

AGENDA

**TOLLAND TOWN COUNCIL
HICKS MEMORIAL MUNICIPAL CENTER
6th FLOOR COUNCIL ROOM
JANUARY 24, 2012 – 7:30 P.M.**

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **MOMENT OF SILENCE**
4. **PROCLAMATIONS:** Honoring Tolland Project Graduation's 25th Anniversary.
5. **PUBLIC PETITIONS, COMMUNICATIONS, AND PUBLIC PARTICIPATION** (*on any subject within the jurisdiction of the Town Council*) (2 minute limit)
6. **PUBLIC HEARING ITEMS:** None.
- 7a. **REPORTS OF BOARDS AND COMMITTEES RESPONSIBLE TO THE COUNCIL:** None.
- 7b. **REPORTS OF TOWN COUNCIL LIAISONS:**
8. **NEW BUSINESS (ACTION/DISCUSSION ITEMS):**
 - 8.1 Presentation and discussion of 2010-2011 Comprehensive Annual Financial Report.
 - 8.2 Debt Management Plan Presentation by Christine Caruolo and Chris Martin of Webster Bank.
 - 8.3 Health Insurance Update Presentation by Steve May of Milliman.
 - 8.4 Consideration of a resolution making an additional appropriation of \$188,390 in bond premium from the 2011 bond issue and setting aside this amount as "assigned" general fund balance to offset future debt service expenditures and the setting of a public hearing thereon for February 14, 2012.
 - 8.5 Discussion on replacement of damaged and/or stolen recycling carts.
 - 8.6 Authorization to expend up to \$15,000 from the CNRE fund for the purchase of a used generator to replace generators identified in the five year capital budget.
 - 8.7 Appointments to vacancies on various municipal boards/commissions.
9. **OLD BUSINESS (ACTION/DISCUSSION ITEMS):** None.
10. **REPORT OF THE TOWN MANAGER (A WRITTEN REPORT SHALL BE PROVIDED THE 1ST MEETING OF THE MONTH ONLY)**

11. **ADOPTION OF MINUTES**

11.1 January 10, 2012 Meeting Minutes

12. **CORRESPONDENCE TO COUNCIL**

13. **COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS**

14. **PUBLIC LISTED PARTICIPATION** (*on any subject within the jurisdiction of the Town Council*)
(3 minute limit)

15. **ADJOURNMENT**

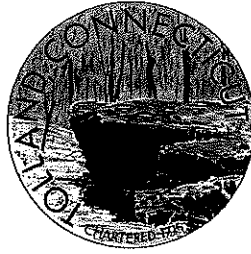
Jack Scavone, Council Chair

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The Town of Tolland is an Affirmative Action/Equal Opportunity Employer

Town of



Tolland

Proclamation

Celebrating Tolland Project Graduation 25th Anniversary

WHEREAS, Tolland Project Graduation (TPG) has been keeping our graduates safe since 1987. TPG is planning its 25th safe-grad party, which will be held at the end of this school year. TPG is a volunteer-based community organization that provides an all-night, fun-filled, substance-free party for Tolland High School seniors on their graduation night; and

WHEREAS, in order to host the party, TPG needs to raise about \$35,000 each year. Those funds are used for facility rental, food and drink, entertainment, activities and prizes for every attendee; and

WHEREAS, TPG's funding comes mainly from several sources. Volunteers sell concessions at UConn football games at Rentschler Field, men's and women's home basketball games at Gampel Pavilion and sort and collect almost 250,000 cans and bottles that are donated by Tolland residents at quarterly bottle drives. TPG coordinates an annual plea to the very generous local businesses in Tolland and the surrounding towns; and

WHEREAS, TPG is led by a committee of about 15 officers who are regular parents who have been actively involved for many years. In addition to administrative offices (president, secretary, treasurer, membership), committees include concession coordinators, bottle drive coordinators, food and drink coordinators, entertainment, decorations, prizes, chaperone coordinators and even a "Fun Captain." The committee does all of its annual planning in only 8 meetings throughout the school year;

NOW, THEREFORE, I, Jack Scavone, Chairperson of the Tolland Town Council, on behalf of the Town Council, do hereby recognize Tolland Project Graduation's 25th Anniversary and the great group of volunteers who work tirelessly for the sake of Tolland's students.

Dated at Tolland, Connecticut, this 24th day of January, 2012.

TOWN OF TOLLAND

Jack Scavone
Town Council Chair

Agenda Item #8.1

AGENDA ITEM BACKGROUND

ITEM: Presentation and discussion of 2010-2011 Comprehensive Annual Financial Report.

ITEM SUBMITTED BY: Steven R. Werbner, Town Manager

FOR COUNCIL MEETING OF: January 24, 2012

TOWN MANAGER APPROVAL: _____

ITEM SUMMARY: Vanessa Rossitto of the Town's auditing firm, Blum, Shapiro & Company, P.C. will be in attendance tonight for a presentation on the Town's audit for the year ending June 30, 2011. Comprehensive Annual Financial Reports, Federal and State Single Audit Reports and the Management Letter are included in the packets.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: N/A.

SUPPORTING MATERIALS: N/A.

Agenda Item #8.2

AGENDA ITEM BACKGROUND

ITEM: Debt Management Plan Presentation by Christine Caruolo and Chris Martin of Webster Bank.

ITEM SUBMITTED BY: Steven R. Werbner, Town Manager

FOR COUNCIL MEETING OF: January 24, 2012

TOWN MANAGER APPROVAL: _____

ITEM SUMMARY: The Town's financial advisors from Webster Bank, Christine Caruolo and Chris Martin will be in attendance tonight for a presentation on the Town's debt management plan and financial strategy for future capital projects.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: N/A.

SUPPORTING MATERIALS:

- Review of Proposed Debt Issuance Plan & Financial Indicators
- Summary of Debt Management Policy

Review of Proposed Debt Issuance Plan & Financial Indicators

Town of Tolland, Connecticut
January 2012

Executive Summary

Existing and Authorized-But-Unissued Debt

As of June 30, 2012, the Town of Tolland will have outstanding gross tax-supported debt in the principal amount of \$54,571,571, not including sewer debt paid from assessments. Authorized-but-unissued debt includes the balance of the new high school project at \$43,727, \$370,338 for various open space projects, \$1,227,085 for various capital projects, \$617,000 for the sewer project, and \$1,762,936 for the Birch Grove School expansion, for a total of \$4,021,086.

Proposed Capital Projects

Actual and proposed capital projects for fiscal years ending 2011 through 2017 total \$6,726,938. See below for detailed listing of projects.

Proposed Capital Projects

2010/11 remaining capital projects	\$	100,000
2011/12 remaining capital projects	\$	276,738
2012/13 BOE projects	\$	659,000
2012/13 streets & roads		578,600
2012/13 public facilities		30,000
	\$	1,267,600
2013/14 capital equipment	\$	147,000
2013/14 streets & roads		1,201,300
	\$	1,348,300
2014/15 pavement management	\$	480,000
2014/15 Parker school boiler & roof		1,200,300
	\$	1,680,300
2015/16 town administration	\$	250,000
2015/16 Birch Grove Primary		100,000
2015/16 capital equipment		289,000
2015/16 pavement management		580,000
	\$	1,219,000
2016/17 Birch Grove Primary	\$	100,000
2016/17 Capital Equipment		155,000
2016/17 Pavement Management		580,000
	\$	835,000
Total Capital Projects	\$	6,726,938

Proposed Debt Issuance Plan

The recommended financing strategy for the authorized-but-unissued debt and proposed capital projects listed above includes a combination of a series of bond anticipation notes and bonds issued within the next five years. The THS Field Lights borrowing for \$300,000 is included in the bond dated 9/1/14 but is not expected to impact the general fund debt service as it will be funded through private donations.

See below for details.

Fiscal Year 2012/13 CIP year 1

BAN #3B	Dated 9/15/12, due 9/14/13	2012/13 capital projects	\$	1,267,600
		2011/12 capital projects (façade, drainage)		276,738
		2010/11 capital projects remain drainage		100,000
				<u>1,644,338</u>
	Dated 9/15/12, due 9/14/13	THS Field Lights*		300,000
		BAN #3B Total	\$	1,944,338

Fiscal Year 2013/14 CIP year 2

BAN #4	Dated 9/14/13, due 9/13/14	Rollover of BAN #3B	\$	1,644,338
	Dated 9/14/13, due 9/13/14	2013/14 capital projects		1,348,300
				<u>\$ 2,992,638</u>
	Dated 9/14/13, due 9/13/14	THS Field Lights*	\$	300,000
		BAN #4 Total		3,292,638

Fiscal Year 2014/15 CIP year 3

Bond #5	Dated 9/1/14, due 9/1/15-24	Rollover BAN #4	\$	2,992,638
	Dated 9/1/14, due 9/1/15-24	2014/15 pavement management		480,000
	Dated 9/1/14, due 9/1/15-24	THS Field Lights*		300,000
		issuance costs		52,362
			\$	3,825,000

Fiscal Year 2015/16 CIP year 4

BAN #5	Dated 9/15/15, due 9/14/16	2014/15 Parker School Boiler and Roof	\$	1,200,300
		2015/16 capital projects	\$	1,219,000
		BAN#5 Total	\$	2,419,300

Fiscal Year 2016/17 CIP year 5

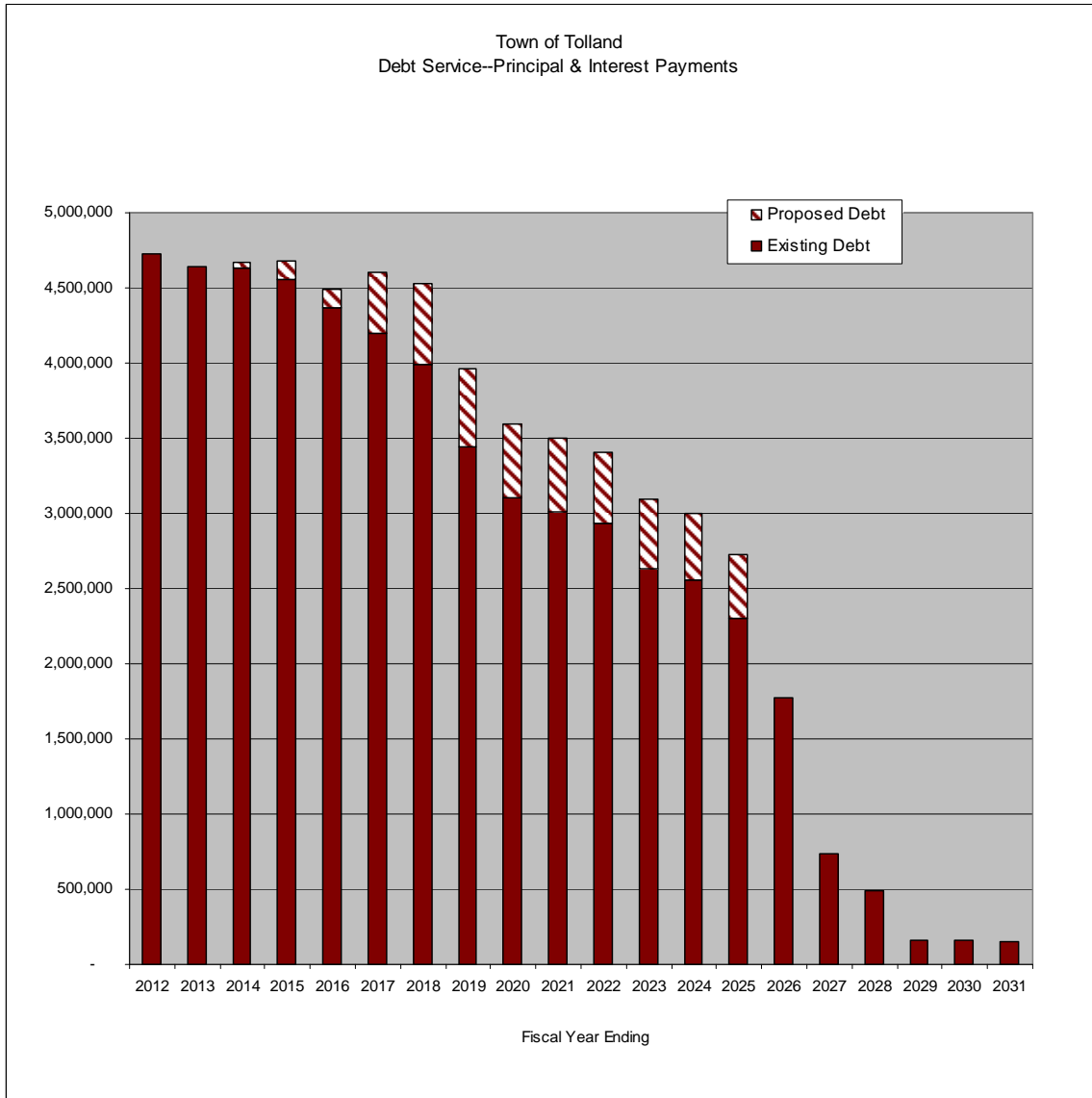
BAN #6	Dated 9/14/16, due 9/13/17	Rollover of BAN#5	\$	2,419,300
		2016/17 capital projects	\$	835,000
		BAN #6 Total	\$	3,254,300

Total Bonds Proposed **\$ 3,825,000**

* THS Field Lights are expected to be financed through private donations.

Existing and Proposed Debt Service

The solid color represents the town's existing debt service, and the candy cane portion is what is proposed in this debt plan. The peak debt service year for existing debt for Tolland is in the current fiscal year of 2012. When proposed debt is taken into account, the peak year is 2015. Debt service remains steady until 2016 when there is a slight decrease, and then there is a sharp decline beginning in the FY2019. The decline will allow the Town the ability to fund more capital projects through debt service without significantly increasing the amount of money allocated each year to debt service payments. In the 2017 fiscal year the proposed debt service has been offset by \$188,390 of bond premium received.

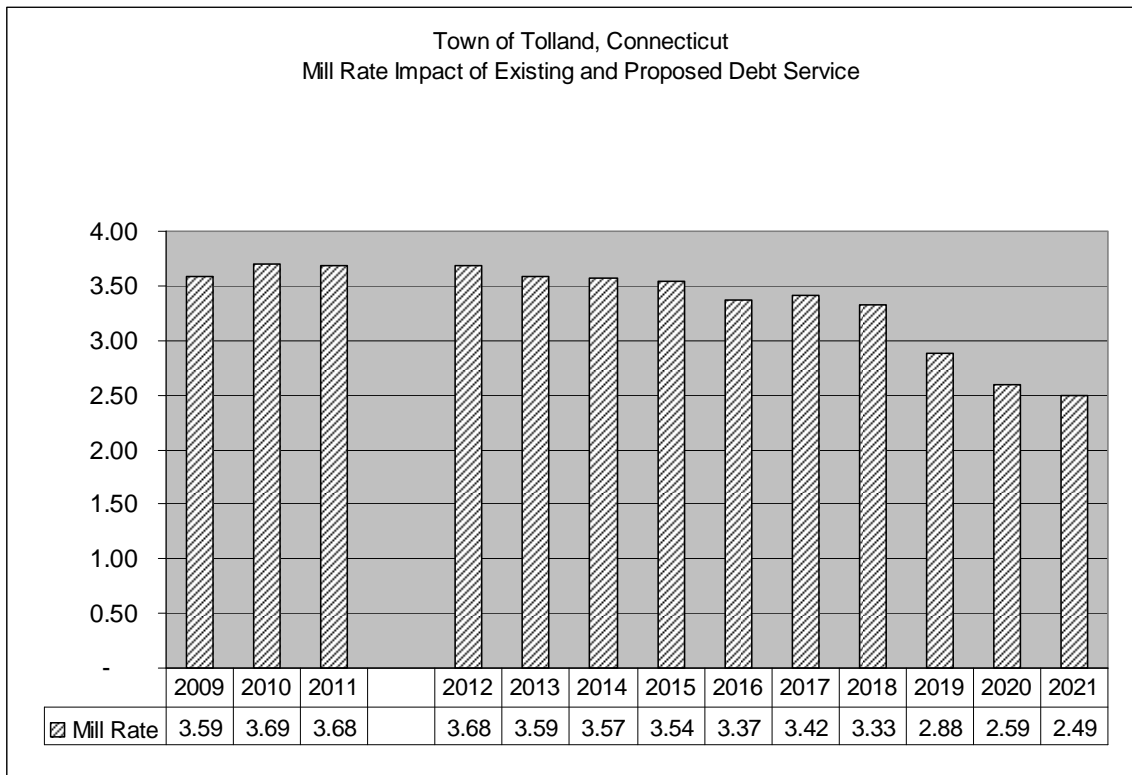


The Proposed Debt Issuance Plan makes the following assumptions:

- Bonds issued in fiscal year ending 2015 are assumed to be issued at a true interest cost of 3.25% with a final maturity of ten years. (Current market rates are about 2.5 to 2.35% for ten-year bonds).
- The proposed bond anticipation notes assume a net interest cost of 2% (Current market rates for notes are less than 1%).
- Growth in the grand list was assumed at 1% starting at fiscal year 2013 and going forward.

Mill Rate Impact

The mill rate impact for the Proposed Debt Issuance Plan does not increase the mill rate for debt service. The mill rate allocated to debt service is expected to decrease in the 2013 fiscal year by .09 with a gradual decline for the next 6 years to 3.33 mills in 2018.



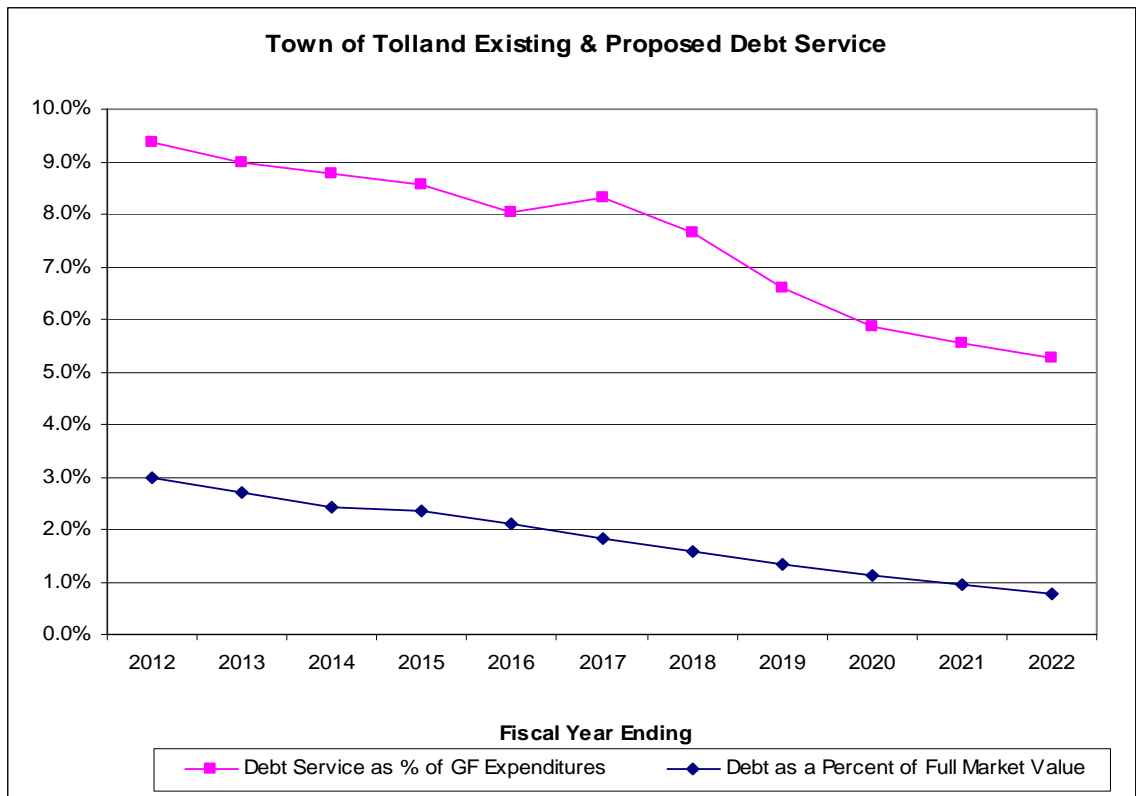
Financial Indicators

Debt ratios are used by rating agencies to determine a municipality’s credit rating and worthiness. Standard & Poor’s rating agency categorizes the Town’s debt burden as “low to moderate.” Fitch Ratings reports the Town’s debt position as “moderate” and “manageable.”

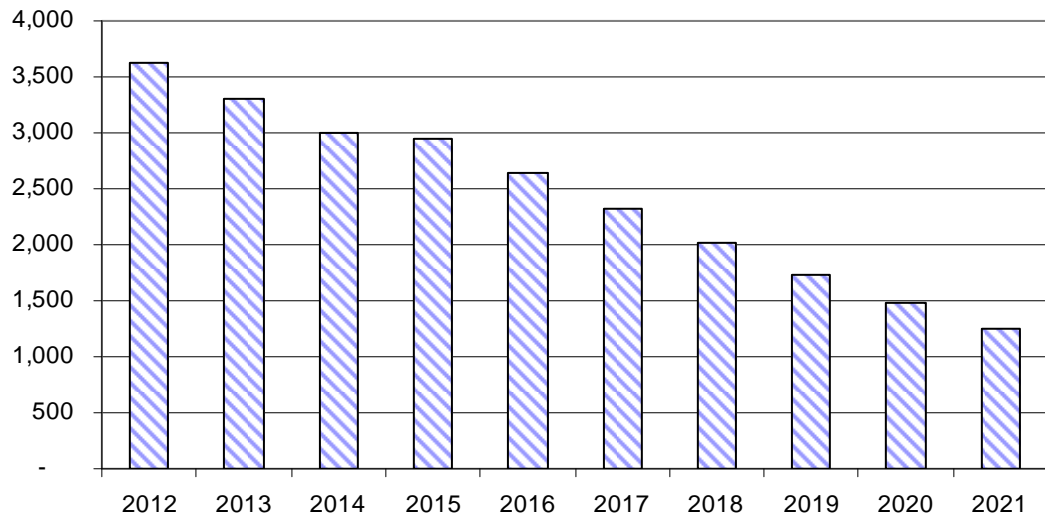
Every year the Office of Policy and Management publishes “Municipal Fiscal Indicators,” which showcase indicators related to debt, budget, and grand list information for each town in Connecticut. The most recent publication showed the average debt per capita for towns with populations between 10,000 and 30,000 at \$2,058. The same statistic for all towns in Connecticut was \$2,187. Tolland’s debt per capita for the fiscal year 2012 is \$3,626. This is expected to decrease beginning in the 2013 fiscal year gradually sinking below \$2,000 per capita by fiscal year 2019.

The average annual debt service for towns in the 10,000 to 30,000 population range was \$5,017,955 and \$5,808,922 for all towns in Connecticut. By comparison, Tolland’s annual debt service for the fiscal year 2012 is \$4,724,128. If the proposed debt plan is approved, the annual debt service will decrease to \$4,642,785 in the 2013 fiscal year, and decrease each year thereafter. This is still within the range of average as compared with other towns in Connecticut.

The follow charts show a projected trend of the Town’s debt ratios should the Town carry out the financing strategy as proposed.



Town of Tolland Annual Debt Service per Capita Existing and Proposed



Summary of Debt Management Policy

- The Town may issue debt by resolution of the Town Council up to 5% of the current tax levy. If the debt issue exceeds that threshold then it must be approved by referendum.
- Bond Anticipation Notes may be used to provide interim cash flow, facilitate the timing of bond sales, finance less significant borrowing needs, avoid locking in high long-term interest rates during periods of market turmoil or finance projects whose final cost is uncertain or is expected to be mitigated by grants or investment earnings.
- Long-term borrowing will be confined to capital projects and will not fund current operations.
- Bonds will be structured to match the useful life of the capital improvement but not exceed 20 years in accordance with CGS. The Town will issue \$10 million or less in tax exempt securities per calendar year to receive “Bank Qualified” status to minimize interest rates to be paid.
- Debt obligations are generally issued through competitive sale. However, if conditions provide that a negotiated sale would provide significant benefits to the Town then the Town Council may approve that method of sale.
- The Town Manager and the Finance Director will analyze the Town’s debt position by using the following measures and report the results annually to the Town Council as part of the Debt Management Plan presentation.
 - ❖ *“Debt measured against population on a per capita basis”* to be capped at \$3,800. Tolland is at \$3,312 for 2012/2013 with a five-year projected average of \$2,848.
 - ❖ *“General Fund bonded debt as a percentage of full market value”* to be capped at 4%. Tolland is at 2.89%.
 - ❖ *“General Fund debt service as a percentage of total General Fund expenditures”* to be capped at 10%. Tolland is currently at 9.4%.

Statutory Debt Limitation

Under Connecticut law, municipalities shall not incur indebtedness through the issuance of bonds or notes which will cause aggregate indebtedness by class to exceed the following:

General Purposes:	2.25 times annual receipts from taxation
School Purposes:	4.50 times annual receipts from taxation
Sewer Purposes:	3.75 times annual receipts from taxation

In no case, however, shall total indebtedness exceed seven times the base. “Annual receipts from taxation” (the “base”) are defined as total tax collections (including interest, and late payment of taxes) and state payments from revenue loss under Connecticut General Statutes (CGS) Sections 12-129d and 7-528.

The CGS also provides for exclusion from the debt limit calculation debt issued in anticipation of taxes for the supply of water, gas, and electricity. There are additional exclusions for indebtedness issued in anticipation of receipt of proceeds from assessments levied upon property benefited by any public improvement and for indebtedness issued in anticipation of the receipt of proceeds from State or Federal grants evidenced by a written commitment or contract, but only to the extent such indebtedness can be paid from such proceeds.

Computation of Legal Debt Margin

Total Tax Collections (Including Interest and Lien Fees) for June 30, 2011	\$ 37,200,937
Reimbursement for Revenue Loss (Tax relief for elderly freeze)	<u>0</u>
Base for Debt Limitation Computation	\$ 37,200,937
Seven times the base for debt limitations	\$ 260,406,559
Tolland’s total net indebtedness	\$ 41,523,227

PROGRAM 840-00						
DEBT SERVICE						
	Actual	Actual	Actual	Adopted	Amended	Proposed
	2008-2009	2009-2010	2010-2011	2011-2012	2011-2012	2012-2013
School Bond and Note Principal						
2002 Bonds THS roof, THS track, TMS renovations, Parker fascia & THS modular	184,880	184,880	184,880	184,880	184,880	
2003 Bonds Birch Grove School addition, Tolland High School	102,720	102,720	102,720	100,152	100,152	-
2004 Bonds Tolland High School	391,000	391,000	387,600	387,600	387,600	387,600
2005 Bonds Tolland High School	556,800	556,800	556,800	556,800	556,800	556,800
2005 Bonds Refunding 1998 bonds	585,000	585,000	580,000	575,000	575,000	570,000
2006 Bonds Tolland High School	384,631	384,631	384,630	384,630	384,630	385,400
2007 Bonds Tolland High School		86,800	89,600	92,400	92,400	95,200
2010 Bonds Tolland High School						83,750
2003 Bonds Birch Grove School addition, Tolland High School					30,816	92,448
2011 Bonds TIS hvac roof, fiber-optic, TMS driveway, asbestos floor						40,700
General Fund Bond & Note Principal						
Vernon WTP Expansion	89,539	91,347	93,190	95,071	95,071	96,990
Vernon Sewer Line	32,300	32,300	32,300	32,300	32,300	27,600
2002 Bonds Open Space, Senior Center, capital equipment, Cross Farms	215,120	215,120	215,120	215,120	215,120	-
2003 Bonds Open Space, Cross Farms, capital equipment	97,280	97,280	97,280	94,848	94,848	
2004 Bonds Old Post sewer line, Cross Farms, capital equipment	184,000	184,000	182,400	182,400	182,400	182,400
2005 Bonds Miscellaneous municipal projects	23,200	23,200	23,200	23,200	23,200	23,200
2006 Bonds Open Space	25,369	25,369	25,370	25,370	25,370	24,600
2007 Bonds Open Space		68,200	70,400	72,600	72,600	74,800
2008 Bonds Open Space and municipal projects			185,000	195,000	195,000	205,000
2010 Bonds Open Space						41,250
2003 Refunded Bonds Open Space, Cross Farms, capital equipment					29,184	87,552
2011 Geothermal project lease net of subsidy						133,333
2011 Bond generator, truck roads and Library roof						144,300
Total Principal	2,871,839	3,028,647	3,210,490	3,217,371	3,277,371	3,252,923
School Bond and Note Interest						
2002 Bonds THS roof, THS track, TMS renovations, Parker fascia & THS modular	28,425	21,723	14,790	7,395	7,395	
2003 Bonds Birch Grove School addition, Tolland High	57,912	55,280	51,877	48,271	1,552	
2004 Bonds Tolland High School	229,725	214,085	198,513	183,009	183,009	246,331
2005 Bonds Tolland High School	398,014	376,670	355,095	333,345	333,345	326,390
2005 Bonds Refunding 1998 bonds	207,853	184,453	161,878	140,221	140,221	118,753
2006 Bonds Tolland High School	278,060	262,675	247,289	232,368	232,368	216,952
2007 Bonds Tolland High School	97,770	96,034	92,506	88,866	88,866	85,114
2010 Bonds Tolland High School & Open space			25,957	51,661	51,071	50,824
2003 Bonds Birch Grove School addition, Tolland High School					15,246	32,132
2011 Bonds TMS floor, TIS hvac roof, driveway					5,691	12,161
BANS	97,456	44,804	12,656			
General Fund Bond and Note Interest						
Vernon WTP Expansion	15,608	13,801	11,957	10,076	10,076	8,157
Vernon Sewer Line	10,730	8,921	7,080	5,223	5,223	3,349
2002 Bonds Open Space, Senior Center, capital equipment, Cross Farms	33,075	25,277	17,210	8,605	8,605	
2003 Bonds Open Space, Cross Farms, capital equipment	54,845	52,352	49,130	45,714	1,470	
2004 Bonds Old Post sewer line, Cross Farms, capital equipment	108,106	100,746	93,418	86,122	86,122	
2005 Bonds Miscellaneous municipal projects	17,551	15,695	14,795	14,795	15,385	
2006 Bonds Open Space	18,340	17,325	16,311	14,832	14,832	13,848
2007 Bonds Open Space	76,820	75,456	72,684	69,824	69,824	66,876
2008 Bonds Open space & capital projects-100%	33,581	67,163	64,388	58,688	58,688	52,688
2010 Bonds Open Space			12,597	25,445	25,445	25,032
2011 Geothermal project lease net of subsidy					57,708	57,708
2003 Refunded Bonds Open Space, Cross Farms, capital equipment					14,439	30,431
2011 Bond generator, truck roads and Library roof				114,880	20,175	43,117
Total Interest	1,763,871	1,632,460	1,520,131	1,539,340	1,446,757	1,389,862
Less bond premium & interest earnings	-250,000	-114,053		-4,915	-4,915	
Total Principal and Interest	4,385,710	4,547,054	4,730,621	4,751,796	4,719,213	4,642,785

Agenda Item #8.3

AGENDA ITEM BACKGROUND

ITEM: Health Insurance Update Presentation by Steve May of Milliman.

ITEM SUBMITTED BY: Steven R. Werbner, Town Manager

FOR COUNCIL MEETING OF: January 24, 2012

TOWN MANAGER APPROVAL: _____

ITEM SUMMARY: Steve May, the Town's Health Insurance Consultant from Milliman, will be in attendance tonight for a discussion on health benefits.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: N/A.

SUPPORTING MATERIALS: N/A.

AGENDA ITEM BACKGROUND

ITEM: Consideration of a resolution making an additional appropriation of \$188,390 in bond premium from the 2011 bond issue and setting aside this amount as “assigned” general fund balance to offset future debt service expenditures and the setting of a public hearing thereon for February 14, 2012.

ITEM SUBMITTED BY: Agata Herasimowicz, Acting Director of Finance

FOR COUNCIL MEETING: January 24, 2012

TOWN MANAGER APPROVAL: _____

ITEM SUMMARY: Occasionally, in the process of issuing bonds, financial institutions bid interest rates with a premium attached as was done with the October 2011 bond issue. The premium of \$188,390 must be recognized as revenue in the 2011-2012 fiscal year however, actual spending of the premium will occur in accordance with the Town’s Debt Service Plan. In order to use this revenue the funds must be appropriated and set aside as a reserve. Approval of this item would appropriate additional funds of \$188,390 to the “assigned” portion of the general fund balance.

Since the \$40,000 cumulative threshold for special appropriations fixed by §C9-14 of the Charter has been exceeded for the 2011-2012 fiscal year a public hearing must precede action on the item.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: **Motion to schedule the public hearing for February 14, 2012.**

SUPPORTING MATERIALS:

- Draft Resolution

Agenda Item #8.4

Consideration of a resolution making an additional appropriation of \$188,390 in bond premium from the 2011 bond issue and setting aside this amount as “assigned” general fund balance to offset future debt service expenditures and the setting of a public hearing thereon for February 14, 2012.

MOTION that the following resolution be introduced and set down for a public hearing on February 14, 2012 at 7:30 p.m. in Tolland Town Council Chambers.

DRAFT RESOLUTION

BE IT RESOLVED by the Tolland Town Council that it hereby appropriates \$188,390 in bond premium from the 2011 bond premium to the “assigned” portion of the general fund balance for the future debt service expenditures.

Approved by the Tolland Town Council on _____, 2012.

Town Clerk

Date

Agenda Item #8.5

AGENDA ITEM BACKGROUND

ITEM: Discussion on replacement of damaged and/or stolen recycling carts.

ITEM SUBMITTED BY: Steven R. Werbner, Town Manager

FOR COUNCIL MEETING OF: January 24, 2012

TOWN MANAGER APPROVAL: _____

ITEM SUMMARY: Due to recent resident inquiries about damaged recycling carts not being replaced, we are bringing this issue to the Town Council to discuss the current policy. Currently only stolen recycling carts that are reported to police are replaced. The recommendation is to also replace carts damaged as a result of vandalism that are reported to police. Carts damaged by the hauler in the collection process are handled through Willimantic Waste. Any other causes of damage to carts are the responsibility of the homeowner to replace.

Attached is the current code relating to solid waste. Sec 94-17 and Sec 94-22 highlight the current policy relating to the replacement of damaged or stolen carts.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: Discussion

SUPPORTING MATERIALS: ° Chapter 94: Solid Waste,
Recycling, Hazardous Waste

Chapter 94: Solid Waste, Recycling, Hazardous Waste

[HISTORY: Adopted by the Town Council of the Town of Tolland 10-23-1990 by Ord. No. 46. Revised on 11-25-2008 and 6-23-09 and 12-08-09. Amendments noted where applicable.]

ARTICLE I – General Provisions

§ 94-1. Purpose.

The purpose of this chapter is to ensure that the accumulation, collection, removal and disposal of solid waste is controlled by the Town in a manner that protects the public health, safety and welfare.

§ 94-2. Definitions.

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

ASHES — The residue of the combustion of any type of solid fuel, such as wood, coal, coke, charcoal or like substances.

BAGS — Sacks designed for refuse with sufficient wall strength to maintain physical integrity when lifted by the top, securely tied at the top for collection, with a capacity not to exceed 30 gallons and a loaded weight not to exceed 35 pounds.

BUILDING OR CONSTRUCTION DEBRIS — Materials resulting from the construction, alteration or repair of structures and consisting of plaster, metal, brick, concrete, lathing, roofing, earth, structural members and like material.

BULKY WASTE — A large appliance, piece of furniture or waste material from a residential source other than hazardous waste, with a weight or volume greater than that allowed for containers, such as box springs, furniture, tree limbs, mattresses, drum containers, motor vehicle parts, motor vehicle and motorized equipment, tires, odd pieces of construction debris, toys, appliances, etc. normally not heavier in weight than that which can be lifted comfortably by one person.

COLLECTION — The act of collecting solid waste at the place of waste generation by an approved, licensed solid waste collector and is distinguished from removal.

COLLECTION VEHICLE OR EQUIPMENT — Any vehicle or equipment used in the collection of residential refuse or commercial solid waste.

COMBUSTIBLE WASTES — Those wastes which have a low flash point or explosive potential, such as rubber dust or shreds, paints, oils and other flammable liquids, etc. In any case of dispute, the ruling of the Fire Marshal shall be final.

COMMERCIAL CONTAINER — Each container or bin of one cubic yard or more placed for use at a business, commercial location, residence, apartment building or construction site. Each "commercial container" shall be identified with the name and telephone number of the solid waste collector servicing the container or bin.

COMMERCIAL SOLID WASTE HAULER — Any person, firm or corporation whose principal business activity is collecting, picking up and/or transporting solid waste and/or recyclables and depositing or dumping the same at the designated disposal site by means of a vehicle or vehicle capable of hauling said materials.

CONDOMINIUM — Any common interest community in which the units are used for dwelling or associated recreational purposes. "Condominiums" shall not include apartments, cooperatives,

commercial or other forms of non-residential ownership.

DECLARANT — As defined in Section 47-68a or 47-202 of the Connecticut General Statutes as it shall be amended from time to time.

DIRECTOR — The Town Manager or his designee of the Town of Tolland who shall also serve as the recycling coordinator.

DISPOSAL SITE — The disposal site(s) for solid waste emanating from Tolland shall be a site(s) that the Town operates or contracts to use.

GARBAGE — Putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, serving or consumption of food and including food containers.

HAZARDOUS WASTE — Waste designated as hazardous by the United States Environmental Protection Agency, appropriate state agency or by the Town of Tolland.

HEALTH OFFICER — The duly appointed Director of Health or his/her designated agent.

INDUSTRIAL WASTES — The refuse that accumulates on or upon the land used for manufacturing, industrial, wholesale and slaughtering purposes. Collection of such materials will not be the responsibility of the Town.

NUISANCE — Any condition which, in the judgment of the Town of Tolland Health Officer, constitutes or could constitute a threat to the public health, including but not limited to those conditions specifically listed in Section 19-13-B1 of the State of Connecticut Public Health Code.

PERSON — Any individual, commercial solid waste hauler, institution, public or private corporation, partnership, association or any other entity, public or private, however organized.

PREMISES — Any dwelling, house, building or other structure and the real property located thereon.

PROCESSING FACILITY — A place or facility where solid waste materials are sorted, crushed, cleaned or otherwise processed prior to final disposal or recovery.

RECYCLABLES — Any item or items that are part of the solid waste stream which are defined herein or by state statute or regulation as being recyclable, including but not limited to the following:

- A. CARDBOARD — Non-waxed corrugated boxes and similar corrugated and kraft paper materials which have a minimum of contamination by food or other material.
- B. GLASS FOOD CONTAINERS — A glass bottle or jar of any size or shape used to package food products suitable for human or animal consumption, which are rinsed clean, without tops, covers, corks or food remains.
- C. METAL FOOD CONTAINERS — Any aluminum, bimetal, steel, tin-plated steel or other metallic can and aerosol cans (without hazardous waste contents), plate or tray of any size or shape used to package food products suitable for human or animal consumption, which are rinsed clean, and without food remains.
- D. PLASTICS — Numbers 1 through 7 plastics are presently collected as recyclables. Items should be rinsed clean and placed within the recycling container.
- E. SCRAP METAL — Used or discarded items which consist predominately of ferrous metals, aluminum, brass, copper, lead aluminum, tin, nickel or alloys thereof, including but not limited to metal food containers.
- F. STORAGE BATTERY — Lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications.
- G. NEWSPAPER — Used or discarded newsprint which is free of contamination by food or other material. Newspapers and newspaper advertisements, supplements, including

magazines such as Parade or Northeast, comics, enclosures and other newspaper inserts are included.

- H. WASTE OIL — Crankcase oil that has been utilized in internal combustion engines. It must be placed in clean, leak-proof plastic containers with covers or tops and taped shut. Mark oil on container.
- I. WHITE GOODS — Stoves, freezers, refrigerators, dishwashers, air conditioners, washing machines, television sets and other major household appliances or fixtures.

RECYCLE — To separate or divert an item or items from the solid waste stream for the purposes of processing it or causing it to be processed into an order to provide for disposition of the item or items in a manner, other than incineration or landfilling, which will best protect the environment. On July 1, 2009 Tolland implemented single stream recycling which allows for all recycling to be commingled into one container, unless otherwise noted in this chapter. Nothing in this definition shall preclude the use of waste oil as fuel in an oil burner. Grass Clippings, leaves and similar garden or yard wastes are not considered refuse and may not be disposed of in the weekly trash pick, but rather a recyclable that homeowners must dispose of by composting. These materials are not collected by the Town of Tolland.

RECYCLING CONTAINER — An approved container designed for use in the collection of the recycling generated from Residential units within the Town of Tolland. Containers may be 35, 65 or 95 gallon wheeled totes (standard is 65 gallon). The Town will provide one container per single family home, two per duplex or home / in-law apartment combination which shall remain the property of the Town. In no case shall, the Town's Solid Waste Hauler pick up more than one container per single family home, or 2 from a duplex or home / in-law apartment combination. Multi-family apartments are required to provide independent recycling services as would other Non-Residential uses.

REFUSE CONTAINER — An approved container designated for use in the collection of the refuse generated from Residential units within the Town of Tolland. Containers may be 65 or 95 gallon wheeled totes. The Town will provide one container per single family home, two per duplex or home / in-law apartment combination which shall remain the property of the Town. Homeowners may opt to purchase a single additional container at their cost. In no case shall, the Town's Solid Waste Hauler pick up more than two containers per single family home, or 4 from a duplex or home/ in-law apartment combination. Multi-family apartments are required to provide independent solid waste services as would other Non-Residential uses.

REFUSE — Discarded waste materials in a solid or semi-liquid state consisting of garbage, rubbish, or a combination thereof.

REMOVAL — The act of taking solid wastes from the place of waste generation, either by a licensed solid waste collector or by a person in control of the premises.

RUBBISH — Non-putrescible solid wastes consisting of combustible and non-combustible materials, excluding yard and garden wastes.

SCAVENGE — To salvage from discarded recyclables, refuse or other solid wastes.

SOLID WASTE — Unwanted or discarded materials, including solid, liquid, semi-solid or contained gaseous material. This is an all-encompassing term, including but not limited to garbage, rubbish, recyclables, bulky waste and other separately identified waste streams.

SOLID WASTE COLLECTOR — A person or firm who has been issued a license pursuant to this chapter by the Town of Tolland to collect refuse and recycling generated from a non-residential use within the Town of Tolland.

SOLID WASTE HAULER — the company under contract with the Town of Tolland to collect residential and municipal solid waste and/or recycling.

TOWN — The Town of Tolland and/or its offices, employees or agents.

TOWN COUNCIL — The Tolland Town Council.

TOWN MANAGER — The Tolland Town Manager.

TRANSFER STATION — An area designated by the Town for the assembly and transshipment of recyclable materials.

YARD WASTE — Grass cuttings, leaves and similar green or yard waste are not collected by the Town and must be composted by individual property owners.

ARTICLE II – Enforcement; Violations; Penalties for Offenses

§ 94-3. Containers to be maintained.

All persons occupying or maintaining any premises within the Town where refuse and/or recycling is created, produced or accumulated shall maintain sufficient refuse and/or recycling containers for receiving and holding all refuse which is produced, created or accumulated on such premises in accordance with these regulations. Recyclables shall be placed in a separate container as provided in § 94-22 and 94-27 of this chapter.

§ 94-4. Nuisance abatement - waste removal.

No person shall accumulate, store or require the storage or handling of solid waste in such a manner so as to promote the propagation, harborage or attraction of vectors or so as to create a nuisance. Allowing refuse to accumulate may subject a property owner, agent or tenant to a citation for violation of this chapter and the Public Health Code of the State of Connecticut.

§ 94-5. Prohibited activities.

- A. Public places. No person shall place any refuse in any street, alley or other public place or upon any private property, whether owned by such person or not, within the Town except in proper containers or otherwise properly prepared for collection or under express approval granted by the Director. No person shall throw or deposit any refuse in any stream or other body of water.
- B. Accumulation of refuse. Any uncontained accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any uncontained accumulation of refuse within two days after written notice from the Director to remove the same shall be deemed a violation of this chapter.
- C. Scattering of refuse. No person shall cast, place, sweep or deposit anywhere within the Town any refuse in such a manner that it may be carried or deposited by the elements upon or in any street, sidewalk, alley, sewer, parkway or other public place or into any occupied premises.

§ 94-6. Scavenging.

Scavenging of any recycled materials and metals are expressly prohibited.

§ 94-7. Responsibilities of Director.

The Director shall administer the licensing of any solid waste collector engaged in the collection and transportation of solid waste in Town. He shall be considered the municipal recycling coordinator to receive notice of violations, monthly reports, etc.

§ 94-8. Promulgation of rules and regulations.

The Town Council may promulgate regulations and the Town Manager may promulgate additional rules on all collection and disposal procedures from time to time as he deems proper, but such rules shall not be inconsistent with this chapter.

§ 94-9. Combining waste; segregation.

- A. Unlawful combination. It shall be unlawful to combine recyclables or hazardous wastes with refuse.
- B. Unlawful mixing. The Town, its agents and licensed collectors, when they discover unlawful mixing of solid wastes, shall not pick up such waste, but shall affix a decal or tag to any container that is not emptied identifying the violation.
- C. Responsibility. It shall be the responsibility of the offending party to properly segregate the uncollected waste and either store or dispose of it.

§ 94-10. Failure to recycle.

Failure to recycle is a violation of this chapter.

§ 94-11. Enforcing agent.

The Town Manager, the Town Health Officer and the Director or their designated agent(s) are hereby specifically required to enforce the provisions of this chapter and shall have the right to enter any and all premises for the purpose of determining whether provisions of this chapter are being conformed with. Any person denying or obstructing such entry shall be in violation of this chapter.

§ 94-12. Inspections.

- A. All solid waste and recycled material is subject to inspection from the time it is placed at the curb or in a dumpster, through and including the time it arrives at its ultimate disposal area.
- B. Said inspections may be carried out by the Director of Health or his or her designated agent; or an agent designated as such by the Town Manager.
- C. The commercial solid waste hauler responsible for pickup of a particular load of refuse or recyclables may inspect said refuse and recyclables at curbside or in dumpsters for the purpose of determining proper separation of waste streams as set forth in this chapter.

§ 94-13. Notices.

An informational or warning notice shall be given orally or in writing whenever any provision of this chapter or the State Department of Environmental Protection Regulations is ignored by any person, partnership, firm, corporation or association.

§ 94-14. Refusal to collect.

Where the spirit or letter of any provision of this chapter or regulations of the State Department of Environmental Protection are ignored, the Town of Tolland or its agent reserves the right to refuse to collect or allow disposal of garbage, rubbish, bulky waste or recyclables.

§ 94-15. Penalties for offenses.

Any person who shall violate any provision of this chapter or any provision of any regulation adopted by resolution of the Town Council pursuant to the authority granted by this chapter shall be punishable by a fine and each failure to comply shall constitute a separate violation. Refer to Article V for a summary of these fines.

§ 94-16. Prior actions.

Nothing in this chapter shall be deemed to invalidate any action taken regarding any forfeiture or revocation prior to the effective date of this chapter.

ARTICLE III – Residential Waste

§ 94-17. Household refuse.

One 95 gallon wheeled tote refuse container has been provided by the Town of Tolland for each residence which shall remain the property of the Town of Tolland and shall be used and maintained in working order by the property owner as part of the town-wide program. The resident may elect to have a smaller 65 gallon unit in lieu of the 95 gallon unit. One additional approved container may be purchased by the property owner directly from the approved supplier, which shall be the property of the homeowner. No more than two containers will be picked up for each household. Only approved containers may be used. For refuse container(s) to be emptied, the lid must be in a down position and a recycling container (lid down) is also present curbside on a consistent basis. Consistent basis is at least once a month. The solid waste hauler shall provide written notification to the Town which homeowners they have documented are not on a consistent basis placing a recycling container curbside, prior to refusing to empty their refuse container. Collection of household refuse and recycling shall be done weekly. The Director shall determine and provide public notice of the schedule for collecting all solid waste as defined herein. Refuse Containers that are damaged through negligence, vandalism or normal wear and tear shall be reported by the homeowner to the solid waste hauler. Cost for such repair or replacement shall be the homeowner's responsibility, unless other arrangements are made by the solid waste hauler. Containers damaged by the solid waste hauler's operations will be repaired or replaced by the solid waste hauler. Refuse Containers that are stolen shall be the responsibility of the homeowner to replace.

§ 94-18. Container placement.

Refuse and recycling containers maintained as provided herein shall be located on the property or premises of the person producing such refuse outside of the public right of way for any street, in such areas so as to be secure and free from the potential for damage due to weather, accident or vandalism. Containers placed 'curbside' for collection shall be located approximately 18" away from the road edge not earlier than 24 hours prior to the day before the appointed collection day. Emptied refuse and recycling containers shall be removed from 'curbside' the same day of collection to a location on the subject property where the unit is away from the road area and/or not directly visible from the road. At no time shall the container placement restrict or interfere with the free flow of traffic and pedestrians on the public way or public sidewalk. During times of inclement weather, containers shall be removed from curbside as soon as possible.

§ 94-19. Ownership of refuse.

- A. All refuse and other solid waste materials, excluding materials for recycling, upon being removed by a solid waste collector from the premises where produced or accumulated, shall become and be the property of the solid waste collector. Upon being deposited in a designated transfer, processing or disposal facility, said materials shall forthwith become the property of the owner of such facility.
- B. Recyclables, upon being removed from the premises where produced or accumulated, shall become and be the property of the Town.

§ 94-20. Other refuse.

- A. Handling of trimmings and brush. Large trimmings and brush shall be tied in bundles of not more than three feet in length and shall not exceed 35 pounds in weight. This is a Bulky Waste item.
- B. Loose material. The Town shall not be obligated to collect any loose materials.
- C. Numbers 1 through 7 plastics are presently collected as recyclables. Items should be rinsed clean and placed within the recycling container.
- D. Lawn clipping, leaves and similar garden or yard wastes are prohibited from the household waste, recyclables and bulky waste collections and should be composted on the property of origin. Placement of these materials in any street, alley or other public space is hereby declared to be a nuisance and is prohibited. Failure to remove any such material within two days after written notice from the Director to remove the same shall be deemed in violation of this Chapter.
- E. Hazardous Wastes are prohibited from the household, recycling and bulky waste collection program and must be taken to the MidNEROC Chemical Waste Drop-Off Facility at 57 Hancock Road, Willington in a manner and at a time as prescribed by this facility. Contact this facility for a list of current accepted and not accepted items.
- F. Electronic Devices (E-Waste) such as computer monitors, CPU's and televisions are currently considered Household Refuse or bulky waste depending on the size and weight of the item however proposed state regulations expected to be effective on March 2010 will require that these be removed from the refuse category and considered recyclables. These regulations will be revised as needed to comply with that change.

§ 94-21. Non-conforming containers.

Containers not conforming to the above requirements or which may be a sanitary or accident hazard may be left unemptied and the occupant of the premises notified.

§ 94-22. Recycling containers.

- A. All recyclables set out for collection by private homes shall be placed in Recycling Containers, unless otherwise noted.
- B. The Town shall provide one 65 gallon Recycling Container to each private home. Containers that are damaged through negligence, vandalism or normal wear and tear shall be reported by the homeowner to the solid waste hauler. Cost for such repair or replacement shall be the homeowner's responsibility, unless other arrangements are made by the solid waste hauler. Containers damaged by the solid waste hauler's operations will be repaired or

replaced by the solid waste hauler. Recycling Containers that are stolen shall be the responsibility of the homeowner to replace, unless a police report is filed by the homeowner and a copy provided to the Town. If a police report is filed by the homeowner, then the stolen Recycling Container will be replaced at no cost to the homeowner.

- C. Said container shall remain the property of the Town.
- D. Replacement containers shall be purchased from the Solid Waste Hauler.
- E. Recycling containers must be present on a consistent basis (at least one a month) at the curbside, as determined by the solid waste hauler, for refuse containers to be emptied.

§ 94-23. Separation requirements.

Collection of recyclables shall be done weekly. All recyclables shall be separated from solid waste materials in the following manner:

- A. Glass food containers and metal food containers may be mixed together in the recycling container after they are rinsed and cleaned.
- B. Newspaper and corrugated cardboard must be placed loose in the recycling container with cardboard boxes flattened.
- C. Numbers 1 through 7 plastics are presently collected as recyclables. Items should be rinsed clean and placed within the recycling container.
- D.. Wet cell storage batteries from automobiles may be placed beside the recycling container with caps secure.
- E.. No non-recyclables, including plastic bags, shall be placed in said container.
- F.. Any other item or items that are part of the solid waste stream which are defined herein or by state statute or regulation as being recyclable shall be separated in a manner determined by the Director.

§ 94-24. Monthly Bulky Waste Collection shall be done the first full work week of the month on the same day as the household refuse collection at curbside. Residents must contact the town's contracted Solid Waste Collector not less than 4 working days in advance of their pickup day to secure this service. Bulky waste items may include furniture, tree parts/shrubbery (no leaves), construction debris (no shingles or full sheetrock), pre-treated lumber, certain electronics, tires (limit of 2 per pick-up), scrap metal/auto parts, waste oil from engines, white goods (stoves, refrigerators, etc.) and large metal toys. See Tolland's current Solid Waste and Recycling Guide for specific permitted items and disposal instructions.

ARTICLE IV – Non-Residential Wastes

§ 94-25. Containers to be provided. The owner of each non-residential premises where solid waste is created or generated shall provide, at a suitable place upon such premises, sufficient receptacles for receiving and holding such solid waste during the intervals between collections. Refuse containers shall be maintained in good condition, free of holes and fissures and shall be equipped with securely fitting covers and shall be of sufficient size to prevent spillage between collection dates. No person, firm or owner of a non-residential premise shall contract with a Commercial Solid Waste Hauler that does not have a valid Solid Waste collector's permit as set forth in these regulations.

§ 94-26. Commercial food refuse.

Commercial food refuse shall be drained, free of liquids and placed in a watertight, vermin-proof metal or non-brittle plastic receptacle with a tight lid. The persons having custody or control of premises used for business purposes from which refuse is offered for collection shall see that the same is placed at the side of the nearest public road not more than two hours before the scheduled time of collection for said road in such containers and bundles as are herein described and in such a manner that said containers and bundles do not constitute a travel or health hazard or nuisance of any sort, and after said containers have been emptied, they shall be removed from the side of the road within one hour after the materials therein have been collected. Alternatively, commercial food refuse containers may be large covered containers designed to be mechanically emptied into a refuse truck.

§ 94-27. Dumpsters.

Multi-family dwelling apartment units and each commercial, industrial or other non-residential entity shall provide or shall require its solid waste collector to provide separate dumpsters or other collection containers for refuse and for recyclables accumulated on the premises. Any non-residential entity who is not collecting recyclables as defined in § 94-28 in separate containers from refuse within two days after written notice from the Director shall be deemed to be in violation of this Chapter.

§ 94-28. Separation requirements.

All recyclables shall be separated from solid waste materials in the following manner:

- A. Glass food containers and metal food containers may be mixed together in the recycling container.
- B. Newspaper and corrugated cardboard.
- C. Number 1 and Number 2 plastic are presently collected as recyclables. Items should be rinsed clean and placed within the recycling container.
- D. No non-recyclables, including plastic bags, shall be placed in said container.
- E. Any other item or items that are part of the solid waste stream which are defined herein or by state statute or regulation as being recyclable shall be separated in a manner determined by the Director.

§ 94-29. Reports of tonnage.

All commercial and business establishments and other waste generators that have recyclables collected by a privately contracted solid waste collector shall submit directly or through their permitted solid waste hauler written reports of tonnages recycled by material every month to the Director.

§ 94-30. Ownership of refuse.

All refuse and other solid waste materials, including materials for recycling, upon being removed by a solid waste collector from the premises where produced or accumulated, shall become and be the property of the solid waste collector. Upon being deposited in a designated transfer, processing or disposal facility, said materials shall forthwith become the property of the owner of such facility.

§ 94-31. Refuse to be tied and covered.

Refuse hauled by any person over any road in the Town shall be securely tied or covered during the hauling thereof. No person shall allow refuse to leak, spill, blow off or drop from any vehicle on any road. No newspaper or other solid waste, clean or otherwise, shall be set out, stored or transported in such a fashion as to cause it to blow away, become a hazard to public travel or safety or otherwise create a public nuisance.

§ 94-32. Permit required.

- A. Solid Waste Collector's Permit. No person shall use any vehicle for collecting, hauling or transporting solid waste collected in the Town on any public road within the Town without first obtaining a Solid Waste Collector's Permit from the Director; it being the intent of this article to prohibit any person from hauling garbage, rubbish, debris and solid waste for hire over Town roads without obtaining a vehicle permit pursuant to this chapter.
- B. Permit fees; permit numbers. The Town Council shall, by resolution, set fees for Solid Waste Collector's Permits. Each person shall file with the Director, in writing, on a form furnished and approved by the Director, such information as he may deem necessary in the issuing of a permit for each vehicle proposed to be used.

§ 94-33. Permit applications; fees; investigation.

- A. Applicants for a new or renewed solid waste collector's permit issued pursuant to this chapter shall file with the Director a verified application, in writing, on a form furnished and approved by the Director, which shall have the following information as a minimum:
 - (1) The name and a description of the applicant.
 - (2) The permanent home and business address and full local address of the applicant.
 - (3) The trade and firm name.
 - (4) If a joint venture, a partnership or limited partnership, the names of all partners, their percentage of participation and their permanent addresses; if a corporation, the names and permanent addresses of all the stockholders and the officers and the percentage of participation of each.
 - (5) The names/locations of the designated transfer station, processing facility or disposal area that the applicant will utilize for the disposal of all solid waste collected and transported by him. (Said name/location is to be acceptable to the Director and in conformance with § 94-40 herein.)
 - (6) A statement that the applicant's vehicles and equipment conform to all applicable provisions of this chapter.
 - (7) A current list of non-residential accounts, including physical location of collection points, contact name, address and phone numbers for each customer. This list shall be amended as needed to keep it current throughout the permit term.
 - (8) Certification that the applicant has adequate liability insurance and that the Town of Tolland is named as an additional insured on the policy.
- B. Filing fee. All applications shall be accompanied by a filing fee for each application for the issuance of a new permit, the renewal of an existing permit or the modification of an existing permit as detailed in Article V of these regulations.
- C. Application investigation. The Director shall conduct such investigation of each application as he shall deem necessary so as to be able to recommend to the Town Manager whether said application should be granted in whole, in part or denied. Such recommendation shall include the Director's findings, based on the information contained in the application submitted and the applicant's relevant municipal solid waste collection experience, concerning the ability of the applicant to properly perform the service proposed and to conform to the provisions of this

chapter and the rules and regulations of the Town and his conclusion as to whether the proposed service is or will be required by the present or future public convenience and necessity.

§ 94-34. Application approval.

- A. Upon receipt of the recommendations of the Director, the Town Manager may approve, either in whole or in part, or conditionally approve the application, upon finding that:
 - (1) The applicant is able to properly perform the services proposed and to conform to the requirements of this chapter and the rules and regulations of the Town.
 - (2) The proposed service is or will be required by the present and future public convenience and necessity.
- B. Upon approval or conditional approval, the Director shall issue the appropriate permit. In the event that either required finding is not made, the application shall be denied.

§ 94-35. Permit longevity.

All collection permits issued under this chapter shall be effective starting January 1, 2009 for a two year period unless otherwise provided or revoked or suspended. Renewal of permits shall likewise be for a two year period. All present collectors must apply for new permits as provided for herein or be in violation of the provisions of this chapter.

§ 94-36. Transferability.

No permit granted pursuant to the provisions of this chapter shall be sold, transferred, leased, assigned, mortgaged, pledged, hypothecated or otherwise encumbered or disposed of, in whole or in part, directly or indirectly, whether voluntarily or by operation of law or any stock transfer, transfer in trust, change in control, consolidation or merger, without the prior written consent of the Town Manager. The Town Manager may grant or deny such a request and may impose such conditions as he may deem to be in the public interest. Any disposition made without such consent shall constitute good cause for revocation of the affected permit.

§ 94-37. Suspension; revocation.

Any permit issued under the provision of this chapter is a privilege not a right. It may be suspended, canceled or revoked on 10 days' written notice mailed to the last business address of the permittee as furnished to the Director. The notice to the permittee shall be transmitted certified mail, return receipt requested, upon the following:

- A. Any permittee fails or refuses to comply with the provisions of this chapter or the applicable rules and regulations of the Town, including depositing recyclables or refuse in other than authorized facilities.
- B. The permittee has assigned, either voluntarily or by operation of law, any permit issued hereunder without the prior written approval of the Town Manager.
- C. The Director finds that the vehicles used or proposed to be used by the permittee for the collection and transportation of solid waste are insufficient, unfit, violate the provisions of this chapter, violate state health code requirements or violate the Town regulations adopted in accordance with this chapter.

§ 94-38. Records.

All permittees under the provisions of this chapter shall keep and maintain such records as the Town Manager may require to ascertain the extent of compliance with this chapter and shall make the financial or business records of the permittee's operation available for inspection by the Town Manager if so requested.

§ 94-39. Vehicle requirements.

- A. Vehicle identification. Each vehicle shall be marked with the company name prominently displayed.
- B. Vehicle equipment. Each vehicle hauling solid waste in the Town under permit shall carry at least a shovel, broom and fire extinguisher.
- C. Construction and maintenance of vehicles and containers. All vehicles registered to collect and transport solid waste shall be maintained free of obnoxious odors and accumulated solid waste. Any such vehicle shall be of a closed construction. A container utilized primarily for non-liquid solid waste need not be of watertight construction, but shall be completely enclosed.

§ 94-40. Place of delivery.

Each solid waste collector shall deliver all solid waste collected within the territorial limits of the Town to such place or places as the Town may from time to time designate.

§ 94-41. Compliance with other regulations.

Transportation and handling of solid waste shall be carried out in accordance with all federal and state laws and regulations, including but not limited to the Public Health Code of the State of Connecticut as it shall be amended from time to time.

ARTICLE V – Fines and Fees

§ 94-42. Fines.

Consistent with the Town Council resolution of October 23, 1990, the Solid Waste Ordinance fines shall be:

- A. Any person violating the provisions of this ordinance shall be fined an amount not to exceed ninety (\$90.00) dollars. Each failure to comply shall constitute a separate violation.
- B. Any commercial Solid Waste Collector violating any provisions of this ordinance shall be fined an amount not to exceed five hundred (\$500.00) dollars. Each failure to comply shall constitute a separate violation.

§ 94-43. Fees.

Solid Waste Ordinance fees shall be:

- A. An application filing fee for a new or renewed Solid Waste Collector's Permit is six hundred (\$600.00) dollars.
- B. A revised application filing fee for a Solid Waste Collector's Permit is sixty (\$60.00) dollars.

- C. Solid Waste Collectors performing solid waste collection services for the Town of Tolland are exempt from payment of a Solid Waste Collector's Permit Fee.

Agenda Item #8.6

AGENDA ITEM BACKGROUND

ITEM: Authorization to expend up to \$15,000 from the CNRE fund for the purchase of a used generator to replace generators identified in the five year capital budget.

ITEM SUBMITTED BY: Steven R. Werbner, Town Manager

FOR COUNCIL MEETING: January 24, 2012

TOWN MANAGER APPROVAL: _____

ITEM SUMMARY: We have the opportunity to purchase used generators on available basis. When they become available we need to have the funds on hand in order to authorize the purchase or else we lose the opportunity. This would enable the Town Manager to authorize the purchase with funds budgeted within the CNRE Account and eliminate more expensive generators which are programmed within the Capital Budget.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: Consideration of the resolution.

SUPPORTING MATERIALS:

- Draft Resolution

Agenda Item #8.6

Authorization to expend up to \$15,000 from the CNRE fund for the purchase of a used generator to replace generators identified in the five year capital budget.

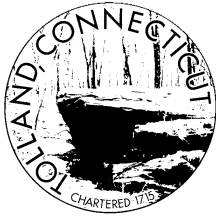
DRAFT RESOLUTION

BE IT RESOLVED by the Tolland Town Council that it authorizes the expenditure of up to \$15,000 from the CNRE fund for the purchase of a used generator to replace generators identified in the five year capital budget.

Approved by the Tolland Town Council on _____, 2012.

Town Clerk

Date



TOWN of TOLLAND/ 21 tolland green, tolland connecticut 06084

M E M O

TO: Town Council

ATTN: Steven R. Werbner, Town Manager

FROM: Holly Suchecki, Executive Assistant

DATE: January 24, 2012

RE: Current Board & Commission Vacancies – Agenda Item #8.7

The attached table illustrates all vacancies as of January 19, 2012 on Town boards and commissions appointed by the Town Council:

Office	Person Appointed/Term
Board of Building Appeals	ONE VACANCY – to fulfill a term from 11-09-2011 to 11-06-2013 Membership currently includes 2 Democrats, 2 Republicans and 1 vacancy.
Board of Recreation	ONE VACANCY – one to fulfill a term from 11-09-2011 to 11-04-2015. Membership currently includes 2 Democrats, 2 Republican, 2 Unaffiliated and 1 vacancy.
Central Regional Tourism District	ONE VACANCY – to fulfill an indefinite term.
Fence Viewer	ONE VACANCY – to fulfill a term from 11-09-2011 to 11-06-2013.
Inland Wetlands & Watercourses Commission	TWO VACANCIES – two alternates to fulfill terms from 11-09-2011 to 11-06-2013. Membership currently includes 2 Democrat, 2 Republicans, 1 Unaffiliated and 2 alternate vacancies.
Non-Profit Housing Corp.	TWO VACANCIES – one to fulfill a term from 07-01-2009 to 07-01-2014 and one to fulfill a term from 07-01-2011 to 07-01-2016. Membership currently includes 4 Democrats, 1 Republican and 2 vacancies.

Tolland Economic & Community Development Corporation	ONE VACANCY – to fulfill a term from 02-28-2009 to 02-28-2014. Membership currently includes 2 Republicans, 4 Unaffiliated and 1 vacancy.
Tolland Energy Task Force	FOUR VACANCIES – to fulfill indefinite terms. Membership currently includes 3 Republicans, 4 Democrats, 2 Unaffiliated and 4 vacancies.
Veteran’s Recognition Commission	ONE VACANCY – to fulfill a term from 10-31-2010 to 10-31-2013. Membership currently includes 1 Democrat, 3 Republicans, and 1 vacancy.
Water Pollution Control Authority	TWO VACANCIES – one to fulfill a term from 08-26-2010 to 08-26-2013 and one (alternate) to fulfill a term from 08-26-2011 to 08-26-2013. Membership current includes 4 Republicans, 1 Democrat and 2 vacancies.
Zoning Board of Appeals Alternate	TWO VACANCIES – to fulfill terms from 11-09-2011 to 11-06-2013. Membership currently includes 2 vacancies.

Appointment of Jan Rubino as Town Council Liaison to the Tolland 300th Anniversary Committee.

Term Expiration

1. Town Historian

Barbara F. Cook, 97 Kozley Road. Term expired November 9, 2011

Re-appointment desired

New term would be from 11-9-2011 to 11-6-2013

2. Tolland Water Commission

Glenn MacDonald, 55 Stuart Drive. Term expires January 31, 2012

Re-appointment desired

New term would be from 1-31-2012 to 1-31-2016

Thomas M. Rallo, 38 Barbara Road. Term expires January 31, 2012

Re-appointment desired

New term would be from 1-31-2012 to 1-31-2016

Agenda Item #8.7

Appointments to vacancies on various municipal boards/commissions and Town Council appointed committees.

DRAFT RESOLUTION

BE IT RESOLVED by the Tolland Town Council that per Section C5-1 of the Town Charter it hereby makes the following appointments:

BOARD/COMMISSION	NEW TERM
Board of Building Appeals	11-09-11 to 11-06-13
Board of Recreation	11-09-11 to 11-04-15
Central Regional Tourism District	Indefinite Term
Fence Viewer	11-09-11 to 11-06-13
Inland Wetlands & Watercourses Commission (Alternate)	11-09-11 to 11-06-13
Inland Wetlands & Watercourses Commission (Alternate)	11-09-11 to 11-06-13
Non-Profit Housing Corp.	07-01-09 to 07-01-14
Non-Profit Housing Corp.	07-01-11 to 07-01-16
Tolland Economic & Community Development Corporation	02-28-09 to 02-28-14
Tolland Energy Task Force	Indefinite Term
Tolland Energy Task Force	Indefinite Term
Tolland Energy Task Force	Indefinite Term
Tolland Energy Task Force	Indefinite Term
Veteran's Recognition Commission	10-31-10 to 10-31-13
Water Pollution Control Authority	08-26-10 to 08-26-13
Water Pollution Control Authority (Alternate)	08-26-11 to 08-26-13
Zoning Board of Appeals (Alternate)	11-09-2011 to 11-06-2013
Zoning Board of Appeals (Alternate)	11-09-2011 to 11-06-2013

Approved by the Tolland Town Council on _____, 2012.

Town Clerk

Date

MEETING MINUTES

TOLLAND TOWN COUNCIL HICKS MEMORIAL MUNICIPAL CENTER 6th FLOOR COUNCIL ROOM JANUARY 10, 2012 – 7:30 P.M.

MEMBERS PRESENT: Jack Scavone, Chairman; Richard Field, Vice-Chair; Sam Belsito; Joshua Freeman; Jan Rubino and Benjamin Stanford

MEMBERS ABSENT: Mark Gill

OTHERS PRESENT: Steven R. Werbner, Town Manager; Clem Langlois, Public Works; Michael Wilkinson, Administrative Services; Beverly Bellody, Human Services

1. **CALL TO ORDER** Jack Scavone called the meeting to order at 7:30 p.m.
2. **PLEDGE OF ALLEGIANCE** Recited.
3. **MOMENT OF SILENCE** Observed.
4. **PROCLAMATIONS:** None.
5. **PUBLIC PETITIONS, COMMUNICATIONS, AND PUBLIC PARTICIPATION** (*on any subject within the jurisdiction of the Town Council*) (2 minute limit) – None.
6. **PUBLIC HEARING ITEMS:**
 - 6.1 Consideration of a resolution making an additional appropriation of \$625,000 to the General Fund Storm Account from fund balance to cover actual and estimated future costs for clean-up after Storm Irene and Storm Alfred.

Mr. Werbner commented that this is to appropriate \$625,000 from Fund Balance. Hopefully, FEMA will reimburse the town for approximately 75% of those costs, leaving Tolland with an out-of-pocket expense of up to \$156,250. If all of the money expended for the clean-up is less than \$625,000, it would bring the Fund Balance reserve down from 12% to 11%, which is still healthy. Mr. Werbner does not know anyone who has done the type of job that Tolland has for the costs that the town has incurred. (Avon spent \$2.5m, South Windsor spent \$7m, Glastonbury spent \$6m, and Vernon was in the multi-million dollar range). He congratulated the town staff, Mr. Langlois, Public Works, and the Council for coming up with innovative ways to do things to reduce the costs associated with these two storms. The residents have been saved considerable dollars.

Rick Field motioned to open the public hearing; Seconded by Ben Stanford. All in favor. None opposed.

Mr. Field read the public notice aloud.

Bob Rubino of 296 Weigold Road – He asked if the Town Manager has put a value on the volunteer activities associated with the last storm. Mr. Werbner said he has not; however, it is something that will need to be done for the FEMA reimbursement. We will get credit based upon a formula the government uses for volunteer service.

Town Council Meeting

A straw poll was conducted of all those in favor of making an additional appropriation of \$625,000 to the General Fund Storm Account from fund balance to cover actual and estimated future costs for clean-up after Storm Irene and Storm Alfred. 5 in favor; 0 opposed.

Jan Rubino motioned to close the public hearing; Seconded by Rick Field. All in favor. None opposed.

Richard Field read the following resolution:

NOW, THEREFORE, BE IT RESOLVED by the Tolland Town Council that it hereby approves an additional appropriation from fund balance to cover Storm Irene and Storm Alfred related expenditures.

Seconded by Josh Freeman. All in favor. None opposed.

7a. **REPORTS OF BOARDS AND COMMITTEES RESPONSIBLE TO THE COUNCIL:** None.

7b. **REPORTS OF TOWN COUNCIL LIAISONS:** Mr. Freeman commented on the PZC meeting: There was discussion regarding the technology corridor. He believes there could be a lot of actions the Town Council can take to assist the PZC, EDC and other entities with this. He would like to see more cooperation amongst all bodies.

~Ms. Rubino attended the 12/14 BOE meeting: One of the main discussions was the calendar. They voted to shorten the school year to 180 from 183. They took an in-service day from February vacation and made it an instructional day. It is the 25th anniversary for Project Graduation. The Committee was awarded a Proclamation from the BOE.

~Ben Stanford attended the WPCA meeting: There will be a Public Hearing held at the January 17th meeting to change the sewer regulations for the assessment of sewer in the business park. They are going to be doing some cleaning and maintenance to the system around Big Y.

8. **NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

8.1 Consideration of a resolution authorizing the Town Manager to enter into an agreement with the Town of Manchester for temporary engineering services.

Richard Field moved to table this item until the next meeting; Seconded by Ben Stanford. All in favor. None opposed.

8.2 Consideration of a resolution appointing Town Council Vice Chair Richard J. Field to the Board of Directors of the Eastern Highlands Health District for a two year term of service.

Jan Rubino read the following resolution:

BE IT RESOLVED that Richard J. Field is hereby appointed as a member of Board of Directors of the Eastern Highlands Health District for a two year term of service.

Seconded by Ben Stanford. All in favor. None opposed.

8.3 Consideration and action on a resolution appointing Town Manager Steven R. Werbner to the Board of Directors of the Eastern Highlands Health District for a three year term of service.

Richard Field read the following resolution:

Town Council Meeting

BE IT RESOLVED that Steven R. Werbner is hereby appointed as a member of the Board of Directors of the Eastern Highlands Health District for a three year term of service.

Seconded by Jan Rubino. All in favor. None opposed.

8.4 Discussion of the deteriorating stone wall on Tolland Stage Road in front of the Post Office/Liquor Wine Discount Store.

Mr. Field took a few pictures of the wall in question and distributed. He believes this has become a safety issue. It is 6 inches away from the road. He would like to solve this problem.

Ms. Farmer has had discussions with the DOT Maintenance Section and prepared a memo summarizing, which Mr. Werbner reviewed with the Council. The Director of Maintenance sent a survey crew to the location last week to determine if the wall was within the State's right-of-way. They found that the right-of-way actually runs through the stone wall. The course of action that the DOT plans to follow is to have a structural engineering crew inspect the integrity of the wall to determine if the soil and foundation are sound. It is expected that despite the loose stones on the top, the wall base is secure. Although the wall is not entirely on State property, the DOT is viewing this as a highway issue. The need for resolution of this situation is being forwarded to Highway Design Section. The town will be notified of any pending action, but it is not clear if this will be at the beginning of the process. The solutions mentioned maybe to modify the right-of-way boundary and bury the stone wall to achieve a reduce slope. The wall is currently functioning as a retaining wall. There is no availability of funds for roadway improvements at this time. The CT DOT will be seeking Federal Transportation Funds. This may be a 10 – 15 year plan, although small projects are sometimes fast-tracked. In the interim, the local DOT maintenance crew out of Vernon will pick up rocks from the pavement and touch up the wall as best they can.

Ms. Rubino agrees that something should be done, although she doesn't want to see it buried. There has to be another way to fix it. She thinks they should go to people who know how to fix it and ask them.

Mr. Freeman asked if there is anything the town could do. Mr. Werbner said it is State / private property. If it comes to them wanting to bury it, the town can voice our concerns.

Mr. Field said he would like to see a bunch of volunteers come forward and moved it, but that is tuff work.

Mr. Scavone is concerned that if we push too hard, they'll bulldoze it. We are between a rock and a hard place.

Mr. Belsito asked how many stones are falling. He's been driving by it for 40 years and has seen a couple, but not enough to have it buried. None of the Council members want to see the wall buried.

Mr. Stanford suggested getting the Conservation Commission or Historic District Commission involved. Mr. Werbner said not on State property. With regard to the private property, they would need to get all the necessary approvals.

Mr. Field said if this isn't a concern to the other members on the Council, maybe they should hold off on this. Ms. Rubino said at least discussion has been started and it is out there to be talked about.

Mr. Belsito said if you get someone to move the wall, and you go down to the base because you want all of the stones, who is going to come back and re-enforce the highway?

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Mr. Field moved to table this item indefinitely until further information can be gotten; Seconded by Jan Rubino. All in favor. None opposed.

8.5 Consideration of a resolution to approve the Social Media Policy.

Mr. Werbner commented that they have a policy in front of them that has been drafted by the labor counsel to address the use of social media. This policy addresses what the conditions are for use of those types of instruments, as they relate to Town business. If this is adopted, it will be distributed to all town employees.

Richard Field read the following resolution:

BE IT RESOLVED by the Tolland Town Council that it hereby approves the attached Town of Tolland Social Media Policy.

Ms. Rubino questioned the last paragraph of the policy. Mr. Werbner commented that it reiterates the fact that they are not taking away any of the employees legal rights that they may have in terms of exercising their opinion. Mr. Freeman commented that you are separating the employee use from personal use. Mr. Werbner said exactly. **Mr. Freeman asked if this was for the Council and other Boards and Commissions. Mr. Werbner said they are considering the employee terminology to encompass any representative on Boards and Commissions. Mr. Freeman would like that clarification added to the policy. Mr. Werbner agreed.** Mr. Freeman suggested that a best practice on how to use social media would be nice. It doesn't need to be in the policy, but if we want to funnel communication through the Town Manager's office, that needs to be said. Mr. Werbner said when the policy gets distributed; they can add that as part of the cover memo.

Ms. Rubino asked if there could be some clarification to the last paragraph. Mr. Freeman suggested rewording it to say: ...**inhibit employees from engaging in personal lawful activities**.... So that there is an actual distinction that it is personal.

Seconded by Sam Belsito. All were in favor *as amended*. None opposed.

8.6 Consideration of a resolution authorizing Steven R. Werbner, Town Manager on behalf of the Town of Tolland, to apply for Department of Energy & Environmental Protection Municipal Quick Spend Energy Efficiency & Conservation Program (Competitive Grant Opportunity) through the Office of Policy and Management.

Mr. Werbner commented that the State has \$300,000 of left over ARRA funds for energy purposes. They are offering a grant pool to 142 municipalities that were not eligible automatically, based on their size, for ARRA energy grants. There is a short turnaround time for applications for this grant, and the money needs to be expended by June 30, 2012. They have suggested that the BOE file an application for an energy audit for the old high school, the current middle school, because the systems in that school are aged. There is also the ability to purchase energy efficient computers. The BOE has indicated that they will be filling out an application.

Richard Field read the following resolution:

WHEREAS, there is federal monies available from the Connecticut allocation of funds under the American Recovery and Reinvestment Act Energy Efficiency and Conservation Block Grant; and

WHEREAS, these monies are available through the State of Connecticut Office of Policy and Management Municipal Quick Spend Energy Efficiency & Conservation Program;

Town Council Meeting

BE IT RESOLVED that Steven R. Werbner is hereby authorized to make, execute and approve on behalf of the Town of Tolland any and all applications, contracts and amendments and to execute and approve on behalf of this municipality other instruments a part of or incident to such contracts and amendments, effective until otherwise ordered by the Town Council.

Seconded by Ben Stanford. All in favor. None opposed.

8.7 Appointments to vacancies on various municipal boards/commissions.

Ms. Rubino moved to appoint **Vin Avino, 33 Lorraine Drive**, as an alternate to the ZBA;
Seconded by Josh Freeman. All in favor. None opposed.

Ben Stanford motioned to appoint the following:

- **Bob Valk, 219 Anthony Road** – Board of Recreation –regular member
- **Anthony Ciccone, 89 Noah Lane** – Board of Recreation – regular member
- **Vincent Tursi, 69 Torry Road** – Water Commission – regular member
- **Kim Ravalese, 68 Charles Street** – Board of Assessment Appeals – alternate member
- **Kathy Bach, 255 Tolland Stage Road** – Historic District Commission – regular member
- **Robert Bavier, 85 Tolland Green** – Historic District Commission – alternate member
- **Jodi Coombs, 56 Laurel Ridge Road** – Permanent Celebration Committee – regular member
- **Herb DiMeola, 112 Kozley Road** – Permanent Celebration Committee – regular member
- **Patty Hollay**, Inlands Wetlands Commission – regular member

Seconded Josh Freeman.

Ms. Rubino commented that Holly Suchecki has put requests out through the Tolland Patch and e-blast for volunteers to the Boards/Commissions. We have received a great number of people interested. She thinks some of it may have to do with the community outreach day.

Mr. Scavone thanked both Jan and Ben for their time spent on this. It is probably the highest percentage of fill rate in a long time.

All in favor. None opposed.

9. **OLD BUSINESS (ACTION/DISCUSSION ITEMS):** None.

10. **REPORT OF THE TOWN MANAGER (A WRITTEN REPORT SHALL BE PROVIDED THE 1ST MEETING OF THE MONTH ONLY) –**

Mr. Werbner commented on the following:

~a regional grant application was submitted with Coventry and Mansfield for an economic development position or contractual arrangement;

~we received a Steep Grant for a concession facility and bathroom at Cross Farms Park, which will be part of the ADA playground (Adams Adventure);

~we are going live with using the Tolland Alert, which is the Everbridge Notice System, an emergency notification system. We will be able to alert businesses and residents about various advisories (severe weather, major road closures, public health advisories, etc.) It is our hope that people sign up for this by going onto the Town's website and following the prompts. You can receive notice via e-mail, cell phone, land line, etc. It's your choice.

~The Town Council and BOE will have a joint meeting, which will be attended by the Lt. Governor, on 01/19/12 at 7:00 in the Council Chambers. After that meeting, the Town Council will discuss their budget philosophy with the BOE; on 01/25/2012 there will be a meeting with

Town Council Meeting

the PZC and EDC to discuss the Tolland Village area. Specifically, what action steps the Town Council can take in the near term to help move that project forward. The WPCA and TWC have expressed an interest of having a meeting with the Council. The tentative date is 02/07/12.

Mr. Scavone thanked Beverly Bellody for applying for the grant, receiving the grant and her presentation.

11. **ADOPTION OF MINUTES**

- 11.1 December 6, 2011 Special Workshop Meeting Minutes
- 11.2 December 13, 2011 Meeting Minutes
- 11.3 December 27, 2011 Special Workshop Meeting Minutes

Rick Field moved to adopt the minutes from the December 6th Special Workshop, the December 13th Meeting, and the December 27th Special Workshop; Seconded by Josh Freeman. All in favor. None opposed.

12. **CORRESPONDENCE TO COUNCIL** – None.

13. **COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS** – Josh Freeman commented that he saw some residents were asking about the blue/recycling bins. They were quoted \$80.00 for larger replacement units. Mr. Werbner will look into the options to see if there is a broader interest. He believes we should encourage recycling, not only from an environmental standpoint, but it also saves the town money. Mr. Werbner said an e-blast will be sent out to see what the interest is among the residents. Recycling is one thing that the residents can do to help the environment and the budget. There is a direct dollar savings for every piece of material that you recycle. We are now getting \$25-30 a ton in revenue from the recycling that is being picked up. Currently, we are seeing a flat-line and an increase in the solid waste tonnage, which is disturbing. We will make another plea and put out reminders that everyone should take a serious look at recycling. Mr. Werbner will come back with the information on the bins.

Mr. Stanford would like to see the various Boards/Commissions come to a Council meeting to explain what they do. He also asked what the percentages of vacancies are left for the Boards/Commissions, because he would like to track that. Mr. Werbner will find that out.

14. **PUBLIC LISTED PARTICIPATION** (*on any subject within the jurisdiction of the Town Council*) (3 minute limit):

Rich Bozzone of 9 Elm Road – He asked if the reimbursement from FEMA would automatically go back into the fund balance. Mr. Werbner said it would need to be appropriated by the Council. He asked if the energy grant could be applied to a project already taken place. Mr. Werbner said no. He complimented Jan and Ben for filing the positions that they have. He advised that Staples will recycle electronics for no fee.

Bob Rubino of 296 Weigold Road – On the issue of recycling: He thinks the 80 gallon green container should be the recycle bin and the small bin should be for the garbage. Regarding the stone wall, the Counsel went wrong when they shelved this topic pending further input. What input could that be? You are in negotiations with the State. The State won the first bat of the ball. You should be instructing the Town Manager to bat the ball back.

15. **EXECUTIVE SESSION**

Rick Field motioned to go into Executive Session at 8:35 p.m., thus ending the Regular Meeting of the Town Council; Seconded by Josh Freeman. All in favor. None opposed.

Town Council Meeting

15.1 Executive Session to discuss a personnel matter.

Motion: The Town Manager is authorized to negotiate with Lisa Hancock for the salary and benefits associated with the position of Finance Director subject to the guidance given by the Town Council.

5 in favor, 1 opposed (Sam Belsito). Mark Gill was absent.

16. **ADJOURNMENT** – Rick Field moved to adjourn the meeting; Seconded by Jan Rubino at 9:00 p.m. All were in favor.

Jack Scavone, Council Chair

Michelle A. Finnegan
Town Council Clerk