A Public Hearing was called to order by Chairman Kaupin in the Council Chamber of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Monday, September 15, 2008 at 6:55 p.m.

ROLL-CALL – Present were Councilmen Crowley, Dumont, Edgar, Kaupin, Kiner, Lee, Mangini, Nelson, Ragno. Councilmen Bosco and Jones were absent. Also present were Town Manager, Matthew Coppler; Assistant Town Manager, Daniel Vindigni; Town Clerk, Suzanne Olechnicki; Town Attorney, Kevin Deneen.

Chairman Kaupin read the notice of Public Hearing which was published in the Journal Inquirer on Saturday, September 6, 2008 as follows:

TOWN OF ENFIELD
PUBLIC NOTICE
LEGAL NOTICE

“The Enfield Town Council will hold a Public Hearing in the Enfield Town Hall, Council Chambers, 820 Enfield Street, Enfield, Connecticut on Monday, September 15, 2008 at 6:50 p.m. to allow interested citizens an opportunity to express their opinions regarding changes to Chapter 42 “Floods” of the Enfield Town Code.

Copies of the proposed changes to the ordinance are available for public inspection in the office of the Town Clerk, 820 Enfield Street, Enfield, Connecticut, Monday through Friday, 9:00 a.m. to 5:00 p.m. or at www.enfield-ct.gov.”

Chairman Kaupin announced the ground rules for the Public Hearing.

Mr. Vindigni explained these are mandated changes from FEMA, and it’s very important these changes be incorporated into the Town’s ordinance in order for the Town to continue participating in the national flood insurance program. He stated this has to be adopted by September 26, 2008 in order to continue participation in this program.

Chairman Kaupin invited comments from the public.

As no one wished to speak, Chairman Kaupin closed the Public Hearing at 6:59 p.m.
Before the Regular Meeting was called to order, the following proclamations were presented:

Worldwide Day of Play
Leukemia, Lymphoma & Myeloma
Constitution Day

The Regular Meeting of the Enfield Town Council was called to order by Chairman Kaupin in the Council Chambers of the Enfield Town Hall, 820 Enfield Street, Enfield, Connecticut on Monday, September 15, 2008. The meeting was called to order at 7:00 p.m.

PRAYER – The Prayer was given by Councilman Lee.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was said.

ROLL-CALL – Present were Councilmen, Crowley, Dumont, Edgar, Lee, Kaupin, Kiner, Mangini, Nelson, Ragno. Councilman Bosco and Jones were absent. Councilman Lee left at 10:00. Also present were Town Manager, Matthew Coppler; Assistant Town Manager, Daniel Vindigni; Town Clerk, Suzanne Olechnicki; Town Attorney, Kevin Deneen; Director of Libraries, Henry Dutcher; Director of Public Works, Pia Hawkes; Deputy Director of Public Works, Geoffrey McAlmond; Director of Finance, Lynn Nenni

FIRE EVACUATION ANNOUNCEMENT

Chairman Kaupin made the fire evacuation announcement.

MINUTES OF PRECEDING MEETINGS

MOTION #0037 by Councilman Ragno, seconded by Councilman Nelson to accept the minutes of the August 14, 2008 Special Meeting.

Upon a SHOW-OF-HANDS vote being taken, the Chair declared MOTION #0037 adopted 9-0-0.

MOTION #0038 by Councilman Dumont, seconded by Councilman Ragno to accept the minutes of the September 2, 2008 Special Meeting.

Upon a SHOW-OF-HANDS vote being taken, the Chair declared MOTION #0038 adopted 8-0-1, with Councilman Kiner abstaining.
MOTION #0039 by Councilman Ragno, seconded by Councilman Mangini to accept the minutes of the September 2, 2008 Regular Meeting.

Upon a SHOW-OF-HANDS vote being taken, the Chair declared MOTION #0039 adopted 8-0-1, with Councilman Kiner abstaining.

SPECIAL GUESTS

Registrar of Voters

Present were David Wawer and Carol Censki, Registrars of Voters.

Mr. Wawer stated the Registrars Office is asking the Council to establish a committee to review the precinct configuration for voting and come back with recommendations to the Council. He noted during the budget presentation, his office presented information on the cost of operating nine polling precincts. He pointed out Vernon has one polling precinct, and that town is the same size as Enfield.

Mr. Wawer stated during the budget process a question was raised about how many polling precincts was the Registrars Office looking at, and based on the fact that there’s four Council districts, it seemed logical and appropriate to have a polling precinct for each Council district.

Ms. Censki stated it’s becoming difficult to have enough poll workers to do the higher level jobs. She noted less polling places would eliminate a lot of costs.

Councilman Ragno questioned if they were to go forward with this, would they arrange for more voting machines at each location to cut down on long lines.

Councilman Nelson noted he would be concerned people would not vote if they had to wait too long in a line.

Councilman Ragno questioned whether the Registrars have run the numbers to see if they could accommodate that number of voters with reduced polling precincts. Ms. Censki stated they’re paying close attention to that, and she believes they can rise to any occasion.

Councilman Crowley stated his belief people need a lot of notice for changes such as this, and he believes finding the facilities for this is a key issue.

Ms. Censki stated they’re hoping to accomplish this for 2009.
Ms. Censki stated four polling places would be a lot less expensive and a lot less complicated.

Councilman Dumont agreed four voting precincts would be adequate.

Councilman Edgar stated he’s glad to hear there will be no change for the upcoming election. He went on to state he does not want to do anything that will restrict people from voting. He stated he will not be in favor of anything that will restrict a person’s right to vote.

Councilman Mangini commended the Registrar’s office for taking this initiative.

Chairman Kaupin encouraged the Registrars to work with the Town Manager’s Office to come up with a number they believe should serve on this committee. He suggested they post this on ETV to start recruiting people who might like to serve on the committee.

Ms. Censki questioned whether Council members can serve on this committee, and Chairman Kaupin noted there will be a Republican and Democrat liaison.

**Enfield Athletic Fields Committee**

Present were Chairman Dan O’Connell, Larry Tracy, Josh Hogan, Gregg Strich and Geoffrey McAlmond.

Mr. O’Connell stated the project at Enfield High School is substantially complete with the exception of some landscaping, which should be complete by the end of this month. He noted they are within budget, and they’re looking for an official opening during the Thanksgiving Day game.

He commended the Town’s groundskeepers for doing a wonderful job.

Councilman Nelson thanked all the members of this committee for their dedication and hard work throughout this whole process.

Councilman Edgar stated it was a pleasure to work with this committee, and he commended Geoff McAlmond for the reports he provided that kept everyone informed. He noted at some point they’ll need some guidance as to what needs to be done for a press box.

Mr. Tracy stated Enfield High and Fermi High now have athletic fields that are second to none, and everyone is proud of these facilities.
Councilman Crowley noted he has heard positive comments about the fields. He referred to the north side of the field at Enfield High and stated there’s not much access for emergency vehicles. Mr. McAlmond pointed out they widened that area, and that area can accommodate emergency vehicles.

Mr. O’Connell stated at Fermi High there’s a large area that was put in place with the thought there would be a future concession/storage building in that spot. He added there’s pavement in that area in the hope this will happen.

Councilman Crowley stated his understanding there’s a building at Enfield High School that could possibly accommodate a bathroom facility.

Mr. Tracy stated his belief a building should be erected at Enfield High School that would serve as a shelter during severe weather, and this would prevent people from having to run up the hill to seek shelter.

**PUBLIC COMMUNICATIONS & PETITIONS**

Donald Christmas, 25 Lincoln Street
   Spoke at length about his experience in getting custody of his children. He voiced concern about how the Division for Children and Youth Services is run. He feels DCYS is not ethical or beneficial to children or families. He stated his belief the Town of Enfield should take a stand against DCYS because he feels this organization is nothing more than organized crime.

Margaret Jedziniak, 232 Abbe Road
   Stated she is still waiting to learn how much money was raised for education through the donation box on recent tax bills.

Ms. Jedziniak stated her belief Planning & Zoning came to a good decision as concerns the old North School building. She stated her belief People for People should do something outside of Enfield since Enfield has too many services such as this. She thanked Councilman Nelson for speaking up on this issue. She referred to a similar facility on Broadbrook Road and noted they have instances of disorderly conduct at that location.

She stated her belief ETV should be used strictly for Town happenings. She feels allowing more than that could be an invitation to any and all groups to use this station in adverse ways.
She noted she doesn’t understand why people can only donate $3,800, especially people who want more money for education. She questioned why they would spend so much money on athletic fields.

Jack Sheridan, 7 Buchanan Road

Thanked Councilmen Ragno, Crowley and Nelson for speaking out against the People for People proposal. He stated his belief the people who wrote letters in support of this proposal on Town stationery should be admonished.

Mr. Sheridan stated 16,418 households in Enfield have each spent $490 on Social Services at this time.

He stated his belief ETV should be kept to only Town-sanctioned matters. He noted he did some research and learned there’s a list of taxpayer funded anti-U.S. 501C3 charities. He noted this is a fitting time to remember there are countless American-hating groups that enjoy taxpayer support by claiming to be 501C3 charities. He stated his belief the Town will be on a slippery slope if they allow ETV to be used for any other access than the Town’s use.

Tom Walsh, 6 Rosanne Street

Stated he drove through Thompsonville recently and noticed some blight problems. He questioned the status of the blight ordinance.

Referring to the North School proposal, Mr. Walsh noted he did some research about the current use of that building. He stated he could find no information about incubator businesses in that location. He questioned whether this is a breach of contract in that this person purchased this building for a dollar and did not do something with that building.

Mr. Walsh questioned the total cost for the Fletcher Road work.

COUNCILMEN COMMUNICATIONS & PETITIONS

Councilman Mangini stated she received a copy of a letter sent to the Enfield Public Library regarding the wonderful time had by a grandmother and grandchild at the library. She noted the person who wrote this letter commended library staff for their professionalism and she also praised the “Catch the Reading Bug” program.

Councilman Crowley noted a couple trees are stuck in the retaining wall in Freshwater Pond.
Councilman Crowley stated Building & Grounds did a tremendous job with the Rambler’s Football field. He requested this be the department that continues to work on that field.

Councilman Crowley questioned the possibility of the Town storing records somewhere other than the EMS building on Enfield Street so that EMS can store their ambulance inside that building.

Referring to the Thompsonville police report, Councilman Crowley noted the police answer approximately 250 calls per week in this section of town. He pointed out a lot of these calls are at the same addresses. He questioned whether something can be done about absentee landlords who do not care who the tenants are in their buildings, which causes the Town to have to send the police repeatedly to these addresses. He suggested landlords be billed for these visits. He pointed out some of these residences have over ten visits per month, and he feels this is ridiculous. He noted Town tax dollars are paying for these visits.

Councilman Crowley stated he would like to know what it would take to encourage owner occupancy in multi-family homes anywhere in Enfield. He suggested perhaps there could be a tax incentive to encourage this practice. He went on to note problems are created in Thompsonville by many absentee landlords who don’t care about their buildings.

Councilman Kiner stated he received correspondence from a constituent who was appreciative of the road work done in front of his home. He added it was also noted how courteous Town highway personnel were.

Councilman Kiner thanked Mr. Vindigni for addressing the graffiti issue on North Maple Street today.

Councilman Kiner commended the Weymouth Road fire station and everyone involved in the September 11th memorial dedication. He noted this was well done.

Councilman Kiner stated he attended the award ceremony on Saturday for World War II veterans.

Councilman Kiner stated the Council received an e-mail from Tom Arnone, the President of the Thompsonville Little League, who informed them the field lighting ceremony will be held on Friday, September 19, 2008.

Councilman Dumont announced seniors may be eligible for an IRS stimulus rebate, but they must file their 2007 income tax by October 15th. She noted the Town of Enfield has
a free tax prep service. She noted there are 700 eligible Enfield residents that have not applied for this stimulus payment. She stated people can make an appointment by calling 253-6395 on Thursdays from 9:00 a.m. to noon.

Councilman Nelson agreed with Councilman Crowley concerning his comments about absentee landlords.

Councilman Nelson stated he would like a legal opinion about where the Town stands concerning the North School. He questioned whether the owner did due diligence regarding this business incubator. He noted perhaps the Town should consider taking the building back before this person approaches the Town with another obstacle to overcome.

Councilman Nelson questioned the possibility of extending the hours of Dial-A-Ride. He noted he is aware of an individual who would like to be able to have transportation to the Senior Center, however, the Dial-A-Ride buses do not run the same hours that the Senior Center is open. He stated there was a Saturday event, and this person was unable to get to the senior center. He stated his recollection they discussed a grant with Pam Brown which might help with extended hours for Dial-A-Ride. He questioned the status of that grant, and whether that grant could possibly cover later hours and Saturday hours. He stated if not, he questioned if the Town could do a study to learn the cost of extending the hours of Dial-A-Ride.

Councilman Nelson disagreed with comments made by Mr. Christmas and stated his belief 99% of foster parents do a phenomenal job.

Councilman Nelson requested a good figure for what has been donated through the box provided on the last tax bills.

As concerns citizens voting on the budget, Councilman Nelson stated his belief it’s up to the people to take the action since there isn’t support on the Council’s part to take that action. He noted he supports this, however, he is only one of ten.

**MOTION #0040** by Councilman Nelson, seconded by Councilman Mangini to suspend the rules to move to Miscellaneous Items for Discussion - A1 and A2, C1 and C2, D, E, F, G, H and I.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #0040** adopted 9-0-0.

As concerns providing transportation other than Dial-A-Ride, Councilman Dumont referred to the Independent Transportation Network that they are really trying to get off
the ground. She noted this will take people anywhere they want 24/7. She stated they need volunteer drivers.

Chairman Kaupin congratulated Brian Ellis and Dave Ragion for spearheading the 9/11 memorial effort. He also commended the Riley School of Dance who has been commemorating 9/11 since it happened by laying a wreath at the fire station, plus they’ve been donating funds every year which helped with start-up money to actually build the memorial.

Chairman Kaupin stated he and Councilman Ragno were at Asnuntuck College when the Little League attempted to have their field ceremony, however, it was postponed due to rain. He noted it’s good to hear the Petronella family will get the recognition for the work they did to make this a reality.

Chairman Kaupin stated there will be another World War II veterans ceremony on Saturday, October 4th at Enfield High School at 1:00 p.m.

Chairman Kaupin stated this past Saturday, the Mt. Carmel Women’s Auxiliary held a recognition dinner for Joe Ravelese of the Country Diner. He noted Mr. Ravelese was presented with a humanitarian award, and he was surprised and honored to learn that Saturday, September 13th was named “Joe Ravelese Day in the Town of Enfield”.

Chairman Kaupin stated on Tuesday, September 16th at 5:30 p.m., there will be a presentation about the transit center in the Council Chambers, which will be followed by the first public information session on the Performance Contracting referendum in November. He noted this meeting will start at 7:00 p.m.

Chairman Kaupin stated this Saturday, the Enfield Athletic Hall of Fame will be holding their annual banquet to induct the new honorees. He noted this will be held at the Crowne Plaza and tickets are still available.

**TOWN ATTORNEY REPORT AND COMMUNICATIONS**

Attorney Deneen stated last Wednesday, there was an FOI training session for various boards and commissions, and that went very well.

He commended Mark Cerrato for his work on the Flood Plain Ordinance.

**TOWN MANAGER REPORT AND COMMUNICATIONS**

Mr. Coppler stated an e-mail went out earlier today to members of the committee who were appointed to select the consultant for the Plan of Conservation and Development.
He noted two weeks ago they interviewed four consultants after an RFQ selection process. He stated they received 12 or 13 applicants. He noted the firm selected was Peter J. Smith out of Buffalo, New York. He pointed out this firm recently did a similar plan for Cromwell, and the Town received a very good reference and recommendation from Cromwell. He stated he will begin reviewing the scope of services with the Planning Director.

Mr. Coppler stated ETV will list the dates of informational meetings, as well as information about the referendum.

He stated the most recent Thompsonville police report is before the Council. He noted as soon as he gets these reports, he will forward them to the Council via e-mail, and the Council will also get a hard copy of that report in their Friday packets.

As concerns the donation check box on the tax bill, Mr. Coppler stated the Council will be getting a complete update in their Friday packets. He stated that figure is $5,561.29. He noted donations ranged from 99 cents to $500.

Mr. Dutcher then updated the Council concerning the audio equipment for the Council Chambers and the proper use of that equipment. He noted this equipment is inadequate, however, they spent a lot of time working on it, and it’s at the best level possible. He stated they do have a $30,000 grant application into DPUC, and they hope to have the finances to strip out the old audio system and replace it.

Councilman Crowley questioned whether the library is filming any of their programs. Mr. Dutcher stated they are currently filming all of the “Meet the Author” programs. He noted they just got a grant from Target today for $1,500, and they will put together a series on Emerging Literacy and that will be on ETV.

Mr. Coppler stated the Development Services Department is looking at the condo ownership concept raised by Councilman Crowley. He noted there are some issues they have to work through to be able to get that to happen within the zoning and building codes.

Councilman Crowley stated his understanding there was a program that provided an incentive for police officers to buy a home in Thompsonville. Councilman Lee stated that was a program that was backed by CHFA. He noted Enfield was one of the few communities that endorsed this program when it was first created. He noted he will get more information concerning this.
Mr. Coppler invited Mr. Hawkes to come forward to speak about the leaf collection program.

Mr. Hawkes listed the recommendations from the subcommittee:

- Supply kraft bags at the Public Works facility and senior center
- Process composting at the transfer station (in the process of hiring a consultant to do the permit process)
- Rental of roll-offs
- More advertisement of the leaf collection program
- Use of prisoners (D.O.C. will allow the use of four prisoners)
- Utilize staff overtime
- Keep track of costs
- Provide a list of contractors
- Provide an on-line survey of what people expect

Councilman Nelson questioned who contractors should contact to get their name on this list. Mr. Hawkes responded Bill Sferrazza. Councilman Nelson suggested this be put on the website and ETV.

Councilman Ragno stated his belief this is moving in the right direction. He noted it’s important they track their results this year. He went on to note he would like staff to consider other cost-saving initiatives as they go into the program.

Chairman Kaupin requested Mr. Hawkes put this in writing.

Mr. Coppler stated the Council has within their packets the updates on Roads 2005 and the athletic fields.

Chairman Kaupin requested an update on Longhollow Road. Mr. Hawkes stated they still have nine outstanding residents who have not signed off.

Chairman Kaupin questioned whether the Town Attorney’s office followed up with those nine residents, and Mr. Hawkes responded yes, a second letter was sent out. Mr. Coppler stated they have checks waiting to go.

REPORT OF SPECIAL COMMITTEES OF THE COUNCIL

Councilman Mangini stated the NLC is working on the broken tax structure, not just in Connecticut, but throughout the country. She noted another topic covered was GASB, and they’re looking for more control at the municipal level. She stated GASB is looking at ways to make it less costly and more efficient for local government to comply.
Councilman Mangini stated the FAIR Committee came up with a couple interesting resolutions supporting federal tax reform. She stated they’re also looking to bring forward supporting state and local government authority over tax incentives in development.

OLD BUSINESS

APPOINTMENTS (TOWN COUNCIL & TOWN MANAGER)

All appointments remained tabled.

Items C., D., E. and F. remained tabled.

NEW BUSINESS

Item D. remained on the agenda.

DISCUSSION/RESOLUTION: E-TV REVISED OPERATING POLICY

Councilman Lee suggested this be delayed another two weeks until they have more information.

Councilman Mangini reminded people Channel 15 is also available.

Councilman Kiner questioned if the slides for E-TV will continue to be at the discretion of Mr. Dutcher. Mr. Coppler stated Mr. Dutcher forwards those to him and the Town Attorney for review.

ITEMS FOR DISCUSSION

DISCUSSION RE: TOWN PARKING LOT ON PEARL AND ASNUNTUCK STREETS

Mr. Coppler stated the Town has been approached by the Thompsonville Fire Department to discuss the possibility of utilizing the parking lot on the corner of Pearl and Asnuntuck Street as part of their search for a location for their new fire department.

Councilman Crowley stated he has no objection providing they get permission from the voters to build a firehouse.

Councilman Lee stated his belief they would want to see some design work.
Councilman Crowley stated residents are concerned about losing that parking area, and they would like to see a plan.

Discussion followed about whether the old firehouse should be demolished to make way for a parking area.

Councilman Edgar stated businesses need at least part of that parking lot for their business. He noted this fire department already has designated parking spaces for the members of that firehouse. He stated surrounding businesses need that parking lot, and he is not in favor of this.

Councilman Nelson raised the possibility of restoring the old firehouse.

Councilman Ragno stated he would like to see more thought go into this. He suggested perhaps the new consultant for the Master Plan of Conservation and Development may have some suggestions. He noted he would like them to look outside the box and determine what makes viable sense in this area.

Chairman Kaupin noted he spoke with Mary Lavornia, who owns Caronna’s Package Store, and they talked about the parking lot. She stated if Caronnas could have ten close by parking spaces for their business, that would be great.

**ENFIELD DOG PARK BUSINESS PLAN**

Mr. Vindigni stated a revised business plan was submitted by the Enfield Dog Park Action Committee (DPAC). He noted if the Council wishes to enter into a form of lease agreement, DPAC must achieve 501C3 legal status, and they must have 75% of the required start-up funding on hand.

Present for this discussion were the following members of DPAC:

Robert Stefanik, President – 12 Montclair Drive, Enfield
Karen Pugliese, Vice President – 6 Burnham Street, Enfield
James Copeland, Treasurer – 16 Eleanor Road, Enfield

Mr. Stefanik read the mission statement of DPAC.

He stated the Committee is requesting two acres of land on Town Farm Road across from the transfer station. He noted this area would be an ideal location for a dog park. He proceeded to read a very detailed and lengthy description and business plan for the dog park. *(Copy appended)*
Mr. Vindigni stated the Council should have received a petition in last week’s information packet.

Councilman Mangini commended the Committee for doing such a wonderful job. She questioned where donations can be made. Mr. Stefanik responded people can go to their website at www.enfielddogpark.com if they wish to make a donation.

Councilman Mangini questioned the possibility of charging a fee to use this dog park, and Mr. Stefanik stated people own dogs from all different socio-economic backgrounds, and he does not feel it would be right to charge a fee.

Councilman Dumont commended the committee for this very concise and detailed business plan. She acknowledged some recommendations came forward after the business plan was developed. She questioned if those recommendations can still be considered. She noted the Risk Manager suggested possibly installing the fence in such a way as to prevent dogs from going under the fence or digging under the fence. Ms. Pugliese stated it’s almost standard operating procedure to install fencing in dog parks with this in mind.

Councilman Dumont stated there was another recommendation from the Recreation Department as concerns a cutoff weight of 50 pounds for dogs, and the Recreation Supervisor recommends 25 to 30 pounds. Mr. Stefanik stated he will check with other dog parks concerning weight limitations.

Councilman Dumont commended the Committee for addressing all the concerns of the Animal Control Officer in a very factual and precise way.

Councilman Dumont noted the Health Department raised the question of whether portable toilets will be provided for dog owners and perhaps that is something that should be looked into further. Mr. Stefanik stated his belief it might not be necessary to provide portable toilets. He noted he has seen dog parks that do and don’t supply them.

Councilman Ragno stated this is a good business plan. He raised the question of liability and how that effects the Town if the Town removes snow and picks up trash under a lease agreement. Mr. Vindigni stated when the Town leases land, the Town may have some maintenance responsibility and the Town could be held accountable. He stated in this situation, the Town would have to do a reasonable job of removing the snow within a reasonable amount of time. He pointed out the Building & Grounds Department does this all the time with all the Town parks, but they are not a high priority to do. He stated they do the streets and municipal parking lots first. As concerns waste removal, he noted that’s an on-going routine operation.
Chairman Kaupin questioned if that’s tacit approval of the Town and does that open up the Town for liability. Mr. Coppler indicated he’d get a report back from the Town Attorney concerning this.

Councilman Ragno questioned whether members of the Dog Park Committee will patrol this park, and Mr. Stefanik responded yes, and they do have a large enough committee to do this.

Councilman Crowley questioned if this will have any impact on the winter sledding, and Mr. Vindigni described the location of the dog park.

Councilman Nelson requested a list of current dog parks in Connecticut and who owns the land. Mr. Stefanik stated all dog parks in Connecticut are on town-owned land, and they’re maintained by the Public Works Department regarding snow removal and waste removal. Ms. Pugliese added they’re also all under the towns’ liability policy.

Councilman Nelson stated he appreciates what this committee is doing, however, he is concerned the Town will get sued. He noted he’d prefer the Town sell that land, rather than being sued. Ms. Pugliese stated to date, there have been no lawsuits in any towns.

Councilman Edgar stated he has a problem with Town services. He noted he is also aware of a non-profit group that wanted a couple tipper barrels, but they were refused because the Public Works Department told them that they were not taking on any more pick-ups. He noted he will be voting no on this item.

Mr. Stefanik stated he was at that meeting, and they actually weren’t suppose to be receiving tipper barrel service. He noted this is a community park, and it’s for everyone’s use. He pointed out a lot of residents do support this. He stated this is providing something extra for residents in Enfield who do have dogs. He noted people who do own dogs do pay an additional tax in the form of a licensing fee to the Town.

Ms. Pugliese stated her understanding the Town is already plowing the parking area where the dog park will be located, therefore, snowplowing wouldn’t be an additional service, but rather it’s something already being done.

Councilman Crowley questioned if dogs have to have a current dog license, and Mr. Stefanik responded yes.

Councilman Nelson questioned what happens if someone shows up with a cat on a leash. Mr. Stefanik stated this is a dog park, and a cat would not be allowed.
Councilman Dumont stated her understanding the Town already picks up trash at all Town owned parks, and Mr. Vindigni responded that’s correct.

Councilman Dumont stated her understanding dog waste will be put in plastic bags before they’re put into the trash barrel.

Chairman Kaupin questioned if the Committee plans to review this business plan and incorporate suggestions so they can update the plan, and Mr. Stefanik responded yes.

Chairman Kaupin encouraged this be reviewed with the committee and that the committee get the revised document to the Council as soon as possible.

Chairman Kaupin stated he likes what this group has done, and he looks at this as another recreational opportunity in town. He noted he has no problem with the Town picking up a tipper barrel or plowing this parking lot.

Chairman Kaupin stated a question from the Council was is there a difference in liability to the Town if the Enfield Dog Park Action Committee leases the land from the Town or buys the land from the Town. He noted the Risk Manager stated leasing the land would require the Town of Enfield to make sure that liability insurance, as well as the hold harmless and declaration clauses are in the lease in favor of the Town. He noted if they were to purchase the property, then there would be no doubt as to who held the liability.

Chairman Kaupin stated he would like an official recommendation from the Town to say what the best option is from a liability, safety and control standpoint.

Councilman Mangini noted this group is looking to lease, not purchase this land. She questioned if this is going to cause a delay. Chairman Kaupin noted this could be a purchase for a dollar.

Mr. Vindigni stated his understanding the Council is looking for the following information:

- What is the Town’s liability regarding snow removal and trash pick up?
- From a liability perspective for the Town, which is the better of the two options (lease/sell)?

**DISCUSSION RE: SCITICO STREET CLOSING**

Mr. Coppler stated previously the Council requested an 8-24 to be reviewed by the Planning Commission on the possibility of creating a one-way entrance from Hazard Avenue into Scitico Street. He noted the Council has within their packets the minutes
from that discussion. He stated the Planning Commission did grant an 8-24 for this proposed plan. He noted the Council’s packet also includes a cost summary to undertake this project, as well as a before and after illustration.

Mr. Hawkes presented the illustration to show the area under discussion. He noted the approximate cost is $50,000.

Mr. Coppler stated there was the suggestion of simply placing a sign saying “one way-do not enter”. He noted that is being looked into. He went on to note that Mr. Hawkes has been in contact with the State DOT regarding the signalization. Mr. Hawkes stated DOT plans on re-doing/re-phasing the lighting in this location in the fall. He noted they’re willing to phase that light according to any plans the Town has in that area.

Councilman Mangini indicated she’d like more investigation into signage rather than spending a lot of money.

Mr. Coppler stated this concept was first proposed as part of the corridor study.

Councilman Ragno voiced his concern about the large track of developable land being disturbed to accomplish this project. He agreed they should look into signage. He went on to question whether the corridor proposal involved the taking of any land. Mr. Coppler stated he didn’t recall whether there were any proposed takings. Councilman Ragno stated his belief this project would have an adverse impact in this area.

Mr. Coppler stated his belief one-way signage may possibly create an unsafe situation, and he believes Traffic Safety will recommend not doing this. He added his belief it would be safer to leave things as they are, rather than having one-way signage.

Councilman Crowley questioned why this is being done, and Mr. Coppler stated residents came forward and petitioned for this.

Councilman Crowley stated he is having a difficult time with this, and he would like a good reason to do this.

Councilman Edgar stated he’s worried about the impact this project will have on the business in that area.

Chairman Kaupin stated he has been contacted by residents in that neighborhood. He went on to note he also understands the potential for development on Hazard Avenue. He noted he’d like to see the information on a one-way design and a traffic count. He suggested this item remain on the agenda.
DISCUSSION RE: MEDIAN CUT THROUGH ON PHOENIX AVENUE

Mr. Coppler stated he was contacted some time ago by the vice president of Control Module who had some concerns about visitors to their facility having to do a u-turn at the light and coming back to access his property. He noted at that point in time, the vice president requested the Town take a look at a concept that was proposed in the late 1980’s or early 1990’s when the facility was going to the Planning Commission for development. He noted Traffic Safety, DPW and Planning looked at this and they came back with a scenario whereby they’d be able to put a cut-through in the median aligned with their driveway so vehicles could make that turn. He noted they had a meeting with this company last week, and they asked this be brought before the Council so they could move forward.

As concerns the funding of this median cut, Mr. Coppler noted Control Module expects the Town to pay for the cut-through. He noted Traffic Safety looked at this and didn’t see any site line issues or safety issues with this cut, however, it was commented that the driveway entrance may need to be redesigned. He stated there is money within the Industrial Park Fund, and this type of work is what that money was originally intended for and currently there’s a balance of $437,814 within that fund. He noted that does not include $50,000, which they will be transferring out for site development, therefore, the balance would be about $380,000.

Mr. Coppler stated as concerns the question as to why this work wasn’t accomplished when that building was first built, he noted the cut through was not part of the first building that’s now in existence. He explained there was a plan that was brought to the Planning Commission to have three buildings built on the property owned by Control Module, and it was after the construction and before a certificate of occupancy would be issued for the second one that the cut-through would be built. He stated within the correspondence from that time, he would draw the conclusion that the responsibility for that cut-through would be through the developer-Control Module. He noted they were unable to find anything that definitively said the Town or Control Module would pay for this. He explained the correspondence was worded that it would be a condition of the certificate of occupancy should the second building be built, which leads him to believe it was going to be the developer’s responsibility to do the cut-through. He noted generally infrastructure improvements are part of site development, and it usually does fall upon the developer to make those improvements.

Councilman Nelson questioned who paid for the cut through for the new hotel, and Mr. Coppler stated his belief it was the hotel’s responsibility.

Councilman Nelson stated his biggest concern is that Control Module approached the Town about doing something with the truck stop, and they never mentioned the cut
through, and the Town denied it because it wasn’t believed to be a good idea. He stated
the deal was they’d put the cut-through in when they built the second building. He stated
he does not support this at all.

Mr. Coppler stated there will be future discussion regarding some of Control Module’s
development plans, however, they’re not prepared to start talking about those plans at this
meeting.

Councilman Ragno questioned if the Town has done cut-throughs in the past for unsafe
situations such as this. Mr. Coppler stated in the two years he has been in Enfield, he
cannot recall anything like this that the Town would have done in terms of cut-throughs
in medians. He stated perhaps in the past they had to do certain infrastructure
improvements, however, he cannot say for certain the Town has done this.

Mr. Coppler stated Control Module is talking about the potential for an expansion of jobs,
and they were very positive about their future and growing their business at that location.

Chairman Kaupin stated his belief they should be looking at the whole plan to determine
where the best cut-through should be made. He stated his belief the best cut-through
would be on the south side of Control Module since there’s already a cut-through on the
edge of their property on the north side. Mr. Coppler stated in his discussion with
Control Module, they’re only dealing with the existing facility and not talking about
developing anything to the north.

Chairman Kaupin stated he would like to learn what Control Module’s long term plans
are before making a decision.

**MISCELLANEOUS**

**MOTION #0041** by Councilman Ragno, seconded by Councilman Nelson to accept the
Consent Agenda. Transfer of Funds $10,000 Assessors Office Temp/Seasonal Help
Transfer of Funds $7,100 Bond Services

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #0041**
adopted 8-0-0.

**MOTION #0042** by Councilman Ragno, seconded by Councilman Crowley to accept the
Town Manager’s recommendation to appoint Jo-Marie Nelson (R) as a regular member
on the Inland Wetlands and Watercourses Agency for a term which expires 6/30/09.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #0042**
adopted 8-0-0.
MOTION #0043 by Councilman Ragno, seconded by Councilman Nelson to appoint David Wawer (R) as an Alternate on the Inland Wetlands and Watercourses Agency for a term which expires 6/30/09.

Upon a SHOW-OF-HANDS vote being taken, the Chair declared MOTION #0043 adopted 8-0-0.

RESOLUTION #0044 by Councilman Nelson, seconded by Councilman Dumont.

RESOLVED, that in accordance with Chapter VII, Section II of the Town Charter the Enfield Town Council does hereby amend the classification plan to include the following new positions to the Town budget for FY09 and the accompanying job description:

Superintendent of Building and Grounds (GR 11) to replace one (1) current position of Building and Grounds Supervisor. (GR 10).

Upon a ROLL-CALL vote being taken, the Chair declared RESOLUTION #0044 adopted 8-0-0.

RESOLUTION #0045 by Councilman Nelson, seconded by Councilman Mangini.

RESOLVED, that in accordance with Chapter VII, Section II of the Town Charter the Enfield Town Council does hereby amend the classification plan to include the following new positions in the Town budget for FY09:

    Add (1) Network Manager $71,027
    Add (1) Project Manager $64,000
    Delete (1) Network Administrator $64,122
    Delete (1) GIS Project Manager $57,800
    Delete (1) Database Analyst $55,232

Upon a ROLL-CALL vote being taken, the Chair declared RESOLUTION #0045 adopted 8-0-0

RESOLUTION #0046 by Councilman Nelson, seconded by Councilman Mangini.

RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made:
TO: 2200 EMS
Other Supplies/Materials 0252-01-0020-2200-00000-0619 $8,500
Gasoline 0252-01-0020-2200-00000-0626 $3,961

FROM: 2200 EMS
Part Time Salary 0252-01-0020-2200-00000-0120 $12,461

CERTIFICATION

I hereby certify that the above-stated funds are available as of September 5, 2008.

/s/ Kimberly Doherty-Marcotte, Deputy Director of Finance/Treasurer

Upon a ROLL-CALL vote being taken, the Chair declared RESOLUTION #0046 adopted 8-0-0.

RESOLUTION #0047 by Councilman Nelson, seconded by Councilman Ragno.

RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made:

TO: 1800 Finance
Full Time Salary 0100-01-0017-1800-00000-0110 $24,040
Medical/Dental Ins. 0100-01-0017-1800-00000-0210 $8,122
FICA Tax 0100-01-0017-1800-00000-0220 $291
Medicare Tax 0100-01-0017-1800-00000-0221 $514
Full Time Salary 0100-01-0017-1820-00000-0110 $8,421
FICA Tax 0100-01-0017-1820-00000-0220 $113
Medicare Tax 0100-01-0017-1820-00000-0221 $26

FROM: 1830 Assessor
Full Time Salary 0100-01-0017-1830-00000-0110 $32,461
Medical/Dental Ins. 0100-01-0017-1820-00000-0210 $8,122
Medical/Dental Ins. 0100-01-0017-1810-00000-0210 $944

CERTIFICATION:  I hereby certify that the above-stated funds are available as of September 5, 2008.

/s/ Kimberly Doherty-Marcotte, Deputy Director of Finance/Treasurer
Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #0047** adopted 8-0-0.

**RESOLUTION #0048** by Councilman Ragno, seconded by Councilman Mangini.

RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made:

TO: 8020 Employee Benefits

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Stipends</td>
<td>0100-01-0080-8020-0000-0160</td>
<td>$8,990</td>
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<tr>
<td>Medical/Dental Ins.</td>
<td>0100-01-0080-8020-0000-0210</td>
<td>$64,681</td>
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<tr>
<td>Life Insurance</td>
<td>0100-01-0080-8020-0000-0215</td>
<td>$9,257</td>
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</table>

FROM: 8030 Miscellaneous Charges & Transfers

<table>
<thead>
<tr>
<th>Description</th>
<th>Code</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Fund Transfers</td>
<td>0100-01-0080-8030-0000-0930-07</td>
<td>$82,928</td>
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</table>

**CERTIFICATION:** I hereby certify that the above-stated funds are available as of September 5, 2008.

/s/ Kimberly Doherty-Marcotte, Deputy Director of Finance/Treasurer

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #0048** adopted 8-0-0.

**RESOLUTION #0049** by Councilman Nelson, seconded by Councilman Ragno.

WHEREAS, the Federal Emergency Management Agency and the State of Connecticut Department of Environmental Protection require that the Town’s Flood Damage prevention Ordinance be amended; and

WHEREAS, a Public Hearing has been held in accordance with Charter requirements on September 15, 2008; and

WHEREAS, it has been determined this is in the best interest of the Town of Enfield to make the requested amendments to the Flood Damage prevention ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Enfield Town Council does hereby adopt the amended Flood Damage prevention ordinance heretofore attached as “Attachment A”
BE IT FURTHER RESOLVED, that the effective date of the amended ordinance shall be September 26, 2008.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #0049** adopted 8-0-0.

**PUBLIC COMMUNICATIONS**

There were no comments.

**COUNCILMEN COMMUNICATIONS**

There were no comments.

**ADJOURNMENT**

**MOTION #0050** by Councilman Crowley, seconded by Councilman Nelson to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #0050** adopted 8-0-0, and the meeting stood adjourned at 11:05 p.m.
Business Plan for Enfield Dog Park
Enfield Dog Park Action Committee
August 2008

Mission Statement:
The Enfield Dog Park was created for dog owners to promote and foster healthy canines. Its mission is to provide a safe haven where canines can enjoy the outdoors off-leash to socialize and exercise with other canines under the supervision of their owners and to cultivate lifelong animal friendships.

The Enfield Dog Park Action Committee (EDPAC) is committed to enhancing the quality of the community through responsible pet care, ownership and charitable giving. Its establishment provides a recreational area where dogs and people can interact in a clean, safe and pleasant environment.

Establishment of Enfield Dog Park:
The EDPAC recommends the Town of Enfield (Town) provide through a lease arrangement two (2) acres of land on Town Farm Road across from the Enfield Transfer Station. We propose the following as site improvements and initial steps to establish the Enfield Dog Park:

EDPAC will submit to the Enfield Planning Department the required application and documents for site plan review and approval. The EDPAC understands that approvals may be needed from multiple agencies including the Planning & Zoning Commission, the Enfield Town Council and/or town staff.

- Clearing the site area through the use of RAH Construction and EDPAC volunteers.
  - All trees removed will be used to create wood chips to be used in the park
    - Use old Christmas trees for wood chips at the park in future years
- Install a 6’ tall chain link fence around the perimeter of 1.5 acres
  - All gates will be spring loaded upon entry and exit
  - Initial entryway into the park sectioned off for leash removal
  - Separate sections with 6’ tall chain link fence and spring loaded gates for:
    - Dogs less than 50 pounds
    - Dogs greater than 50 pounds
• Install a parking lot as required by the site plan approval process with the Town.
• Install a large sign listing the rules of the Enfield Dog Park. The proposed rules are as follows:
  1. Hours: 7:00 AM to sunset
  2. All dogs must wear a current town issued dog license and rabies vaccination tag.
  3. Dogs must be leashed when entering and exiting the Dog Park.
     *While outside fenced area please abide by Enfield’s leash laws*
  4. For the safety of your dog(s) and other park visitors choke, prong (pinch) and spiked collars are strictly prohibited. If you use these types on collars remove them prior to entering the Dog Park.
  5. Limit of 3 dogs per owner at one time.
  6. No children under the age of 12 are permitted in the Dog Park.
  7. Aggressive dogs are not permitted in the Dog Park. Dogs must be removed from the park at the first sign of aggression.
  8. Female dogs in heat are prohibited from entering the Dog Park.
  9. Dog owners must be in the Dog Park and monitoring their dogs at all times. Dogs must be under their owner’s voice control at all times.
 10. No food or drink of any kind allowed in the Dog Park.
 11. No smoking or alcoholic beverages allowed.
 13. Owners must clean up their dog feces and dispose in designated receptacles.
 14. Fill any holes your dog digs.
 15. Failure to abide by the Dog Park rules may result in loss of privileges.
 16. Users of the Dog Park enter at their own risk. The EDPAC and the Town of Enfield are not liable for any damage caused to any person or property.

• EDPAC will offer an informational session on dog behavior and proper conduct at the park.
  o Inform patrons of the rules
  o Dog Park etiquette classes
  o Post the official rules on [www.enfielddogpark.com](http://www.enfielddogpark.com).

• EDPAC will provide the following for use by patrons:
  o Tipper barrels for waste removal
  o Dogipot waste receptacles and bags
  o Benches
  o Picnic tables
  o Running water from service or well is future initiative

• EDPAC has secured an Employer Identification Number (EIN) from the Federal Government. The EIN is 80-0164697. EDPAC has submitted the required paperwork to the Connecticut Secretary of State to obtain a
Business ID Number classifying EDPAC as a domestic / non-stock corporation. Once this number is received, EDPAC will submit to the Federal Government the required documentation to become a legal non-profit organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

**Liability Insurance of Enfield Dog Park:**
EDPAC will provide the appropriate liability insurance with the Town named as an additional insured. The amount of coverage is to be determined by the Town Attorney and the Risk Manager. Proof of coverage will be submitted to the Town on an annual basis.

**Funding for Establishment of Enfield Dog Park:**
The establishment of the Enfield Dog Park will be funded fully through donations from residents, non-residents and local businesses at no cost to taxpayers. EDPAC anticipates raising the necessary funds by Spring ’09. We anticipate closing fiscal year ’08 out at around $10,000. The estimated budget includes:

<table>
<thead>
<tr>
<th>Enfield Dog Park Action Committee</th>
<th>Initial Start Up Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item</td>
<td>Quantity</td>
</tr>
<tr>
<td>Bench</td>
<td>5.00</td>
</tr>
<tr>
<td>Dogipot</td>
<td>6.00</td>
</tr>
<tr>
<td>Picnic Table</td>
<td>3.00</td>
</tr>
<tr>
<td>Fencing</td>
<td>1.00</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>1.00</td>
</tr>
<tr>
<td>Rules Sign</td>
<td>1.00</td>
</tr>
<tr>
<td>Tipper Barrels</td>
<td>2.00</td>
</tr>
<tr>
<td>Liability Coverage</td>
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<tr>
<td>Mess Bags – 1 Year</td>
<td>1.00</td>
</tr>
<tr>
<td>501c3 filing</td>
<td>1.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
</tr>
</tbody>
</table>

Funds have and will be raised through a variety of means including but not limited to:
- Direct appeals to corporations and businesses in town
- Dog biscuit bake sale
- T shirt sales
- Informational tables at various stores and events in Enfield with flyers and a donation bucket
- A Dog Walk to raise money through pledges
- Raffle
- Donation cans at various stores or venues (“Throw us a bone” campaign)
• Engraved bricks (for the dog park)
• Dog costume show

**Operation of Enfield Dog Park:**
EDPAC will be responsible for all supervision and operating expenses of the dog park. During the opening weekend of the dog park, EDPAC members will be present during all hours of operation to review and enforce the rules of the park and inspect all dogs for license and rabies tags. During the first month of operation these reviews and inspections will be conducted daily at random times. After the first month of operation, random spot checks will be conducted a minimum of three (3) times a week with one (1) day being a weekend day. On an ongoing basis, members of EDPAC will patrol the dog park a minimum of one (1) hour per weekday and three (3) hours per weekend. The Enfield Dog Park will be open year round.

EDPAC will remove and/or deny entry to any person or dogs that do not follow the rules of the Enfield Dog Park.

EDPAC will be responsible for all clean up and maintenance at the park. EDPAC requests that the Department of Public Works be responsible for waste and snow removal during their normal schedule of operations. EDPAC will place two (2) tipper barrels outside of the fence to allow for easy disposal.

Through our research, EDPAC has found that police activity at dog parks is minimal. The Wethersfield Police Department estimates that they are called less than one (1) time per month to their dog park.

**Funding for Annual Operation of Enfield Dog Park:**
The annual operation of the Enfield Dog Park will be funded through donations from residents, non-residents and local businesses; with minimal support from the Town’s Public Works Department. The estimated budget includes:
Enfield Dog Park Action Committee
Annual Ongoing Estimates of Revenue and Expenses

Revenues:
Puppy Pride Fun Day 3,000.00
Annual Spaghetti Supper 500.00
4th of July 100.00
Fall Dog Walk 500.00
Misc. Donations 1,500.00
Misc. Fundraisers 1,000.00
Total Revenues 6,600.00

Expenses
Liability Coverage 1,000.00
Trash Bags 500.00
Dog Mess Bags 1,500.00
Mulch 1,000.00 if not donated
Total Expenses 4,000.00

Net Income 2,600.00

Fundraising efforts will continue to keep funds coming in to the Dog Park for site maintenance and charitable contributions. These include those fundraisers listed above in Establishment Funding plus the following:

- Direct appeal to people using the Dog Park
- An appeal to all licensed dog owners through the assistance of the Town Clerk’s Office
- Various events and classes held at the Dog Park such as dog shows, obedience training, agility training, health and fitness, etc.
ENFIELD TOWN COUNCIL
REQUEST FOR TRANSFER OF FUNDS

RESOLUTION NO. ________

RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made.

TO:  1830 Assessor

Salaries Temporary/Seasonal 0100-01-0017-1830-00000-0130 $ 10,000.00

FROM: 1830 Assessor

Salaries Full Time 0100-01-0017-1830-00000-0110 $ 10,000.00

CERTIFICATION:  I hereby certify that the above stated funds are available as of September 2, 2008.

Kimberly Doherty-Marcotte, Deputy Director of Finance/Treasurer

APPROVED BY: _________________________________ Town Manager
Date:______
ENFIELD TOWN COUNCIL
REQUEST FOR TRANSFER OF FUNDS

RESOLUTION NO. ________

RESOLVED, that in accordance with Chapter VI, Section 8(f) of the Town Charter, the following transfer is hereby made.

TO:

100-01-80-8500-5100-331-00 Financial Services $ 7,100

FROM:

100-01-80-8500-5100-910-00 Redemption of Principal $ 7,100

CERTIFICATION: I hereby certify that the above-stated funds are available as of September 5, 2008.

Kimberly Doherty-Marcotte, Deputy Director of Finance/Treasurer

APPROVED BY: ___________________________Town Manager
Date:__________
TOWN OF ENFIELD
JOB DESCRIPTION
BUILDING AND GROUNDS DIVISION
PUBLIC WORKS

BUILDING AND GROUNDS SUPERINTENDENT

GENERAL STATEMENT OF DUTIES: Manages, plans, organizes, and supervises the Town's Building and Grounds operations including the maintenance and renovation of Town building facilities, including Town and school parks, recreational areas, athletic fields and aquatic facilities.

SUPERVISION RECEIVED: Works under the administrative direction of the Director of Public Works.

SUPERVISION EXERCISED: Supervises personnel assigned to the Building and Grounds Division and those performing contractual services.

ESSENTIAL JOB FUNCTIONS: Directs operations, may make work assignments and participates in training and supervision of all personnel; provides building maintenance on all Town owned buildings on a regularly scheduled basis in an economic, safe and efficient manner; ensures all playgrounds and athletic fields are well maintained, ensures that employees assigned to the division comply with all State and Federal regulations; develops, in response to needs, new or revised building maintenance programs; develops good relationships and communication with public organizations and residents regarding the use of Town facilities and athletic fields; manages division operations and activities including budget implementation and preparation, maintains divisional payroll, personnel matters, policies and procedures, crew operations and equipment needs; develops plans to achieve division's goals; participates in resolution of labor grievances and contracts; supervises a variety of building and park maintenance tasks; supervises the maintenance of all park and playground facilities and the installation and maintenance of park & playground apparatus; supervises the maintenance of swimming pools and the reconditioning of playing fields and courts; arranges for refuse collection at all town park or recreational facilities and parks; receives and processes work orders and ensures timely completion of these projects; interviews outside contractors to determine their qualifications to provide building, park or recreational facilities contractual maintenance or repair work; reviews work performed by outside contractors to ensure contract compliance; evaluates work performed by outside contractors to determine if town crews can perform in a more cost effective manner; periodically inspects town facilities and equipment to ensure OSHA compliance; develops turf management plans and irrigated field systems when required; develops road side mowing and facility mowing for town building and other facilities as directed. Regular and punctual attendance.

OTHER JOB FUNCTIONS: Performs other tasks as may be assigned.

PHYSICAL DEMANDS: The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed in varied settings. Some outdoor work is required. Hand-eye coordination is necessary to operate computers and various pieces of office equipment.

While performing the duties of this job, the employee is occasionally required to stand; walk; use hands to finger, handle, feel or operate objects, tools or controls; and reach with hands and arms. The employee is occasionally required to sit; climb or balance; stoop, kneel, crouch, or crawl; talk; hear; and smell.

The employee must occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.

WORK ENVIRONMENT: The work characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee occasionally works near moving mechanical parts and in high, precarious places and is occasionally exposed to wet and/or humid conditions, fumes, or airborne particles, toxic or caustic chemicals, risk of electrical shock and vibration.

Must be able to concentrate on fine detail with some interruption. The employee needs to attend to task function for more than 60 minutes at a time. Must be able to understand and relate to specific ideas, generally several at a time. Must be able to remember task/assignment given to self and others over long periods of time.

The noise level in the work environment is usually quiet to moderate in office settings, and loud in the field.

MINIMUM QUALIFICATIONS:

KNOWLEDGE, SKILL AND ABILITY: Knowledge of the principles and practices of buildings and grounds maintenance operations; considerable ability to plan, assign, supervise and evaluate work of subordinates; considerable ability to make decisions in working toward assigned objectives, at times adapting or modifying work methods and standards to meet variations in controlling conditions; ability to keep records involving use of staff and equipment and writing routine operation reports; ability to deal with the public, associates and Town officials in a courteous manner.

EXPERIENCE AND TRAINING: Associate degree in Civil Engineering or related field and at least eight (8) years of experience in building and grounds management of which two (2) years are in a supervisory capacity or any equivalent combination of education and experience. Must possess a valid driver's license.

This job description is not, nor is it intended to be, a complete statement of all duties, functions and responsibilities that comprise this position. Draft: 8-18-08
ARTICLE II. FLOOD DAMAGE PREVENTION

DIVISION 1. GENERALLY

Sec. 42-31. Statutory authorization. The general assembly of the state has in G.S. §§ 7-148 and 7-194 authorized municipalities to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. (Code 1967, § 4-15)

Sec. 42-32. Findings of fact. (a) The flood hazard areas of the town are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. (b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities and, when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss. (Code 1967, § 4-16)

Sec. 42-33. Purpose. (a) Generally. It is the purpose of this article to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
   (1) Protect human life and health;
   (2) Minimize expenditure of public money for costly flood control projects;
   (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
   (4) Minimize prolonged business interruptions;
   (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
   (6) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
   (7) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
   (8) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions. (b) Methods of reducing flood losses. In order to accomplish its purpose, this article includes methods and provisions for:
   (1) Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
(2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

(4) Controlling filling, grading, dredging, and other development which increase flood damage; and

(5) Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

(Code 1967, § 4-17)

Sec. 42-34. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application:

Appeal means a request for a review of the town planning and zoning commission's interpretation of any provision of this article or a request for a variance.

Area of special flood hazard means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year (100-year flood area).

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year (100-year storm).

Base flood elevation (BFE) means the elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas.

Basement means any area of the building having its floor subgrade (below ground) on all sides.

Building means Structure.

Cost means, as related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing components, structural components, utility and service equipment); sales tax on materials; building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications; survey costs; permit fees; outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.

Development means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment and materials, located within the area of special flood hazard.

Federal Insurance Administration means the Federal Insurance Administration or its successor for the purposes of the National Flood Insurance Program, which is the Federal Emergency Management Agency.

Federal Emergency Management Agency (FEMA) means the federal agency that administers the National Flood Insurance Program (NFIP).

Flood and flooding mean a general and temporary condition of partial or complete inundation of normally dry land areas from:
(1) The overflow of inland water; and/or
(2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood insurance rate map (FIRM)* means the official map on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of the special flood hazards and the risk premium zones applicable to the community, as well as base flood elevations at selected locations.

*Flood insurance study (FIS)* means the official report provided by the Federal Emergency Management Agency (FEMA) that includes flood profiles, flood insurance rate maps, the water surface elevation of the base flood, and other flood data.

*Floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

*Functionally dependent use or facility* means a use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

*Highest adjacent grade (HAG)* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure* means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (a) by an approved state program, as determined by the Secretary of the Interior or (b) directly by the Secretary of the Interior if the State of Connecticut does not have such an approved state program.

*Lowest floor* means the lowest floor of the lowest enclosed area (including basement).

*Manufactured home* means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” also includes park trailers, travel trailers, recreational vehicles and other similar vehicles placed on a site for greater than 180 consecutive days.

*Market value* means the value of the structure shall be determined by an independent appraisal by a professional appraiser prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

*Mean sea level (MSL)* means the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Maps (FIRM) are referenced.
**New construction** means structures or substantial improvements for which the "start of construction" commenced on or after the effective date of this article, and includes any subsequent improvements to such structures or substantial improvements.

**Person aggrieved** means a person aggrieved by a decision of a board or commission and includes any officer, department, board or bureau of the town charged with enforcement of any order, requirement or decision of the board or commission. "Aggrieved person" includes any person owning land that abuts or is within a radius of 100 feet of any portion of the land involved in the decision of the board or commission.

**Recreational vehicle** means a vehicle which is:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the longest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

**Special flood hazard area (SFHA)** means the Area of Special Flood Hazard. SFHAs are determined utilizing the base flood elevations (BFE) provided in the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on the Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location. SFHAs include, but are not necessarily limited to, the land shown as Zones A and AE on a FIRM.

**Start of construction** means the first placement of permanent construction of a structure including a manufactured home, on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation of streets and/or walkways; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or any other structural part of the building, whether or not that alteration affects the external dimensions of the building.

**Structure** means a walled and roofed building that is principally above ground, a manufactured (mobile) home, or a gas or liquid storage tank.

**Substantial damage** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**Substantial improvement** means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure, exclusive of land value, either (i) before the improvement or repair is started; or (ii) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:
(1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which have been identified by a town code enforcement officer, which are solely necessary to assure safe living conditions; or
(2) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Variance means a grant of relief from the requirements of this article which permits construction in a manner that would otherwise be prohibited by this article.

(Code 1967, § 4-18)

Violation means a failure of a structure or other development to be fully compliant with the community’s floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988 or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Sec. 42-35. Land to which this article applies.
This article shall apply to all areas of special flood hazards within the jurisdiction of the town.

(Code 1967, § 4-19)

Sec. 42-36. Basis for establishing the areas of special flood hazard.
The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled, "The Flood Insurance Study for Hartford County, Connecticut", dated September 26, 2008 with accompanying flood insurance rate maps dated September 26, 2008 and any other supporting data, and any subsequent revision thereto, is hereby adopted by reference and declared to be part of this article. Mapping, legally incorporated by reference herein, shall be deemed conclusive until and unless amended or revised by FEMA. The flood insurance study is on file at the office of the town clerk, Town of Enfield, Town Hall, 820 Enfield Street, Enfield, Connecticut.

(Code 1967, § 4-20; Ord. No. 03-3, 5-5-2003)

Sec. 42-37. Compliance.
No structure or land shall be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations.

(Code 1967, § 4-21)

Sec. 42-38. Abrogation and greater restrictions.
This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another ordinance provision, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Code 1967, § 4-22)

Sec. 42-39. Interpretation and severability.
In the interpretation and application of this article, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body;
3. Deemed neither to limit nor repeal any other powers granted under state statutes; and
4. If upon interpretation and/or application, any section, provision, or portion of this article is adjudged unconstitutional or invalid by a court, the remainder of the article shall not be affected.

(Code 1967, § 4-23)

Sec. 42-40. Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the town, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Code 1967, § 4-24)

Sec. 42-41. Establishment of development permit.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in section 42-36. Application for a development permit shall be made on forms furnished by the town planning and zoning commission and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
2. Elevation in relation to mean sea level to which any structure has been floodproofed;
3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section 42-82(2);
4. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(Code 1967, § 4-25)

Sec. 42-42. Violations; penalties.

Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than $250.00 per day if proven done willfully and $100.00 per day if not, or imprisoned for not more than ten days for each day of violation, or both, and in addition, shall pay all costs and reasonable legal fees involved
in the case. Nothing herein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation.
(Code 1967, § 4-32)

Secs. 42-43--42-60. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 42-61. Planning and zoning commission--Designated to implement article.

The planning and zoning commission shall administer and implement this article by granting or denying development permit applications in accordance with its provisions.
(Code 1967, § 4-26)

Sec. 42-62. Same--Duties and responsibilities.

Duties of the planning and zoning commission shall include, but not be limited to:

(1) Permit review.
   a. Review all development permits to determine that the permit requirements of this article have been satisfied.
   b. Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
   c. Review all development permits to determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. For purposes of this article, "adversely affects" means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point.

(2) Use of other base flood data. When base flood elevation data has not been provided in accordance with section 42-36, basis for establishing the areas of special flood hazard, the planning and zoning commission shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer section 42-82(1), specific standards, residential construction, and section 42-82(2), specific standards, nonresidential construction.

(3) Information to be obtained and maintained.
   a. Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures;
   b. For all new or substantially improved floodproofed structures:
      1. Verify and record the actual elevation (in relation to mean sea level); and
      2. Maintain the floodproofing certifications required in section 42-41(c).
   c. Maintain for public inspection all records pertaining to the provisions of this article.

(4) Alteration of watercourses.
   a. Notify adjacent communities and the department of environmental protection prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration;
   b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
(5) Interpretation of FIRM boundaries. Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 42-63.

(Code 1967, § 4-27)

Sec. 42-63. Variance and appeal procedure.
(a) Any person aggrieved by the decision of the planning and zoning commission, or any taxpayer, may appeal such decision to the superior court, as provided in Chapter 124, Section 8-8, of the General Statutes of Connecticut (G.S. § 8-8).
(b) The planning and zoning commission shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.
(c) Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge will result.
(d) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as $25.00 for $100.00 of insurance coverage. Such construction below the base flood elevation increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

(Code 1967, § 4-28)

Secs. 42-64--42-80. Reserved.

DIVISION 3. FLOOD HAZARD REDUCTION

Sec. 42-81. General standards.
In all areas of special flood hazards the following standards are required:
(1) Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
(2) Construction materials and methods.
   a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
   b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
   c. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
(3) Utilities.
   a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
   b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and
   c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
(4) Subdivision proposals.
a. All subdivision proposals shall be consistent with the need to minimize flood damage;
b. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
d. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or five acres, whichever is less.

(5) Manufactured homes. Manufactured (i.e. mobile) homes are prohibited for any use both temporary and permanent within all areas of special flood hazard due to the public safety threats associated with placing such structures in these areas.

(6) Recreational vehicles. Recreational vehicles placed on sites within Zones A1-30, AH and AE shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.), or (iii) meet all the general standards of this section and the requirements of section 42-82.

(7) Aboveground Storage Tanks - Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of the structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.

(8) Portion of Structure in Flood Zone - If any portion of a structure lies within the Special Flood Hazard Area (SFHA), the entire structure is considered to be in the SFHA. The entire structure must meet the construction requirements of the flood zone. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive flood zone will require the entire structure to meet the standards of the more restrictive zone.

(9) Structures in Two Flood Zones - If a structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire structure (i.e., A zone is more restrictive than X zone; structure must be built to the highest BFE). The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. (Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)

(10) No Structures Entirely or Partially Over Water - New construction cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.

(Code 1967, § 4-29)

Sec. 42-82. Specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in section 42-36, basis for establishing the areas of special flood
hazard or section 42-62(2), use of other base flood data, the following provisions are required:

1. **Residential construction.** New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.

2. **Nonresidential construction.** New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to at least one foot above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
   a. Be floodproofed so that below one foot above the base flood level, the structure is watertight with walls substantially impermeable to the passage of water;
   b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
   c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in section 42-62(3)b.

3. **Water holding capacity.** The water holding capacity of the floodplain shall not be reduced. Any reduction caused by structures, improvements, filling, regarding, and any other form of development of land shall be compensated by depending and/or widening of the floodplain. Storage shall be provided on site unless easements have been gained from adjacent property owners; it shall be a volume not previously used for flood storage and shall be hydraulically comparable and incrementally equal to the theoretical volume of floodwater at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic connection to the same waterway or water body.
(4) **Encroachments.** Within the floodplain as designated on the maps, all encroachments, including fill, new construction, substantial improvements to existing structures, and any other development are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any (0.00) increase in flood levels (base flood elevation). Work within the bordering land subject to flooding, including work to provide the above specified compensatory storage shall not restrict flows so as to cause an increase in flood stage or velocity.

(Code 1967, § 4-30)

**Sec. 42-83. Floodways.**

Located within areas of special flood hazard established in section 42-36 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and any other development unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practices that encroachments shall not result in any (0.00) increase in flood levels during the occurrence of the base flood discharge.
2. In areas where a regulatory floodway has not been designated, the planning and zoning commission shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood by more than one foot at any point.
3. In A1-30, AE, or AH zones where base flood elevations have been determined, but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
4. If subsection (1) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this division.