



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

**MAYOR ROY ZARTARIAN**

## NEWINGTON TOWN COUNCIL

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

### AGENDA

**August 9, 2016**

**7:00 p.m.**

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- I. PLEDGE OF ALLEGIANCE
  - II. ROLL CALL
  - III. APPROVAL OF AGENDA
  - IV. AWARDS/PROCLAMATIONS
    - A. National Parks and Recreation Month
  - V. PUBLIC PARTICIPATION – IN GENERAL (**In Person/Via Telephone: 860-665-8736**)  
(3 MINUTE TIME LIMIT PER SPEAKER ON ANY ITEM)
  - VI. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION
  - VII. CONSIDERATION OF OLD BUSINESS (**Action May Be Taken**)
    - A. Ordinance Amendment: Chapter 182, Blighted Premises Code
      1. Introduce Ordinance
      2. Set Public Hearing Date
  - VIII. CONSIDERATION OF NEW BUSINESS (**Action May Be Taken by Waiving the Rules**)
    - A. Ordinance Amendment: Chapter 8, Article VI: Environmental Quality Commission
    - B. Update: Indian Hill Country Club Lease Agreement Extension
    - C. Grant Funding: Exercise Equipment at Mill Pond Park
    - D. Facilities Naming Request: Parks and Recreation Teen Center
    - E. Consideration of Canceling the August 23, 2016 Regular Meeting (**Action Requested**)
  - IX. RESIGNATIONS/APPOINTMENTS (**Action May Be Taken**)
    - A. Newington Historical Society & Trust
      1. Accept the Resignation of Linda Woods
      2. Appoint a Replacement
    - B. Appointments to Boards and Commissions
      1. Affordable Housing Monitoring Agency
      2. Board of Education – Liaison
      3. Commission on Aging and Disabled

Phone: (860) 665-8510 Fax: (860) 665-8507  
townmanager@newingtonct.gov  
www.newingtonct.gov

4. Balf-Town Committee
5. Building Code Board of Appeals
6. Capitol Region Council of Governments (CRCOG)
7. Central Connecticut Health District Board of Directors (CCHD)
8. Capital Improvements Committee
9. Committee on Community Safety
10. Conservation/Inland Wetlands Commission
11. Development Commission
12. Employee Insurance & Pension Benefits Committee
13. Environmental Quality Commission
14. Board of Ethics
15. Fair Rent Commission
16. Newington Housing Authority
17. Human Rights Commission
18. Library Board of Directors
19. Newington CATV Advisory Council
20. Newington School Career Technical Program Renovation Project Building Committee
21. Open Space Committee
22. Standing Insurance Committee
23. STEM Academy PBC
24. Town Hall Renovations Project Building Committee
25. Town Plan & Zoning Commission
26. Tri-Town Community Cable Access
27. Vehicle Appeals Board
28. Zoning Board of Appeals

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

XI. MINUTES OF PREVIOUS MEETINGS (**Action Requested**)

- A. July 7, 2016 Special Meeting
- B. July 12, 2016 Regular Meeting
- C. July 19, 2016 Special Meeting

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

XIII. COUNCIL LIAISON/COMMITTEE REPORTS

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

XV. REMARKS BY COUNCILORS

XVI. EXECUTIVE SESSION RE: CONTRACTS/REAL ESTATE

XVII. ADJOURNMENT

AGENDA ITEM: III

DATE: 8-9-16

RESOLUTION NO. \_\_\_\_\_

WHEREAS, parks and recreation provides positive life experiences for people of all ages in our community; and

WHEREAS, parks and recreation programs provide outlets for physical activities, socialization and stress reduction through experiences such as summer concerts, pool parties and the community garden; and

WHEREAS, parks and recreation activities and community services programs provide opportunities for young people to live, grow and develop into contributing members of society; and

WHEREAS, the Newington Parks and Recreation Department generates opportunities for Newington residents to come together and experience a sense of community through fun recreational pursuits such as yoga, fitness, running programs, sport and music camps and special events; and

WHEREAS, with the help of the Mayor and Town Council, the Parks and Recreation Department has celebrated various park and pool improvements and fun activities such as Touch-A-Truck, the weeklong Life. Be in it Extravaganza, Motorcycle Madness, Halloween Party, Visit with Santa and the holiday tree lighting; and

WHEREAS, parks make a community an attractive and desirable place to live, work, play, and visit and contribute to our ongoing economic vitality; and

WHEREAS, parks, greenways and open space provide a welcome respite from our fast paced, high tech lifestyles while protecting and preserving our natural environment; and

WHEREAS, the Newington Parks and Recreation "Building a Strong Community" initiative is demonstrated in four major areas: benefits to the individual, community, environment and economy;

NOW THEREFORE BE IT RESOLVED, that the Newington Town Council hereby declares that July is Parks and Recreation Month and encourages all citizens to celebrate by participating in one or more of the multitude of activities offered by the Newington Parks and Recreation Department.

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

VOTE: \_\_\_\_\_



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

## OFFICE OF THE TOWN MANAGER

### MEMORANDUM

To: Newington Town Council  
From: Jaime Trevethan, Asst. to the Town Manager (on behalf of Tanya D. Lane,  
Town Manager)  
Date: August 04, 2016  
Re: Ordinance Introduction & Public Hearing: Chapter 182 – Blighted Premises

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At the July 12 meeting, the Town Council discussed proposed amendments to the Newington Code of Ordinances Chapter 182, Blighted Premises.

The process for amending Town Ordinances is dictated by §C-405 and §C-406 of the Town Charter. The process generally spans over at least three Council meetings. A resolution will appear on the August 9, 2016 Town Council meeting agenda for the second step of the process as follows:

- 1) To introduce the amended ordinance, and
- 2) To set a Public Hearing date (typically scheduled for immediately prior to the next Council meeting)

Please be advised that this is the only action to be taken on this item at the August 9 meeting. Furthermore, The Council may discuss and consider whether to approve the amendments at the regular Council meeting immediately following the Public Hearing. If approved, the changes will go into effect 15 days after publication.

Attached, please see the following documents related to the proposed amendments:

- 1) Newington Charter §C-405 and §C-406 (Ordinance amendment process)
- 2) A memorandum dated July 7, 2016 explaining the proposed amendments.
- 3) Newington Code of Ordinances Chapter 182, Blighted Premises, with proposed amendments
- 4) A resolution to introduce the ordinance amendments and set a public hearing date.

Attach.

*Town of Newington, CT  
Thursday, May 5, 2016*

## **Chapter C. CHARTER**

### **Article IV. THE COUNCIL**

#### **§ C-405. Introduction of Ordinances.**

All ordinances, together with a written statement of purpose, shall be introduced at a regular or special meeting of the Council in written form by a member of the Council. It shall be the duty of the Clerk of the Council immediately upon each introduction to file a copy of such proposed ordinance with the Town Clerk. It shall be the duty of the Town Clerk or his/her designee immediately upon receipt of such proposed ordinance to prepare sufficient copies of such ordinance, one copy of which shall be retained in the Town Clerk's office for public inspection, one copy posted on the Town bulletin board and website, and one copy distributed to each member of the Council and to the Manager. No discussion shall be had upon a proposed ordinance at the meeting at which it is introduced, except for an explanation by the Councilor moving such ordinance.

#### **§ C-406. Public Hearings and Passage of Ordinance.**

Before an ordinance, except an emergency ordinance, shall be voted upon, the Council shall hold at least one public hearing, five days notice of which shall be given by publishing the notice and the proposed ordinance in full at least once in a newspaper having circulation in the Town and by posting the notice and the proposed ordinance in full on the Town bulletin board and website with the full proposed ordinance also available in the Town Clerk's office. After such public hearing, the Council may make such changes as it considers advisable before voting upon said ordinance. Notice of the passage of an ordinance, described by title or subject matter and statement of purpose, together with such changes in the proposed ordinance, shall be published at least once in a newspaper having a circulation in the Town, and an ordinance, except an emergency ordinance, shall become effective 15 days after such notice is published, provided that, if a petition for a referendum is filed with the Town Clerk within the time specified in § C-410, the ordinance shall not become effective except in accordance with the provisions of § C-410. All adopted ordinances shall be filed with the Town Clerk and kept as a public record in the form of a suitably indexed volume or volumes of ordinances.



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

## OFFICE OF THE TOWN MANAGER

### MEMORANDUM

To: Newington Town Council

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

Date: July 7, 2016

Re: Ordinance Amendment, Chapter 182: Blighted Premises

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On February 9, 2016 the Town Council formed a Blight Ordinance Subcommittee consisting of Councilors Manke, Nagel and Serra and charged it to review and consider amendments to the Town Code of Ordinances Chapter 182: Blighted Premises. The Subcommittee met with staff to gather input on the current ordinance and to discuss proposed amendments. Concurrently, staff members worked with Asst. Town Attorney Tony Palermino to perform a thorough legal review of the current and proposed language. On July 5, 2016 the Subcommittee members voted unanimously in favor of forwarding the amended ordinance to the Town Council for consideration in accordance with sections 405 & 406 of the Town Charter.

Attached, please see two copies of the proposed ordinance. The first copy is a clean draft of the amendments incorporated into the ordinance. The second copy is a red-line draft outlining said changes. The amendments incorporate the following items:

- 1) Changes as recommended by the Subcommittee members.
- 2) Revisions to incorporate amendments to the Connecticut General Statutes that have been made since the current ordinance went into effect in August, 2012
- 3) Extended definitions and clarified verbiage throughout as recommended by Attorney Palermino to better define blighted conditions and protect the Town in the event of litigation.
- 4) Changes as recommended by enforcement, administrative and Human Services staff.
- 5) Amendments in accordance with the recent Pierczyk Straska Farm v. Town of Rocky Hill court decision in which the court ruled in favor of the property owner.
- 6) Reorganization of the document to place the various sections in the same order as the actual enforcement and appeals process.

Also attached is a summary of the proposed amendments by section. Asst. Town Planner Mike D'Amato and Asst. to the Town Manager Jaime Trevethan will be in attendance at the July 12 meeting to discuss the proposal. If the Council concurs with the changes then the ordinance may be introduced and a public hearing may be set at a future Council meeting.

Attach.

cc. Mike D'Amato, Asst. Town Planner  
Tony Palermino, Asst. Town Attorney

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townmanager@newingtonct.gov  
www.newingtonct.gov

AGENDA ITEM: VI.A.1

DATE: 8-9-16

RESOLUTION NO. \_\_\_\_\_

INTRODUCTION:

I hereby introduce for the Town Council's consideration proposed amendments to the Town of Newington Code of Ordinances, Chapter 182: "Blighted Premises", a copy of which has been filed with the Clerk of the Council.

Introduced by: \_\_\_\_\_

RESOLVED:

That a Public Hearing be held on \_\_\_\_\_ at 6:50 p.m. in consideration of proposed amendments to the Town of Newington Code of Ordinances, Chapter 182: "Blighted Premises".

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

VOTE: \_\_\_\_\_

**CLEAN DRAFT 7-7-16**

The Newington Town Council repealed Chapter 182 of the Code and adopted the Blighted Premises Code on 7/24/12.

**TOWN OF NEWINGTON  
BLIGHTED PREMISES CODE**

**§ 1. Title**

This chapter shall be known as the “Blighted Premises Code of the Town of Newington” (“the code”) and the standards established by this code shall be referred to as and constitute the minimum property standards of the Town of Newington (“Town”).

**§ 2. Intent and Authority**

A. This code is intended to protect, preserve and promote public health, safety and welfare; to prevent and control the incidence of communicable disease; and to reduce environmental hazards to health, safety and welfare, insofar as they are affected by the maintenance of residential and non-residential structures, equipment and premises as provided by this code. This code is further intended to provide minimum standards governing the condition, occupancy and maintenance of occupied and unoccupied premises and establish reasonable safeguards for the health, safety and welfare of the occupants and users of said premises, the community and the general public. This code is intended to maintain and preserve the beauty of the neighborhoods and to allow for control of blighted premises.

B. This code shall establish minimum standards and responsibilities for the maintenance of all premises and delegates administrative responsibility and enforcement powers and creates enforcement procedures.

C. This code is adopted in accordance with the provisions of Connecticut General Statutes §7-148 (c)(7)(H)(XV), § 7-148aa, 7-148ff, 7-148gg and 7-152c and further incorporates all authority and power that currently or in the future is conferred under Connecticut General Statutes

**§ 3. Scope of Provisions**

A. Applicability.

1. This code shall apply uniformly to the maintenance, use and occupancy of all premises now in existence or hereafter constructed, maintained or modified and shall include:

- a. Dwellings or dwelling units, including one-family and two-family dwellings and buildings with multiple-unit dwellings;
- b. Lots, plots or parcels of land whether vacant or occupied;
- c. Buildings of non-dwelling use, including commercial properties and mixed use properties that may include one or more dwelling units;
- d. Accessory structures to any building;
- e. All apartments, boarding houses, group homes, lodging houses, rooming houses, tenement houses and unrelated family units.

2. This code shall not apply to public property.

#### § 4. Definitions

The following definitions apply to this chapter.

1. **Accessory structure** shall mean a structure, the use of which is customarily incidental and subordinate to that of principal building, structure or use on the same lot.
2. **Abandon** shall mean to give up control, cease to maintain, for vehicles the physical condition, the length of time since it was last used on the public highway, whether or not it is registered, for vehicles and/or other things not required to be registered or not normally used on the public highways, the physical condition, the length of time since it was last used for the purpose intended.
3. **Blighted premises** shall mean:
  - A. Any building or structure, or any part of a structure that is a separate unit, or a parcel of land or premises, or any necessary structure, or fence, where at least one of the following conditions exists:
    1. The Blighted Premises Enforcement Officer determines that existing conditions pose a serious threat to the health, safety and welfare of town citizenry;
    2. It is not being maintained, as evidenced by the existence, to a significant degree, of one or more of the following conditions:
      - a. Missing, broken or boarded windows or doors;
      - b. Collapsing or deteriorating exterior walls, shutters, roofs, stairs, porches, handrails, railings, basement hatchways, chimneys, flues, or floors;
      - c. Exterior walls which contain holes, breaks, loose or rotting materials or which are not properly surface coated to prevent deterioration;
      - d. Foundation walls which contain open cracks and breaks;
      - e. Overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts which contain rust or other decay;
      - f. Chimneys and similar appurtenances which are in a state of disrepair;
      - g. Insect screens which contain tears or ragged edges;

- h. Refuse, rubbish, trash or debris improperly stored or accumulated on the premises, or vehicles, machinery and/or watercraft on the premises. Overgrown grass or weeds allowed to reach and remain at a height of 12” (one foot) or more for a period of 7 days.
    - i. Vermin and/or animal infestations;
    - j. In the case of a fence, broken or rotted sections or in an otherwise dilapidated condition; or
    - k. In ground or above ground swimming pools with standing water and/or which are in a state of disrepair.
  - 3. Any other exterior condition reflecting a level of maintenance which is not in keeping with community standards or which constitutes a blighting factor for adjacent property owners or occupiers or which is an element leading to the progressive deterioration of the neighborhood.
  - 4. It is attracting illegal activity as documented in Police Department records;
  - 5. It is a fire hazard as determined by the Fire Marshal or as documented in the Fire Department records; and/or
  - 6. It is a factor creating a substantial and unreasonable interference with the use and enjoyment of other premises within the surrounding area as documented by neighborhood complaints, police reports, the cancellation of insurance on proximate properties; or similar circumstances.
- B. Blighted premises shall not include any such building, structure or parcel of land located on Municipal, State and Federal property.
- 4. **Blighted Premises Enforcement Officer** shall mean an individual or individuals appointed by the Town Manager to inspect and re-inspect blighted premises, issue notice of violation warning letters in accordance with § 10 of this Code, and issue citations for violations of this Code in accordance with § 11 of this Code. Said individual shall not be the Town Manager or a Citation Hearing Officer.
  - 5. **Citation Hearing Officer** shall mean an individual or individuals appointed by the Town Manager to conduct hearings authorized by this chapter.
  - 6. **Community standard** shall mean a judgment by a reasonable member of the community.
  - 7. **Connecticut General Statutes** shall include any applicable amendments.
  - 8. **Days** shall mean calendar days and shall not include the day of receipt of the notice.
  - 9. **Debris** shall mean material which is incapable of immediately performing the function for which it was designed including, but not limited to abandoned, discarded or unused objects, parts of automobiles, furniture, appliances, cans, boxes, bags, scrap metal, tires, batteries, containers, garbage, rubbish, refuse, machinery and vehicles.

10. **Inoperable** shall mean a motor vehicle which is incapable of being legally operated on public roads w/o major work or modification. Missing parts, broken or severely damaged components shall be prima facie evidence of inoperability.
11. **Junked** shall mean a motor vehicle located on the premises which is inoperable, this definition shall also include parts of motor vehicles or iron, metal, glass, paper, cordage or other or waste or discarded or secondhanded materials which have been a part or intended to be a part of any motor vehicle.
12. **Machinery** shall mean an assemblage of parts that transmits forces, motor and energy, one to another in a predetermined maneuver; a mechanically, electrically or electronically operated device for performing a task; an instrument designed to transmit or modify the application of force, power or motion.
13. **Motorcycle** shall mean a motor vehicle, with or without a side car, having not more than three wheels in contact with the ground and a saddle or seat on which the rider sits or a platform on which the rider stands, including motor scooters or bicycles with an attached motor.
14. **Motor Home** shall mean a vehicular unit designed to provide living quarters and necessary amenities which are built into an integral part of, or permanently attached to, a truck or van chassis, including campers and conveyor trailers.
15. **Motor Vehicle** shall mean any vehicle propelled or drawn by any power other than muscular, any device suitable for the conveyance of, drawing or other transportation of persons or property, whether operated on wheels, runners a cushion of air or by any other means.
16. **Legal occupancy** shall mean occupancy in accordance with state building and fire codes, local zoning regulations, local housing ordinances and all other pertinent codes.
17. **Neighborhood** shall mean an area of the Town comprising all premises or parcels of land, any part of which is within a radius of 1,000 feet of any part of another parcel or lot within the Town.
18. **Owner/occupier** shall mean any person, institution, foundation, entity or authority which owns, leases, rents, possesses, or is responsible for property within the Town.
19. **Person** shall include any individual, corporation, limited liability company, association, copartner ship, company, form, business trust or other aggregation of individuals but does not include the state or any political subdivision thereof, unless the context clearly states or requires.

20. **Premises** shall mean any building, structure, land or portion thereof, including all appurtenances, owned or controlled by a person.
21. **Proximate property** shall mean any premises or parcel of land within one thousand (1,000) feet of the boundary of a blighted premise.
22. **Recreational Vehicle** shall mean a motor vehicle of the type designed for off the road uses for recreation, entertainment or pleasure and which is not authorized by State to be operated on public streets and highways, including but not limited to minibikes, ATV's, trail bikes, dune buggies, snowmobiles and swamp buggies.
23. **Refuse** shall mean all putrescible and non-putrescible solids including garbage, rubbish, ashes and dead animals. These terms shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings and other combustible waste materials.
24. **Rubbish** shall mean non putrescible solid wastes consisting of both (a) combustible wastes such as batteries, paint scrapings, paper, cardboard, plastic containers, yard clippings and wood; and (b) noncombustible wastes such as tin cans, tires, glass, crockery, metal and used automotive parts, cold ashes, junk, discarded containers, dust, sweepings, wastepaper, boxes, crates, rags, clothing, textiles, glass, crockery and similar waste materials ordinarily accumulated in and around residential premises.
25. **Snowmobile** shall mean a vehicle for traveling on ice or snow.
26. **Trailer** shall mean any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle.
27. **Truck** shall mean a motor vehicle designed, used or maintained primarily for the transportation of property; a motor vehicle with an enclosed forward passenger compartment and an open rearward compartment used for the transportation of property.
28. **Utility Trailer** shall mean a trailer designed and used to transport personal property materials or equipment, whether or not permanently affixed to the bed of the trailer.
29. **Waste** shall mean land clearing debris and waste resulting directly from demolition activities other than clean fill, household items including but not limited to sofas, mattresses, furniture, machinery and/or appliances.
30. **Watercraft** shall mean a ship, vessel boat or craft capable of being used for water transport with or without a motor.
31. **Yard Vegetation** shall mean grass, weeds, garden plants, shrubs, leaves, branches, limbs, brush and similar materials grown on and/or emanating from the premises.

## **§ 5. Signs, Awnings and Marquees**

- A. Signs. All permanent signs and billboards exposed to public view permitted by reason of other ordinances or laws shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked or whose supporting members have deteriorated shall be removed forthwith or put into a good state of repair by the owner/occupier.
- B. Awnings and marquees. Any awning or marquee and its accompanying structural member which extends over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event that such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event that said awnings or marquees are made of cloth, plastic or of similar materials, said cloth or plastic where exposed to public view shall be maintained in good condition and shall not show evidence of excessive weathering, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

## **§ 6. Removal of Weeds and Similar Vegetation**

- A. Every owner/occupier of properties upon which a building exists, or who is in possession of a vacant lot in an approved subdivision which fronts on a paved public road and to which a public water and/or public sewer lateral has been provided, shall cut, to a height of not more than one foot, all grass, weeds and similar vegetation not planted as a crop to be harvested or for ornamental purposes.
- B. Every owner/occupier of property shall keep his property free from vegetation of any type which, based on the reasonable opinion of the Blighted Premises Enforcement Officer, is injurious to public health.
- C. Any violation of § 6A or 6B shall constitute a nuisance which may be abated by the town at the expense of the owner/occupier or any one or more of them to whom the Blighted Premises Enforcement Officer has given not less than 10 days written notice of intention to abate such nuisance. Such expense may be collected by the Town in a civil action against any one or more of the above-named persons responsible thereof.

## **§ 7. Solid Waste, Storage and Littering**

- A. Accumulation restricted. It shall be unlawful for an owner/occupier to allow solid waste to accumulate on premises in the town in such a manner as to create an offensive, unsightly or unsanitary condition.
- B. Storage requirements. In the event that property usage would result in the stacking or piling of materials, including equipment and appliances, even if wanted and useful, they must be so arranged as to prohibit the creation of a blighting factor to their neighbors. Furthermore, all useful, wanted material, including equipment and appliances, stored out

of doors shall be stored in an orderly fashion and, to the extent reasonably feasible, shall be located in the rear yard and not visible from the adjacent public street for no longer than 60 days.

### **§ 8. Complaints - - Notice of Violation Warning Letter**

- A. Any person or legal entity, including but not limited to a civic organization, municipal agency, or town employee may report a complaint of violation of this ordinance with the Town Manager's Office. Verbal complaints shall be reduced to writing by the Town Manager's Office.. The Blighted Premises Enforcement Officer, upon his or her determination that there is a violation of this code, shall forward a notice of violation warning letter to the owner/occupier at the time such determination has been made and shall include the property for consideration of inclusion on the Blighted Premises List. Such a notice of violation warning letter from the Blighted Premises Enforcement Officer shall be issued prior to issuing a citation. Such notice of violation warning letter shall include:
  - 1. A description of the real estate sufficient for identification, specifying the violation(s) alleged to exist and the remedial action required;
  - 2. A due date, for the performance of any act required to remedy the violation; and what action needs to be taken to remedy the violation;
  - 3. The amount of the civil penalties/fines, liens, special assessments, costs or fees that may be imposed for noncompliance.
  - 4. Contact information for the Town Director of Human Services for the purpose of encouraging social work assistance to those in need.
- B. The owner/occupier may not contest a notice of violation warning letter before a Citation Hearing Officer.
- C. Delivery of a notice of violation warning letter or citation to the owner/occupier shall be by one or more of the following methods:
  - 1. By personal delivery to the owner/occupier or by leaving the notice of violation warning letter or citation at the usual place of abode of the owner/occupier with a person of suitable age and discretion;
  - 2. By certified, registered or regular mail addressed to the owner/occupier at his last known address, with postage prepared thereon; or
  - 3. By posting and keeping posted for 24 hours a copy of the notice of violation warning letter or citation in placard form in a conspicuous place on the premises.

### **§ 9. Enforcement by Citation**

- A. If the corrective actions specified in the notice of violation warning letter are not taken the Blighted Premises Enforcement Officer or his/her designee shall issue a written citation to the owner/occupier.
- B. A citation shall be in writing and include:
  - 1. A description of the real estate sufficient for identification, specifying the violation(s) alleged to exist and the remedial action required;

2. Detailed information regarding the contents of the notice of violation warning letter (which may be a copy of such notice of violation warning letter) and the failure of the owner/occupier to take the corrective actions specified therein;
  3. Notice of potential liens that may be asserted by the Town pursuant to § 14 of this Code.
  4. The amount of the civil penalties/fines, special assessments, costs or fees due for noncompliance; and
  5. Contact information for the Town Director of Human Services for the purpose of encouraging social work assistance to those in need.
  6. A statement that the owner/occupier may contest his liability and request a hearing before the Citation Hearing Officer by delivering in person or by mail written notice of objection within ten (10) days of the date of receipt of the citation.
- C. Delivery of the citation shall be by the manner provided in § 8 D.

### **§ 10. Hearing**

- A. An owner/occupier may request a hearing after receiving a citation. Said owner/occupier must make his/her request for a hearing within ten (10) days of his/her receipt of the citation.
- B. The Citation Hearing Officer is designated to conduct hearings in accordance with Conn. Gen. Stat. Sec. 7-152c when requested by an owner/occupier who has been cited under this chapter.
- C. If the owner/occupier who was sent a written citation pursuant to § 11 of this Code wishes to admit liability and agree to perform all remediation work for any alleged violation(s), he/she may, without requesting a hearing, pay the full amount of the assessed civil penalties/fines, special assessments, costs or fees in person or by mail to the Town Manager. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any owner/occupier who does not deliver or mail written demand for a hearing within ten days of the date of receipt of the citation shall be deemed to have admitted liability, and the Town Manager shall certify such person's failure to respond to the Citation Hearing Officer. The Citation Hearing Officer shall thereupon enter and affirm the civil penalties/fines, special assessments, costs or fees provided for by the code and shall follow the procedures set forth in Conn. Gen. Stat. Sec. 7-152c (f).
- D. Any owner/occupier who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the Citation Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the Blighted Premises Enforcement Officer shall be filed and retained by the Town, and shall be deemed to be a business record within the scope of Conn. Gen. Stat. Sec. 52-180 and evidence of the facts contained therein. The presence of the Blighted Premises Enforcement Officer shall be required at the hearing if such

person so requests. A person wishing to contest his/her liability shall appear at the hearing and shall present evidence. A designated Town official, other than the Citation Hearing Officer, shall present evidence on behalf of the Town. If the owner/occupier who requested the hearing fails to appear, the Citation Hearing Officer may enter a default against him/her upon a finding of proper notice and liability under this ordinance. At the hearing the Citation Hearing Officer shall accept relevant evidence that may include copies of police reports, investigatory and citation reports, and other documents. The Citation Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as is fair, reasonable and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Citation Hearing Officer shall provide a decision within fourteen (14) days following the completion of the hearing. If the Citation Hearing Officer determines that the person is not liable under the citation, the Citation Hearing Officer shall dismiss the matter and enter his/her determination in writing accordingly. If the Citation Hearing Officer determines that the person is liable under the violation, the Citation Hearing Officer shall enter his/her determination in writing accordingly and include any assessment of civil penalties/fines, special assessments, costs or fees against such person as apply, and shall further provide a copy of his written decision to the Town Manager for his review under Section 8B of this Code.

#### **§ 11. Appointment of Citation Hearing Officers**

The Town Manager shall appoint three residents to serve as Citation Hearing Officers pursuant to § 182-5 of Newington Code of Ordinances. Said residents shall not be the Town Manager, a police officer or employee or person who issues citations, zoning enforcement officer, or blighted premises enforcement officer or other code compliance authority. Said appointment shall be for a term of two (2) years.

#### **§ 12. Penalties for Offenses - - Prejudgment Lien**

- A. The owner/occupier of premises where a violation of any of the provisions of this code shall exist or who shall maintain any building or premises in which such violation exist may:
  - 1. Be assessed a civil penalty/fine of not more than \$100 for each violation. Each day that a violation exists after a citation as described in § 11 is given to the owner/occupier shall constitute a new violation and a civil penalty may be imposed for such violation; and/or
  - 2. Be required to abate the violation at the owner/occupier's expense
  - 3. Be subject to the town's remediation of the blighted condition and assessing the costs of said remediation against the subject property by levying a lien on the subject property.
  - 4. Be subject to special assessment pursuant to Conn. Gen. Stat. Sec. 7-148ff.
- B. Once a finding by the Citation Hearing Officer is made that a person is in violation as provided by Section 12 above, a prejudgment lien on the real property that is the subject

of the violation may be imposed by the Town for any unpaid civil penalty imposed by the Town pursuant to the provisions of this code which is adopted pursuant to Conn. Gen. Stat. Sec. 7-148 (c)(7)(H)(xv) and shall constitute a lien upon the real estate against which the civil penalty was imposed from the date of such civil penalty. Each such lien shall be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien may be enforced in the same manner as property tax liens, including foreclosure of the real property.

- C. Where the Blighted Enforcement Officer has determined that a blighted condition exists as defined by this code, the Town Manager may order the remediation of the blighted condition and assess the costs against the subject property in the form of lien which shall be recorded in the land records in the same manner as provided in § 12 B.
- D. In addition to all other remedies and any civil penalties/fine, special assessments or lien imposed herein, the provisions of this code may be enforced by injunctive proceedings in the superior court. The Town may recover from such owner/occupier any and all costs and fees, including reasonable attorney's fees, expended by the Town in enforcing the provisions of this code.

### **§ 13. Appeals - - Special Consideration**

- A. Any person aggrieved by any order, requirement or decision of the Citation Hearing Officer may take an appeal in accordance with Conn. Gen. Stat. § 7-152c (g).
- B. Notwithstanding anything herein to the contrary, special consideration may be given to individuals who demonstrate that the violation results from an inability to maintain an owner-occupied residence and no person with that ability resides therein. Such special consideration shall be limited to the reduction or elimination of civil penalties/fines, special assessments and/or an agreement that the Town or its agents may perform the necessary work and place a lien against the premises for the cost thereof in accordance with the provisions of this code.

### **§ 14. Blighted Premises List**

- A. No owner/occupier of real property within the Town shall cause or allow blighted premises to be created nor shall any owner/occupier allow the continued existence of blighted premises.
- B. Blighted Premises List
  1. The Town Manager shall use all available relevant information to complete a list of blighted properties to be known as the Blighted Premises List.
  2. The Town Manager shall maintain and update the Blighted Premises List.
  3. At least ten days prior to placing a property on the Blighted Premises List, the Town Manager shall provide written notice to the owner/occupier of the subject property of the intended placement. Said written notice shall indicate the conditions on said property that shall cause placement on the Blighted Premises List, unless corrected, and the steps necessary for removal from said List.

- C. For the purpose of documenting continuous blighted conditions, the Blighted Premises Enforcement Officer shall undertake regular inspections of all properties that are:
  - 1 on the Blighted Premises List, or
  - 2 actively under a Notice of Violation of Warning Letter in accordance with § 8 of this Code, or
  - 3 actively under a Citation in accordance with § 9 of this Code.

The Blighted Premises Enforcement Officer shall have all power and authority prescribed by Connecticut General Statutes to enter a suspected Blighted Premises or a designated Blighted Premises for purposes of performing his duties hereunder.

#### **§15. Removal from Blighted Premises List**

- A. If the owner/occupier of a property that is included on the Blighted Premises List has remedied the conditions that caused the property to be placed on the Blighted Premises List, and no other blighted condition exists on the property, the owner/occupier may make written request to the Blighted Premises Enforcement Officer requesting inspection of the property. The Blighted Premises Enforcement Officer shall inspect the property within five days of receipt of the written request for the purpose of determining whether the blighted conditions on the property no longer exist. Within ten (10) days of the inspection, the Blighted Premises Enforcement Officer shall provide a copy of the written report of his/her inspection of the property to the owner/occupier.
- B. If after inspection of a property that is on the Blighted Premises List, the Blighted Premises Enforcement Officer determines that the conditions that caused the premises to be placed on the List have been remedied, and that no other blighted condition exists on the premises, then the Blighted Premises Enforcement Officer shall provide written notice to the Town Manager that the premises is no longer a Blighted premises along with a copy of his/her written report of inspection of the premises. Upon receipt of a determination that a premises is no longer a Blighted premises, the Town Manager shall remove the premises from the Blighted Premises List, with written confirmation to the owner/occupier

#### **§ 16. Report to Town Council**

The Town Manager shall report, at least annually, to the Council on the Blighted Premises List and the civil penalties/fines, special assessments, liens or any other remedies imposed herein.

#### **§ 17. Severability**

In the event that any part or portion of this code is declared invalid for any reason, all the other provisions of this code shall remain in full force and effect.

#### **§ 18. Terms and Provisions**

- A. Where terms are specifically defined or the meaning of such terms are clearly indicated by their context, that meaning is to be used in the interpretation of this code.
- B. Where terms are not specifically defined and such terms are defined in the Charter and Municipal Code of the Town of Newington, such terms shall have the same meaning for the interpretation and enforcement of this chapter.
- C. Where terms are not specifically defined in this chapter, they shall have their ordinarily accepted meaning or such meaning as the context may imply.
- D. The provisions of this code shall not be construed to prevent the enforcement of other codes, ordinances or regulations of the Town of Newington.
- E. In any case where a provision of this code is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, regulation or other provision of the Charter and Municipal Code of the Town of Newington or the State of Connecticut, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people of the Town of Newington shall prevail.

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The Newington Town Council repealed Chapter 182 of the Code and adopted the Blighted Premises Code on 7/24/12.

## **TOWN OF NEWINGTON BLIGHTED PREMISES CODE**

### **§ 1. Title**

This chapter shall be known as the “Blighted Premises Code of the Town of Newington” (“the code”) and the standards established by this code shall be referred to as and constitute the minimum property standards of the Town of Newington (“Town”).

### **§ 2. Intent and Authority**

A. This code is intended to protect, preserve and promote public health, safety and welfare; to prevent and control the incidence of communicable disease; and to reduce environmental hazards to health, safety and welfare, insofar as they are affected by the maintenance of residential and non-residential structures, equipment and premises as provided by this code. This code is further intended to provide minimum standards governing the condition, occupancy and maintenance of occupied and unoccupied premises and establish reasonable safeguards for the health, safety and welfare of the occupants and users of said premises, the community and the general public. This code is intended to maintain and preserve the beauty of the neighborhoods and to allow for control of blighted premises.

B. This code shall establish minimum standards and responsibilities for the maintenance of all premises and delegates administrative responsibility and enforcement powers and creates enforcement procedures.

C. This code is adopted in accordance with the provisions of Connecticut General Statutes §7-148 (c)(7)(H)(XV), § 7-148aa, 7-148ff, 7-148gg and 7-152c and further incorporates all authority and power that currently or in the future is conferred under Connecticut General Statutes, ~~and as the statutes may be amended.~~

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### **§ 3. Scope of Provisions**

A. Applicability.

1. This code shall apply uniformly to the maintenance, use and occupancy of all premises now in existence or hereafter constructed, maintained or modified and shall include:

- a. Dwellings or dwelling units, including one-family and two-family dwellings and buildings with multiple-unit dwellings;
- b. Lots, plots or parcels of land whether vacant or occupied;
- c. Buildings of non-dwelling use, including commercial properties and mixed use properties that may include one or more dwelling units;
- d. Accessory structures to any building;
- e. All apartments, boarding houses, group homes, lodging houses, rooming houses, tenement houses and unrelated family units.

2. This code shall not apply to public property.

#### § 4. Definitions

The following definitions apply to this chapter.

**1. Accessory structure** shall mean a structure, the use of which is customarily incidental and subordinate to that of principal building, structure or use on the same lot.

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~~**1-2. Abandon** shall mean to cease to maintain, to leave, \_\_\_\_\_, to give up control; something that has not been used on a public highway for a length of time, has not been kept in good physical condition, whether it is registered or not, or the length of time that it has not been used for the puto give up control, cease to maintain, for vehicles the physical condition, the length of time since it was last used on the public highway, whether or not it is registered, for vehicles and/or other things not required to be registered or not normally used on the public highways, the physical condition, the length of time since it was last used for the purpose intended.~~

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~~**2-3. Blighted premises** shall mean:~~

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A. Any building or structure, or any part of a structure that is a separate unit, or a parcel of land or premises, or any necessary structure, or fence, where at least one of the following conditions exists:

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- 1. The Blighted Premises Enforcement Officer determines that existing conditions pose a serious threat to the health, safety and welfare of town citizenry;
- 2. It is not being maintained, as evidenced by the existence, to a significant degree, of one or more of the following conditions:
  - a. Missing, broken or boarded windows or doors;
  - b. Collapsing or deteriorating exterior walls, shutters, roofs, stairs, porches, handrails, railings, basement hatchways, chimneys, flues, or floors;
  - c. \_\_\_\_\_ Exterior walls which contain holes, breaks, loose or rotting materials or which are not properly surface coated to prevent deterioration;
  - d. Foundation walls which contain open cracks and breaks;

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- e. Overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts which contain rust or other decay;
- f. Chimneys and similar appurtenances which are in a state of disrepair;
- g. Insect screens which contain tears or ragged edges;

~~h. Garbage Refuse, rubbish, trash or debris trash improperly stored or accumulated on the premises, or abandoned abandoned vehicles machinery on the premises vehicles, machinery and/or watercraft on the premises. (unless the premises is a junkyard licensed by the State of Connecticut);~~

~~i.h. Overgrown grass or weeds at least one foot in height; allowed to reach and remain at a height of 12" (one foot) or more for a period of 7 days.~~

~~j.i. Vermin and/or animal infestations;~~

~~j. In the case of a fence, broken or rotted sections boards or in an otherwise dilapidated condition; or~~

~~k. Inground or above ground In ground or above ground swimming pools with standing water and/or which are in a state of disrepair.~~

- 3. Any other exterior condition reflecting a level of maintenance which is not in keeping with community standards or which constitutes a blighting factor for adjacent property owners or occupiers or which is an element leading to the progressive deterioration of the neighborhood.
- 4. It is attracting illegal activity as documented in Police Department records;
- 5. It is a fire hazard as determined by the Fire Marshal or as documented in the Fire Department records; and/or
- 6. It is a factor creating a substantial and unreasonable interference with the use and enjoyment of other premises within the surrounding area as documented by neighborhood complaints, police reports, the cancellation of insurance on proximate properties; or similar circumstances.

B. Blighted premises shall not include any such building, structure or parcel of land located on ~~any active farm or~~ Municipal, State and Federal ~~public~~ property.

~~3-4.~~ Blighted Premises Enforcement Officer shall mean an individual or individuals appointed by the Town Manager to inspect and re-inspect blighted premises, issue notice of violation warning letters in accordance with § 10 of this Code, and issue citations for violations of this Code in accordance with § 11 of this Code. Said individual shall not be the Town Manager or a Citation Hearing Officer.

~~4-5.~~ Citation Hearing Officer shall mean an individual or individuals appointed by the Town Manager to conduct hearings authorized by this chapter. ~~Said appointment shall be for a term of two (2) years.~~

~~5-6.~~ Community standard shall mean a judgment by a reasonable member of the community.

7. Connecticut General Statutes shall include any applicable amendments.

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8. Days shall mean calendar days and shall not include the day of receipt of the notice.

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9. Debris shall mean material which is incapable of immediately performing the function for which it was designed including, but not limited to abandoned, discarded or unused objects, parts of automobiles, furniture, appliances, cans, boxes, bags, scrap metal, tires, batteries, containers, garbage, rubbish, refuse, machinery and vehicles.

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10. ~~Abandoned: The intent of the owner of a motor vehicle not to use the motor vehicle on the public highways. The intent of the owner of the motor vehicle may be determined by the physical condition of the motor vehicle, the statements of the owner of the motor vehicle, the length of time since the motor vehicle was last used on the public highway and whether the motor vehicle is registered or unregistered. With respect to motor vehicles not required to be registered or motor vehicles not customarily used on the public highway, the intent of the owner may be determined by the physical condition of the motor vehicle, the length of time since it was last used for the purpose intended and the statements of the owner.~~ Inoperable shall mean a motor vehicle which is incapable of being legally operated on public roads w/o major work or modification. Missing parts, broken or severely damaged components shall be prima facie evidence of inoperability.

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11. Junked shall mean a motor vehicle located on the premises which is inoperable, this definition shall also include parts of motor vehicles or iron, metal, glass, paper, cordage or other or waste or discarded or secondhanded materials which have been a part or intended to be a part of any motor vehicle.

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12. Machinery shall mean an assemblage of parts that transmits forces, motor and energy, one to another in a predetermined maneuver; a mechanically, electrically or electronically operated device for performing a task; an instrument designed to transmit or modify the application of force, power or motion.

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13. Motorcycle shall mean a motor vehicle, with or without a side car, having not more than three wheels in contact with the ground and a saddle or seat on which the rider sits or a platform on which the rider stands, including motor scooters or bicycles with an attached motor.

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14. Motor Home shall mean a vehicular unit designed to provide living quarters and necessary amenities which are built into an integral part of, or permanently attached to, a truck or van chassis, including campers and conveyor trailers.

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15. Motor Vehicle shall mean any vehicle propelled or drawn by any power other than muscular, any device suitable for the conveyance of, drawing or other transportation of persons or property, whether operated on wheels, runners a cushion of air or by any other means.

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6.16. **Legal occupancy** shall mean occupancy in accordance with state building and fire codes, local zoning regulations, local housing ordinances and all other pertinent codes.

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7.17. **Neighborhood** shall mean an area of the Town comprising all premises or parcels of land, any part of which is within a radius of 1,000 feet of any part of another parcel or lot within the Town.

8.18. **Owner/occupier** shall mean any person, institution, foundation, entity or authority which owns, leases, rents, possesses, or is responsible for property within the Town.

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19. **Person** shall include any individual, corporation, limited liability company, association, copartner ship, company, firm, business trust or other aggregation of individuals but does not include the state or any political subdivision thereof, unless the context clearly states or requires.

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20. **Premises** shall mean any building, structure, land or portion thereof, including all appurtenances, owned or controlled by a person.

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21. **Proximate property** shall mean any premises or parcel of land within one thousand (1,000) feet of the boundary of a blighted premise. ~~Public property shall mean any building, structure or parcel of land owned by the United States, State of Connecticut or Town of Newington.~~

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22. **Recreational Vehicle** shall mean a motor vehicle of the type designed for off the road uses for recreation, entertainment or pleasure and which is not authorized by State to be operated on public streets and highways, including but not limited to minibikes, ATV's, trail bikes, dune buggies, snowmobiles and swamp buggies.

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23. **Refuse** shall mean all putrescible and non-putrescible solids including garbage, rubbish, ashes and dead animals. These terms shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings and other combustible waste materials.

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24. **Rubbish** shall mean non putrescible solid wastes consisting of both (a) combustible wastes such as batteries, paint scrapings, paper, cardboard, plastic containers, yard clippings and wood; and (b) noncombustible wastes such as tin cans, tires, glass, crockery, metal and used automotive parts, cold ashes, junk, discarded containers, dust, sweepings, wastepaper, boxes, crates, rags, clothing, textiles, glass, crockery and similar waste materials ordinarily accumulated in and around residential premises.

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25. **Snowmobile** shall mean a vehicle for traveling on ice or snow.

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26. **Trailer** shall mean any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle.

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~~27.~~ **Truck** shall mean a motor vehicle designed, used or maintained primarily for the transportation of property; a motor vehicle with an enclosed forward passenger compartment and an open rearward compartment used for the transportation of property.

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~~9-28.~~ **Utility Trailer** shall mean a trailer designed and used to transport personal property materials or equipment, whether or not permanently affixed to the bed of the trailer.

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~~Vacant~~ shall mean a period of 60 days or longer during which a building or structure or part thereof is not legally occupied by human beings.

~~Vacant parcel~~ shall mean a parcel of land with no structure(s) thereon

~~29.~~ **Waste** shall mean land clearing debris and waste resulting directly from demolition activities other than clean fill, household items including but not limited to sofas, mattresses, furniture, machinery and/or appliances.

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~~30.~~ **Watercraft** shall mean a ship, vessel boat or craft capable of being used for water transport with or without a motor.

~~10-31.~~ **Yard Vegetation** shall mean grass, weeds, garden plants, shrubs, leaves, branches, limbs, brush and similar materials grown on and/or emanating from the premises.

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**§ 5. Signs, Awnings and Marquees**

- A. Signs. All permanent signs and billboards exposed to public view permitted by reason of other ordinances or laws shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked or whose supporting members have deteriorated shall be removed forthwith or put into a good state of repair by the owner/occupier.
- B. Awnings and marquees. Any awning or marquee and its accompanying structural member which extends over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event that such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event that said awnings or marquees are made of cloth, plastic or of similar materials, said cloth or plastic where exposed to public view shall be maintained in good condition and shall not show evidence of excessive weathering, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

**§ 6. Removal of Weeds and Similar Vegetation**

- A. Every owner/occupier of properties upon which a building exists, or who is in possession of a vacant lot in an approved subdivision which fronts on a paved public road and to which a public water and/or public sewer lateral has been provided, shall cut, to a height

of not more than one foot, all grass, weeds and similar vegetation not planted as a crop to be harvested or for ornamental purposes.

- B. Every owner/occupier of property shall keep his property free from vegetation of any type which, based on the reasonable opinion of the Blighted Premises Enforcement Officer, is injurious to public health.
- C. Any violation of § 6A or 6B shall constitute a nuisance which may be abated by the town at the expense of the owner/occupier or any one or more of them to whom the Blighted Premises Enforcement Officer has given not less than 10 days written notice of intention to abate such nuisance. Such expense may be collected by the Town in a civil action against any one or more of the above-named persons responsible therefor.

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### § 7. Solid Waste, Storage and Littering

- A. Accumulation restricted. It shall be unlawful for an owner/occupier to allow solid waste to accumulate on premises in the town in such a manner as to create an offensive, unsightly or unsanitary condition.
- B. Storage requirements. In the event that property usage would result in the stacking or piling of materials, including equipment and appliances, even if wanted and useful, they must be so arranged as to prohibit the creation of a blighting factor to their neighbors. Furthermore, all useful, wanted material, including equipment and appliances, stored out of doors shall be stored in an orderly fashion and, to the extent reasonably feasible, shall be located in the rear yard and not visible from the adjacent public street for no longer than 60 days.

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### § 8. Blighted Premises List

- A. ~~No owner/occupier of real property within the Town shall cause or allow blighted premises to be created nor shall any owner/occupier allow the continued existence of blighted premises.~~
- B. ~~Blighted Premises List~~
  - 1. ~~Upon enactment of this ordinance, the Town Manager shall request that all Town department heads report any property of which they are aware which appears to be blighted, as defined by this ordinance. Such reports shall be submitted within thirty (30) days of the Town Manager's request.~~
  - 2. ~~The Town Manager shall use all available relevant information to complete a list of blighted properties to be known as the Blighted Premises List.~~
  - 3. ~~The Town Manager shall maintain and update the Blighted Premises List.~~
  - 4. ~~At least ten days prior to placing a property on the Blighted Premises List, the Town Manager shall provide written notice to the owner/occupier of the subject property of the intended placement. Said written notice shall indicate the conditions on said property that shall cause placement on the Blighted Premises List, unless corrected, and the steps necessary for removal from said List.~~
- C. ~~For the purpose of documenting continuous blighted conditions, the Blighted Premises Enforcement Officer shall undertake regular inspections of all properties that are:~~
  - 1. ~~on the Blighted Premises List, or~~

- 2—actively under a Notice of Violation or Warning Letter in accordance with § 10 of this Code, or
- 3—actively under a Citation in accordance with § 11 of this Code.

The Blighted Premises Enforcement Officer shall have all power and authority prescribed by Connecticut General Statutes to enter a suspected Blighted Premises or a designated Blighted Premises for purposes of performing his duties hereunder.

**§ 9. Removal from Blighted Premises List**

- A. If the owner/occupier of a property that is included on the Blighted Premises List has remedied the conditions that caused the property to be placed on the Blighted Premises List, and no other blighted condition exists on the property, the owner/occupier may make written request to the Blighted Premises Enforcement Officer requesting inspection of the property. The Blighted Premises Enforcement Officer shall inspect the property within five days of receipt of the written request for the purpose of determining whether the blighted conditions on the property no longer exist. Within ten (10) days of the inspection, the Blighted Premises Enforcement Officer shall provide a copy of the written report of his/her inspection of the property to the owner/occupier.
- B. If after inspection of a property that is on the Blighted Premises List, the Blighted Premises Enforcement Officer determines that the conditions that caused the premises to be placed on the List have been remedied, and that no other blighted condition exists on the premises, then the Blighted Premises Enforcement Officer shall provide written notice to the Town Manager that the premises is no longer a Blighted premises along with a copy of his/her written report of inspection of the premises. Upon receipt of a determination that a premises is no longer a Blighted premises, the Town Manager shall remove the premises from the Blighted Premises List, with written confirmation to the owner/occupier.

**§ 810. Complaints - - Notice of Violation Warning Letter**

- Any person or legal entity, including but not limited to a civic organization, municipal agency, or town employee may report a complaint of violation of this ordinance with the ~~Blighted Premises Enforcement Officer~~ Town Manager's Office. Verbal complaints shall be reduced to writing by the Town Manager's Office. ~~The Blighted Premises Enforcement Officer shall determine the priority of all Blighted Premises Enforcement actions and deal with the accordingly as follows:~~
- ~~Violations that post an immediate danger to the public health, safety and general welfare of the community;~~
- ~~Proactive enforcement programs initiated by the Town Council, Town Manager or Blighted Premises Enforcement Officer;~~
- A. ~~Reactive or complaint based enforcement programs;~~
- 1. ~~4. Those associated with neighbor and/or civil disputes shall receive the lowest priority;~~

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~~B.A.~~ The Blighted Premises Enforcement Officer, upon his or her determination that there is a violation of this code, shall forward a notice of violation warning letter to the owner/occupier at the time such determination has been made and shall include the property for consideration of inclusion on the Blighted Premises List. Such a notice of violation warning letter from the Blighted Premises Enforcement Officer shall be issued prior to issuing a citation. Such notice of violation warning letter shall include:

1. A description of the real estate sufficient for identification, specifying the violation(s) ~~which is~~ alleged to exist and the remedial action required;
2. A due date, ~~within a reasonable time,~~ for the performance of any act required to remedy the violation; and what action needs to be taken to remedy the violation; ~~and~~
3. The amount of the civil penalties/fines, liens, special assessments, costs or fees that may be imposed for noncompliance.
4. Contact information for the Town Director of Human Services for the purpose of encouraging social work assistance to those in need.

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~~C.B.~~ The owner/occupier may not contest a notice of violation warning letter before a Citation Hearing Officer.

~~D.C.~~ Delivery of a notice of violation warning letter or citation to the owner/occupier shall be by one or more of the following methods:

1. By personal delivery to the owner/occupier or by leaving the notice of violation warning letter or citation at the usual place of abode of the owner/occupier with a person of suitable age and discretion;
2. By certified, registered ~~red~~ or regular mail addressed to the owner/occupier at his last known address, with postage prepared thereon; or
3. By posting and keeping posted for 24 hours a copy of the notice of violation warning letter or citation in placard form in a conspicuous place on the premises.

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#### § 911. Enforcement by Citation

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A. If the corrective actions specified in the notice of violation warning letter are not taken the Blighted Premises Enforcement Officer or his/her designee shall issue a written citation to the owner/occupier.

B. A citation shall be in writing and include:

1. A description of the real estate sufficient for identification, specifying the violation(s) ~~which is~~ alleged to exist and the remedial action required;
2. Detailed information regarding the contents of the notice of violation warning letter (which may be a copy of such notice of violation warning letter) and the failure of the owner/occupier to take the corrective actions specified therein;
3. Notice of potential liens that may be asserted by the Town pursuant to § 14 of this Code.
4. The amount of the civil penalties/fines, special assessments, costs or fees due for noncompliance; and
5. Contact information for the Town Director of Human Services for the purpose of encouraging social work assistance to those in need.

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6. A statement that the owner/occupier may contest his liability and request a hearing before the Citation Hearing Officer by delivering in person or by mail written notice of objection within ten (10) days of the date of receipt of the citation.

C. Delivery of the citation shall be by the manner provided in § ~~10-8~~ D.

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### § 102. Hearing

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A. An owner/occupier may request a hearing after receiving a citation. Said owner/occupier must make his/her request for a hearing within ten (10) days of his/her receipt of the citation.

B. The Citation Hearing Officer is designated to conduct hearings in accordance with Conn. Gen. Stat. Sec. 7-152c when requested by an owner/occupier who has been cited under this chapter.

C. If the owner/occupier who was sent a written citation pursuant to § 11 of this Code wishes to admit liability and agree to perform all remediation work for any alleged violation(s), he/she may, without requesting a hearing, pay the full amount of the assessed civil penalties/fines, special assessments, costs or fees in person or by mail to the Town Manager. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any owner/occupier who does not deliver or mail written demand for a hearing within ten days of the date of receipt of the citation shall be deemed to have admitted liability, and the Town Manager shall certify such person's failure to respond to the Citation Hearing Officer. The Citation Hearing Officer shall thereupon enter and affirm the civil penalties/fines, special assessments, costs or fees provided for by the code and shall follow the procedures set forth in Conn. Gen. Stat. Sec. 7-152c (f).

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D. Any owner/occupier who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the Citation Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the Blighted Premises Enforcement Officer shall be filed and retained by the Town, and shall be deemed to be a business record within the scope of Conn. Gen. Stat. Sec. 52-180 and evidence of the facts contained therein. The presence of the Blighted Premises Enforcement Officer shall be required at the hearing if such person so requests. A person wishing to contest his/her liability shall appear at the hearing and shall present evidence. A designated Town official, other than the Citation Hearing Officer, shall present evidence on behalf of the Town. If the owner/occupier who requested the hearing fails to appear, the Citation Hearing Officer may enter a default against him/her upon a finding of proper notice and liability under this ordinance. At the hearing the Citation Hearing Officer shall accept relevant evidence that may include copies of police reports, investigatory and citation reports, and other documents. The Citation Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as is fair, reasonable and appropriate. The rules regarding the

admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Citation Hearing Officer shall provide a decision ~~upon~~ within fourteen (14) days following the completion of the hearing. If the Citation Hearing Officer determines that the person is not liable under the citation, the Citation Hearing Officer shall dismiss the matter and enter his/her determination in writing accordingly. If the Citation Hearing Officer determines that the person is liable under the violation, the Citation Hearing Officer shall enter his/her determination in writing accordingly and include any assessment of civil penalties/fines, special assessments, costs or fees against such person as apply, and shall further provide a copy of his written decision to the Town Manager for his review under Section 8B of this Code.

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**§ 11. Appointment of Citation Hearing Officers**

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The Town Manager shall appoint three residents to serve as ~~the~~ Citation Hearing Officers pursuant to § 182-5 of Newington Code of Ordinances. Said residents shall not be the Town Manager, a police officer or employee or person who issues citations, zoning enforcement officer, or blighted premises enforcement officer or other code compliance authority. Said appointment shall be for a term of two (2) years.

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**§ 12. Penalties for Offenses - - Prejudgment Lien**

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- A. The owner/occupier of premises where a violation of any of the provisions of this code shall exist or who shall maintain any building or premises in which such violation exist may:
  - 1. Be assessed a civil penalty/fine of not more than \$100 for each violation. Each day that a violation exists after a citation as described in § 11 is given to the owner/occupier shall constitute a new violation and a civil penalty may be imposed for such violation; and/or
  - 2. Be required to abate the violation at the owner/occupier's expense.
  - 3. Be subject to the town's remediation of the blighted condition and assessing the costs of said remediation against the subject property by levying a lien on the subject real estate property.
  - 4. Be subject to special assessment pursuant to Conn. Gen. Stat. Sec. 7-148ff.
- B. Once a finding by the Citation Hearing Officer is made that a person is in violation as provided by Section 12 above, a prejudgment lien on the real property that is the subject of the violation may be imposed by the Town for any unpaid civil penalty imposed by the Town pursuant to the provisions of this code which is adopted pursuant to Conn. Gen. Stat. Sec. 7-148 (c)(7)(H)(xv) and shall constitute a lien upon the real estate against which the civil penalty was imposed from the date of such civil penalty. Each such lien shall be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien may be enforced in the same manner as property tax liens, including foreclosure of the real property.
- C. Where the Blighted Enforcement Officer has determined that a blighted condition exists as defined by this code, the Town Manager may order the remediation of the blighted

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condition and assess the costs against the subject real estate property in the form of lien which shall be recorded in the land records in the same manner as provided in § 12 B.

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- D. In addition to all other remedies and any civil penalties/fine, special assessments or lien imposed herein, the provisions of this code may be enforced by injunctive proceedings in the superior court. The Town may recover from such owner/occupier any and all costs and fees, including reasonable attorney's fees, expended by the Town in enforcing the provisions of this code.

#### § 13. Appeals - - Special Consideration

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- A. Any person aggrieved by any order, requirement or decision of the Citation Hearing Officer may take an appeal in accordance with Conn. Gen. Stat. § 7-152c (g).
- B. Notwithstanding anything herein to the contrary, special consideration may be given to individuals who demonstrate that the violation results from an inability to maintain an owner-occupied residence and no person with that ability resides therein. Such special consideration shall be limited to the reduction or elimination of civil penalties/fines, special assessments and/or an agreement that the Town or its agents may perform the necessary work and place a lien against the premises for the cost thereof in accordance with the provisions of this code.

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#### § 14. Blighted Premises List

- A. No owner/occupier of real property within the Town shall cause or allow blighted premises to be created nor shall any owner/occupier allow the continued existence of blighted premises.
- B. Blighted Premises List
1. The Town Manager shall use all available relevant information to complete a list of blighted properties to be known as the Blighted Premises List.
  2. The Town Manager shall maintain and update the Blighted Premises List.
  3. At least ten days prior to placing a property on the Blighted Premises List, the Town Manager shall provide written notice to the owner/occupier of the subject property of the intended placement. Said written notice shall indicate the conditions on said property that shall cause placement on the Blighted Premises List, unless corrected, and the steps necessary for removal from said List.
- C. For the purpose of documenting continuous blighted conditions, the Blighted Premises Enforcement Officer shall undertake regular inspections of all properties that are:
- 1 on the Blighted Premises List, or
  - 2 actively under a Notice of Violation of Warning Letter in accordance with § 8 of this Code, or
  - 3 actively under a Citation in accordance with § 9 of this Code.

The Blighted Premises Enforcement Officer shall have all power and authority prescribed by Connecticut General Statutes to enter a suspected Blighted Premises or a designated Blighted Premises for purposes of performing his duties hereunder.

**§15. Removal from Blighted Premises List**

- A. If the owner/occupier of a property that is included on the Blighted Premises List has remedied the conditions that caused the property to be placed on the Blighted Premises List, and no other blighted condition exists on the property, the owner/occupier may make written request to the Blighted Premises Enforcement Officer requesting inspection of the property. The Blighted Premises Enforcement Officer shall inspect the property within five days of receipt of the written request for the purpose of determining whether the blighted conditions on the property no longer exist. Within ten (10) days of the inspection, the Blighted Premises Enforcement Officer shall provide a copy of the written report of his/her inspection of the property to the owner/occupier.
- ~~C.~~B. If after inspection of a property that is on the Blighted Premises List, the Blighted Premises Enforcement Officer determines that the conditions that caused the premises to be placed on the List have been remedied, and that no other blighted condition exists on the premises, then the Blighted Premises Enforcement Officer shall provide written notice to the Town Manager that the premises is no longer a Blighted premises along with a copy of his/her written report of inspection of the premises. Upon receipt of a determination that ~~th~~at a premises is no longer a Blighted premises, the Town Manager shall remove the premises from the Blighted Premises List, with written confirmation to the owner/occupier

~~B.~~

**§ 16. Report to Town Council**

The Town Manager shall report, at least annually, to the Council on the Blighted Premises List and the civil penalties/fines, special assessments, liens or any other remedies imposed herein.

**§ 17. Severability**

In the event that any part or portion of this code is declared invalid for any reason, all the other provisions of this code shall remain in full force and effect.

**§ 18. Terms and Provisions**

- A. Where terms are specifically defined or the meaning of such terms are clearly indicated by their context, that meaning is to be used in the interpretation of this code.
- B. Where terms are not specifically defined and such terms are defined in the Charter and Municipal Code of the Town of Newington, such terms shall have the same meaning for the interpretation and enforcement of this chapter.
- C. Where terms are not specifically defined in this chapter, they shall have their ordinarily accepted meaning or such meaning as the context may imply.

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- D. The provisions of this code shall not be construed to prevent the enforcement of other codes, ordinances or regulations of the Town of Newington.
- E. In any case where a provision of this code is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, regulation or other provision of the Charter and Municipal Code of the Town of Newington or the State of Connecticut, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people of the Town of Newington shall prevail.



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

## OFFICE OF THE TOWN MANAGER

### MEMORANDUM

To: Newington Town Council

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

Date: August 01, 2016

Re: Proposed Ordinance Amendment: Section 8, Article VI, "Environmental Quality Commission"

---

Recently, members of the Town Council, Environmental Quality Commission and members of the public brought forth an issue with maintaining membership and a quorum for the Environmental Quality Commission. Therefore, a request was made to consider revising the original 1987 ordinance to address the membership issues and update the language.

#### Deficiencies in the Current Ordinance (effective October 27, 1987)

- 1) The current ordinance calls for 11 members. The commission has had a difficult time appointing members and maintaining a quorum.
- 2) The makeup of the current ordinance calls for two members of the Fire Department, one from the Newington Volunteer Ambulance (now NEMS), two from "industry" who work or reside in Newington and six members of the public. It also calls for two Council liaisons to the Committee. This cumbersome setup makes it difficult to appoint and maintain membership.
- 3) The word "industry" is vague and not defined in this ordinance. Chapter 332 (Refuse and Recyclables) defines "industry" as the manufacture, milling, assembly, or warehousing of a product, the maintenance and/or storage of commercial vehicles or construction equipment, quarrying, or other extractive activities. However, the Local Emergency Planning Committee identifies "industry" as tier II organizations as per the EPA.
- 4) The term length of two years may be insufficient given both the difficulty of recruiting membership and the requirement that the committee only meet a minimum of once per year. A two-year member may only meet twice before his/her term ends. This would also make it difficult for members to achieve a learning curve for the topics at hand.
- 5) The current ordinance calls for the Town Manager and a CCHD rep to act as ex officio members of the Commission but does not call for any employees to staff the Commission. Typically, board and commissions are assigned a staff member to facilitate meeting, communication and follow-up.

Recommended Amendments (in order of the current language)

- 1) Define “industry”. Per Fire Marshal Chris Schroeder, the Local Emergency Planning Committee defines “industry” as tier II organizations per the EPA. A definition of this term has been included in the draft language.
- 2) Remove the required NEMS and NVFD membership. Fire Marshal Schroeder believes that NVFD may have been included in the original ordinance because the Fire Department used to handle issues with underground storage tanks. They no longer do so and the Fire Marshal would be able to advise the Commission members about any incident concerning the Fire Department.
- 3) Decrease the public membership from six to five. This will bring the total membership from 11 to 7.
- 4) Define “industry”. The Local Emergency Planning Committee defines “industry” as tier II organizations per the EPA. A definition of this term has been included in the draft language.
- 5) Increase term length from two to four years.
- 6) Remove the provision for the Town Manager and CCHD staff to serve as ex officio members and replace it with a provision in which either the Town Manager or his/her designee staffs the Commission.

Town Attorney Ben Ancona has reviewed the proposed draft. This item will be on the August 9 Town Council meeting for discussion. If the Council concurs with the attached changes then the ordinance may be introduced and a public hearing may be set at a future Council meeting.

Attach.

## ARTICLE VI

### Environmental Quality Commission

#### DRAFT 7-14-16 (Clean Version)

##### § 8-19 Establishment.

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

##### § 8-20 Purpose.

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

##### § 8-21 Definitions.

**Industry** shall mean organizations and businesses with hazardous chemicals above certain quantities, which are required by the US Environmental Protection Agency to submit Emergency and Hazardous Chemical Inventory Forms annually to local fire departments, Local Emergency Planning Committees (LEPC) and State Emergency Response Commissions (SERCs) to help those agencies plan for and respond to chemical emergencies, pursuant to, 42 U.S.C.

##### § 8-22 Membership.

###### A.

The Commission shall consist of 7 individuals of the Town, appointed by the Town Council. Said individuals shall be appointed for four-year terms. Terms shall expire November 30 of odd-numbered years.

###### B.

The Commission shall be comprised of the following: two representatives from industry who work or reside in Town; five representatives from the public and two representatives from the Town Council shall serve as liaisons.

The Town Manager or his/her designee shall serve as the staff member for this Commission.

§ 8-23 **Meetings.**

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

ARTICLE VI

Environmental Quality Commission

DRAFT 7-14-16 (Redline Version)

§ 8-19 Establishment.

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

§ 8-20 Purpose.

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

§ 8-21 Membership Definitions.

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§ 8-22 Membership.

A.

The Commission shall consist of ~~11~~ 7 individuals of the Town, appointed by the Town Council. Said individuals shall be appointed for four-year terms, whose terms shall expire November 30 of odd-numbered years. Said electors shall be appointed for two years thereafter.

B.

The Commission shall be comprised of the following: ~~two representatives from the Newington Volunteer Fire Department; one representative from the Newington Volunteer Ambulance Corps;~~ two representatives from industry who work or reside in Town; ~~six~~ five representatives from the public and two. ~~Two~~ representatives from the Town Council shall serve as liaisons. ~~The Town Manager and a representative of the Central Connecticut Health District shall serve as ex officio members of this Commission.~~ [1]

~~[1]~~

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~~Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).  
The Town Manager or his/her designee shall serve as the staff member for this Commission.~~

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~~§ 8-22-23 Meetings.~~

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

Field Code Changed



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

## OFFICE OF THE TOWN MANAGER

### MEMORANDUM

To: Newington Town Council  
From: Jaime Trevethan, Asst. to the Town Manager (on behalf of Tanya D. Lane,  
Town Manager)  
Date: August 04, 2016  
Re: Update: Indian Hill Country Club Lease Agreement Extension

---

There will be an item on the August 9, 2016 Town Council agenda to update the Town Council regarding the attached document entitled Agreement to Extend the June 19, 2015 Modification to the Parties' October 16, 2001 Lease between the Town and the Indian Hill Country Club.

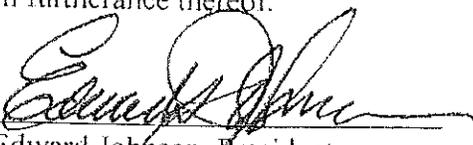
Attach.

Town of Newington and Indian Hill Country Club, Inc.

Agreement to Extend  
The June 19, 2015 Modification  
To The Parties' October 16, 2001 Lease

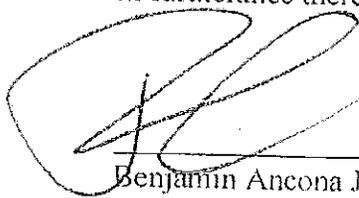
The parties hereby agree to extend their June 19, 2015 Agreement for one year commencing July 1, 2016 and terminating June 30, 2017 with the only modification being that the Lessee will make monthly instalments of \$500.00 toward the \$10,334.40 arrearage.

I, Edward Johnson, President of Indian Hill Country Club, Inc. hereby agree to this extension and the accompanying terms of the June 19, 2015 temporary modification and with full authority sign in furtherance thereof.

  
Edward Johnson, President  
Indian Hill Country Club, Inc.

5. 19. 16  
Date

I, Benjamin Ancona Jr., Counsel to the Town of Newington. hereby agree to this extension and the accompanying terms of the June 19, 2015 temporary modification and with full authority sign in furtherance thereof.

  
Benjamin Ancona Jr.  
Newington Town Attorney

05.19.2016  
Date



Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Parks & Recreation Department

William A. DeMaio, CPRP  
Superintendent of Parks  
and Recreation

August 04, 2016

Dear Town Manager Lane and Town Council:

The Newington Parks and Recreation administration has identified a potential grant opportunity from a company located in Newington on Fenn Road named Saputo Inc. The \$25,000 grant has a focus of healthy living. I have had conversations with representatives from the grant organization. It appears that outdoor exercise equipment may be perceived as a high ranking choice. It is a competitive grant with no guarantees. We are respectfully requesting both you and the Town Council grant us permission to apply for the grant. Our plan is to install as many outdoor exercise pieces of equipment as possible. Excavation of a rectangle about 29 feet by 33 feet adjacent to the Mill Pond wading pool fence would have to be done. There would be a 6 inch process base put down with a 6 inch concrete slab. The slab would have 4 expansion joints installed, capped and made smooth for the users. The equipment would then be bolted to the slab with expansion type concrete 5 inch bolts. The grant requires a recognition sign to be installed for at least 10 years. The exercise facility would enable the Newington Parks and Recreation Department to expand our program offerings and also augment our existing 14 adult exercise programs. It also will allow residents to exercise for free any time, any day. Depending on the cost of shipping and the exact pieces finally selected, the Newington Parks and Recreation Department may have to supplement the grant funds with approximately \$6,000 of existing park improvement CIP funds.

I hope you and the Council look favorably upon this grant opportunity. This would be a great project for the Community as it would encourage more individuals to participate in a healthy activity, promote our local parks and trails, promote families to exercise together and encourage individuals to exercise more often. The benefits of successful implementation would be an improvement in the health and well-being of area residents by giving the option of a free workout.

Thank you for your consideration.

Respectfully,

**William A. DeMaio, CPRP**  
**Superintendent of Parks and Recreation**

[www.newingtonct.gov/parksandrec](http://www.newingtonct.gov/parksandrec)

[Like us on Facebook!](#)

*Building a Strong Community*

**From:** Miner, Elizabeth [<mailto:Elizabeth.Miner@Saputo.com>]  
**Sent:** Tuesday, July 19, 2016 1:15 PM  
**To:** DeMaio, William <[WDeMaio@NewingtonCT.Gov](mailto:WDeMaio@NewingtonCT.Gov)>  
**Cc:** Braden, Debbie <[Debbie.Braden@Saputo.com](mailto:Debbie.Braden@Saputo.com)>; Lopez, Roque <[Roque.Lopez@saputo.com](mailto:Roque.Lopez@saputo.com)>  
**Subject:** Saputo Legacy Program

Good afternoon Mr. DeMaio,

It was a pleasure meeting you at the "Concert in the Park" a few weeks ago. I would like to thank you for allowing me to speak with you about Saputo's Legacy Program.

Saputo produces, markets, and distributes a wide array of dairy products of the utmost quality, including cheese, fluid milk, extended shelf-life milk and cream products, cultured products and dairy ingredients. Saputo is one of the top ten dairy processors in the world, the largest cheese manufacturer and the leading fluid milk and cream processor in Canada, the third largest dairy processor in Argentina, and the fourth largest in Australia. In the US, Saputo ranks among the top three cheese producers and is one of the largest producers of extended shelf-life and cultured dairy products.

In January 2013, Saputo Inc. acquired Morningstar Foods, LLC a subsidiary of Dean Foods Company, today known as Saputo Dairy Foods USA. SDFUSA has ten dairy plants throughout the US, one of which is located in Newington.

Saputo is proud to sponsor a Legacy Program where it sets aside 1% pre-tax profits to invest into the communities where we are present. The Saputo Legacy Program supports local improvement with the intention of creating a lasting Saputo legacy in the community. The scope of the program is to motivate communities to adopt a healthy-living lifestyle through good nutrition and active lifestyles, especially through sports. As a resident and an employee, I am excited that Saputo, is committed to investing in the community, benefiting many.

#### **Criteria**

- Maximum of \$25,000 will be donated per project
- Naming rights for ten years; including permanent signage
- Organization must be a 501©3
- Project must have a vision/focus/mission that fits within the Saputo scope of motivating communities to adopt a healthy-living lifestyle through nutrition and physical activities

#### **Proposals must include:**

- Information about the organization
- Current capacity or state of activity and future state (how will the money change the capacity/activity)
- Breakdown of cost of work (may need a copy of vendor's bid for work)
- Specs on space

- Terms of naming rights for donation

**Examples of projects:**

- score board at an athletic field or school gymnasium
- a sports field overhaul
- exercise stations at Mill Pond or Community Center
- playground overhaul/enhancement

Project submissions are reviewed on a quarterly basis (Jan, Apr, Jul and Oct) by our Corporate Donation committee. Only one project, per community meeting our social commitment objectives will be approved. We are not able to support projects which are personal, artistic, religious or political in nature.

I would greatly appreciate it if you would take a few moments to provide me with a few project proposals that I can submit for review.

Please contact me if you have any questions.

Thank you in advance.

Elizabeth Miner  
HR Generalist  
Human Resources

**Saputo**  
Saputo Dairy Foods USA, LLC  
100 Milk Lane  
Newington, CT, USA 06111

Tel: 860-666-1511 / Fax: 860-667-9274 / Direct: 860-594-3724 / Cell: 860-335-3090  
Email: [elizabeth.miner@saputo.com](mailto:elizabeth.miner@saputo.com)  
[www.saputo.com](http://www.saputo.com)

**CONFIDENTIALITY NOTICE**

This communication may contain privileged or confidential information. If you are not the intended recipient or received this communication by error, please notify the sender and delete the message without copying or disclosing it.

The Town of Newington Parks and Recreation Department wishes to apply for the \$25,000 Saputo Healthy Lifestyle Legacy Grant for the purchase and installation of exercise equipment near the Mill Pond Park Walking Trail. The Town of Newington is located just 6 miles southwest of Hartford, tucked between the Farmington River valley and the Connecticut River valley. Newington has a total area of 13.2 square miles and is home to just over 29,000 residents. The town offers a unique blend of having a close proximity to major employment centers and shopping areas while still maintaining a peaceful, country atmosphere for family life. Newington is also home to Mill Pond Falls, the smallest natural waterfall in the country. Newington residents are mostly working class people, though they tend to place a high priority on exercise and healthy living. Most of the land in Newington is developed, so open space, parks and our trails are well loved by the community. Features such as the Mill Pond Walking Trail encourage residents to come out and see the beautiful open spaces that we have here in town. Newington is slowly transitioning toward becoming a more walkable community, but some residents in more urban areas in town do not have easy access to safe areas to walk or run, making program opportunities an invaluable resource for active living in the Newington community.

As America continues to feel the weight of a major health crisis affecting both youth and adults, it's time for a serious change. Luckily, there is a solution with little to no cost, and that solution is local parks and recreation departments. There is no hiding that parks and recreation departments are building healthier communities. Even the most established health officials in the country (U.S. Health and Human Services, Centers for Disease Control and Prevention) concur that parks and recreation departments are an essential solution for our nation's health crisis. The Newington Parks and Recreation Department is incorporating several different strategies with the main goal to improve access to healthy food, allow more opportunities for physical activity, cut out tobacco consumption and more. This is the time to prove that the Newington Parks and Recreation Department is able to create and maintain a healthy community.

Newington Parks and Recreation has been in operation since 1956 and provides recreational and leisure opportunities, special events, sports leagues and clinics, and other programs to the community. In 2015, we adopted a new motto of "Building a Strong Community". We are dedicated in our efforts to become the heart of the Newington community by increasing participation in our programs and events and offering opportunities to improve the quality of life in Newington residents.

Newington Parks and Recreation operates a parks system of twelve outdoor parks, two outdoor aquatics facilities, one indoor aquatics facility, nature trails, a synthetic turf complex and many other sports fields and open spaces. We have an involved and supportive Board of Parks and Recreation, numerous volunteers who are able to help when needed, and strong relationships with local businesses who are dedicated to supporting our efforts.

Newington Parks and Recreation has a full-time staff of 4 in the recreation division and 14 in the parks and grounds division. We also employ over 150 in part-time and seasonal positions. We offer over 800 programs and process over 11,000 registrations for those programs each year. We have several adult and senior citizen exercise programs with 25 to 30 participants per program.

These programs include Power Cardio, The Art of T'ai Chi, Zumba, Hi/Lo Aerobics, Tone Aerobics, Insanity Live, Beginner Yoga, Gentle Yoga, Mixed Levels Yoga, Total Barre, Mat Pilates, Core Strength Training, Indoor Walking, Zumba Gold, Fun-N-Fitness and Fitness Clinics.

We would use the \$25,000 funds to install state of the art TriActive America outdoor exercise equipment along our Mill Pond Park Walking Trail. Installing 14 different pieces of TriActive America outdoor exercise equipment on the Mill Pond Park Walking Trail will positively impact all individuals involved in the programs listed above. These participants will have the option of exercising outside whenever they please at no cost. In addition, many of the exercise programs offered will be able to incorporate the use of Mill Pond Park Walking Trail and its exercise equipment into the workout plan for the program.

Mill Pond Park is frequently used by a wide variety of youth and adult sports programs with hundreds of participants every day. In addition, Mill Pond Park has a pool that is constantly occupied by individuals of all ages, registering over 10,500 visits in just eight weeks. All of these residents would have quick and easy access to the exercise equipment located just outside the gated area of the wading pool. The Newington Town Hall and Senior Citizen Center are also next door to Mill Pond Park. Combined, these two facilities have over 200 employees that would find great use in the exercise equipment at Mill Pond Park.

Our current outdoor exercise capacity does not give us the ability to host quality outdoor individual or group workouts. If awarded the Saputo Healthy Lifestyle Legacy Grant, our capability of providing a state of the art outdoor exercise area will drastically improve, allowing for up to 30 individuals at one time to use the equipment for a full body workout. The Newington Parks and Recreation Department will create a new fitness program, specifically designed for the use of the outdoor exercise equipment. We will also take our existing fitness programs and have them incorporate the outdoor exercise equipment into their existing program plan.

The 14 different pieces of TriActive America outdoor exercise equipment all work different areas of muscle in the body and test your endurance, stamina, strength, flexibility, power, speed, coordination, agility, balance, and accuracy. These 14 pieces of TriActive America outdoor exercise equipment include the Air Strider, Back Extension, Exercise Bike, Leg Press, Multi Bars, Pullup & Dip, Pushup Bar, Rowing Machine, Seated Chest Press, Seated Lat Pull, Sit-up Board, Spring Balance Beam, S-Shaped Jump, and Squat Press.

The designated space for the exercise equipment is located just north of the wading pool area and slightly southeast of the pond. There is a 29 by 33 square foot area that will be revamped and have a 6 inch concrete slab poured in order to adequately support the equipment.

To sufficiently meet the terms of naming rights requirements, The Newington Parks and Recreation Department will name the fitness facility "The Saputo Inc. Fitness Center" and will display a Saputo Inc. sign for a minimum of ten years. Newington Parks and Recreation will also host a community-wide ribbon cutting ceremony for the grand opening. Representatives for Saputo Inc. will be actively involved in the planning and administration with Newington Parks

and Recreation. All media will be contacted prior to the event and information regarding the grand opening will be spread through the use of social media.

Our proposed budget is as follows:

<b>Expenditure</b>	<b>Cost</b>	<b>Grant Assistance</b>
Excavation & Concrete Work	\$12,441.00	\$12,441.00
Equipment Cost	Approx. \$16,000.00	Approx. \$12,559.00 Town of Newington Capital Improvements (Account #30831-88811 Park Pool and Playground Improvements) to cover \$3,441.00
Installation	\$2,500.00	\$0.00 Town of Newington Capital Improvements (Account #30831-88811 Park Pool and Playground Improvements) to cover \$2,500.00

Construction will start immediately following authorization of grant. The equipment and its designated area will be ready for use approximately three months after start of construction date.

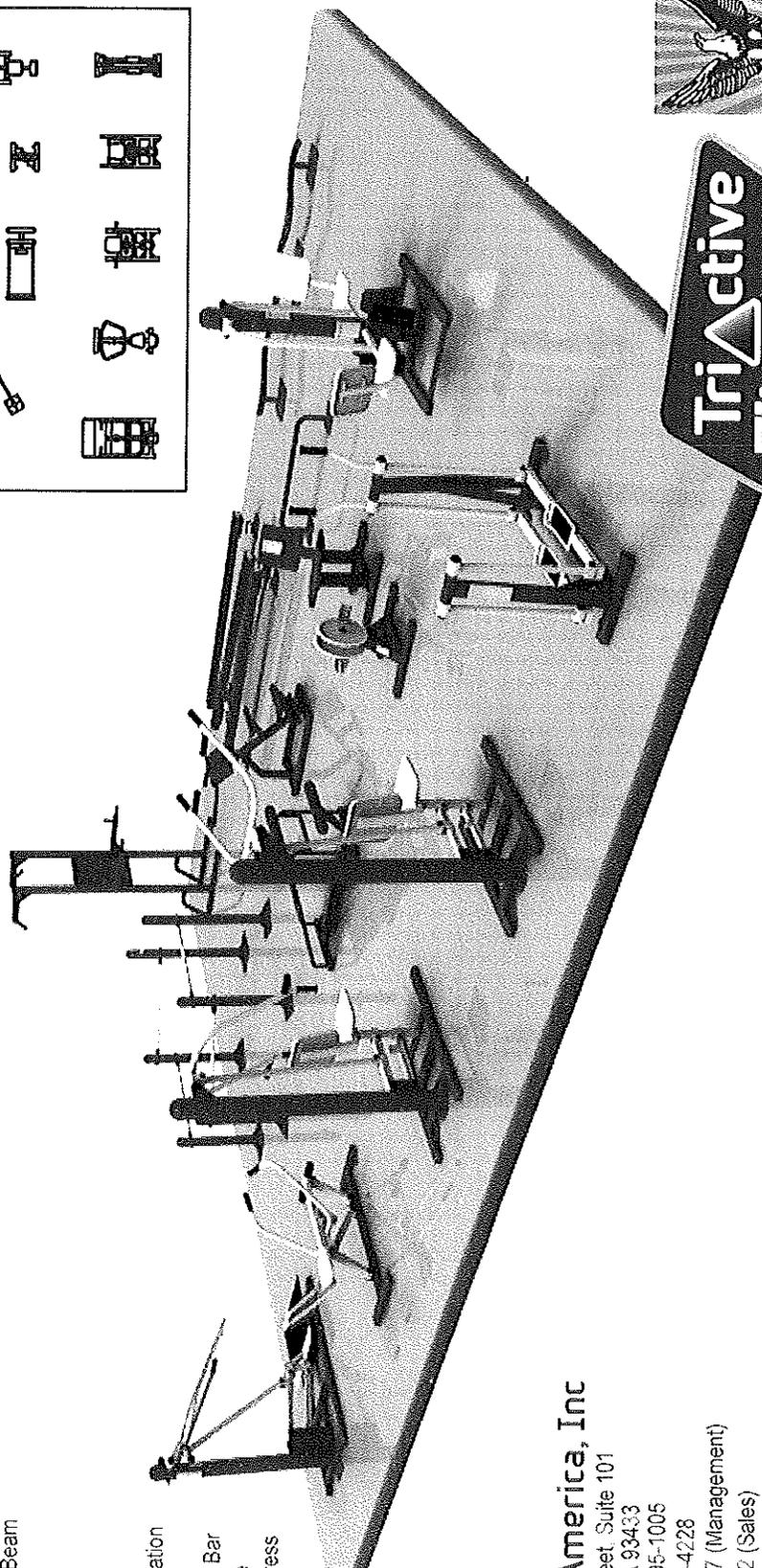
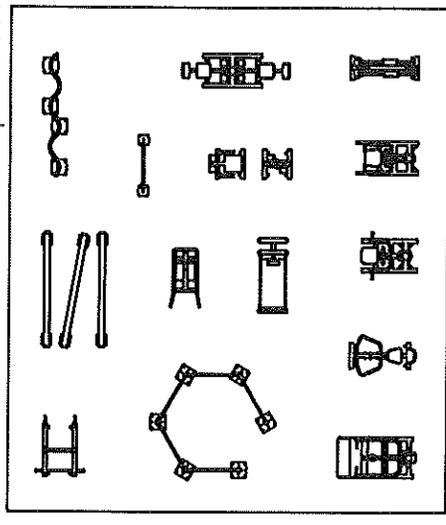
This would be a great project for the community as it would encourage more individuals to participate in a healthy activity, promote our local parks and trails, promote families to exercise together, and encourage participants to exercise more often. The benefits of successful implementation would be an improvement in the health and well-being of area residents as well as giving the option of a free workout.

Please find the three attachments including information on TriActive America, equipment specifics, and the facility layout.



# Mill Pond Park Proposed Sample Layout

(drawing is proportional)  
29 feet x 33 feet = 957 square feet



**Production Line:** TriActive Fitness Line  
**Colors:** Colors are Dark Green and Almond  
**Coating Type:** Powder Coated, thickness 6-8 mils (152-203 µm)  
**Warranty:** 5 Years  
**Assembly Location:** Assembled in the USA

**Equipment:**

- Multi-Bars
- Squat Press
- Spring Balance Beam
- Air Strider
- Back Extension
- Leg Press
- Sit-Up Board
- Pull Up & Dip Station
- Push-Up Bar
- S-Shaped Jump Bar
- Rowing Machine
- Seated Chest Press
- Seated Lat Pull
- Recumbent Bike

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[www.TriActiveAmerica.com](http://www.TriActiveAmerica.com)

## TriActive America

TriActive America outdoor exercise equipment is an ideal outdoor fitness solution for every community's fight in battling the bulge. Installing TriActive equipment can provide an outdoor gym experience in parks, schools, senior centers, colleges, fitness trails, correction yards, and military fitness centers.

Each individual fitness station is designed and built to withstand the harshest environments. Their exercise equipment has been installed in over 2000 locations worldwide and in every possible climate condition. TriActive's outdoor exercise units provide a fun, simple, and accessible way to improve the health and fitness of your community.

- 55 products available.
- Manufactured in the USA.
- Easy to install.
- Virtually maintenance free.
- Comfortable and simple to use.
- No hydraulics = full range of motion
- Uses no electricity.
- Free use by public.
- Wheelchair accessible equipment.
- Community health improvements.
- Best customer service in the industry.

### Parks - Outdoor Fitness Equipment

- Installed at over 2000+ locations worldwide.
- Ideal for City, County, State Parks, Rec & Park Districts, and Townships.
- Fun, easy to use, and after installation, virtually maintenance free.
- Free for use by the community. There are no "gym" fees for users.
- An immediate solution to help battle obesity in your community.



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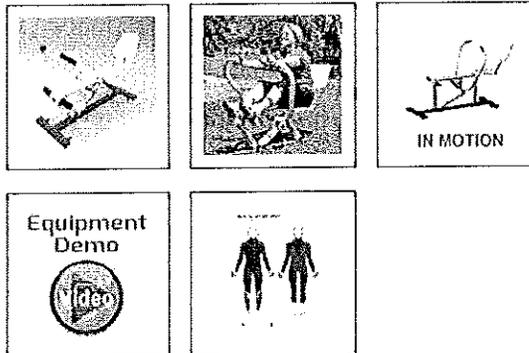
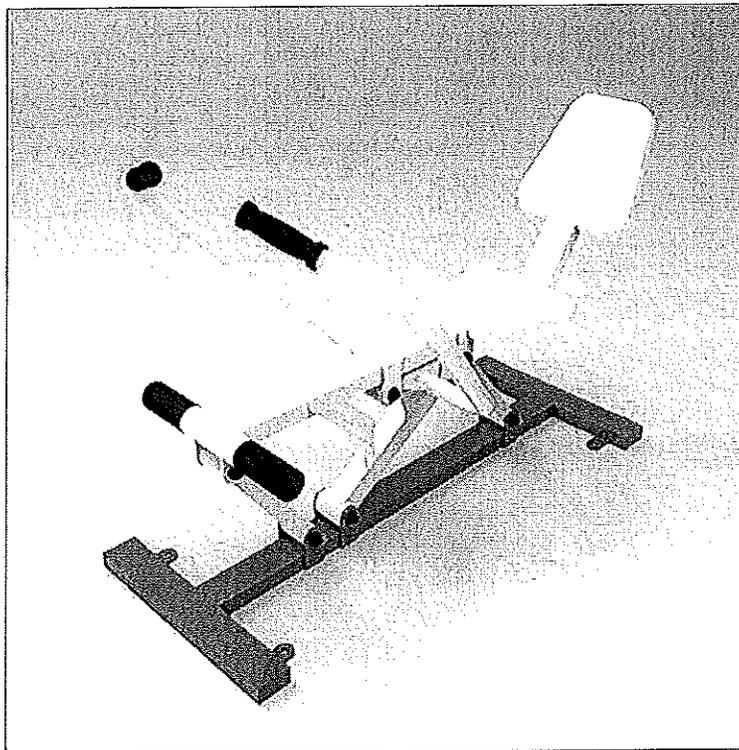
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Product Details

# Rowing Machine

« Back to Products



Description Specs Training

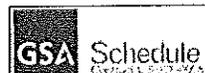
Product ID#: ROWR

The Rowing Machine offers a very fluid motion with great range. It uses a portion of your body weight as resistance, and develops strength in your back, shoulders and biceps. It offers a great cardiovascular workout as well.

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GSA-approved: Contract # GS-03F-0098V, Schedule 192-08 Fitness Equipment (Click link below for product).

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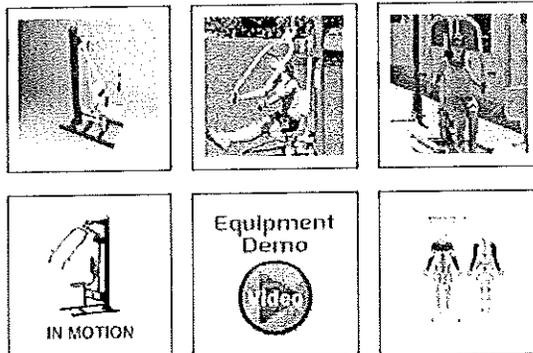
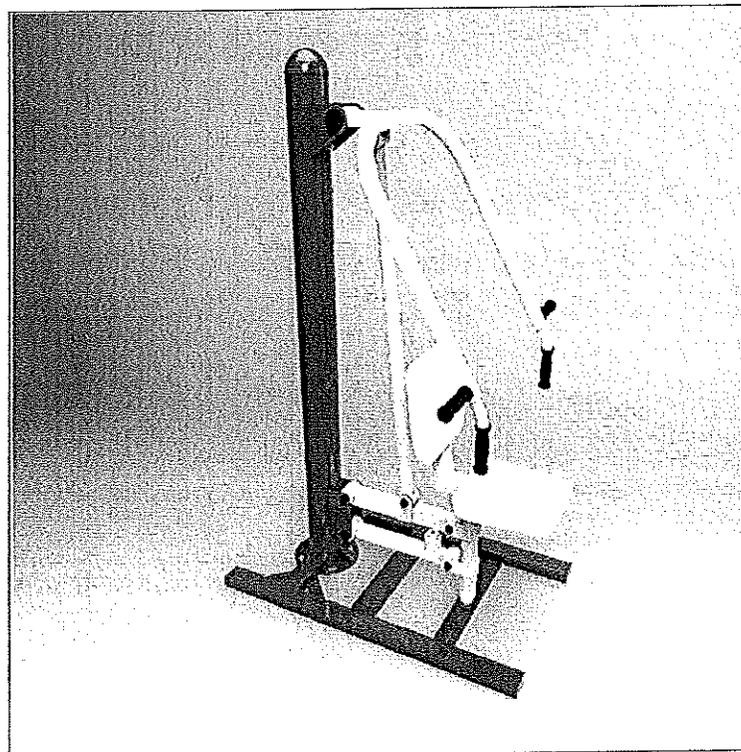
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Product Details

# Seated Chest Press

« Back to Products



Description Specs Training

Product ID#: SCPS1

This popular seller provides an optimal range of motion while you lift part of your body weight as resistance. The product develops strength in the chest, front of the shoulders, and triceps, providing a smooth range of motion.

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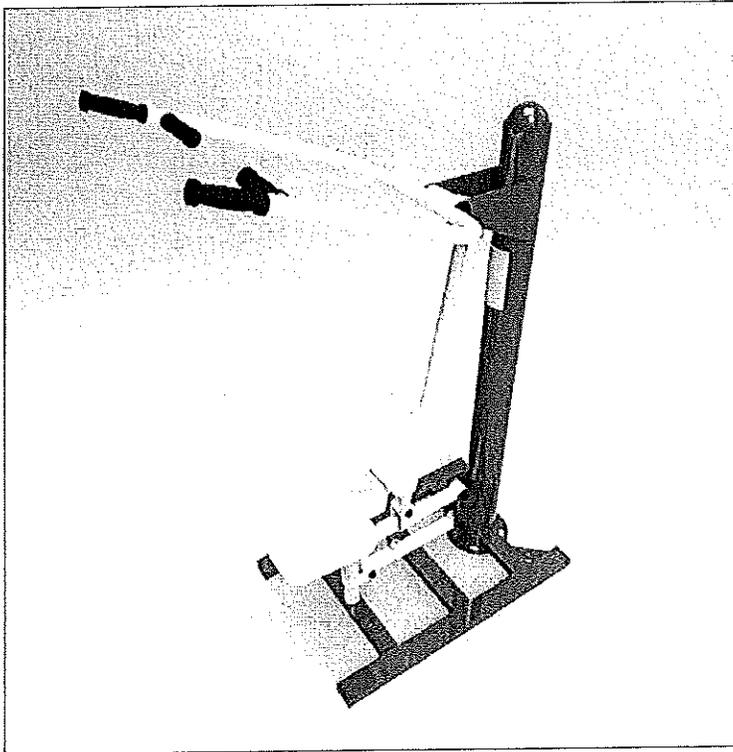
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## Seated Lat Pull

[Back to Products](#)



[Description](#)

[Specs](#)

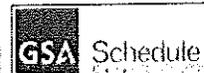
[Training](#)

Product ID#: SPDN1

Use part of your body weight as the resistance over a smooth range of motion. This product strengthens your back, rear shoulders, and biceps as you pull the upper bar towards your body.

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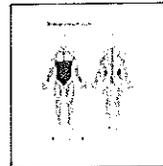
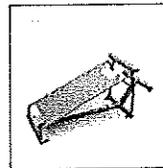
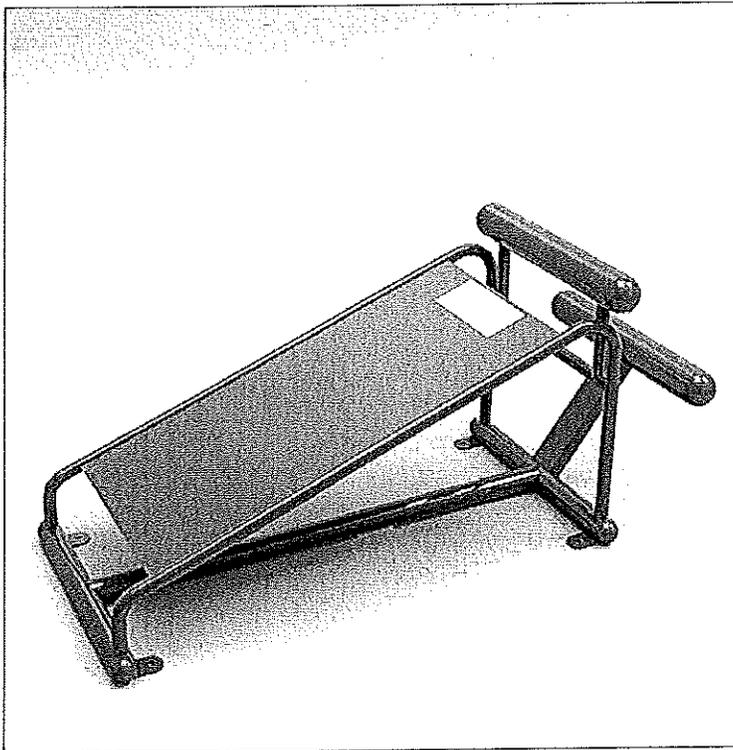
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Product Details

## Sit-Up Board

« Back to Products



Description

Specs

Training

Product ID#: SITB1

Compact and efficient, this product is effective for abdominal exercises and back stretches.

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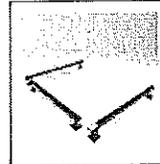
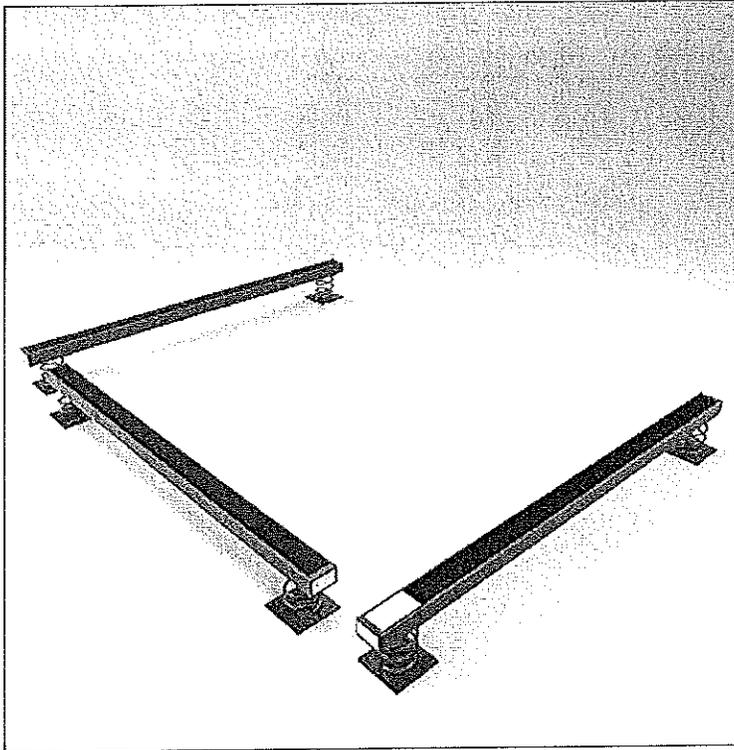
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## Spring Balance Beam

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Description



Specs



Training

Product ID#: SBBM

The springs that are incorporated into this balance beam's foundation posts make it more challenging and fun than the original balance beam. Improve coordination as well as tone the lower legs by traversing across the three separate beams.

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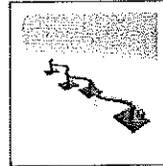
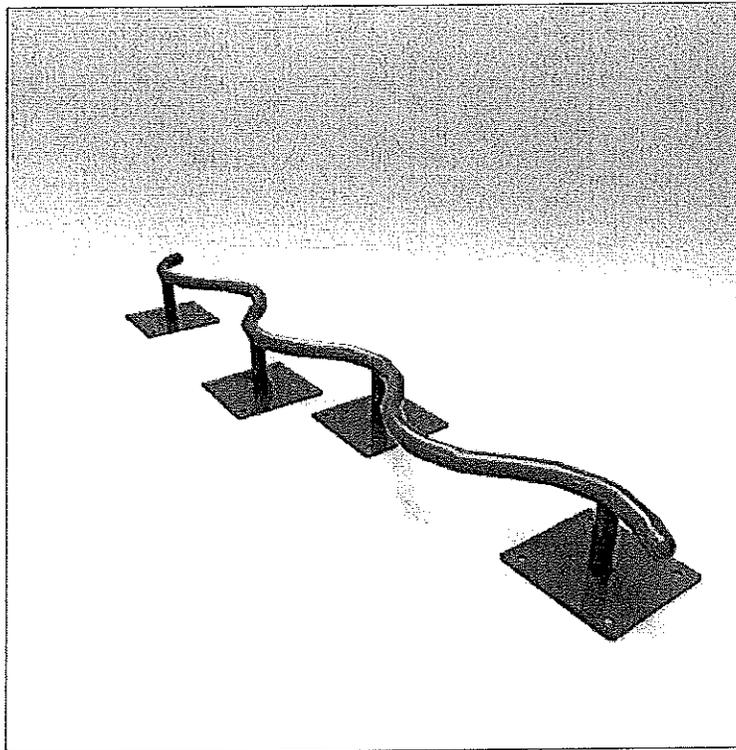
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Product Details

# S-Shaped Jump Bar

« Back to Products



Description Specs Training

Product ID#: SJMP

Great for fitness trails or challenge courses, this product tests and develops physical coordination and agility by hopping over the bar.

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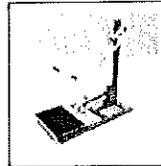
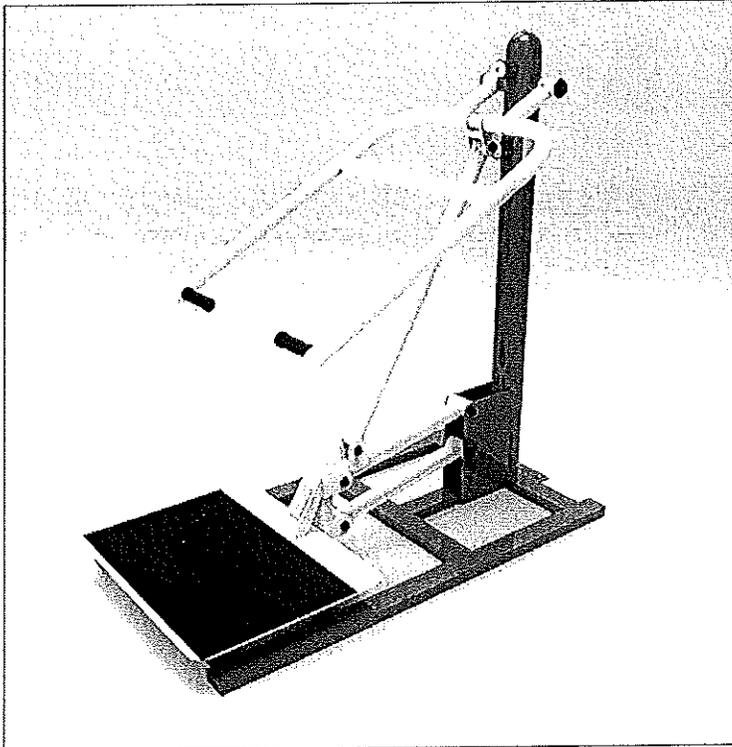
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# Squat Press

« Back to Products



Description

Specs

Training

**NEW DESIGN**

Product ID#: SQAT

Safer than free weights, you can perform biceps curls, shoulder shrugs, traditional squats, and go for the intense squat-into-shoulder-press!

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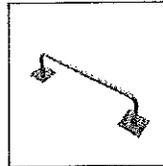


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# Push-Up Bar

[« Back to Products](#)



**Description**   **Specs**   **Training**

Product ID# PSUP

A fitness trail or challenge course favorite! Appropriate for strengthening hand grip, triceps and chest.

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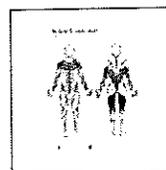
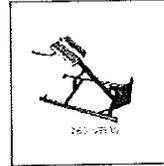
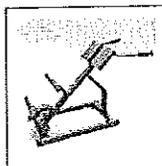
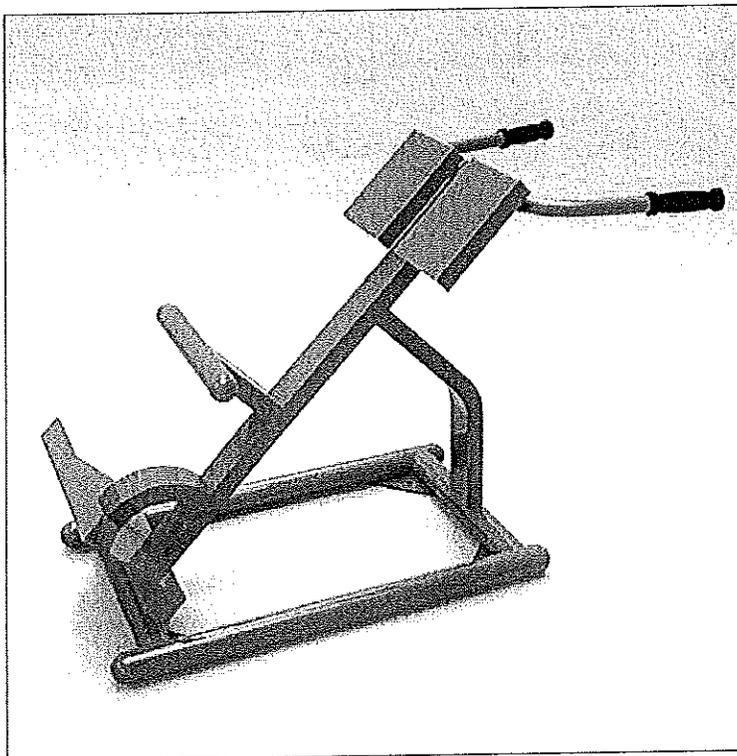


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# Back Extension

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Description

Specs

Training

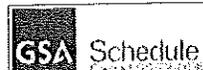
Product ID#: BEXT

This effective product promotes lower back strength and hamstrings. It can enhance flexibility and improve posture and alignment.

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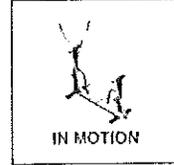
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## Air Strider

[Back to Products](#)



[Description](#)

[Specs](#)

[Training](#)

Product ID#: ASKI

The Air Strider simulates the motion of cross-country skiing and offers a no-impact, cardiovascular workout, simultaneously exercising your upper and lower body.

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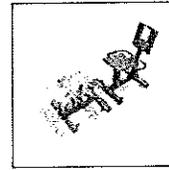
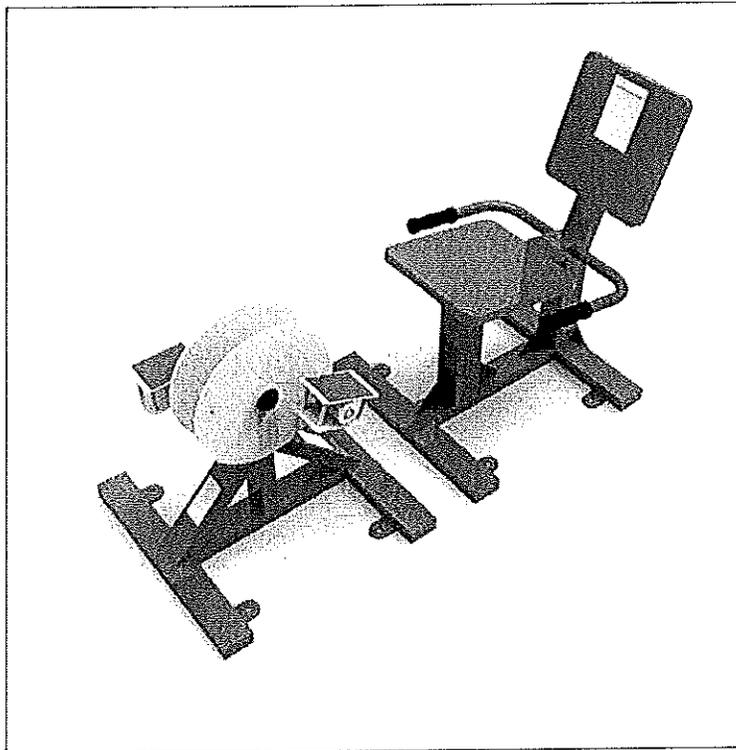
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Product Details

# Recumbent Bike

« Back to Products



Description

Specs

Training

In considering the general size of your population, this equipment now has variable installation features.

Product ID#: RBIK

Get the cardio benefits of cycling with full back support. This equipment offers a low-impact, ease-of-use pedaling action for strengthening thighs, glutes, calves, and even abs.

With the new redesign of this equipment it can now be permanently installed in variable leg length configuration. This new feature allows for differences in the average height of the populations who might be using it, i.e., shorter installation for children, longer for adults.

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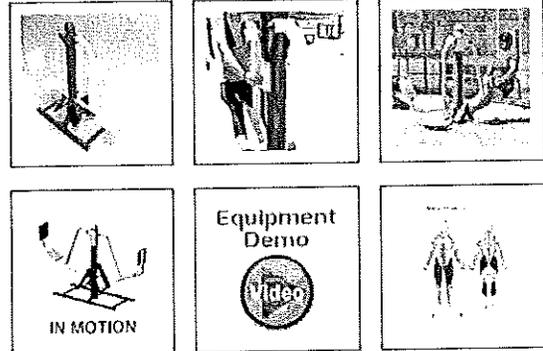
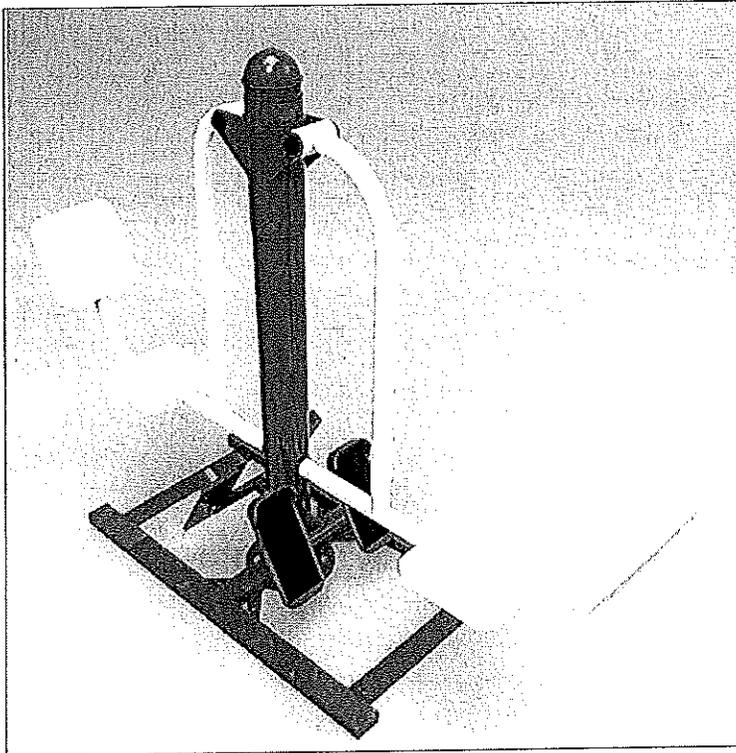
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# Leg Press

« Back to Products



Description Specs Training

Product ID#: LEGP2

An essential piece for developing leg strength, this piece is effective in using your own weight for resistance. Offers two seat lengths for different user heights as well as different resistance levels.

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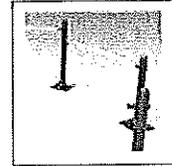
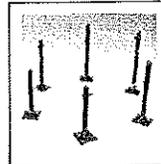
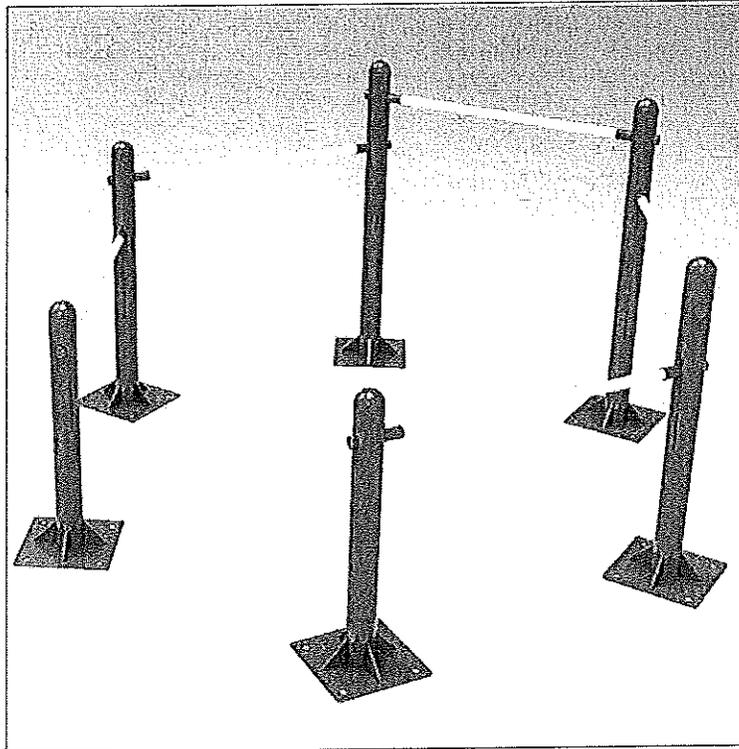
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# Multi-Bars

« Back to Products



Description

Specs

Training

Product ID# MBAR

You can perform a variety of stretching exercises, as well as assisted push-ups and pull-ups, on this versatile and essential product

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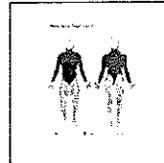
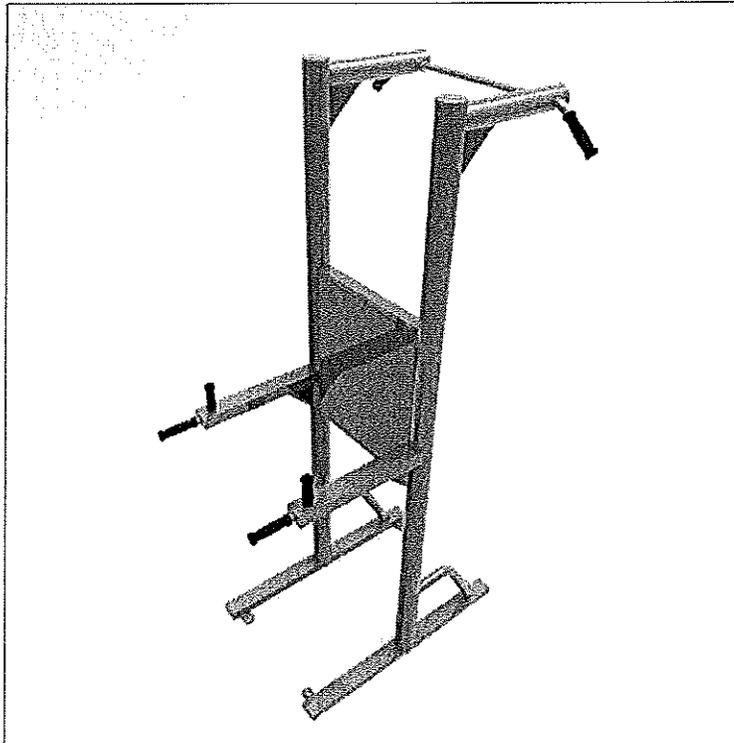
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Product Details

## Pull-Up & Dip Station

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**Description**

**Specs**

**Training**

Product ID#: PDIP

Use this multi-purpose product to perform pull-ups, dips, leg lifts, as well as stretching exercises. It is excellent for improving strength and flexibility.

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Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

## OFFICE OF THE TOWN MANAGER

### MEMORANDUM

To: Newington Town Council  
From: Jaime Trevethan, Asst. to the Town Manager (on behalf of Tanya D. Lane,  
Town Manager)  
Date: August 02, 2016  
Re: Naming Request – Parks and Recreation Teen Center

---

Recently, Mayor Zartarian received the attached request from Mr. Thomas Tallard regarding the naming of the Parks and Recreation Teen Center in his name.

The Town Council has a procedure to consider facility naming requests as follows:

1. The request is referred to the Town Council Naming Subcommittee
2. The Subcommittee meets to consider the request pursuant to the attached naming guidelines.
3. The Subcommittee reports to the Council with its recommendation.
4. The Council takes action to accept or reject the Subcommittee's recommendation.

If the Council concurs, there will be an item on an upcoming agenda to refer this matter to the Subcommittee.

Attach.

7/10/16

Dear Manager/Mayor,

Thank you so much for your consideration. Enclosed please find the supporting documents we spoke about. Some forty years ago Peter Curry, our town manager, came to me and asked me to write a federal grant to procure funding for a Youth Services Bureau. At that time Newington was the only town in central Connecticut without one. We were years behind Rocky Hill, Wethersfield, Berlin, New Britain, and West Hartford. In my dealings with youth as a Park Supervisor at Seymour Park and my volunteer work in town I identified a desperate need for a Youth Services Bureau. The project took six months to complete and one of the happiest days of my life occurred when Mr. Curry called me into his office to tell me the good news. I have spent my entire adult life blessed with the privilege of serving the youth in my community as a Park Supervisor, teacher, social worker, advocate, and author of a federal grant. In all due respect to Lou Gehrig I truly believe, "I am the luckiest man on the face of the Earth."

I apologize if this sounds pompous or arrogant but I am humbly requesting that the Town Council rename the Newington Teen Center in my name. The enclosed documents end with a petition from the kids at Seymour Park that I kept after all these years. As the story goes, the kids got together for a kids only meeting to elect a person who had the best handwriting to write the introduction. Now that's democracy.

Peace,

A handwritten signature in cursive script that reads "Thomas Tallard". The signature is written in black ink and is positioned above the printed name.

Thomas Tallard

# TOWN OF NEWINGTON

Town Hall • 131 Cedar Street, Newington, Connecticut 06111

Telephone 666-4661

OFFICE OF: TOWN MANAGER



To Whom It May Concern:

Mr. Thomas Tallard has demonstrated a strong capability with regard to Social Work, especially in the area of youth work. Moreover, his personal interest and commitment to helping people in need is outstanding.

Mr. Tallard has done extensive work on a voluntary basis in this community to help troubled youth and his effectiveness is widely recognized by the adult community, as well as the youth population. I understand that this work has involved considerably more than one-to-one crisis intervention. It has also extended to referrals and follow-up support.

During his tenure with the Town of Newington as an Administrative Aide, Mr. Tallard was responsible for developing the grant application which subsequently enabled the Town of Newington to establish a Youth Service Bureau. The effort involved a preliminary evaluation of the needs of the community, conceptualization of a youth services delivery system, organizational structuring and budget development, as well as actual grant writing. On this foundation, a very successful Youth Service Bureau operation was funded and staffed. It continues to this day.

Very truly yours,

Peter M. Curry  
Town Manager

PMC:jbw

March 10, 1989

To Whom It May Concern:

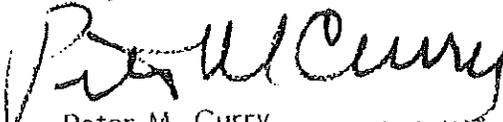
I have known Tom Tallard for ten years or more and during two periods within this time frame our activities brought us into close association.

The first was when I was Town Manager of Newington and Tom served as an administrative intern in the Town Manager's office. The second was a later two year period when Tom was elected as a member of the Newington Town Council.

From early on, I was impressed by Tom's sincere concern for people in need - - especially young people. Moreover, he was always ready to act on this concern and "get involved" to a degree few people would offer. He has a genuine humanitarian nature - - an enthusiasm for helping people and improving their lives.

Watching Tom carry out differing roles, I gained and never lost respect for the depth of his convictions. In addition, I always found him to be fair, forthright and honest. I found his turning to teaching as a profession to be quite consistent with what I know of his character. Although I have no direct knowledge, given his interest in young people, his commitment to improving their lives, his personable nature and unflagging enthusiasm, I would presume Tom to be a fine teacher.

Very truly yours,

  
Peter M. Curry

**KEITH H. CHAPMAN**  
17 TWIN LAKES DRIVE  
WATERFORD, CONNECTICUT 06385  
[kcrtm@yahoo.com](mailto:kcrtm@yahoo.com)

To: Newington Parks & Recreation Commission

Newington Town Council

Subject: Newington's Teen Center

Date: June 30, 2016

I am proud to write to you, encouraging consideration, of re-naming the Newington Teen Center to the Thomas Tallard Teen Center. The last time I wrote a letter on Mr. Tallard's behalf was during his quest to adopt a baby girl from China. I am hopeful that this letter will be just as successful on Tom's behalf.

My association with Tom dates back over 40 years when he was a summer employee for the Newington Parks & Recreation Department, while I was a full-time employee, with both facing the challenge of mowing among other areas the Center Cemetery. Observing and conversing with Tom during those years I gained and continue to have the highest respect for his dedication and commitment to his goals and objectives.

Tom has spent his entire life being involved as a Recreation Supervisor at Seymour Park, a 22 year veteran as a Middle School Teacher at St. Mary's School, as well as serving as a Counselor for youth's in need, a Social Worker for the Department of Children and Families, and finding time to serve as a Newington Town Councilor, leading the effort to secure funding for playgrounds and federal grants directed to the Youth Services efforts of the Town.

As a former fellow employee of Tom's and as a Former Town Manager of Newington, I truly encourage consideration of re-naming the Newington Teen Center, the oldest continuously operating Teen Center in the State of Connecticut, to the Thomas Tallard Teen Center, in recognition of Tom's relentless concern and support for the youth of the Town.

Thank you,

Keith Chapman

# **EDWARD G. PIZZELLA, ESQ.**

29 MILLBROOK COURT, NEWINGTON, CT 06111

Tel: 860-665-1238  
Cel: 860-997-6003  
Email: shupiz@cox.net

July 10, 2016

Hon. Roy Zartarian  
131 Cedar Street  
Newington, CT 06111

## **Re: The Naming of The Newington Teen Center**

Dear Mayor Zartarian:

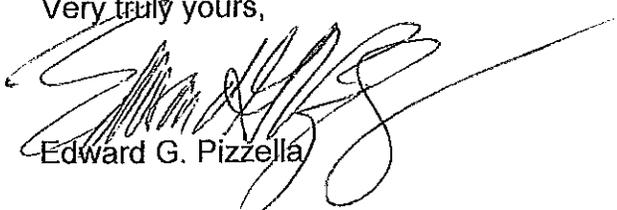
My family and I have known and associated with Tom Tallard for the past forty years. He has devoted more time and effort, as a volunteer working with and inspiring Newington teen-agers, than anyone I can think of. When my children were teen-agers, they were members of the Holy Spirit Church choir, which he directed for many years.

I am also aware of the fact that he has an extensive background, as a private school teacher, a park supervisor for the Newington Parks & Recreation Dept. and a social worker with the Department of Children and Families.

In addition, he authored the federal grant application, which provided funding for the Newington Youth Services Bureau and was the leading advocate for the establishment of a playground in the southwest section of Newington.

On the basis of the foregoing, I would whole-heartedly recommend that the Newington Teen Center be named after him.

Very truly yours,

  
Edward G. Pizzella



# Knights of Columbus



REVEREND EDWARD SHAUGHNESSY  
COUNCIL, No. 3884  
171 Pascone Place  
Newington, Connecticut 06111  
[www.kofcnewington.com](http://www.kofcnewington.com)  
860.665.7232

To The Newington Town Council,

The Knights of Columbus Council #3884 supports the initiative to rename the Newington Teen Center in the honor of Thomas Tallard. Tom is a member in good standing with the Knights and we are proud to have him as part of our organization. We understand that this honor validates a lifetime of Tom's dedication and relentless energy to improve the lives of the youth of Newington. Many of our Knights personally especially Richard Losh, our Past Grand Knight and present Faithful Navigator of Assembly #133, who has known Tom for 25 years or more. Tom taught all three of Richard's children at a Newington private school. Richard was able to witness first hand Tom's efforts to help all middle school children successfully navigate the trying years of middle school. Tom was always there to support and encourage all his students to help them succeed in everything they do.

We understand that Tom Tallard is the author of the federal grant that secured the funding for our Newington Youth Services Bureau. We are proud of Tom's work with the children of Newington and believe that renaming the Teen Center after him would be a fitting tribute.

Finally, we are proud to call Tom Tallard a fellow Knight who exemplifies the principle of Charity, which is one of the principles that the Knights of Columbus was founded upon and you could not pick a better person to name the center after.

Sincerely yours,

A handwritten signature in cursive script that reads "Al Boucher".

Al Boucher

Grand Knight

July 7, 2016

Newington Town Council  
131 Cedar Street  
Newington, CT 06111

Dear Town Council Members:

I am writing in support of renaming the Newington Teen Center in honor of Thomas Tallard.

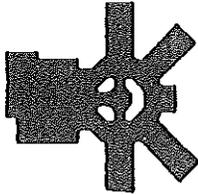
I have known Tom for over 40 years as an individual who has dedicated himself to serving the youth of Newington. I first met Tom when I was a young boy growing up in the Seymour Park neighborhood. Tom was the Newington Park and Recreation Counselor at Seymour Park during the school summer break. To this day, I remember the positive influence Tom had on me, my friends, and all the kids who enjoyed participating in the Park and Recreation program at the park. To all of us, Tom was a true role model, coach, and most importantly a lifelong friend.

Since that time, Tom has volunteered countless hours of his time enriching the lives of many young people in the Newington Community. His dedication and commitment to improving the lives of our youth is worthy of recognition in the form of renaming the Newington Teen Center in his honor.

Respectfully,



Stephen Clark  
87 Eddy Lane  
Newington, CT 06111



# JOHN W. WALLACE MIDDLE SCHOOL

71 HALLERAN ROAD  
NEWINGTON, CONNECTICUT 06111  
(860) 667-5888 FAX (860) 667-5893

DAVID M. MILARDO  
Principal  
June 29, 2016

KRISTEN FREEMAN  
Assistant Principal

Dear Members of the Newington Town Council and Members of the Newington Parks and Recreation Board of Directors:

I have been asked to write a letter of recommendation in support of the initiative to rename the Newington Youth Center in honor of Thomas Tallard. I am very pleased to speak on Tom's behalf.

I have known Tom personally and professionally for approximately forty years, as a classmate at Newington High School, as a teaching colleague at Saint Mary School, and as a parent of a child who attended John Wallace Middle School. From all of my interactions with Tom, I can honestly say that he always had the best interests of Newington students in the work that he did as both a former teacher and as a parent.

As Tom's immediate supervisor at Saint Mary's from 1980-89, I had many opportunities to witness first-hand, his dedication to the education profession and how he reached out to all children. Tom was all about making a difference in the lives of children. I saw how he went above and beyond to develop effective teaching and learning strategies to meet the wide range of his students' learning needs and how he worked tirelessly to insure that they were supported academically and socially. Tom would make connections with some of our most troubled students in an effort to provide them with the support they needed to successfully navigate through the trying years of middle school. No student was a lost cause in his mind, and he firmly believed that every student could reach their full potential with the right amount of support, encouragement, and assistance. I would often see Tom providing students with extra help before/ after school, meeting with parents to develop student success plans, and socializing with students out of the classroom to build relationships. Many students told me that "Mr. Tallard helped to make a difference in my life".

Hearing that the Newington Youth Center could be named in recognition of Tom for the work he has done over the years for the young people of Newington, would be a fitting tribute to someone who has always asked, "What's best for kids". I wholeheartedly endorse this initiative and would be proud to see our town honor Tom for his work.

Sincerely,

David M. Milardo, Principal



# Jaycee Award Winners

NEWINGTON TOWN CRIER, Thursday, August 19, 1976 Page 16

## Say Thanks to Summer Employees...

continued from page 1

long since Bruce became a playground supervisor lets talk to someone who has been around a while what the changes have been.

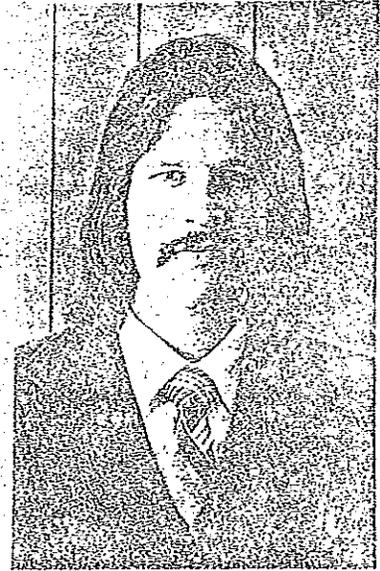
One of the more outstanding men in town, in my point of view, would have to be Tom Tallard. Tom was given his first job as playground supervisor in 1974. When he originally applied for it he was turned down because of the "high caliber" of people who had applied for the job. A week later he was called and told that he could start June 30, because someone had quit. It was lucky for Parks and Recreation that someone had quit and they had hired Tom, because they might have never known what they were missing. Although Tom is a bit of a rebel ("I almost got fired six times my first year") I have yet to meet a man who puts more love and care into his work. Tom is presently the supervisor at Seymour Park, a park that started out without a water fountain for the kids to drink from. Tom rose above all the inadequacies and won the love of the Seymour kids by doing such things as staying through his lunch break, something that most supervisors wouldn't dream of.

Tom is responsible for a good many new special events in the Parks and Recreation program such as Recreation Day and Bowling Day. When asked what it is he enjoys about his job Tom replied, "Oh, boy I could keep you all day. It's something inside, it's satisfying to me. As much love as you give, you get back. It's not a one way street." During the "off season" Tom is a teacher. He has plans to go to

Jamaica this winter in hopes of finding a job.

Speaking of teachers, one that I'm sure you all know is Billy Davidson. Billy is currently the Aquatics Director, a position which entails acting as the general supervisor of all aquatic activities under the supervision of the Recreation Supervisor. Billy's job involves "being at the right place at the right time." When Billy was fifteen, he had already obtained his Senior Life Saving Certificate, and they needed a locker room attendant at Mill Pond. Billy had the qualifications and no one else did, so he landed the job. He was an attendant for two years after which he went away to school. Billy returned along with his W.S.I. (water safety instructor's certificate) and was given the position of Assistant Pool Director. He held this position for three years after which he was promoted to Aquatics Director. Billy's philosophy, which is probably what got him where he is today, is to prevent things before they happen. "If someone is running around the pool, stop them before they slip and hurt themselves." Billy is a teacher at St. Mary's School during the "off season." He teaches physical education and reading to the sixth, seventh, and eighth grades. He is also the coach for Newington High School's boys swim team.

Two individuals I will include together are Mary Stanford and Jeff Rajotte, both lifeguards at Mill Pond. They both applied for the position of Locker Room Attendant at sixteen and were turned down. They again applied the following year and were accepted. Mary is now in her fourth year as a guard at Mill the longest standing staff member. She, like Jeff, says she enjoys her job "because I'm outside and enjoy working with people." Mary is planning to finish college and obtain a teaching degree. She would like to teach art. Jeff, who attends Washington and Jefferson College in Danbury, claims that there is more involved to being a lifeguard than most people think.



THOMAS TALLARD, winner of the Public Service Award, was honored because of the work he has done with the youth of Newington. Tom first made a name for himself when he worked to change the attitude of young people in the Seymour Park area. He wrote the grant for the town's Youth Services Bureau, and was once told by town officials that in the absence of such a bureau, he was the town's youth service. Hoping to eventually find a full time job helping young people, for the time being, Tom is employed as a substitute teacher for the Town of Newington, a guitar teacher at Center Music on Market Square, a playground supervisor for the Parks and Recreation Department, and a cashier for T-Bowl bowling alleys. A 1968 graduate of Newington High School, Tom holds a degree in Sociology from Central Connecticut State College. Even with four jobs, the vibrant twenty-six year old always finds time for a young person in need.

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# Tallard, Gibbon, Patz Jaycee Award Winners

Walt Ripley, of the Newington Jaycees, announced Tuesday the winners of their annual awards. The 1976 Public-Servant Award went to Thomas Tallard, of 385 Church Street, a town employee, who has given much of his time to help the youth of Newington in a variety of ways.

Lane. He is an Industrial Arts Teacher at Newington High School. The awards will be presented at DePasquale's Restaurant on January 21st starting at 7:00. Tickets for the awards dinner are \$10 and can be ordered by writing to P.O. Box 11128, Newington. Checks should be made payable to the Newington Jaycees.

## Chamber Chief Mystified By Retailers' Behavior

Tim Luddy, president of the Newington Chamber of Commerce, insisted "We can't do anything to retain businesses if they don't come and tell us about (their troubles)."

He made the remark when questioned about business retention in light of the closing of The Book Shop on Market Square. "We have no official program for business retention per se," Mr. Luddy said, adding that the Chamber does have two members who look part in a business and industrial retention survey, Craig Holland and David Marks.

But the Chamber president, who's manager of Burrill Mutual Savings Bank, Stoney Ridge office, had his own pointed remarks to make about local retail businesses. "We ran Newington Days partly to show what we could do together and none of them joined," he said. "The retailers have more or less decided not to join. They have simply gone about their own way and done nothing."

Mr. Luddy pointed out that there are "over 700 businesses (including one-man businesses) in Newington, of which less than 100 belong to the Chamber."

"I don't know why the retailers don't join or form their own association," he pondered.

THE NEWINGTON SENIOR CITIZENS enjoyed a performance by the Newington Children's Theatre after their Monday meeting on January 10. This year's production is entitled, "The House that Jack Built."

Among the 135,000 women veterans of the Vietnam era, 15,000 live in California, the Veterans Administration reported. Another 10,000 live in New York.

### RENE PICARD

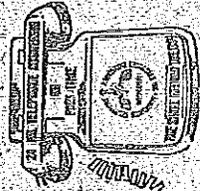
SPECIALIZING IN ALL YOUR

INTERIOR & EXTERIOR DECORATING NEEDS

Three Newington High School graduates began the January class of the American Motorcycle Institute at Daytona, Florida. They are PETER DeWOLF, son of Mr. and Mrs. Thomas DeWolf, of Juniper Street; JIM NOWIK, son of Mr. and Mrs. Stanley Nowik, of Pine Street, and JOSEPH LEPAK, son of Mr. and Mrs. Joseph Lepak, of Walsh Avenue.

aren't being published, or promoted as much, and these are the books the Book Shop used to specialize in. Most of all, malls have spoiled customers. Nancy Considine believes. "The product, or the service alone, are no longer enough to satisfy the customer," she said. "Because of the malls, people have been rewarded immediately with a purchase. If a small store can't provide immediate gratification, the customer will seek it in a mall."

As she leaves her store to go into a business that appears malproof - out of print searching - Nancy Considine can be excused a parting punch aimed at the solar plexus. She quotes Charles Reich's "Greening of America" - one of the better books that got a promotional push in the late sixties. "The United States," the author was quoted as writing, "is the only country where you can drive thousands of miles and always be able to reach out and buy 28 flavors of ice cream...all of which taste like vanilla."



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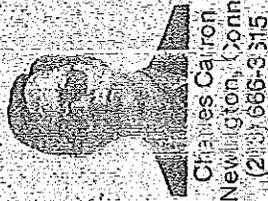
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This Petition Is For Tom Tallard And  
Jan Derail .We Want Both Of Them Back  
Next Summer To Supervise Seymour Park.  
They Have Done So Much For Us.

1. Lynn Carlson
2. Laurie Carlson
3. Darlene Shaw
4. Sandy McLain
5. ~~Paul Simmons~~
6. ~~Sharon Millard~~
7. KENT CARLSON
8. Scott Mangano
9. Peter Clavette
10. Mike De Mame
11. Leslie Carlson
12. Heidi Kohlmann
13. Bill Rankin
14. Ed Breglia
15. ~~Chet Breglia~~
16. Rose Kahlmann
17. Jeffrey McLain
18. ~~Tenny~~ messenger
19. Ron FOX
20. Brian Carrier
21. Paul Clavette
22. DANNY CARRIER
23. Marybeth Brennan
24. Sharon Fox
25. Lynela Trov
26. Sharlene Millard
27. Mark Hayes
28. Ruth Aleksiewicz
29. ~~Sally~~ Robert
30. Michel Paigle
31. ) Patty Robert
32. Maurer Brennan
33. MICHAEL Brennan
34. MICHAEL HAYES
35. Tom Sadlosky
36. Kim Luri
37. Wendy Luri
38. BOBBY TURI
39. KRISTENTURI
40. Jeffrey Perillo
41. Donald Perillo
42. Jeffrey Leduc
43. Mike Dufour
44. Mike Leduc

45. Paul Albert

46. Victor Di Prato

47. Lorraine Di Prato

48. Leslie Linn

49. Bobby Raffalo

50. David Clavette

51. Roy Simmons

52. Buddy Sadosky

53. Kathy Clark

54. Paul Difore

55. Suzanne Gandolfo

56. Edith Sapier

57. Betty Pawlik

58. John Erdseye

59. Patty Marcoux

60. Cindy Lockey

10. Deanna Lindgren

11. Mrs. Raymond

12. Mrs. Weston

13. Mrs. Niccard

14. Mrs. McLean

15. Mrs. Paul Clavette

16. John J. Mitchell

17. Norma Daigle

18. Euanth Stevens

1. Mrs. Anna Carlson

2. Mrs. Janice Cotter

3. Mrs. Betty Juri

4. Mrs. Henry Carmack

5. Mrs. Jackie Hayes

6. Catherine La Branche

7. Mrs. Herald Fox

8. Dot Lindroth

9. Jean Jones

*[Faint, illegible handwritten notes or signatures]*

61. Mary Alice <sup>87.</sup> ~~87.~~ al Foy
62. Gail Daigle
63. Valerie Cornwell
64. Christine McCarthy
65. Kimberly McCarthy
66. Rich Condon
67. Jimmy Giansanti
68. Eric Giansanti
69. KIMBERLY ZANETTI
70. → Michele Gillespie
71. JASON GILLESPIE
72. Tonya Zanetti Ipes
73. Bruce Bryson
74. Dale Houck
75. Tom Larose
76. Henry Jackson
77. Ronald Leach
78. Guy Richard
79. Tommy
80. Gene LaBranche
81. Carl Daigle
82. Dorine Weber
83. Denise Weber
84. David Cleba
85. JoAnn LeMay
86. Luc Ann Buglia



# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

## **TOWN COUNCIL POLICY – Adopted February 13, 2007**

- SUBJECT** : **Naming of Town Owned Property and Features**
- PURPOSE** : To establish a policy and procedure for the naming of all Town owned property, park lands, buildings, facilities and their respective features.
- APPLICABILITY** : This policy shall apply to all Town-owned property (not including schools), park lands, buildings, facilities and their respective features.
- POLICY** : It shall be the policy of the Town of Newington that the Town Council shall approve the naming of all Town owned property, park lands, buildings, facilities and their respective features. In accordance with its respective regulations, the Town Plan and Zoning Commission shall have exclusive authority to name public and private streets.

The term “facility” for purposes of this policy shall mean any Town owned property, park land, building, facility and their respective features. “Features” shall include but not be limited to components of the property such as rooms, fields, trails and other components of the facility.

Preference shall be given to naming facilities after significant geographical, neighborhood and/ or historical elements. On occasion, the Town Council may wish to acknowledge the activities and significant contributions made by individuals to the Town through the use of various naming options.

### **Section I – Naming Principles**

The name given to a Town facility should:

1. give a sense of place, continuity, belonging and celebrate distinguishing characteristics of Newington;
2. maintain a long-standing identification with Newington residents;
3. be understandable to the majority of Newington residents; and
4. shall not be discriminatory or derogatory in nature.

The Town of Newington shall choose names for Town owned property, park lands, buildings, facilities and their respective features based upon its relationship to the following:

- a) The area or neighborhood in which the facility is located;
- b) Natural or geological feature;
- c) An historical name related to Newington’s heritage and/ or historical folklore;
- d) An individual of international, national or state significance; or
- e) An individual for the purpose of recognizing (1) particular activities and significant contributions to the Newington community; (2) outstanding financial contributions made toward the development and/ or enhancement of a facility

In all instances involving a business name, appropriate consideration shall be given to the nature of the business conducted by the subject business, its record of community involvement and/ or giving, its relationship to the Town and any controversy surrounding such business.

Phone: (860) 665-8510 Fax: (860) 665-8507  
townmanager@ci.newington.ct.us  
www.ci.newington.ct.us

## **Section II – Naming Process**

The Town Council shall designate by resolution the names of Town facilities. The process for naming or renaming a Town facility may be initiated by a written proposal to the Town Manager stating how the proposed name(s) meet the criteria in Section I and a biographical outline of the individual.

The Town Manager shall transmit the request to the Town Council, which upon receipt may be referred to a Town Council standing subcommittee for review and recommendation. The Town Council Facilities Naming Subcommittee shall be comprised of three members appointed by the Town Council. Such recommendation shall state how the proposed name(s) meet the criteria in Section I. Public input shall be sought during the review process.

The naming of a facility may occur upon the approval by majority vote of the Town Council. In the event the naming is not approved by a majority vote of the Town Council, no further action on the proposed name shall be taken. Substantially similar name applications shall not be submitted more than once during any twelve (12) month period, or more than three (3) times in total.

## **Section III – Naming of Features**

The interior and/ or ancillary features of a facility may have names other than the entire facility. The naming of such features shall be subject to the criteria set forth in Section I and the selection process outlined in Section II.

## **Section IV – Renaming Procedure**

The naming of a facility shall be bestowed with the intention that it will be permanent. Consequently, changes to a facility's name shall be strongly resisted and discouraged. Absent exceptional circumstances, only facilities named for an area or neighborhood, natural or geographical feature shall be considered for renaming. Facilities named by deed restriction shall not be considered for renaming.

Facilities named after individuals shall not be renamed unless it is found that the continued use of the name is not in the best interests of the community.

The process for renaming a facility shall be the same for naming as set forth within this policy.

## **Section V – Corporate Sponsorships**

Corporate sponsorship or naming rights may be considered when a corporation or business contributes either financially or in-kind to Town programs, services or facilities in return for recognition, public acknowledgement or other promotional considerations. The Town Council reserves the right to reject offers of corporate sponsorship and/ or naming rights. Corporate sponsorships or naming rights require a signed agreement which includes a sunset provision and specific parameters as to how the sponsor may utilize the Town of Newington's name as well as how the corporate name or advertising brand will be used.

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Tanya D. Lane  
Town Manager

# TOWN OF NEWINGTON

131 CEDAR STREET  
NEWINGTON, CONNECTICUT 06111

## OFFICE OF THE TOWN MANAGER

### MEMORANDUM

To: Newington Town Council

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

Date: August 04, 2016

Re: Consideration of Canceling the August 23, 2016 Regular Meeting

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The agenda setting committee requested to place an item on the August 9, 2016 Council agenda to consider canceling the August 23 regular meeting. The Council will need to consider waiving the rules at the August 9 meeting in order to take action on the attached cancellation resolution.

The Council has the option to call a special meeting should an urgent issue arise.

Attach.

AGENDA ITEM: VIII.D

DATE: 8-9-16

RESOLUTION NO. \_\_\_\_\_

RESOLVED:

That the Newington Town Council hereby alters its meeting schedule by canceling its Regular Meeting scheduled for August 23, 2016.

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

VOTE: \_\_\_\_\_



Tanya D. Lane  
Town Manager

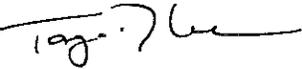
# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

**Office of the Town Clerk**

Tanya D. Lane MMC  
Town Clerk

## Memorandum

**To:** Town Council  
**From:** Tanya Lane, Town Manager   
**Date:** August 2, 2016  
**Re:** Resignation: Linda Woods—Newington Historical Society

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I am attaching a copy of the letter of resignation I received from Linda Woods who is resigning from the Newington Historical Society effective July 14, 2016. Ms. Woods was serving a term from 12/13/11 – 11/30/16.

Town Council is the appointing authority.

TOWN CLERK  
BY *Linda M. Woods*  
2016 JUL 14 AM 11:18  
RECEIVED & RECORDED IN  
NEWINGTON LAND RECORDS

July 11, 2016

*Town of Newington*

*Attn: Town Clerk*

*131 Cedar Street*

*Newington, CT 06111*

*Dear Town Clerk:*

*This is to inform you that I need to resign as Democratic Liaison for the Newington Historical Society & Trustee.*

*Personal travel and other commitments have made it impossible for me to attend these meetings.*

*I have submitted my resignation to John Kelly, Chairman, Democratic Town Committee, as well.*

*Respectfully,*

*Linda M. Woods*

*82 Ivy Lane*

*Newington, CT 06111*

AGENDA ITEM: VIII.A.1.

DATE: 8-9-16

RESOLUTION NO. \_\_\_\_\_

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Linda Woods from the Newington Historical Society and Trust, in accordance with a communication dated July 11, 2016.

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

VOTE: \_\_\_\_\_

AGENDA ITEM: VIII.A.2.

DATE: 8-9-16

RESOLUTION NO. \_\_\_\_\_

RESOLVED:

That the Newington Town Council hereby makes the following appointment:

**Newington Historical Society & Trust**

Name	Address	Party	Term	Replaces
			IMMED.-11/30/16	L. Woods (resigned 7/2016)

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

VOTE: \_\_\_\_\_

AGENDA ITEM: IX

DATE: 8-9-16

RESOLUTION NO. \_\_\_\_\_

RESOLVED:

That property tax refunds in the amount of \$11,816.09 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

VOTE: \_\_\_\_\_

**TAX REFUNDS – August 9, 2016**

Putnam Leasing Company I LLC 500 West Putnam Avenue Greenwich, CT 06830	\$11,816.09
<b>Total</b>	<b>\$11,816.09</b>