



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR BETH DELBUONO

NEWINGTON TOWN COUNCIL REGULAR MEETING AGENDA

**Conference Room L-101 – Town Hall
131 Cedar Street**

Tuesday, July 28, 2020, 7:00 P.M.

This meeting will be presented as a Zoom Webinar/Meeting. Information on how to attend will be posted on the website at

<https://www.newingtonct.gov/virtualmeetingschedule>

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PUBLIC PARTICIPATION – IN GENERAL (**Via Zoom Application or Phone**)
(4 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)
 - A. Public Comments
 - B. Email Correspondence
- V. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION
- VI. CONSIDERATION OF OLD BUSINESS
 - A. Health Update – COVID-19
 - B. Town Hall Project Update
 - C. Discussion – 2030 Plan of Conservation & Development (POCD)
 - D. Subcommittee of CIP Committee
- VII. NEW BUSINESS
 - A. Code of Ordinances Review – Chapter 43, Fiscal Year
 - B. Code of Ordinances Review – Chapter 361, Special Events
- VIII. RESIGNATIONS/APPOINTMENTS (**Action May Be Taken**)
- IX. TAX REFUNDS (**Action Requested**)
 - A. Approval of July 28, 2020 Refunds for an Overpayment of Taxes
- X. MINUTES OF PREVIOUS MEETINGS
 - A. July 14, 2020 Regular Meeting Minutes
- XI. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER
- XII. COUNCIL LIAISON/COMMITTEE REPORTS

- XIII. PUBLIC PARTICIPATION – IN GENERAL (**Via Zoom Application or Phone**)
(3 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)
- XIV. REMARKS BY COUNCILORS
- XV. EXECUTIVE SESSION
 - A. PENDING LITIGATION – Town Hall/ Community Center Project
- XVI. ADJOURNMENT



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: July 22, 2020
Re: Health Update – COVID-19

Keith Chapman, Town Manager, will update the Town Council on the status of the COVID-19 virus and the actions being taken within the municipality.



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: July 22, 2020
Re: Town Hall Project Update

Keith Chapman, Town Manager, will update the Town Council the status of the Town Hall Renovation Project and answer any questions that the Council may have.

Mark Schweitzer, from Colliers will also be present to discuss the status on the completion of the new Town Hall.



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: July 22, 2020
Re: Discussion – 2030 Plan of Conservation & Development (POCD)

The Draft Plan was supplied to the Town Council, on June 9, 2020, for your review and comment, as required by CGS §8-23. The Town Council may choose to hold one or more Public Hearings on the draft plan and shall endorse or reject such entire draft plan or part thereof and may submit comments and recommended changes to the TPZ Commission. The Commission may render a decision on the plan without the report of the Town Council. Any plan, section of a plan or recommendation in the plan that is not endorsed in the report of the Town Council may only be adopted by the TPZ Commission by a vote of not less than two-thirds of all the members of the Commission.

The TPZ Commission held a Public Hearing on July 22, 2020 at 7:00 PM, via the Zoom software, to receive comments by the Public. They have acted to leave the Public Hearing open until the August 12, 2020 Regular Meeting to receive additional public comment and to allow review by the Town Council. The Draft Plan may be viewed on the Town Website under the Town Planner's Department page.

This item has been included to allow for a continuing discussion on the draft plan.



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: July 22, 2020
Re: Subcommittee of the CIP Committee

Discussion by the Town Council at the July 14, 2020 Regular meeting requested the creation of a Subcommittee of the CIP Committee to review and determine the appropriate scope of the committee. A Resolution to create a subcommittee, consisting of the current Town Council members has been included for your adoption.

Attachment:

- Resolution to Establishment a Subcommittee of the CIP Committee

AGENDA ITEM: VI.D

DATE: 7/28/2020

RESOLUTION NO.: 2020-

RESOLVED:

That the Newington Town Council here by makes the following appointment(s):

CIP Subcommittee

3 Members, 3. NTC
Party Max: 2

Name	Address	Party	Term	Replaces
NTC Rep: David Nagel	1175 Willard Avenue	R	NTC Term	
NTC Rep: Michael Camillo	126 Willard Avenue	R	NTC Term	
NTC Rep: Carol Anest	30 Harding Avenue	D	NTC Term	

MOTION BY: _____

SECONDED BY: _____

VOTE: _____



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: July 22, 2020
Re: Code of Ordinances Review – Chapter 43, Fiscal Year

The Town Council is currently reviewing a proposed change to Chapter 43, Fiscal Year, to allow for motor vehicles with a total tax exceeding \$500 to be paid in two (2) installments.

The process to amend a Town Ordinance is dictated by the Newington Town Charter §C-405 & §C-406.

This item is currently only a discussion for the possible change. Should the Town Council decide to move forward, the revised language would be introduced, and a Public Hearing scheduled. Once the Public Hearing has concluded the Town Council may make any amendments based on public comments and statutory allowances, prior to adoption. If the revised ordinance is approved, it would go into effect 15 days after publication.

I have included the existing language in our current Code of Ordinances and the underlining statutory language for your review.

Attachments:

- Code of Ordinances – Chapter 43, Fiscal Year
- Connecticut General Statutes, Chapter 204, Local Levy & Collection of Taxes

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Chapter 43

Fiscal Year

[HISTORY: Adopted by the Town Council of the Town of Newington 5-22-1973; amended 7-27-1993 by Ord. No. 9193-8 (§ 2-1 of the 1974 Code). Subsequent amendments noted where applicable.]

§ 43-1 Fiscal year.

The Town hereby establishes a fiscal year of July 1 to June 30, as provided in § C-801 of the Town Charter, and becomes a complying municipality as provided in C.G.S. § 7-382.

§ 43-2 Tax payments in installments.

- A. Taxes for fiscal years shall be payable in two installments, the first half on July 1 and the second half on the following January 1. If the total tax payable on any list shall be less than \$500, the full amount of such tax shall be due and payable on July 1 in each year.

- B. Motor vehicle taxes shall be due and payable in one installment.

Chapter 204 Local Levy & Collection of Taxes

Sec. 12-142. Installments; due date. The legislative body of each municipality, upon approving any budget calling for the laying of a tax on property, shall determine whether such tax shall be due and payable in a single installment or in two semiannual installments or in four quarterly installments and shall, unless otherwise provided by law, designate the date or dates on which such installment or installments shall be due and payable, subject to the provisions of section 7-383, in any municipality in compliance with requirements concerning the uniform fiscal year under chapter 110; provided the last installment of any such tax shall be due and payable not later than forty-five days before the end of the fiscal year in which the first installment thereof is due and payable, and provided any special tax shall be due and payable in a single installment. In case of failure of the legislative body to determine when such tax shall be due and payable or whenever the date on which such tax shall be due and payable has been determined, however, (1) the preparation and mailing of rate bills for such tax is delayed until after the date such tax is due or (2) such tax is not applicable to certain property until after the date such tax is due, such tax shall be due and payable, with respect to all property or property which becomes subject to tax after the date such tax is due, whichever is applicable, not later than thirty days following the date on which rate bills for such tax are mailed or handed to persons liable therefor. Except as otherwise provided by law, the several installments of a tax due in two or four installments shall be equal, but any taxpayer may pay two or more of such installments when the first is due.

(1949 Rev., S. 1824; P.A. 83-579, S. 2, 3.)

History: P.A. 83-579 provided that in the event the legislative body fails to determine when the tax is due, or, if determined and mailing of rate bills is delayed until after the tax due date or such tax is not applicable to certain property until after the tax due date, such tax shall be due not later than 30 days following the date on which rate bills are mailed.

See Sec. 7-383 re due date of tax levy.

See 12-63a(d) re payment of taxes on mobile homes.

This date determines beginning of year during which collector may continue by certificate the lien of taxes on real property. 101 C. 389.



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: July 22, 2020
Re: Code of Ordinances Review – Chapter 361, Special Events

The Town Council is currently reviewing a proposed change to Chapter 361, Special Events. This section of the Code was enacted in 1971, and has not been updated to reflect the language contained in Connecticut General Statutes, Chapter 368s, Mass Gatherings. Most sections of Chapter 368s were updated in 2010.

The process to amend a Town Ordinance is dictated by the Newington Town Charter §C-405 & §C-406.

This item is currently only a discussion for the possible change. Should the Town Council decide to move forward, the revised language would be introduced, and a Public Hearing scheduled. Once the Public Hearing has concluded the Town Council may make any amendments based on public comments and statutory allowances, prior to adoption. If the revised ordinance is approved, it would go into effect 15 days after publication.

I have included the existing language in our current Code of Ordinances and the underlining statutory language for your review.

Attachments:

- Code of Ordinances – Chapter 361, Special Events
- Connecticut General Statutes, Chapter 368s, Mass Gatherings

Chapter 361

Special Events

[HISTORY: Adopted by the Town Council of the Town of Newington 4-27-1971 (Ch. 14 of the 1974 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Police presence at events — See Ch. 147, Art. I.

Noise — See Ch. 291.

§ 361-1 Purpose.

The regulation of special events and the supervision of such events are hereby declared necessary for the protection of the health, safety, welfare and property of the residents of the Town.

§ 361-2 Definitions.

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

SPECIAL EVENT

Any public gathering, other than the normal day-to-day operation of existing commercial enterprises, of more than 4,000 persons assembled at one time for one particular event. Any such public gathering held or sponsored by the Town, any agency thereof or the Board of Education shall not be a special event within the meaning of this chapter.

§ 361-3 Permit required.

No special event shall be held without a valid permit from the Town Manager.

§ 361-4 Application for permit.

An application for a permit required by this chapter shall be made to the Town Manager not later than 50 days before the starting date of the special event upon forms to be supplied by him for that purpose.

§ 361-5 Application form; contents.

The application for a permit hereunder shall be in such form as may be prescribed by the Town Manager and shall contain the following information:

- A. The names, addresses and dates of birth of all applicants, if a partnership, this information concerning all partners. If a corporation, club or association, this information shall be furnished on all officers.
- B. Information concerning the date of organization, laws of what state, etc., pertaining to the organization.
- C. The type of business activity.
- D. A description of the type of event to be held.
- E. The location where the event will be held.

- F. The anticipated number of persons who will be assembled at one time for the event.
- G. Complete information, including plot plan, to demonstrate adequate plans to meet local, state or other standards for:
 - (1) Parking.
 - (2) Food services.
 - (3) Drinking water.
 - (4) Sanitary facilities, including toilets.
 - (5) Lodging.
 - (6) Fire prevention and protection.
 - (7) Refuse disposal.
 - (8) Law enforcement.
 - (9) Medical facilities, including first aid, with information concerning personnel and their qualifications.

§ 361-6 Public notice of application.

Public notice of the application for a permit hereunder, by posting the same in the Town Hall, disclosing pertinent facts concerning the event, shall be made by the Town Manager within 10 days after the application is received.

§ 361-7 Investigation of applicant.

Upon receipt of an application for a permit hereunder, the Town Manager shall investigate, or cause to be investigated, the character of the applicants and the location described.

§ 361-8 Reports from other Town officers.

The Town Manager shall require a report from such persons as he may deem necessary, but shall require one from:

- A. The Chief of Police.
- B. The Director of Health of the Central Connecticut Health District.
- C. The Fire Marshal.
- D. The Building Inspector.

§ 361-9 Action on application.

The Town Manager shall neither grant nor deny the permit required by this chapter until at least 10 days after the public notice. He shall, however, either grant or deny the permit within 15 days after such public notice, based upon his satisfaction in accordance with the standards of § **361-5**.

§ 361-10 Permit fee.

The fee for the permit required by this chapter shall be \$20, which sum shall be submitted with the application for such permit.

§ 361-11 Criteria for granting or refusing permit.

The Town Manager, in granting or refusing the permit required by this chapter, shall be guided by the information and standards in §§ **361-5, 361-7, 361-8**, this section and §§ **361-12** through

361-16 of this chapter, and all valid concerns of the residents of the Town brought before him during the ten- to fifteen-day period following the public notice concerning the application.

§ 361-12 Notice of permit denial.

In case of the refusal to grant the permit required by this chapter, the Town Manager shall notify the applicant of his proposed action and the reasons therefor, by certified mail, return receipt requested.

§ 361-13 Permit conditions authorized.

A. If the Town Manager grants the permit required by this chapter, he may make it contingent upon reasonable conditions, including, but not limited to:

- (1) Parking, food services, drinking water, sanitary facilities including toilets, lodging and medical and first aid facilities and refuse disposal.
- (2) Presence on the grounds, at the expense of the applicant, of firemen and/or police officers.

B. As a condition of the issuance of a permit, the Town Manager may require that the applicant file a good and sufficient bond to protect the Town and its residents against any damage, loss or liability which might be incurred by the Town or its residents as a result of such special event.

§ 361-14 Insurance required.

No permit required by this chapter shall be granted unless the applicant shall provide liability insurance for such special event protecting the Town as an additional named insured in the amount to be determined by the Town's Risk Manager.

§ 361-15 Indemnity agreement required.

No permit required by this chapter shall be granted unless the applicant shall sign a written agreement holding the Town harmless from any liability, cost or expense whatsoever resulting from, or arising out of, the special event.

§ 361-16 Permit revocation.

The Town Manager may revoke the permit required by this chapter for due cause, including, but not limited to:

- A. False information knowingly given in the application.
- B. Any violation of this chapter subsequent to the issuance of the permit.
- C. Failure of the applicant to comply with the terms of the permit.

§ 361-17 Injunction authorized.

Any person, firm, corporation, partnership, club or association making an application for the permit required by this chapter, by making such application, consents that an immediate injunction may issue prohibiting the special event described in such application where such person, firm, corporation, partnership, club or association has violated any of the provisions of this chapter, or a permit granted hereunder, and sufficient proof of such violation has been made to a court having jurisdiction.

CHAPTER 368s MASS GATHERINGS

Table of Contents

Sec. 19a-435. (Formerly Sec. 19-549). Definitions.

Sec. 19a-436. (Formerly Sec. 19-550). License requirements. Waiver of requirements.

Sec. 19a-437. (Formerly Sec. 19-551). Information required of applicant.

Sec. 19a-438. (Formerly Sec. 19-552). Application for license.

Sec. 19a-439. (Formerly Sec. 19-553). Issuance of license.

Sec. 19a-440. (Formerly Sec. 19-554). Revocation of license for noncompliance.

Sec. 19a-441. (Formerly Sec. 19-555). Appeal from denial or revocation of license.

Sec. 19a-442. (Formerly Sec. 19-556). Injunction. Public nuisance. Fines.

Sec. 19a-443. (Formerly Sec. 19-557). Exceptions.

Sec. 19a-444. Reserved

Sec. 19a-435. (Formerly Sec. 19-549). Definitions. As used in this chapter:

(1) “Person” means any individual, partnership, corporation, limited liability company, firm, company, association, society or group;

(2) “Assembly” means a company of persons gathered together at any location at any single time for any purpose.

(1971, P.A. 696, S. 1; P.A. 95-79, S. 62, 189.)

History: Sec. 19-549 transferred to Sec. 19a-435 in 1983; P.A. 95-79 redefined “person” to include a limited liability company, effective May 31, 1995.

Sec. 19a-436. (Formerly Sec. 19-550). License requirements. Waiver of requirements. (a) Except as provided in subsection (c) of this section, no person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an assembly (1) that continues or can reasonably be expected to continue for twelve or more consecutive hours, and (2) for which the average number of persons assembled during all hours of the assembly can reasonably be expected to equal or exceed two thousand persons, whether on public or private property, unless a license to hold the assembly has first been issued by the chief elected official of the municipality in which the assembly is to gather or a designee of the chief elected official.

(b) A separate license shall be required for each day and each location in which two thousand or more people assemble or can reasonably be anticipated to assemble. The fee for each license shall be one hundred dollars.

(c) A municipality may waive the licensure process prescribed in this chapter, provided no assembly, as described in subsection (a) of this section, may gather without a license unless the person undertaking the assembly has provided: (1) Prior notification to the chief elected official of the municipality where the assembly is to gather, or a designee of the chief elected official, and (2) a letter to the chief elected official of the municipality, or a designee of the chief elected official, documenting that the requirements of section 19a-437 have been met. The person undertaking the

gathering shall provide such notice and letter to the chief elected official of the municipality, or a designee of the chief elected official, not less than twenty days prior to the date when the assembly is to gather.

(1971, P.A. 696, S. 2; P.A. 09-232, S. 5; P.A. 10-92, S. 1.)

History: Sec. 19-550 transferred to Sec. 19a-436 in 1983; P.A. 09-232 amended Subsec. (a) by substituting “two thousand” for “three thousand” re number of persons anticipated at assembly and substituting “twelve” for “eighteen” re consecutive hours of assembly and amended Subsec. (b) by substituting “two thousand” for “three thousand” re number of people assembling; P.A. 10-92 amended Subsec. (a) by transferring responsibility for issuance of license from chief of police to chief elected official or official's designee, by requiring license for assembly for which the average number of persons during all hours of the assembly can reasonably be expected to equal or exceed 2,000 persons and by deleting provision re activities that may be held in connection with assembly, replaced former Subsec. (c) re maximum permissible number of people with new Subsec. (c) re municipality's authority to waive licensure process and deleted former Subsec. (d) re unreasonable sound, effective May 26, 2010.

Sec. 19a-437. (Formerly Sec. 19-551). Information required of applicant. Before the issuance of a license in accordance with the provisions of this chapter, the applicant shall first:

(1) Determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly and provided, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of the municipality and that, for an assembly that occurs on an annual basis, the maximum number of people determined may be the average number of persons assembled each day of the assembly during the prior four years of the assembly;

(2) Provide proof that food concessions will be in operation on the grounds with sufficient capacity to accommodate the number of persons expected to be in attendance and that he will furnish before the assembly commences: (A) Potable water, meeting all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day and water for bathing at the rate of at least ten gallons per person per day; (B) separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every two hundred females and at least one toilet for every three hundred males, together with an efficient, sanitary means of disposing of waste matter deposited, which is in compliance with all state and local laws and regulations. A lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet; (C) a sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least two and one-half pounds of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task; (D) a copy of a written plan for the provision of emergency medical services, prepared by the applicant in consultation and cooperation with the primary service area responder, as defined in section 19a-

175, for the location where the assembly is to occur, that is in compliance with state law and any applicable local ordinances; (E) a parking area sufficient to provide parking space for the maximum number of people to be assembled; (F) if the assembly is to continue overnight, camping facilities in compliance with all state and local requirements, sufficient to provide camping accommodations for the maximum number of people to be assembled; (G) a copy of a written plan for on-site security and for traffic control on public roads prepared by the applicant in consultation and cooperation with the local police authority that is in compliance with state law and any applicable local ordinances; and (H) a copy of a written plan for fire protection prepared by the applicant in consultation and cooperation with the local fire department that is in compliance with state law and any applicable local ordinances.

(1971, P.A. 696, S. 3; P.A. 08-184, S. 45; P.A. 10-92, S. 2.)

History: Sec. 19-551 transferred to Sec. 19a-437 in 1983; P.A. 08-184 made technical changes and amended Subdiv. (2)(D) by substituting requirement that applicant submit a written plan reviewed by the primary service area responder re on-site availability of an emergency medical service organization during duration of assembly in lieu of former provision that required on-site availability of physicians, nurses, a medical treatment center and at least one emergency ambulance; P.A. 10-92 amended Subdiv. (1) by adding provision re determining maximum permissible number of persons for assembly that occurs on annual basis and amended Subdiv. (2) by deleting “at his own expense” re applicant's responsibilities to provide certain goods and services at assembly, replacing former Subpara. (D) with new requirements re provision of emergency medical services, deleting former Subpara. (E) re illumination requirements, redesignating existing Subpara. (F) as Subpara. (E) and eliminating requirements therein that parking be free, inside of assembly grounds and at prescribed parking space rates, deleting former Subpara. (G) re telephone connections, redesignating existing Subpara. (H) as Subpara. (F), deleting former Subparas. (I) to (L) re security guards, fire protection, sound control and bond requirements, adding new Subpara. (G) re on-site security and traffic control and adding new Subpara. (H) re submission of fire protection plan, effective May 26, 2010.

Sec. 19a-438. (Formerly Sec. 19-552). Application for license. (a) Application for a license to hold an actual or anticipated assembly of two thousand or more persons that continues or can reasonably be expected to continue for twelve or more consecutive hours shall be made, in writing, to the chief elected official of the municipality not less than twenty days prior to the date of such assembly and shall be accompanied by the license fee required by subsection (b) of section 19a-436.

(b) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant. The application shall be signed by the individual applicant, or in cases where the applicant is a partnership, corporation, limited liability company, firm, company, association, society or group, by a duly authorized representative of such entity.

(c) The application shall contain and disclose: (1) The name, age, residence and mailing address of the person signing the application in accordance with subsection (b) of this section; (2) the address and legal description of all property upon which the assembly is to be held, together with the name, residence and mailing address of the record owner or owners of all such property; (3) proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner or owners of all such property that the applicant has

permission to use such property for an assembly of two thousand or more persons; (4) the nature or purpose of the assembly; (5) the dates and total number of hours and days, as the case may be, during which the assembly is to last; (6) the maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the municipality if the assembly is to continue overnight; (7) the maximum number of tickets to be sold, if any; (8) a copy of a written plan prepared by the applicant to limit the maximum number of people permitted to assemble; (9) a copy of a written plan prepared by the applicant for the provision and existence of pure and adequate drinking water; (10) a copy of a written plan prepared by the applicant for the provision of toilet and lavatory facilities, including the source, number, location and type, and the means of disposing of waste deposited; (11) a copy of a written plan prepared by the applicant for holding, collecting and disposing of solid waste material; (12) a copy of a written plan for the provision of emergency medical services, prepared by the applicant in consultation and cooperation with the primary services area responder, as defined in section 19a-175, for the location where the assembly is to occur, that is in compliance with state law and any applicable local ordinances; (13) a copy of a written plan prepared by the applicant for parking vehicles, including size and location of lots, points of highway access and interior roads, including routes between highway access and parking lots; (14) a copy of a written plan prepared by the applicant for camping facilities, if any, including facilities available and their location; (15) a copy of a written plan for on-site security and traffic control on public roads, prepared by the applicant in consultation and cooperation with the local police authority, that is in compliance with state law and any applicable local ordinances; (16) a copy of a written plan for fire protection, prepared by the applicant in consultation and cooperation with the local fire department, that is in compliance with state law and any applicable local ordinances; and (17) a copy of a written plan prepared by the applicant that ensures compliance by concessioners with federal, state and municipal food protection laws.

(1971, P.A. 696, S. 4; P.A. 01-195, S. 147, 181; P.A. 09-232, S. 6; P.A. 10-92, S. 3.)

History: Sec. 19-552 transferred to Sec. 19a-438 in 1983; P.A. 01-195 amended Subsec. (a) to make a technical change, effective July 11, 2001; P.A. 09-232 amended Subsec. (a) by substituting “two thousand” for “three thousand” re number of persons anticipated at assembly and substituting “fifteen” for “thirty” days re deadline for application and bond, and amended Subsec. (c)(3) by substituting “two thousand” for “three thousand” re number of persons at assembly; P.A. 10-93 amended Subsec. (a) by requiring a license for assembly that continues or can reasonably be expected to continue for 12 or more consecutive hours, by requiring that license application be made to chief elected official not less than 20 days prior to date of assembly and by eliminating bond requirement, amended Subsec. (b) by replacing former application signature and affirmation provisions with provision re signature of individual or duly authorized representative of entity, and amended Subsec. (c) by conforming signature requirements to Subsec. (b) and eliminating certain submission requirements applicable to corporations in Subdiv. (1), requiring disclosure of dates of assembly in Subdiv. (5), requiring submission of written plans re maximum number of persons, drinking water, toilet and lavatory facilities, solid waste and emergency medical services in Subdivs. (8) to (12), deleting former Subdiv. (13) re plans for illumination, redesignating existing Subdiv. (14) as Subdiv. (13) and requiring submission of written plan re parking therein, deleting former Subdiv. (15) re plans for telephone service, redesignating existing Subdiv. (16) as Subdiv. (14) and requiring submission of written plan re camping facilities therein, deleting former

Subdivs. (17) to (20) re plans for security, fire protection, sound control and food concessions and adding new Subdivs. (15) to (17) requiring submission of written plans re on-site security and traffic control, fire protection and compliance with food protection laws, effective May 26, 2010.

Sec. 19a-439. (Formerly Sec. 19-553). Issuance of license. If an applicant has complied with all licensure requirements prescribed in this chapter, the chief elected official of the municipality or a designee of the chief elected official shall issue a license for such assembly not later than fifteen days after the date of receipt of the application.

(1971, P.A. 696, S. 5; P.A. 10-92, S. 4.)

History: Sec. 19-553 transferred to Sec. 19a-439 in 1983; P.A. 10-92 replaced former provision re processing of license applications with requirement that license be issued not later than 15 days after date of receipt of application where applicant has complied with all licensure requirements, effective May 26, 2010.

Sec. 19a-440. (Formerly Sec. 19-554). Revocation of license for noncompliance. The chief elected official of the municipality, or a designee of the chief elected official, may revoke a license issued under the provisions of this chapter at any time if the person holding such license fails to comply with any of the conditions (1) necessary for the issuance of the license, or (2) contained in the license.

(1971, P.A. 696, S. 6; P.A. 10-92, S. 5.)

History: Sec. 19-554 transferred to Sec. 19a-440 in 1983; P.A. 10-92 transferred authority to revoke license from the “governing body of the municipality” to the “chief elected official of the municipality, or a designee of the chief elected official” and made technical changes, effective May 26, 2010.

Sec. 19a-441. (Formerly Sec. 19-555). Appeal from denial or revocation of license. Any person aggrieved by the denial or revocation of a license under this chapter may appeal therefrom in accordance with the provisions of section 4-183, except venue for such appeal shall be in the judicial district within which the assembly was to gather. Such appeal shall be privileged.

(1971, P.A. 696, S. 7; P.A. 76-436, S. 398, 681; P.A. 77-603, S. 58, 125; P.A. 78-280, S. 1, 127.)

History: P.A. 76-436 replaced court of common pleas with superior court and added reference to judicial districts, effective July 1, 1978; P.A. 77-603 replaced previous appeal provisions with statement that appeals to be made in accordance with Sec. 4-183, but retained statement that appeals to be privileged; P.A. 78-280 deleted reference to counties; Sec. 19-555 transferred to Sec. 19a-441 in 1983.

Sec. 19a-442. (Formerly Sec. 19-556). Injunction. Public nuisance. Fines. (a) The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.

(b) The holding of an assembly in violation of any provision or condition contained in this chapter shall be deemed a public nuisance and may be abated as such.

(c) Any person who violates subsection (a) of section 19a-436 or who violates any condition upon which he is granted a license shall be fined not less than one thousand dollars or more than ten thousand dollars. Each day of violation shall be considered a separate offense.

(1971, P.A. 696, S. 8.)

History: Sec. 19-556 transferred to Sec. 19a-442 in 1983.

Sec. 19a-443. (Formerly Sec. 19-557). Exceptions. (a) This chapter shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed by more than two hundred fifty people the maximum seating capacity of the structure where the assembly is held.

(b) This chapter shall not apply to government-sponsored fairs held on regularly established fairgrounds or to assemblies required to be licensed by other provisions of the general statutes or local ordinances.

(c) This chapter shall not apply to any annual agricultural fair provided: (1) Such agricultural fair has been held annually for not less than ten consecutive years since 1990 at the same grounds; (2) such agricultural fair is held on grounds owned or leased by the person holding such agricultural fair and such grounds are specially improved and adapted for the holding of fairs; (3) the person holding such agricultural fair is a nonprofit organization organized under the laws of the state; and (4) a detailed description of the agricultural fair is hand-delivered to the chief elected official of the municipality, or a designee of the chief elected official, where the agricultural fair is to be held not less than ninety days prior to the date of commencement of such agricultural fair. The description shall include, but not be limited to: (A) The dates and hours of operation of the agricultural fair; (B) the location where the agricultural fair is to be held; (C) a copy of a written plan for the provision of emergency medical services, prepared by the applicant in consultation and cooperation with the primary services area responder, as defined in section 19a-175, for the location where the assembly is to occur, that is in compliance with state law and any applicable local ordinances; (D) a copy of a written plan for on-site security and traffic control on public roads, prepared by the applicant in consultation and cooperation with the local police authority, that is in compliance with state law and any applicable local ordinances; (E) a copy of a written plan for fire protection, prepared by the applicant in consultation and cooperation with the local fire department, that is in compliance with state law and any applicable local ordinances; (F) a copy of a written plan for traffic and transportation services; and (G) a copy of a written plan prepared by the applicant and reviewed by the local health department or district that ensures (i) the provision and existence of pure and adequate drinking water; (ii) proper sewage and solid waste disposal; and (iii) food protection measures in compliance with federal and state law and any applicable local ordinance. No provision of this subsection shall prohibit a municipality from enacting any ordinance relating to an agricultural fair as otherwise authorized by law.

(1971, P.A. 696, S. 9; P.A. 10-92, S. 6.)

History: Sec. 19-557 transferred to Sec. 19a-443 in 1983; P.A. 10-92 added Subsec. (c) re exemption for annual agricultural fairs, effective May 26, 2010.

Sec. 19a-444. Reserved for future use.

AGENDA ITEM: IX.A

DATE: 7/28/2020

RESOLUTION NO. 2020-

RESOLVED:

That property tax refunds in the amount of \$ 164.11 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: _____

AGENDA ITEM: XV.A

DATE: 7/28/2020

RESOLUTION NO. 2020-

RESOLVED,

That the Newington Town Council, in accordance with CGS §1-200(6)(B) hereby moves to go into Executive Session, and invites the Town Council members, the Mayor, Keith Chapman, Town Manager, Mark Schweitzer, Colliers Inc., and Town Attorney Benjamin Ancona to discuss Pending Litigation for the Town Hall/Community Center Project.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____