NEWINGTON TOWN COUNCIL
REGULAR MEETING AGENDA

Town Council Chamber, Room 103 – Town Hall
200 Garfield Street
Tuesday, July 26, 2022, 7:00 P.M.

***This Regular Town Council Meeting to begin at the conclusion of the Public Hearing, but no earlier than 7:00 P.M.***

This meeting will be presented as a Zoom Webinar/Hybrid Meeting. Information on how to attend will be posted on the website at https://www.newingtonct.gov/virtualmeetingschedule

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF AGENDA
4. PROCLAMATIONS/AWARDS
   A. Proclamation – NCTV 2022 Hometown Media Award
   B. Proclamation – NEMS 2022 Hometown Media Award
5. PUBLIC PARTICIPATION – IN GENERAL (Via Zoom Application or Phone)
   (3 MINUTE TIME LIMIT PER SPEAKER ON ITEMS IN GENERAL)
   A. Public Comments
   B. Email Correspondence
6. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION
7. CONSIDERATION OF OLD BUSINESS
   A. Amendment to the Adopted Meeting Schedule- Cancel August 9, 2022
   B. Accessory Dwelling Unit Opt-Out of PA 21-29
      1. Review of Public Hearing Comments
      2. Resolution – Adoption of the Opt-out Provision of PA 21-29
   C. Referral of Proposed Language Recommendations to the Charter Revision Commission
8. NEW BUSINESS
   A. Proposed Fee Schedule for Fire Department & Fire Marshal’s Office
9. RESIGNATIONS/APPOINTMENTS (Action May Be Taken)
   A. Appointment – Zoning Board of Appeals
10. REFUNDS (Action Requested)
    A. Approval of July 26, 2022 Refunds for an Overpayment of Taxes
11. MINUTES OF PREVIOUS MEETINGS
    A. July 12, 2022 Regular Meeting Minutes
12. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER
13. COUNCIL LIAISON/COMMITTEE REPORTS
14. PUBLIC PARTICIPATION – IN GENERAL (Via Zoom Application or Phone)
    (3 MINUTE TIME LIMIT PER SPEAKER ON ITEMS IN GENERAL)
15. REMARKS BY COUNCILORS
16. INFORMATIONAL ITEMS
    A. Mayoral Appointment to the Greater Hartford Flood Commission
17. ADJOURNMENT
WHEREAS, Newington Community Television, Inc., known locally now as NCTV, was founded on June 23, 1986 as a local affiliate of the Cox Communications Community Access System; and

WHEREAS, NCTV is a tax exempt, non-profit corporation staffed primarily by volunteers and dedicated to providing Newington residents with non-commercial public, educational and government access television programming; and

WHEREAS, NCTV, by televising numerous local government meetings, veterans’ and local election programs, community and public service announcements and a wide variety of locally produced programs of local interest, has advanced civic awareness, has encouraged citizen participation in the electoral process and has promoted public safety and patriotism; and

WHEREAS, NCTV, in cooperation with the Newington Emergency Medical Services (NEMS), produced a Public Service Announcement (PSA) entitled “Alcohol Poisoning: When Drinking Turns Dangerous”, which was submitted to the Alliance for Community Media Foundation; and

WHEREAS, NCTV and NEMS, through its volunteers, created an informational video which highlighted the dangers of alcohol and the role that friends play in keeping each other safe; and

WHEREAS, the informational video was one of nearly one thousand entries, of which it was one of one hundred award winners; and

WHEREAS, the PSA has been viewed by over 15,000 Connecticut High School students to highlight the dangers of alcohol poisoning; and

NOW, THEREFORE, BE IT RESOLVED:

that the Newington Town Council hereby recognizes NCTV for its PSA, “Alcohol Poisoning: When Drinking Turns Dangerous” and congratulates them on being a 2022 Hometown Media Award winner from the Alliance for Community Media Foundation.

MOTION BY: _________________________
SECONDED BY: _____________________
VOTE: ____________________________
HOMETOWN MEDIA AWARD WINNER

Alcohol Poisoning: When Drinking Turns Dangerous

Community Impact
Independent Producer

Newington Community Television
Sandy Austin Goldstein and Scott Allo

Presented by the Alliance for Community Media
2022
AGENDA ITEM:  ___4.B_________

DATE:  ___7/26/2022____________

RESOLUTION NO.:  ___2022-____

PROCLAMATION

WHEREAS, the Newington Volunteer Ambulance Corps (NVAC) was originally founded in 1969 and was renamed to the Newington Emergency Medical Services (NEMS) in 2015; and

WHEREAS, the Newington Emergency Medical Services began serving the citizens of Newington in 1969, with a handful of staff volunteers, a converted firehouse and a used ambulance; and

WHEREAS, the Newington Emergency Medical Services now serves the citizens of Newington, with over 50 staff volunteers, a modern facility headquarters, 4 active ambulances and a dedicated Mass Casualty Incident response vehicle; and

WHEREAS, the Newington Emergency Medical Services is the primary provider for the Town and responds to 911 calls, fire rehabilitation, mass casualty incident, community standby events and performs community education; and

WHEREAS, the Newington Emergency Medical Services is committed to the continuing education of their members, to ensure that the highest level of service is provided to the community; and

WHEREAS, the Newington Emergency Medical Services partners with several organizations to provide training for their members and the public in basic life support, CPR, first aid, babysitting courses and pet first aid in addition to complete Emergency Medical Technician (EMT) courses; and

WHEREAS, through the collaborative efforts between NEMS and NCTV, the dangers of drinking for teens and young adults, was highlighted through a realistic approach to the effects of alcohol poisoning and the impacts that is has upon friends, family and the community; and

WHEREAS, without the support of NEMS Chief Scott Mangan and EMT Hannah Crary, the project allowed for a realistic view of the true impact of alcohol surrounding everyone.

NOW, THEREFORE, BE IT RESOLVED:

that the Newington Town Council hereby recognizes NEMS for its support and assistance in the creation and submission of the PSA, “Alcohol Poisoning: When Drinking Turns Dangerous” and congratulates them on being a 2022 Hometown Media Award winner from the Alliance for Community Media Foundation.

MOTION BY: __________________________
SECONDED BY: _______________________
VOTE: _______________________________
Memorandum

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: July 18, 2022
Re: Amendment to the Adopted Meeting Schedule – RE: August 9, 2022 Regular Meeting

During the June 28, 2022 and July 12, 2022 Regular Meetings, the Town Council had the opportunity to discuss a cancellation/rescheduling of the August 9, 2022 Regular Meeting due to the state-wide primaries taking place. We have been in contact with the Board of Education, and have confirmed that the Helen Nelson Room is available for use that evening. Due to the proposed change in meeting location, we would need to post as a Special Meeting, but would ensure all necessary business is added to the Agenda prior to posting.

Should the Town Council approve of the cancellation of the August 9th Regular meeting, and the scheduling of a Special meeting located in the Helen Nelson room, a Resolution to that effect is included for your action this evening. As always, should the need arise, additional Special meeting(s) may be scheduled in the event of an emergency or other issue.

Attachment:
- Resolution – Cancellation of the August 9, 2022 Regular Meeting
RESOLVED:

The Newington Town Council hereby amends the approved 2022 annual meeting schedule and approves the cancellation of the August 9, 2022 Town Council Regular Meeting.

BE IT FURTHER RESOLVED, THAT:

The Newington Town Council hereby schedules a Special Meeting, in the Helen Nelson Room at 7:00 PM on August 9, 2022.

MOTION BY: ________________________
SECONDED BY: _____________________
VOTE: _____________________________
Following the conclusion of the June 2021 legislative session and the passage of Public Act 21-29, there were a number of changes that directly relate to land use and Planning & Zoning. Many of these changes mandate specifically how Towns must regulate (or not) specific land use issues. One category of changes within the Act establishes default provisions to allow the construction of accessory apartments (ADU) on any lot containing a single-family home unless the Municipality affirmatively chooses to opt-out of the provision prior to January 1, 2023. While the specific language of the bill can be viewed here, the important points for consideration are as follows:

1. Newington must opt out by January 1, 2023 or language within Act will override local regulations.
2. Each Municipality that does not opt out must allow ADU’s “by right” which means they cannot be approved via a Special Permit or require a public hearing by TPZ.
3. ADU’s must be allowed to be attached or detached, cannot be required to have a separate exterior door or separate utilities.
4. Regulations cannot require a minimum square foot value for an ADU.
5. Regulations cannot require more than one parking space per ADU.
6. Regulations cannot require more restrictive setback or location standards than what is required for single-family homes.
7. Towns cannot require as of right ADU’s sharing a lot with a single-family home to be preserved for lower income families.

Newington has had Zoning Regulations which allow Accessory Apartments since 2009 but the current criteria does not align with this legislation. The Town Plan & Zoning Commission has carefully considered this issue and, after two nights of public hearings, determined that based upon the unique characteristics of Newington’s neighborhoods and, the potentially significant increases to the density of our residential areas through the establishment of these mandatory provisions, opting out of this provision is appropriate. By opting out, the Town, through the TPZ will continue to have the ability to control the establishment of ADUs by either maintaining the current requirements or developing new language which is specific to Newington.

The Opt-out Process:

The Act requires that for a Town to affirmatively opt out, they take the following steps:

1. Planning & Zoning Commission (TPZ) must hold a public hearing on proposed opt-out provision (Completed: May 11 and May 25, 2022)
2. TPZ must approve opt-out by 2/3 majority vote (Completed: May 25, 2022)
3. Publication of decision notice (Completed: May 31, 2022)
4. Town governing body (Town Council) must also approve opt-out by 2/3 majority vote and should state on the record the reasons for supporting the opting out.

Attachment:
- A Resolution has been included you’re your consideration this evening.
RESOLVED,

That the Newington Town Council, after careful consideration, and in accordance with the Public Act 21-29, and Connecticut General Statutes (New) Section 6 (f) as amended by Public Act 21-29, hereby moves to Opt-out of the act’s provisions overriding the local Accessory Apartment zoning regulations and finds the following:

1. Based on the unique characteristics of Newington’s neighborhoods, the small size residential lots and the dense population, and, the potentially significant increases to the density of our residential areas through the establishment of the act’s mandatory provisions, opting out of PA 21-29 is appropriate for Newington.

2. By opting out, the Town, will continue to allow the accessory apartments under the purview of the Town zoning regulations.

MOTION BY: ________________________
SECONDED BY: ____________________
VOTE:____________________________
Memorandum

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: July 21, 2022

During the July 20, 2022 Public Hearing and Special Meeting, the Town Council received public comments and discussed recommendations to the supplied draft language. The Council chose to move any proposed language recommendations, for referral back to the Commission, until this evening to allow for time to review the suggestions brought forward.

During the meeting we will have the current recommended language from the 2022 Charter Revision Commission to use for markup and submission back for review. Once the recommendations are made the commission will have up to 30 to complete their review and supply their final report to the Town Council. The Council will then have up to 15 days to after receipt of the final report to accept or reject the proposed amendments.

The Town Council should also discuss whether you would like to schedule a Public Hearing on the final report. All of these actions would need to be completed no later than September 8, 2022, in order for the measure to be included on the November State election ballot.
MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: July 18, 2022
Re: Fee Updates: Fire Department & Fire Marshal Office

The Fire Marshal, DJ Zordan, on behalf of the Fire Department and his office is requesting to update the current Fee Schedules to include several permits and fees. The proposed fees were reviewed and approved by the Board of Fire Commissioners during their June 9, 2022 Regular meeting.

Attached for your review are memorandums from Fire Chief Jeff Trommer and Fire Marshal DJ Zordan, outlining the proposed fees and an outline of what service they would be applied to. Mr. Zordan and Mr. Trommer will be available during the meeting to address any questions that may arise.

If the Council concurs, a Resolution would be included as part of an upcoming meeting for adoption of the proposed fees.

Attachments:
- Memorandum – From Fire Chief Jeff Trommer, Re: Additions to Fee Schedule-Fire Department, dated July 21, 2022
- Memorandum – From Fire Marshal DJ Zordan, Re: Additions to Fee Schedule – Fire Marshal’s Office, dated July 21, 2022
Memorandum

To:                     Newington Town Council
From:                   Fire Chief Jeff Trommer
Date:                   July 22, 2022
Re:                     Additions to Fee Schedule – Fire Department

At the last meeting of the Board of Fire Commissioners, June 9, 2022, the Board approved the request to forward the following proposal to the Town Council which, if approved, will add the described fees into the Town Fee Schedule, in accordance with the Town of Newington Code – Chapter 225.

The following service fees will be billed by a third-party billing company and charged to the involved parties insurance company.

Proposed Fees:

Light Duty Rescue/HazMat - $400
- Any rescue utilizing personnel and equipment in securing and protecting the scene. Services provided include the use of hand tools (ex. Cutting battery cables), absorbent material (Speedy Dry, Cat Litter), Reflective or Combustible warning devices.

Heavy Duty Rescue - $700
- Any or all the services of a Light Duty Rescue and the use of Hydraulic, Pneumatic, Electric or Gas-powered tools to free a victim from an entrapped state.

Technical Rescue - $1000
- Technical Rescue includes but is not limited to Confined Space, Vertical or Search and Rescue situations.
  - Rescues that require specialized training, equipment, or units outside of fire suppression and auto extrication.

Hazardous Materials Response - $2000
- A response to a substance or material that has been determined to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and is designated as hazardous under section 5103 of Federal hazardous materials transportation law (49 U.S.C. 5103).
In addition to the response fee an itemized statement of any equipment damaged, and supplies used during the incident will be charged to the insured.

Light Vehicle Fire - $400
- Vehicle fires that involve normal passenger vehicles to include passenger cars, vans, pickup trucks and SUVs.

Heavy Vehicle Fire - $500
- Vehicle Fires that involve larger commercial vehicles to include over the road trucks, recreational vehicles (RV) and buses.

Structure Fire (Mobile Home) - $250
- Any residence considered able to be moved via its own trailer built as part of the residence.

Structure Fire (Fixed Residence) - $500
- Any residence permanently placed on a foundation, concrete pad or other type of location.

Structure Fire (Industrial) - $1000
- Structure Fire located in a business or industrial facility.

Standby Fee - $150 per hour
- Extended Standby after the initial call

Apparatus Standby- Rates are per hour
- Service/Utility Vehicle - $200
- Engine - $300
- Ladder - $500
Memorandum

To: Newington Town Council
From: Fire Marshal DJ Zordan
Date: July 22, 2022
Re: Additions to Fee Schedule – Fire Marshal’s Office

At the last meeting of the Board of Fire Commissioners, June 9, 2022, the Board approved the request to forward the following proposal to the Town Council which, if approved, will add the described fees into the Town Fee Schedule, in accordance with the Town of Newington Code – Chapter 225.

The following fees will be used solely for the purposes of offsetting expenses incurred by the Fire Marshal’s Office in the performance of their duties as required by the Connecticut General Statutes.

Proposed Fees:

NFIRS Report Request - $10 per report
- The National Fire Incident Reporting System (NFIRS) is the reporting system that the fire department is required to use by both the State of Connecticut and the United States Fire Administration. This is a basic report that provides information on the location of an incident, type of incident, services provided, personnel responding, along with various other data fields based upon the incident type.

Fire Investigation Report Request - $200
- A fire investigation report, also referred as an Origin and Cause Report, is completed for all major fires within the town. This report contains specific information regarding the determination of where the fire started, the first fuel ignited, the ignition source, and the circumstances which brought the heat and fuel together. This report also includes copies of photographs, video documentation, witness statements, and sketches.

Application for Blasting Permits - $60
- This fee is set forth and mandated by the State of Connecticut and is collected by each local municipality. A permit is generally valid for a period of thirty (30) days which requires each blaster to obtain a new permit every 30 days.
Application for Fireworks Permit - $250
- The Connecticut General Statutes require a Local Fire Marshal to be on-site from the time that fireworks arrive through the discharge/clean-up of the show. This fee defers the cost from the operating budget of the Fire Marshals Office to the applicant for this required standby. This fee would be assessed prior to permit approval.

Application for Open Burning - $20
- Any resident wishing to conduct open burning on their property must obtain a permit from the open burning official. This does not include the use of a fire pit/outside chimney/chimnea.

After-hours Inspection - $65
- If an inspection is required to be done outside of normal working hours, this fee will cover the cost of a staff member for approximately 2 hours. Inspections that may be requested to be performed after hours usually include fire alarm acceptance testing, emergency lighting, or residential inspections to accommodate residents that work during normal business hours.

Fire Watch - $50 per hour/per person
- In the event that a fire watch is ordered and the property owner elects to have the Fire Marshal’s Office or Fire Department provide this service, the cost associated with staffing is passed directly to the property owner or business occupant. Fire watches are typically ordered when required fire protection is out of service and the building is still occupied.

Plan Review (Expedited) - $300
- The Connecticut General Statutes allows the Fire Marshal’s Office 30 days from the receipt of plans to review for compliance. Many times, property/business owner, developers, and architects request their plans to be reviewed quicker than 30 days. This fee will allow the staffing of personnel to the office for the specific purpose of plan review and the turn-around time will be no longer than 4 days.
RESOLVED:

That the Newington Town Council here by makes the following appointment:

**Zoning Board of Appeals**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Party</th>
<th>Term</th>
<th>Replaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timothy Hutvagner, Member</td>
<td>32 Old Hatchery Lane</td>
<td>D</td>
<td>7/26/2022-11/30/2023</td>
<td>Resignation of A Ekstrom</td>
</tr>
</tbody>
</table>

MOTION BY: ______________________
SECONDED BY: ___________________
VOTE: _________________________
RESOLVED:

That property tax refunds in the amount of $8.40 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: _____________________________
<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stefanou, Ida</td>
<td>$ 8.40</td>
</tr>
<tr>
<td>50 Mill St Apt 111 Newington, CT 06111</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL** $ 8.40
July 21, 2022

The Honorable Luke Bronin
Mayor of Hartford
550 Main Street, 2nd Floor, Rm 200
Hartford, CT 06103

Greetings Mayor Bronin,

I would like to request the acceptance of my appointment of John Bachand to the Greater Hartford Flood Commission, as our Newington Representative, due to the retirement of Alan Wengell. I have included a copy of my appointment letter for Mr. Bachand for general contact information.

Thank you for your anticipated approval of my recommended appointment. Should you have any questions, or require additional information, please feel free to reach out to me.

Signed,

Mayor Beth DelBuono
Town of Newington

CC: Keith Chapman, Newington Town Manager
    James E. Krupienski, Newington Town Clerk
    Luke Bronin, Hartford Mayor
    Noel McGregor, Hartford City & Town Clerk
    Frank Dellaripa, Hartford City Engineer
July 21, 2022

John Bachand
56 Maple Hill Avenue
Newington, CT 06111

Dear Mr. Bachand,

I am hereby appointing you to the Greater Hartford Flood Commission as the Newington Representative, in accordance with authorization in Connecticut Special Act 72, Section 3 of November 1955, as amended by Special Act 292, Section 2 of 1957 and Public Act 13-299 of 2013.

Your appointment information has been supplied to the Office of the Mayor of Hartford for your appointment to the Commission.

Thank you for your willingness to serve on this important regional commission.

Signed,

Mayor Beth DelBuono
Town of Newington

CC: Keith Chapman, Newington Town Manager
    James E. Krupienski, Newington Town Clerk
    Luke Bronin, Hartford Mayor
    Noel McGregor, Hartford City & Town Clerk
    Frank Dellaripa, Hartford City Engineer