatisfactorily performed his duty, the Town Council shall be so notified. Such a finding shall make such member subject to removal under the provisions of the Town Charter.
- C. The Commission shall utilize the services of the Town Attorney for legal counsel to the extent that the Town Attorney is available.

Article V
Commission on Aging and Disabled

[Adopted 9-26-1984; amended 9-22-1992 by Ord. No. 9193-4 (§§ 2-111 to 2-114 of the 1974 Code)]

§ 8-15 Establishment.

There is hereby established a Commission on Aging and Disabled which shall serve as a successor to the Advisory Committee on Aging.

§ 8-16 Membership; terms.

The Commission shall consist of nine members. Members shall be appointed by the Council for staggered terms of three years expiring on November 30 of the appropriate year.

§ 8-17 Responsibilities.

- A. The Commission on Aging and Disabled shall work cooperatively with appropriate Town offices and departments to implement the policies of the Town Council relative to senior and disabled citizens, as charged by the Town Council. For purposes of this article, senior citizens means those individuals age 55 or older, and disabled citizens, as defined under the Americans with Disabilities Act of 1990. The Commission shall monitor and assess the needs and affairs of senior and disabled citizens in Newington, which shall, among other things, relate to housing, economics, employment, health, counseling, recreation, transportation, outreach programs and nutrition, and shall report thereon, in writing, to the Town Council and Town Manager on or before October 31 of each year, and/or when necessary. In addition, the Commission shall also advise the Town Council and appropriate Town agencies on issues affecting senior and disabled citizens as they relate to Town government matters. The Commission is authorized to submit policy recommendations to the Town Council when appropriate or necessary.

Commented [3]: Editor's Note: Original § 2-93, derived from ordinances of 4-28-1981, 10-27-1981 and 8-24-1982, which immediately followed this section and contained a sunset clause relative to the Fair Rent Commission, was repealed 8-23-1983.

- B. The Commission on Aging and Disabled shall be responsible for policy oversight of the Department of the Senior and Disabled Center Services, including policy oversight of the Senior and Disabled Center operations and policy oversight for activities and Town programs serving senior and disabled citizens. The Commission shall provide assistance to the Director in the preparation of the Department's budget. The Commission shall establish operation policies for the Senior and Disabled Center and Town programs addressed to serving senior and disabled citizens, subject to the advice and consent of the Town Council.
- C. The Commission on Aging and Disabled shall secure periodic reports from representatives of any of its appointed subcommittees.
- D. The Commission shall meet once every month except during July and August for regular meetings or more often if necessary.

§ 8-18 Staff support.

The Town Manager shall assign appropriate personnel as staff support for the Commission, including the Director of the Department of the Senior and Disabled Center Services, who shall serve as staff person to the Commission on Aging and Disabled and as Administrator of the Senior and Disabled Center.

Article VI
Environmental Quality Commission

[Adopted 10-27-1987 (§§ 6-60 to 6-63 of the 1974 Code)]

§ 8-19 Establishment.

There is hereby established an Environmental Quality Commission (hereafter referred to as "the Commission") for the purposes stated herein, which shall be appointed and organized and shall have the duties and powers as hereinafter set forth.

§ 8-20 Purpose.

The Commission shall be responsible for responding to and making appropriate recommendations or referrals to the Town Council and Town Manager affecting environmental concerns and the quality of life in the Town of Newington, including but not limited to hazardous materials in the community, ordinances involving hazardous materials, hazardous materials collection day, landfill, underground storage tanks, and development policies affecting the environment of Newington. A report shall be made to the Council annually.

§ 8-21 Membership.

- A. The Commission shall consist of 11 individuals of the Town, appointed by the Town Council, whose terms shall expire November 30 of odd-numbered years. Said electors shall be appointed for two years thereafter.
- B. The Commission shall be comprised of the following: two representatives from the Newington Volunteer Fire Department; one representative from the Newington Volunteer Ambulance Corps; two representatives from industry who work or reside in Town; six representatives from the public. Two representatives from the Town Council shall serve as liaisons. The Town Manager and a representative of the Central Connecticut Health District shall serve as ex officio members of this Commission.

§ 8-22 Meetings.

This Commission shall meet at least once a year. Meetings may be called by the Chairman or by petition of any three members.

Commented [4]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

Article VII
Standing Insurance Committee

[Adopted 4-25-1989 (§§ 2-34 to 2-39 of the 1974 Code)]

§ 8-23 Establishment.

[Amended 7-27-1993 by Ord. No. 9193-7]

Pursuant to Article VI, § C-612, of the Charter of the Town of Newington, the Town Council hereby establishes a Standing Insurance Committee consisting of nine members and two alternate members.

§ 8-24 Composition.

The Standing Insurance Committee shall consist of five commercial lines' insurance professionals, i.e., underwriters, casualty or property claims specialists/loss control engineers, consultants, agents or brokers; two Councilors who shall not be members of the same political party, and two members of the Board of Education who shall not be members of the same political party. There shall be two alternate members of the Standing Insurance Committee. The Town Manager and the Superintendent of Schools shall be ex officio members of said Committee without vote.

§ 8-25 Chairperson.

The Chairperson of the Standing Insurance Committee shall be the Council member of that political party which holds the majority of the Town Council.

§ 8-26 Terms of members.

The terms of the Council members and the Board of Education members shall be concurrent with their terms as members of the Town Council and the Board of Education, respectively. Three professional members of the Committee shall have terms which expire on November 30 in an odd-numbered year. Two professional members and the two alternates shall have terms which expire on November 30 in an even-numbered year. All appointments shall be for a period of two years.

Commented [5]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

§ 8-27 Functions.

[Amended 7-27-1993 by Ord. No. 9193-7]

- A. It shall be the function of the Standing Insurance Committee:
- (1) To determine the needs and develop specifications for Town insurance.
 - (2) To invite at least four agents or four direct-writing companies, or a combination of agents and direct-writing companies, to submit qualifications for the purpose of becoming the agent of record for the Town of Newington.
 - (a) Such invitation shall be issued at least 120 days prior to the expiration of existing insurance coverage.
 - (b) Such qualifications to be established by the Standing Insurance Committee.
 - (c) The Standing Insurance Committee shall interview such agents or direct-writing companies and shall, based on a majority vote of the Standing Insurance Committee, select an agent and/or a direct writing company and recommend same to the Town Council for appointment.
 - (d) The appointment by the Town Council of the agent of record shall be for a period of three years.
 - (e) The Standing Insurance Committee shall review the agent of record's performance not less than annually.
 - (3) To recommend to the Town Council the termination of the agent of record if, in the opinion of the

majority of the Committee, the agent of record fails to perform the functions as outlined in § 8-28. Upon termination of such agent of record by the Town Council, a new agent of record shall be appointed pursuant of § 8-27A(2).

- (4) To review all submitted insurance proposals.
 - (a) Approval of the proposals to be recommended to the Town Council shall be by a majority vote of the Standing Insurance Committee.
 - (b) Upon approval, the proposed insurance program shall be submitted to the Town Council for acceptance.
 - (c) The Committee shall arrange for the purchase of the insurance through the agent of record following acceptance of the proposed insurance by the Town Council.
- (5) To periodically review Town insurance coverages, loss data, other pertinent information, and make recommendations to the Town Manager and the Town Council with respect to the insurance program.
- B. Town insurance needs for employee insurance and pension benefits shall not be the responsibility of the Standing Insurance Committee but shall be the responsibility of the Employee Insurance and Pension Benefits Committee. Workers' compensation insurance shall be under the jurisdiction of the Standing Insurance Committee. The Standing Insurance Committee and the employee insurance and pension benefits agent of record may or may not be the same.

§ 8-28 Insurance agent of record.
[Amended 4-29-1997 by Ord. No. 9597-6]

An insurance agent of record for the Town of Newington shall be appointed by the Town Council. Said agent shall be responsible to the Town Council designee, i.e., the Standing Insurance Committee. It shall be a function of the agent of record:

- A. To solicit and negotiate with at least four insurance companies a program to provide the specific insurance coverages for the Town of Newington, upon appointment and based upon specifications prepared by the Standing Insurance Committee.
- B. To periodically review Town insurance coverages and loss data and make recommendations to the Town Manager and the Standing Insurance Committee with respect to the need for ancillary insurance services, additional insurance coverages and modifications, updating or upgrading of existing coverages.
- C. To assist the Town Manager and Standing Insurance Committee in monitoring and processing all insurance claims.

Article VIII
Development Commission

[Adopted 1-24-1989 (§§ 2-124 to 2-126 of the 1974 Code)]

§ 8-29 Commission designated.

The Development Commission, as established by the Newington Town Charter, shall have all the powers and duties as provided by the General Statutes of the State of Connecticut, as revised, the Town Charter, and other powers and duties as may be directed by the Newington Town Council.

§ 8-30 Membership; terms.

The nine regular members of the Development Commission shall have staggered three-year terms

Commented [6]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

expiring on November 30 as follows:

- A. Two members for a term ending in an odd-numbered year.
- B. Three members for a term ending in an even-numbered year.
- C. Four members for a term ending in an odd-numbered year commencing the year after the even-numbered year appointment.

§ 8-31 Alternate members.

The three alternate members of the Development Commission shall have staggered three-year terms expiring on November 30 as follows:

- A. Two alternates for a term ending in an odd-numbered year.
- B. One alternate for a term ending in an even-numbered year.

Commented [7]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

Article IX

Employee Insurance and Pension Benefits Committee

[Adopted 7-27-1993 by Ord. No. 9193-7; amended 11-26-1996 by Ord. No. 9597-4 (§§ 2-26 to 2-31 of the 1974 Code)]

§ 8-32 Establishment.

Pursuant to Article VI, § C-612 of the Charter of the Town of Newington, the Town Council hereby establishes an Employee Insurance and Pension Benefits Committee consisting of nine members and two alternate members.

§ 8-33 Composition.

The Employee Insurance and Pension Benefits Committee (sometimes hereinafter called "EIPBC") shall consist of five members specializing in health, life or disability claims, or employee benefit underwriters, employee benefit consultants, agents, brokers, marketing representatives or pension plan administrators, two Councilors who shall not be members of the same political party, and two members of the Board of Education who shall not be members of the same political party. There shall be two alternate members of the Employee Insurance and Pension Benefits Committee. The Town Manager and the Superintendent of Schools shall be ex officio members of said Committee without vote. The Town's Director of Finance and the School Department's Business Manager shall serve as staff support without vote.

§ 8-34 Party affiliation of Chairperson.

The Chairperson of the Employee Insurance and Pension Benefits Committee shall be the Council member of that political party which holds the majority of the Town Council.

§ 8-35 Terms of members.

The terms of the Council members and the Board of Education members shall be concurrent with their terms as members of the Town Council and the Board of Education, respectively. Three professional members of the Committee shall have terms which expire on November 30 in an odd-numbered year. Two professional members and the two alternates shall have terms which expire on November 30 in an even-numbered year. All appointments shall be for a period of two years.

Commented [8]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

§ 8-36 Functions.

It shall be the function of the Employee Insurance and Pension Benefits Committee:

- A. To determine the needs and develop specifications for the employee insurance and pension benefits program.
- B. To invite at least four agents or four direct-writing companies, or a combination of agents and direct-

writing companies, to submit qualifications for the purpose of becoming the employee insurance and pension benefits agent of record for the Town of Newington.

- (1) Such invitation shall be issued at least 120 days prior to the expiration of existing insurance coverage.
 - (2) Such qualifications to be established by the Employee Insurance and Pension Benefits Committee.
 - (3) The Employee Insurance and Pension Benefits Committee shall interview such EIPBC agents or direct-writing companies and shall, based on a majority vote of the Employee Insurance and Pension Benefits Committee, select an agent and/or a direct-writing company and recommend same to the Town Council for appointment.
 - (4) The appointment by the Town Council of the agent of record or consultant shall be for a period of six years.
 - (5) The Employee Insurance and Pension Benefits Committee shall review the performance of the agent of record or consultant not less than annually.
- C. To recommend to the Town Council the termination of the EIPBC agent of record or consultant if, in the opinion of the majority of the Committee, the agent of record or consultant fails to perform the functions as outlined in § 8-37. Upon termination of such EIPBC agent of record or consultant by the Town Council, a new agent of record or consultant shall be appointed pursuant to § 8-36B.
- D. To review all submitted insurance proposals.
- (1) Approval of the proposals to be recommended to the Town Council shall be by a majority vote of the Employee Insurance and Pension Benefits Committee.
 - (2) Upon approval, the proposed insurance program shall be submitted to the Town Council for acceptance.
 - (3) Subject to bargaining unit negotiations, the Committee shall arrange for the purchase of the insurance through the agent of record or consultant following acceptance of the proposed insurance by the Town Council.
- E. To periodically review employee insurance benefit coverages, loss data, other pertinent information, and make recommendations to the Town Manager and the Town Council with respect to the insurance program.

§ 8-37 Employee insurance and pension agent of record.

An employee insurance and pension benefits agent of record or consultant for the Town of Newington shall be appointed by the Town Council. Said agent shall be responsible to the Town Council designee, i.e., the Employee Insurance and Pension Benefits Committee. It shall be a function of the EIPBC agent of record or consultant:

- A. To solicit and negotiate with at least four insurance companies a program to provide the specific insurance coverages for the Town of Newington, upon appointment and based upon specifications prepared by the Employee Insurance and Pension Benefits Committee.
 - (1) The coverages for health, life, disability and dental shall be considered individual units to be proposed by each insurance.
 - (2) All other coverages may be proposed separately.
- B. To periodically review Town employee insurance and pension benefit coverages and loss data and

make recommendations to the Town Manager and the Employee Insurance and Pension Benefits Committee with respect to the need for ancillary insurance services, additional insurance coverages and modifications, updating or upgrading of existing coverages.

Article X Project Building Committees

[Adopted 10-26-1993 by Ord. No. 9193-10 (§§ 2-16 to 2-23 of the 1974 Code)]

§ 8-38 Definitions.

As used in this article, the following words and terms shall have the meanings hereinafter set out:

BUILDING PROJECT

Any construction or alteration of a Town facility estimated to cost in excess of \$250,000 in the aggregate.

CONTRACT

A signed agreement between the Town of Newington and the general contractor and/or architect/engineer/consultant, including any modifications issued after execution of the agreement.

COST ESTIMATES

Include, but are not limited to construction, contingency, architect and/or engineering fees, clerk of the works, consultant services, furnishings, landscaping, paving, insurance, legal notices, inflation, and any other related costs.

PROJECT BUDGET

The project building committee's proposed budget as presented to the Council for review at the time the Council authorizes the Town Manager to sign contracts and commence the project.

STATEMENT OF NEEDS

A written narrative presenting the public-interest reasons for undertaking a building project, an explanation of the function and purpose(s) of the proposed Town facility and recommendations, if any, on its size, scope, location and special features.

TOWN FACILITY

Any building, park or land leased, owned or to be acquired by the Town, except roads, bridges, drainage, flood control measures and public parking commonly referred to as "public works."

§ 8-39 Committee required for each project.

Pursuant to Article VI, § C-612, of the Charter of the Town, the Council shall establish a project building committee for each building project. For building projects in excess of \$100,000 but less than \$250,000, the Council, at its option, may elect to establish a project building committee which shall follow the rules of this Code.

§ 8-40 Members; appointment; representation.

The number of members of each project building committee shall be determined by the Council at the time of committee establishment. Members of the project building committee shall be appointed by the Council and shall attempt to include at least one member who has had architectural/construction/engineering background in the area of the project. When the requesting agency is a board or commission, the Council may appoint members of that board or commission to the project building committee but no more than 1/3 of the project building committee membership shall be members of the requesting agency.

§ 8-41 Ex officio members.

The Chairman of the Board of Education and the Superintendent of Schools shall serve as ex officio members without vote on any project building committee which has responsibilities pertaining to the construction or alteration of a school building. The Fire Chief and the Chairman of the Board of Fire Commissioners shall serve as ex officio members without vote on any project building committee having responsibility for the construction or alteration of Fire Department buildings. The Mayor and the Town Manager shall serve as ex officio members without vote on all project building committees. Other ex officio members may be appointed by the Council to a project building committee to serve without vote.

§ 8-42 Terms of members; vacancies.

The terms of members of a project building committee shall terminate with the final acceptance by the Council of the project for which such committee has been responsible or the abandonment of such project by the Council, whichever is earlier, provided that the term of each member who is a representative of the requesting agency shall have a project building committee term which expires coterminous with his/her term on the requesting agency, and any elected official representing his/her board or the Council shall have a project building committee term which expires coterminous with his/her term as an elected official. Vacancies may be filled by the Council at its discretion, having regard to the status of the project and the members remaining on the committee.

§ 8-43 Officers; records.

Each project building committee shall elect a chairman and secretary from its membership and shall keep a public record of its activities. When physically feasible, public meetings shall be tape recorded.

§ 8-44 Power and duties.

A project building committee shall have the powers and duties set forth herein and shall be vested with such general powers as inure in a building committee and shall have and exercise responsibility for the construction or alteration of the Town facility for which it has been charged.

§ 8-45 Building project procedure.

A building project shall be undertaken in accordance with the following procedure, provided the Council may, by six affirmative votes, vary such procedure in a specific case wherein it determines that the interest of the Town would be better served:

- A. Project initiation. Any board, commission or other agency of the Town which considers that the needs of the Town require the construction or alteration of a Town facility shall initiate consideration of such need only by presenting a statement of needs to the Council. If the Council determines that a valid need for such construction or alteration exists, it shall, by majority vote, establish a project building committee in accordance with the provisions hereof.
- B. Preliminary steps. The project building committee so established shall, in consultation with the requesting agency, review the statement of needs and the proposed project location. It shall thereafter submit an estimate of the cost of project planning to the Council along with a preliminary estimate of the cost of the entire project.
- C. Selection of architectural or engineering firm. If the Council determines that the proposed building project is financially feasible, it shall authorize the project building committee to recommend the selection of a firm of architects and/or engineers, as may be appropriate, to prepare plans for the building project. Such recommendation shall be made from among firms which respond to a request for proposals. Notice of such request for proposals shall be published at least once in each of two newspapers having circulation within the Town. The project building committee shall review the proposals and shall interview prospective candidates. It shall refer to the Council for approval the name of the architectural and/or engineering firm for selection. The Council shall select such firm or shall ask for further recommendations from said committee. It shall authorize the Town Manager to employ the firm so named and shall appropriate sufficient funds for the preparation of preliminary plans. If the Council disapproves of the recommendation, the project building committee shall make another recommendation and refer it to the Council for its action. If the project building committee is

unable to report to the Council the name of another architectural and/or engineering firm within 15 days following the Council's disapproval or the Council disapproves of said committee's recommendation for a second time, the Council shall select the architectural and/or engineering firm and authorize the Town Manager to employ it.

- D. Proposed location. The location for the proposed building project shall be referred by the Council to the Town Plan and Zoning Commission for its review consistent with C.G.S. § 8-24.
- E. Preparation of preliminary plans. The project building committee shall work with the architects and/or engineers on the preparation of preliminary plans. In so doing, it shall consult with the requesting agency. There shall be such joint meetings of the Council, the project building committee, and the requesting agency as may be deemed necessary. Upon completion, the project building committee shall submit the preliminary plans and cost estimates for the project to the requesting agency for its recommendation. After action by the requesting agency, the preliminary plans and cost estimates shall be submitted by the project building committee to the Council for its action.
- F. Revision of preliminary plans. If, in the judgment of the Council, the resources of the Town are inadequate to finance the estimated cost of the building project, the Council shall so notify the project building committee and the requesting agency and shall advise them of how much the cost is to be adjusted. The project building committee shall thereupon work with the architectural or engineering firm to determine how the cost of the building project may be revised to a level acceptable to the Council. If the function or size of the facility as specified in the statement of needs must be modified, the project building committee shall confer with the requesting agency to determine where adjustments may best be made.
- G. Appropriation. Should the Council approve the preliminary plans, it may appropriate the funds necessary for undertaking the project consistent with Article VIII of the Town Charter, provided that the Council shall have the option of proceeding to have final plans developed consistent with Subsection H hereto prior to taking action on such appropriation.
- H. Preparation and approval of final plans. When the Council so directs, the project building committee shall, with the help of the retained architect or engineer, prepare final plans, cost estimates, a project budget and specifications for presentation to the Council. In so doing, it shall confer with the requesting agency and, upon completion, shall submit same to the requesting agency for comment and recommendation. Thereafter, the project building committee shall submit such final plans, cost estimates, project budget and specifications to the Council for its approval and for authorization to proceed with the construction of the building project.
- I. Competitive bids. Following the Council's authorization to proceed with construction of the project, the project building committee shall secure competitive bids for construction or alteration through the purchasing agent in conformance with § C-815 of the Town Charter. The project building committee shall present to the Council for review a final project budget once bids are received. Upon acceptance of a bid, the Council shall authorize the Town Manager to execute appropriate contracts to accomplish such construction.
- J. Construction procedure. The Town Manager shall serve as the project building committee's agent in supervising the construction or alteration of the building project, meeting with the architect or engineer, contractor and project building committee when necessary. The Town Manager shall be authorized to approve change orders and disbursements within the project budget or as approved by the Council. The Town Manager shall be authorized to approve contract payments upon certification by the architect and/or engineer that, based on on-site observation, the work and charges are in accordance with contract documents.
- K. Project management coordination or supervision. If the project building committee determines that consultant services for project management or coordination are needed, and the approved budget allows for such service, it shall, after soliciting competitive proposals and interviewing qualified

candidates, recommend a candidate to the Council for its action. If the Council fails to approve of the recommendation, the project building committee shall make another recommendation and refer it to the Council for its action. If the project building committee is unable to report to the Council the name of another candidate within 15 days following the Council's disapproval, or if the Council disapproves of said Committee's recommendation for a second time, the Council may make its own selection or determine the selection is unnecessary. Employment of the person, firm or corporation so selected shall be by contract approved by the Council and executed by the Town Manager. If consultant services for project management or coordination are deemed unnecessary, the Council may authorize the Manager to appoint a clerk of the works in conformance with the Town Charter to furnish project supervision and oversee the day-to-day operation of the construction, provided that the approved project budget allows for such a position. The clerk of the works shall attend all meetings of the project building committee, including job meetings, meetings of the full committee and joint meetings between the committee and the Council or requesting agency. Committee members who wish to may attend job meetings. The clerk of the works shall maintain a daily log of all events at the job site. Any minutes of job meetings shall be distributed, and copies of the bid specifications and construction contract shall be made available to building committee members.

L. Modifications or changes during construction.

- (1) The project building committee shall be authorized and responsible to administer the project within the financial constraints of the project budget. If an emergency or extraordinary situation arises which precludes the committee from obtaining Council approval and requires a modification or change in the contract which does not affect the financial constraints of the project budget, the Town Manager may certify that an emergency or extraordinary situation exists. Emergencies are situations in which the project would be seriously hampered or in which public peace, health and safety are seriously threatened. "Extraordinary conditions" are defined as conditions that are not known until after an operation has begun and that require unanticipated parts, equipment or materials to complete the operation. Prompt written notification of such situations should be brought to the requesting agency and the Town Council's attention.
- (2) If the committee determines that additional funding is needed above that requested in the project budget, it must refer the request to the requesting agency for comment and to the Town Council for review and approval. Major changes which will affect the function or size of a Town facility or building project that arise during construction shall be referred for comment to the requesting agency and to the Council for review and approval. When a request for additional funding is made to the Council, an accounting of the financial receipts, commitments and expenditures to date must accompany the request. Any change order requiring an increase in cost above the original construction contract shall be subject to the approval of the Director of Finance as to the availability of funds.

M. Final acceptance. After construction and/or alteration of the building project has been completed to the satisfaction of the project building committee, as-built plans for the project have been received from the architect and/or engineer, and the requesting agency has been asked for its comments, the project building committee shall refer the facility to the Council for acceptance with a report on the status of the facility and the comments of the requesting agency together with any applicable warranties, guarantees, service manuals, surety bonds, original drawings, as-built drawings, clerk of the works' work log, etc., and operator training. When a project has been fully and satisfactorily completed and a final report has been received from the project building committee's Chairperson and the project has been accepted by the project building committee, the requesting agency and the Council, and the building committee has been dismissed, after all outstanding bills have been paid and the Town's independent annual audit has been completed, all unexpended balances in the building project's funds shall revert to the Town's general fund.

Article XI
Emergency Medical Service Committee

[Adopted 5-23-1995 by Ord. No. 9395-4 (§§ 2-102 to 2-105 of the 1974 Code)]

§ 8-46 Establishment.

Pursuant to Article VI, § C-612, of the Charter of the Town of Newington, the Town Council hereby establishes an Emergency Medical Service (EMS) Committee consisting of five members.

§ 8-47 Composition.

The Emergency Medical Service Committee shall consist of five members of which no less than three shall be active members of the Town's three public safety organizations (one each from fire, police and volunteer ambulance), but no more than two from each, and no less than one member shall be from the public, but no more than two. The appointments shall be made so as to have a staggered membership. Two appointments shall expire in an odd-numbered year, and three appointments shall expire in an even-numbered year. Each member is to serve a full two-year term which shall expire on December 31. Each member shall serve without compensation. A quorum can only be achieved if at least three members are present.

Commented [9]: Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).

§ 8-48 Responsibilities and duties.

A. The Committee shall as its first order of business:

- (1) Elect a Chairperson, Vice Chairperson, Secretary and Treasurer;
- (2) Establish bylaws and adopt Robert's Rules of Procedure;
- (3) Establish a meeting schedule; and
- (4) Establish a budget.

B. The Committee shall have the following duties:

- (1) Recommend to the Town Council any changes in the commercial ambulance/paramedic firm to serve the Town.
- (2) Monitor contractual service levels and make appropriate recommendations to the Town's volunteer ambulance association and the Town Council.
- (3) Oversee the commercial ambulance firm providing service to the Town.
- (4) Recommend to the Town Manager any penalties due to poor performance as defined in the contract with the commercial ambulance/paramedic firm serving the Town.
- (5) Adjudicate disputes related to EMS services.
- (6) Maintain liaison with the volunteer ambulance association.
- (7) Assist the volunteer ambulance association in the training of members, if requested by the volunteer association.
- (8) Prepare budgetary requests to the Town Council.
- (9) Conduct public relations and public education programs on EMS service.
- (10) Make annual reports to the Town Council.

(11) Have full discretion to expend funds within appropriations made to it by and within the accounting and purchasing procedures of the Town. The Committee may also accept donations which it shall be free to use as it deems necessary. It shall maintain records of its income and expenses and include this information as part of its annual report.

(12) Adhere to all applicable regulations as may from time to time be established by the federal and state governments.

§ 8-49 Indemnification.

The members of the Committee shall be indemnified and be covered by the Town's insurance in the performance of their duties.

~~Article XII
Committee on Community Safety~~

~~[Adopted 8-12-2008 by Ord. No. 0709-3]~~

~~§ 8-50 Establishment.~~

~~Pursuant to Article VI, § C-612, of the Charter of the Town of Newington, the Town Council hereby establishes a Committee on Community Safety.~~

~~§ 8-51 Purpose.~~

~~The Committee shall be established as a forum for the public to voice its safety concerns, to understand those safety concerns, and to suggest solutions to the Newington Town Council.~~

~~§ 8-52 Membership; terms.~~

~~The Committee shall consist of seven members from the public. The members of the public shall be appointed by the Town Council and shall have staggered four-year terms. Initially four members shall be appointed for a term expiring on November 30, 2011, and three members shall be appointed for a term expiring on November 30, 2009.~~

~~§ 8-53 Liaisons; terms.~~

~~The Town Council shall appoint three liaisons, the Board of Education shall appoint two liaisons, and the Youth Adult Council shall appoint one liaison. The liaison appointments shall expire coterminous with the Board or Council represented.~~

~~§ 8-54 Meetings.~~

~~This Committee shall, as its first order of business, elect a Chairperson and establish a meeting schedule. The Committee shall meet at least once a year. Meetings may be called by the Chairperson or by petition of any three members.~~

~~§ 8-55 Staff support.~~

~~The Committee shall be staffed by the Director of Human Services. If the assistance of additional Town staff is sought, the Chairperson of the Committee on Community Safety shall present such a request to the Town Manager.~~



Tanya D. Lane
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: Jaime Trevethan, Asst. to the Town Manager (on behalf of Tanya D. Lane,
Town Manager)
Date: October 14, 2016
Re: AMR Agreement

At its October 18th meeting, Assistant Town Attorney Tony Palermino reviewed the proposed agreement between the Town and American Medical Response (AMR) for professional ambulance services. The Town has been in negotiations with AMR for several months and the final step in the process will be for the Council to authorize the Town Manager to execute the agreement.

If the Council concurs, a resolution to authorize the Town Manager to enter into an agreement with AMR will be included for consideration at the October 25, 2016 Town Council meeting.

Attach.

AGENDA ITEM: VI.B.

DATE: 10-25-16

RESOLUTION NO. _____

RESOLVED:

That the Newington Town Council hereby authorizes the Town Manager to execute an agreement between the Town of Newington and American Medical Response (AMR) for professional ambulance services, said agreement shall be effective through June 30, 2019.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

AGENDA ITEM: VI.C.

DATE: 10-25-16

RESOLUTION NO. _____

RESOLVED:

That the Newington Town Council hereby alters its meeting schedule by canceling its regular meeting scheduled for November 8, 2016.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

AGENDA ITEM: VIII

DATE: 10-25-16

RESOLUTION NO. _____

RESOLVED:

That property tax refunds in the amount of \$2,025.48 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

TAX REFUNDS – OCTOBER 25, 2016

USB Leasing LT Attn: Tax Servicing 1850 Osborn Avenue Oshkosh, WI 54902	\$189.55
Toyota Motor Credit Corp. 19001 S. Western Ave. Attn: Product Operations WF21 Torrance, CA 90509	\$548.44
Hyundai Lease Titling Trust Attn: Property Tax Refunds 3161 Michelson Dr., Ste. 1900 Irvine, CA 92612	\$447.93
Central Conn. Carpentry LLC 74 Glenview Drive Newington, CT 06111	\$171.96
Susan or Lawrence DuPont 87 Back Lane Newington, CT 06111	\$13.94
John Bachand 56 Maple Hill Ave. Newington, CT 06111	\$15.77
Lucia or Luisa Maffucci 72 Morgans Way Higganum, CT 06441	\$171.60
Wheels LT 666 Garland Place Des Plaines, IL 60016	\$241.06
Nathaniel Mayo 109 Boylston Street Newington, CT 06111	\$225.23
Total	\$2,025.48