



MINUTES
REPRESENTATIVE TOWN MEETING
Regular Meeting
April 3, 2023

RECEIVED FOR RECORD
WATERFORD, CT
2023 APR - 5 P 3:07
TEST: David L. Campo
TOWN CLERK

Moderator Paul Goldstein called the April 3, 2023 Regular Meeting of the Representative Town Meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Greg Attanasio, Jennifer Bracciale, Mary Childs, Timothy Condon, Thomas J. Dembek, Susan Driscoll, Timothy Fioravanti, Nick Gauthier, Kevin Girard, Paul Goldstein, Kristin Gonzalez, Ryan Healy, Richard Holmes, Jennifer Kohl, Cheryl Larder, Theodore Olynciw, Dan Radin (Speaker Phone), Michael Rocchetti, David Sugrue.

ABSENT: Michael Bono, Harry Colonis, Steven Garvin, Lindsay Khan, Danielle Steward-Gelinas, David Welch.

EX-OFFICIO MEMBERS PRESENT: First Selectman Robert J Brule, Chair of the Board of Finance Glenn Patterson, Selectman Richard Muckle.

EX-OFFICIO MEMBERS ABSENT: Chair of the Board of Education Pat Fedor

ALSO PRESENT: Town Clerk David L. Campo; Town Attorney Nicholas Kepple; Finance Director Kim Allen.

AGENDA ITEM C – February 6, 2023 Regular and February 22, 2023 Special Meeting Minutes

MOTION by Dembek, seconded by Gauthier, to approve the February 6, 2023 and the February 22, 2023 Minutes with the following corrections noted by Town Clerk Campo to the February 6, 2023 Minutes: The friendly Amendment in ITEM 6 was offered by Representative Larder. A copy of Chapter 2.88 of the Waterford Code of Ordinances should have been attached to support ITEM 6. PUBLIC COMMENT in writing from Diane Glemboski was not entered into the minutes from the February 22, 2023 Minutes. (See Attachment)

MOTION PASSED: 18-0-1 (Sugrue Abstained)

AGENDA ITEM D - CORRESPONDENCE:

The following items were received for correspondence: A request from Alan Wilensky, the Tax Collector, to have him moved to the last day of the May Budget Hearings. Director of Fire Services Michael Howley sent a letter regarding appointments to the Oswegatchie Fire Station Building Committee. A letter of interest in the Southwest School property from Katherine Ericson, Director of Learn. (See Attachment)

AGENDA ITEM E - PUBLIC COMMENT: A letter from Joan and Gary Shook, 17 Millstone Rd West, in regard to concerns with the possible Data Center project. (See Attachment)

AGENDA ITEM F – COMMITTEE REPORTS and REFERRALS

Moderator Goldstein asked Representative Dembek if he would facilitate a meeting of the Legislation and Administration Standing Committee. Representative Condon, Chair of Public Protection and Safety Standing Committee, Stated that his committee would begin work on “Fire Marshal Permits Fee Schedule Ordinance”, now that “Review of Ordinance 2.36 – Volunteer Firefighters Incentive Program” is out of committee. Representative Rocchetti, Chair of the Public Works, Planning and Development Committee, reported that the chair will set up a meeting when the new director has gotten up to speed on “Short Term Rentals”.

CALL ITEM 1 – Senior Citizens Commission Appointments

NOMINATION by Dembek, seconded by Sugrue, to appoint Richard Beaney, 33 Greentree Dr, as a member of the Senior Citizens Commission to fill the vacancy due to the passing of Jody Nazarchyk (Term 04/04/2022 – 04/07/2025)

VOTING IN FAVOR: Unanimous

BEANEY appointed to the Senior Citizens Commission.

CALL ITEM 2 – Senior Citizens Commission Appointments

NOMINATION by Driscoll, seconded by Gauthier, to reappoint Daniel Rissi, 367 Glenwood Ave Ext, as a member of the Senior Citizens Commission. (Term 04/03/2023 – 04/06/2026)

NOMINATION by Driscoll, seconded by Gauthier, to reappoint Dina Lopes, 82 Longview St, as a member of the Senior Citizens Commission (Term 04/03/2023 – 04/07/2026)

VOTING IN FAVOR of both nominations: Unanimous

LOPES and RISSI appointed to the Senior Citizens Commission.

CALL ITEM 3 – Utility Commission Appointments

NOMINATION by Driscoll, seconded by Gonzalez, to reappoint Stephen Negri, 2 Lanyard Ln, as a member of the Utility Commission. (Term 04/01/2023 – 03/31/2027)

NOMINATION by Dembek, seconded by Rocchetti, to reappoint Kenneth Kirkman, 344 Great Neck Rd, as a member of the Utility Commission (Term 04/01/2023 – 03/31/2027)

VOTING IN FAVOR of both nominations: Unanimous

NEGRI and KIRKMAN appointed to the Utility Commission.

CALL ITEM 4: Section 2.36.080 Amendment

PRESENTATION: Timothy Condon, Chair of the Public Safety and Protection Standing Committee of the RTM, Director of Fire Services Michael Howley

MOTION by Driscoll, seconded by Gauthier, to approve a recommendation from the Public Protection & Safety Standing Committee of the RTM to amend **Chapter 2.36.080 - Volunteer Firefighters and Fire Police Incentive Program** of the **Town of Waterford Code of Ordinances**. (See Attachment)

A friendly amendment was offered by Olynciw and accepted to refer to the Ordinance as “Chapter 2.36 Section 080”.

A friendly amendment was offered by Driscoll and accepted to make the following two corrections to the draft 2 ordinance: replace “240” in the Emergency Medical Technician line to “204” on page 5 and change “in the stipend rate” to “course hours or points” under D2 on page 6.

MOTION PASSED: Unanimous

Representative Sugrue left and did not return.

CALL ITEM 5 – Rental of Fire Hydrants

PRESENTATION: Director of Fire Services Michael Howley

MOTION by Dembek, seconded by Driscoll, to approve a recommendation from the Board of Finance for an additional appropriation in the amount of **\$90,000 from the Unassigned Fund Balance of the General Fund to Line #10123-52320, Rental of Hydrants**, due to an increase in hydrant rental fees incurred after the FY2023 budget was approved.

Brief discussion ensued.

MOTION PASSED: *Unanimous*

CALL ITEM 6 – BOE IT Learning Boards

PRESENTATION: Board of Education Finance Director Joe Mancini.

MOTION by Condon, seconded by Rocchetti, to approve a recommendation from the Board of Finance for an appropriation in the amount of **\$410,748 from Capital and Non-recurring designated Line #20560-57822 (BOE IT Learning Boards)**.

MOTION PASSED: *Unanimous*

CALL ITEM 7 – Plastic Water Service Line Replacement

PRESENTATION: Director of the Waterford Utility James Bartelli.

MOTION by Condon, seconded by Dembek, to approve a recommendation from the Board of Finance for an additional appropriation in the amount of **\$550,000** for a new **CNR Project, Plastic Water Service Line Replacement**. Appropriated funds for this project will be made available by transferring **\$550,000** from **CNR Undesignated Fund Balance Line #205-31520** to a new Capital Non-Recurring Project (Project Water Service Line Replacement), account number to be determined.

MOTION PASSED: *Unanimous*

CALL ITEM 8 – Town Hall Refurbishment

PRESENTATION: Director of the Public Works Gary Schneider

MOTION by Rocchetti, seconded by Gonzalez, to approve a recommendation from the Board of Finance for an additional appropriation in the amount of **\$57,000** for the approved Town Hall Refurbishment by transferring from the **CNR Undesignated Fund Balance Line #205-31520** to **CNR Project #20511-57879 (Town Hall Refurbishment)**.

MOTION PASSED: *Unanimous*

CALL ITEM 9 – Part Time Seasonal/Occasional Wage Schedule

MOTION by Rocchetti, seconded by Condon, to approve the Part Time Seasonal/Occasional wage schedule. A friendly amendment was offered by Driscoll and accepted to add in "as presented" and effective May 1, 2023 to read as follows: MOTION by Rocchetti, seconded by Condon, to approve the Part Time Seasonal/Occasional wage schedule effective May 1, 2023 as presented. (See Attachment)

MOTION PASSED: 17-0-1 (Childs abstained)

CALL ITEM 10 – Personnel Review Board Vacancy

NOMINATION by Driscoll, seconded by Gauthier, to appoint Stephane Bowens Browder, 12 Two Mile Hill Rd, to fill the vacancy due to the resignation of David Peabody (Term 12/01/2020 – 11/30/2023)

VOTING IN FAVOR: Unanimous

BROWDER appointed to the Personnel Review Board.

CALL ITEM 11 – Oswegatchie Fire Station Building Committee RTM Appointments

NOMINATION by Healy, seconded by Condon, to appoint Rocchetti as a member of the Oswegatchie Fire Station Building Committee.

NOMINATION by Driscoll, seconded by Gauthier, to appoint Olynciw as a member of the Oswegatchie Fire Station Building Committee.

VOTING IN FAVOR of both nominations: Unanimous

ROCCHETTI and OLYNCIW appointed to the Oswegatchie Fire Station Building Committee.

CALL ITEM 12 – Oswegatchie Fire Station Building Committee Elector Appointments

NOMINATION by Driscoll, seconded by Gauthier, to appoint Elizabeth Sabilia, 132 Oswegatchie Rd, as a member of the Oswegatchie Fire Station Building Committee.

NOMINATION by Dembek, seconded by Rocchetti, to appoint Mathew Blankenship, 5 Spinnaker Rd, as a member of the Oswegatchie Fire Station Building Committee.

VOTING IN FAVOR of both nominations: Unanimous

SABILIA and BLANKENSHIP appointed to the Oswegatchie Fire Station Building Committee.

CALL ITEM 13 – One Hamel Court Disposition

MOTION by Condon, seconded by Dembek, to approve a recommendation from the Board of Selectmen for the disposition of town owned real property at One Hamel Court by auction.

MOTION PASSED: Unanimous

CALL ITEM 14 – American Rescue Plan Update

PRESENTATION: First Selectman Robert Brule

First Selectman Robert Brule answered questions and reported on the status of the American Rescue Plan Funds. (See Attachment)

NEW BUSINESS:

MOTION by Dembek, seconded by Condon to switch the Tax Collector with the Retirement Commission for the upcoming budget hearings in May. (See Attachment)

MOTION PASSED: Unanimous

Representative Gauthier asked the First Selectman if the Data Center Fee Agreement had been signed. First Selectman Brule answered in the affirmative. Discussion in regard to the First Selectman's trip to Virginia to tour data centers and what he learned about the centers. Representative Gauthier asked why he visited after passing the Data Center Fee Agreement. First Selectman Brule described the additional perspective he gained by observing numerous functioning data centers prior to signing the municipal host fee agreement.

Representative Attanasio spoke in regard to creating an ordinance in regard to septic systems and the guidelines of Ledge Light Health District. It was recommended that Representative Attanasio put his request in writing for the next meeting.

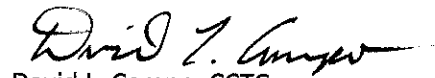
Representative Larder asked Finance Director Kim Allen when we will get our budgets. She replied that they were with the printer and should be available next week. She also asked about the status of the Ad Hoc Energy Task Force status report. Representative Girard, Chair of the Ad Hoc Energy Task Force, reported to the body as to the status of the board. He cited a change of membership as an issue, causing a certain amount of delay in the conduct of the committee's business, but it should start moving along. They have met with different departments and plan to meet with residents and Eversource. The next meeting is April 20, 2023.

MOTION by Dembek, seconded by Condon, to fill the vacancies on the Long Range Fiscal Planning Committee and the Fire Services Special Review Committee created by the resignation of Richard Muckle from the RTM, with Harry Colonis.

MOTION PASSED: Unanimous

MOTION by Condon, seconded by Gauthier, to adjourn passed unanimously with a "Go UConn!" mixed in at 8:20 P.M.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David L. Campo", with a horizontal line extending to the right.

David L. Campo, CCTC
Town Clerk

February 22, 2023

To: Town of Waterford Board of Selectmen and RTM

Subject: Comments regarding Data Center by NE Edge LLC proposed for Rope Ferry Road, Waterford, CT

Below is a list of preliminary comments that should be addressed for the proposed Data Center at Rope Ferry Road. These comments should be reviewed and addressed prior to any action on a Host Municipal Fee Agreement by the Town of Waterford Board of Selectmen or the RTM. The Town has ability to incorporate numerous safe guards into this host agreement at this point that could go above and beyond the requirements for approval of a local site plan, CAM, and IWA and provide protection for the surrounding areas. The following items should be considered and addressed up front so the surrounding towns and residents understand the complexity of the project, the permitting process, and the potential impacts on the surrounding areas including Long Island Sound and Niantic Bay.

1. A portion of the proposed development is located in the Coastal Area Management Boundary and will be subject to a Coastal Site Plan application and approval that may include review by or appeal to CT DEEP. The site plan will be subject to all requirements of Chapter 444 , Section 22a-90 through 22a-113 of the Connecticut General Statutes (CGS) and Findings must be made that the project is consistent with all goals and policies of Section 22a-92. Please address how the proposed development will address all these policies including, but not limited to: (A) how the project would be considered a water-dependent use, since it is located on a waterfront site, or would provide public access along the shoreline in accordance with the CGS definition of "Water Dependent Use" (B) if the project proposes to use waters from Niantic Bay or Long Island Sound (LIS) in it's cooling design what impact the cooling process will have on the coastal resources of Niantic Bay and LIS and or what additional permits will be required from the State and Federal agencies; (C) what impact the stormwater design (during construction and post construction) will have on the coastal resources of Niantic Bay and LIS and the design should include LID in accordance with local and state requirements; (D) what impact the use or storage of any hazardous materials (during construction and post construction) on the site will have on the coastal resources of Niantic Bay and Long Island Sound.
2. What impact the proposed construction and development of the site would have on existing storage of nuclear waste and nuclear power plant operation on the adjacent site including any need for blasting and/or other construction impacts. Analysis should also be done on the potential impacts the emergency or long term shut down of the power plant would have on the data center operation, cooling, etc.
3. A study of the adequacy of the water, electric and sanitary sewer should be provided up front and any necessary improvements or upgrades to existing facilities.
4. Noise impacts should be addressed upfront with a plan for complete mitigation of noise impacts on the surrounding area including the adjacent town of East Lyme the potential for carrying the noise over Niantic Bay. This should be addressed in any host agreement the Town of Waterford enters into with specifics for complete mitigation of noise upfront with the

design of the buildings and site. This noise mitigation should not wait until project is built and noise mitigation is harder to design and incorporate, is more costly, and has already impacted surrounding area.

5. Lighting impacts should be addressed including any impacts on the surrounding neighborhood and the habitat of any species of concern within the area.
6. On site archaeological/historical resources should be addressed prior to any disturbance and/or development of the site.
7. If the Town moves forward with the Host Agreement, the agreement should provide the caveat that it is subject to approval of all permits required by all local, state, and federal agencies and can be terminated by the Town of Waterford in the future for failure to obtain all permits. There is high potential that NE Edge LLC will not directly develop this site, will have no "skin in the game" for any design or mitigation items they agree to, and will sell off the Agreement and other permits to a third party. The Town may want to make sure all required design and mitigation requirements (even above and beyond what is required by zoning, IWA or other regulatory authorities) are specifically spelled out in the Agreement and provide an end date when all permits need to be obtained and a possible clause for non-transfer of the host agreement to another party.
8. If the Town moves forward with the Host Agreement, the agreement should include a large compensation fund and or bond (whichever is more likely to be easily available to the Town in the future) for any environmental or noise impacts that are not addressed by the owner and need to be mitigated in the future.
9. If the Town moves forward with the Host Agreement, the agreement should include a plan for removal of the buildings and site restoration if the data center is obsolete in the future. A large compensation fund and/ or bond (whichever is more likely to be easily available to the Town in the future) for any removal impacts that are not addressed or mitigated by the owner in the future.

In summary, this is a extremely large project that has the potential to bring lasting negative impacts on the surrounding area. Care should be taken to address all potential impacts and the design upfront prior to signing any Host Agreement. If the Town of Waterford decides to move forward with the Host Agreement, they should realize this is the time to go above and beyond the basic requirements of zoning and inland wetland permitting and incorporate all safe guards into the Host Agreement.

Diane Gliemboski, AICP
143 Ocean View Ave, Mystic CT
16 Nehantic Drive, Niantic CT

RECEIVED FOR RECORD
WATERFORD, CT
2023 APR -4 P 4:40
TEST: *[Signature]*
TOWN CLERK



15
RECEIVED FOR RECORD
WATERFORD, CT

2023 APR -3 P 12: 56

TEST: *David L. Camps*
TOWN CLERK

Dear First Selectman Brule,

My name is Kate Ericson, and I am the Executive Director of LEARN, a regional educational service center located in Old Lyme, Connecticut. As you may know, LEARN is one of six regional educational service centers (RESCs) established by the state legislature to collaborate with school districts and provide programs and services supporting teachers and students in our region, from Guilford to North Stonington. In addition, LEARN currently operates four magnet schools in the region, including The Friendship School on Rope Ferry Road for the past 18 years. The Friendship School was built as a cooperative agreement between Waterford Public Schools and New London Public Schools and has been a great success. The school has served up to 520 pre-kindergarten three- and four-year-olds as well as kindergarten students and engaged with their families and communities. During that time, the school has transitioned into a full magnet school accepting students from across the region. LEARN has been aided in these efforts by a great relationship with the Town of Waterford, your office, and the Waterford Board of Education. As the school approaches the end of its lease term, due to the school's success a number of factors have emerged creating certain challenges and opportunities requiring LEARN to make some strategic shifts in our regional programs that will benefit the students, families, and districts in our region.

Challenges:

To meet the needs of future generations, we see two major challenges to be resolved. The first major challenge involves the impact of dropping-off and picking-up students as it relates to the traffic patterns on Rope Ferry Road, the community center, and the high school complex. While we have worked with the town to minimize impact, the number of parents transporting their children to school has grown rapidly in the last few years.

The other major challenge is the lack of early childhood programming in the region for infants and toddlers. Southeastern Connecticut employment opportunities are exploding, and with that comes the need for high-quality infant and toddler programs to support such economic growth and development.

Strategic Solutions:

While The Friendship School has a long history of serving young learners from Waterford and across Southeastern Connecticut, regional challenges demand a new, innovative response. Consequently, LEARN is looking for a permanent location that will support the next evolution of The Friendship School into a regional early childhood center of excellence serving children from infants to grade two.

As a result, I am writing to share with you LEARN's desire to grow in Waterford by purchasing the Southwest Elementary School property located at 51 Daniels Avenue. We believe this location affords a "win-win-win" opportunity for Waterford, LEARN and the regional community. A modern school facility

at 51 Daniels Avenue will maintain LEARN's presence in Waterford while continuing its rich tradition of offering high quality multicultural programs to students from all over Southeastern Connecticut. Here, our youngest learners can experience their first formal education, make friendships across social, cultural and town lines, and have access to outdoor learning spaces to explore their world.

To help facilitate a transition to this new location, LEARN intends to apply for the Child Day Care Contract (CDC) Infant and Toddler Expansion grant which will provide slots for sixteen families that are at or below 75% of the state median income. Supporting families with high-quality programming from birth to age 8 will increase success rates for students over the course of their educational career.

The Southwest Elementary School property has been a dormant property for several years. LEARN is prepared to take on all the costs and responsibilities that come with the demolition and the environmental clean-up required for the building and property. In addition, LEARN recognizes the opportunity to demonstrate our appreciation to the residents of the Town of Waterford through the building of a recreational space on the property (e.g., pickleball courts) for the use and benefit of the public. LEARN is interested in engaging in negotiations to purchase this property at an amount that takes into consideration the costs associated with the demolition of the existing building and investment in facilities directly benefiting Waterford residents.

The needs of early childhood learners have grown increasingly complex. Developing special education services includes the need for highly specialized staff at substantial costs, which ties the hands of many local school districts. The region has called upon LEARN to expand its successful model of regional special education programming with the creation of a regional early childhood special education program that is both high quality and cost-efficient.

LEARN has been grateful for the exceptional partnership with and service provided by the Town of Waterford, and the police department, school district, and selectman's office have all been supportive and responsive to the needs of The Friendship School. Over the last 18 years, hundreds of Waterford families have enrolled their children in The Friendship School – and we hope to continue serving students in our magnet and special education programs for years to come.

Thank you very much for your time and consideration. We look forward to continuing this conversation with you as we develop our vision and plans for 51 Daniels Avenue.

Respectfully,

A handwritten signature in black ink that reads "Katherine Ericson" followed by the date "3.17.2023". The signature is fluid and cursive.

Katherine Ericson
Executive Director

March 28, 2023

My husband and I are in favor of progress, and bringing more business and revenues to our community. Bringing jobs to Waterford, and lowering the tax base would be a good thing. However, we have grave concerns about the proposed Millstone Point Data Center being built in Waterford. Our reasons are varied, including reservations about the reliability of the developer, his company, and his lack of experience of never having built something of this scope before.

Can the potential noise be accurately measured before the buildings are built? A sound study should be done by independent scientists and engineers, not connected to the developer. Then the ordinances need to be updated and in place before the project is accepted.

Trying to mitigate the noise is extremely costly. Will there be adequate money set aside to do this? Do we have confidence in the developer and his abilities to follow through and be successful with said mitigation? If mitigation is not successful it will be even more costly and difficult to fix after the center is built.

Consequences of noise pollution include:

- Sleep disturbance
- Headaches
- Health issues such as cardiovascular and blood pressure problems
- Stress issues
- Tinnitus and hearing loss

Based on situations such as those in Manassas Virginia and Chandler Arizona, this is what is happening. This will also affect our children and our schools.

I would like to share my experience of what it is like to live with noise pollution. I have already gone through this twice in the past ten years. The first time was during the 3 ½ year period that Amtrak installed a new bridge between Waterford and Niantic. While I admit that I am somewhat noise sensitive and my home is situated in the worst spot for these construction projects, my experiences should hold a warning of what would come for too many others.

During the Amtrak project, our home was bombarded by a variety of noises from the construction and staging areas. These noises included those made by large construction vehicles, which would both travel and idle, generators, and even subterranean pumps in the Long Island Sound. Many of the noises were humming and vibrational. For much of the project work went on day and night, 6-7 days a week. And for 5 months, the pumps worked 24/7. As a result of this, I developed many symptoms including:

- Continual sleep disturbances
- Headaches
- Nausea
- Intermittent shaking
- Occasional dizziness
- Lack of concentration.

Shortly after removing myself from the noise, these problems would go away. Nothing could adequately cover the noise including TV and noise canceling headphones. Since I did a lot of work from home, I was forced to endure this condition almost continually.

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WATERFORD, CT
2023 MAR 29 A 8:04
TEST: David J. Long
TOWN CLERK

My husband and I spent a great deal of time dealing with the fallout of this. In addition to the stress and loss of income, we had to spend many hours trying to alleviate the issue with Amtrak representatives. In addition, we had to periodically relocate for relief. This also was costly as well as inconvenient. Since we knew there would be a finite end to the project, we stuck it out.

Then a few years later a smaller scale reconstruction project for the Route 156 bridge took place. Although it only lasted 1 ½ years, and the work was mainly done from 7 AM to 3 PM 5 days a week, the kinds of noise and issues were quite similar. This time we were in regular contact with the project manager to gage the progress of the project and were once again able to tough it out knowing there would be an end date to the noise. Anyone who has any questions, or wishes to speak to us for more details, should feel free to contact us.

When we first heard about the data center project we were only concerned about the construction noises. Now we know this issue is much larger. If this center goes in and noise is not mitigated properly, my husband and I, as well as many others, will have no finite end to the noise.

Do we want to never be able to open our windows and doors? And even if we do keep them closed, won't we still be bothered by the noise? Could we enjoy our beaches? What about our wildlife habitats and marine community?

How much money would be lost to businesses if locals and tourists did not want to come into the area and utilize their services and buy their goods? And, how much money would be lost in revenues from businesses and residents who had to leave their properties and could not sell them? Residential and commercial property values will go down.

If after construction the mitigation is unsuccessful, you and other political leaders will have your phones ringing and your emails full from unhappy constituents. Projects in other towns in Connecticut have been turned down.

Are you willing to gamble with the welfare of the residents and businesses of Waterford? My husband and I are not! Therefore, we must decline to support this project.

Joan and Gary Shook
17 Millstone Road West
mymelodies1@gmail.com

Title 2 — ADMINISTRATION AND PERSONNEL

RECEIVED FOR RECORD
WATERFORD, CT

2023 APR -5 A 11: 24

Chapter 2.36 -FIRE SERVICE

2.36.080 - Volunteer firefighters and fire police incentive program.

TEST: David J. Casper
TOWN CLERK

- A. *Purpose.* Pursuant to § 7-148(c)(4)(B) of the Connecticut General Statutes, the Town of Waterford may enact an ordinance to organize, maintain and regulate the persons providing fire protection. This volunteer firefighters and fire police incentive program is designed to provide monetary compensation to active, volunteer firefighters and fire police members in the Town of Waterford Fire Department, in an effort to assist in covering volunteers' expenses during the execution of their duties, while complying with the federal Fair Labor Standards Act of 1938 as amended, 29 U.S.C. § 201 et seq. ("FLSA"). The FLSA permits payments for reimbursement of expenses, reasonable benefits and nominal fees to volunteers without impairing their status as volunteers. These benefits are in addition to the existing property tax abatement program for volunteer firefighters in Title 3, Chapter 3.12 of this Code of Ordinances. Town of Waterford Fire Department personnel employed by the Town of Waterford are not eligible for this volunteer firefighters and fire police incentive program.
- B. *Definitions.*
1. *Program:* The term "program" means the volunteer firefighters and fire police incentive program.
 2. *Program year:* Program year is the fiscal year, i.e., July 1—June 30.
 3. *Implementation date:* The implementation date of the program is July 1, 2020^{1, H}.
 4. *Volunteer member in good standing in the Waterford Fire Department:* A volunteer member in good standing is defined as:
 - a. A certified firefighter (i.e., State of Connecticut Firefighter ~~1~~¹ or higher) who has participated in the minimum training sessions designated by the director of fire services and including, but not limited to required training (as set forth in ~~paragraph~~ subsection B.8), by June 30 of the year preceding the year of eligibility (e.g., complete training by June 30, 2020, to be eligible for the program for the fiscal year July 1, 2020—June 30, 2021, absent a modification of the June 30 date by the director of fire services on an individual basis pursuant to ~~paragraph~~ subsection B.8); and/or
 - b. A member of the fire police who has participated in the minimum training sessions designated by the director of fire services and, including but not limited to, required training (as set forth in ~~paragraph~~ subsection B.8.d), by June 30 of the year preceding the year of eligibility (e.g., complete training by June 30, 2020, to be eligible for the program for the fiscal year July 1, 2020—June 30, 2021, absent a modification of the June 30 date by the director of fire services on an individual basis pursuant to ~~paragraph~~ subsection B.8); and who has been sworn in by the town clerk.

A volunteer member in good standing does not include any member terminated from volunteer service by the Town of Waterford or otherwise separating from volunteer service for any reason, voluntary or involuntary.

5. *Active volunteer firefighter in the Waterford Fire Department:* An active volunteer firefighter is a certified firefighter and member in good standing who, during the year of eligibility, has participated in a minimum number of approved training drills and maintains the minimum training requirements as set forth by the director of fire services.
6. *Active volunteer fire police member in the Waterford Fire Department:* An active volunteer fire police member is a member in good standing who has been sworn in by the town clerk and who maintains the minimum training requirements as set forth by the director of fire services.
7. *Approved training drill:* An approved training drill is a Waterford Fire Department level drill that is approved in advance by the director of fire services, ~~and will result in credit towards the town's insurance service organization, fire protection classification rating.~~
8. *Required training:* Required training is state and federal minimum requirements to function at emergency scenes. These requirements shall include, but are not limited to, the yearly certifications and ~~re-certifications~~ recertifications along with the approved training drills. The director of fire services maintains the discretion, upon a showing of good cause by the volunteer, to excuse temporarily and/or until a date certain, the absence of any such certifications, ~~re-certifications~~ recertifications and/or approved training drills.

Training shall include, but is not limited to, the following titles and substantive content (training titles and reference numbers may change from time to time):

a. Minimum certifications:

State of Connecticut Firefighter ~~1~~1
Hazardous Materials - Operational Level
IS-700: National Incident Management System
ICS-100: Introduction to the Incident Command System
ICS-200: ICS for Single Resources and Initial Action Incidents

b. Mandatory training:

Attend routine training drills (Monthly)
OSHA Mandates

- Haz-Mat Operational Refresher
- Incident Command System Refresher
- Live Fire Training (Annual)
- ~~Blood borne~~ Bloodborne Pathogens
- SCBA refresher
- Routine Fit Testing
- CPR Certification

c. Certified fire officer requirements (additional):

State of Connecticut Fire Officer ~~1~~1
IS-800: National Response Framework

ICS-300: Intermediate ICS for Expanding Incidents

ICS-400: Advanced ICS for Command and General Staff

d. *Fire police requirements:*

Hazardous Materials - Awareness Level

IS-700: National Incident Management System

ICS-100: Introduction to the Incident Command System

9. *Stipend:* A stipend is an amount of money awarded to any active volunteer firefighter or active volunteer fire police member who meets the criteria set forth below and as may be modified, from time to time, by the director of fire services.

10. *Point:* A point represents participation by an active volunteer firefighter or active volunteer fire police member in an emergency fire response or approved training drills as described in ~~paragraph subsection~~ B.7. To receive a point, an active volunteer firefighter or active volunteer fire police member must actually attend an incident and/or respond to and arrive at an activated station before the incident commander dismisses the assignment and/or attend and complete approved training drills. ~~Individuals serving as volunteers or employees of~~ with the Waterford Ambulance Service when attending and/or responding to a particular incident will not receive points related to that incident.

11. *Incident commander:* The incident commander sets priorities and defines the incident command system organization for the particular response and is responsible for the safety, accountability, and welfare of personnel through an incident.

C. *Program components.*

1. *Stipend schedule:* Active volunteer firefighters and active volunteer fire police members who meet the criteria set forth below are eligible for stipends issued on a quarterly basis as follows:

First Quarter	=	July through September (Issued in October)
Second Quarter	=	October through December (Issued in January)
Third Quarter	=	January through March (Issued in April)
Fourth Quarter	=	April through June (Issued in July)

2. *Reporting requirements:*

- a. An incident report shall be generated and completed for every dispatched incident.
- b. All active volunteer firefighters and active volunteer fire police members must sign the report within fifteen minutes of the last vehicle returning to the station at the termination of the event.
- c. If an active volunteer firefighter or active volunteer fire police member is not able to sign the report within the allotted time set forth in subsection C.2.b, he or she must file a report within twenty-four hours of the incident.
- d. Anyone documenting another member's name on the report shall initial next to that entry for validation purposes.

- e. Attendance records shall be recorded and maintained on the town's approved records management software.
 - f. The director of fire services or his/her designee shall prepare the quarterly reports for payment.
 - g. All quarterly reports will be reviewed and approved by the director of fire services prior to the approval of issuance of quarterly stipend.
 - h. The director of fire services shall also submit quarterly reports to the RTM on the status of the program.
3. *Stipend eligibility and amount:* An active volunteer firefighter or active volunteer fire police member shall not receive any stipend until receiving a minimum of ~~fifty~~ thirty points during that fiscal year. The active volunteer firefighter or active volunteer fire police member will then be provided a stipend at the rate of seven dollars for each prior and subsequent point earned during that fiscal year (e.g., an active volunteer firefighter who has ~~fifty~~ thirty-five points will receive ~~three~~ two hundred ~~eighty~~ forty-five dollars; an active volunteer firefighter with twenty points will receive zero dollars). The director of fire services may propose changes to the mandatory/minimum eligibility criteria, point value (increase or decrease), stipend rate or amount (increase or decrease) to the RTM, which may act on such proposed changes by majority vote. As part of its determination, the RTM must evaluate continued compliance with the federal Fair Labor Standards Act.

(R.T.M. 4-3-23 (part))

4. *Discretionary decisions on awarding of points:* The director of fire services, in the exercise of his/her discretion, will decide any disputes regarding the awarding of points under ~~paragraph subsection B.10.~~ The director of fire services, ~~in the exercise of his/her discretion,~~ also may, in accordance with departmental policy, award points for reasons other than those expressly set forth in ~~paragraph subsection B.10.~~ These decisions shall be documented in the quarterly report.

(R.T.M. 4-3-23 (part))

5. *Higher level of training stipend:* An active volunteer firefighter who receives at least ~~fifty~~ thirty points during a fiscal year and who is also a certified fire officer and meets all the additional requirements outlined in subsection B.8.c above (i.e., State of Connecticut Fire Officer I; IS 800: National Response Framework; ICS 300: Intermediate ICS for Expanding Incidents; ICS 400: Advanced ICS for Command and General Staff), will receive an additional one hundred fifty dollars on an annual basis in recognition of his/her higher level of training. An active volunteer firefighter who receives at least thirty points during a fiscal year and meets the requirements for both Fire Officer 1 and EMT certification will receive an additional two hundred dollars on an annual basis. ~~fifty dollars, for a total annual higher level of training stipend of two hundred dollars.~~ ~~This~~ ~~These~~ ~~one hundred fifty dollar stipends~~ will be issued at the same time as the stipend for the initial ~~fifty~~ thirty points. The director of fire services may propose changes to the higher level of training stipend amount (increase or decrease) to the RTM, which may act on such proposed changes by majority vote.

(R.T.M. 4-3-23 (part))

6. Initial education stipend: An active volunteer firefighter or active volunteer fire police member will receive points commensurate with certification in the courses listed below. Education stipends will be issued in the quarter following certification and/or receipt of at least thirty points during a fiscal year, whichever is earlier.¹

Points awarded equal fifty percent of the course hours. The chart below provides the courses and applicable points at the time of enactment.

The director of fire services retains the discretion to adjust points awarded based on the formula above, should the course hours change.

Firefighters Courses

Emergency Medical Technician (204180 hrs)	=	10290 points
Firefighter 1 (168160 hrs)	=	8480 points
Firefighter 2 (48 hrs)	=	24 points
Fire Officer 1 (96 hrs)	=	48 points
Fire Officer 2 (80 hrs)	=	40 points
Fire Officer 3 (56 hrs)	=	28 points
Fire Officer 4 (56 hrs)	=	28 points
Incident Safety Officer (24 hrs)	=	12 points
Health & Safety Officer (24 hrs)	=	12 points
Fire Service Instructor 1 (48 hrs)	=	24 points
Fire Service Instructor 2 (40 hrs)	=	20 points
Q or CDL Endorsement (32 hrs)	=	16 points
Aerial Operator (48 hrs)	=	24 points
Pump Operator (48 hrs)	=	24 points
Rescue Technician-CORE (48 hrs)	=	24 points
Confined Space Rescue Technician (56 hrs)	=	28 points
Rope Rescue Technician (64 hrs)	=	32 points
Vehicle Rescue Technician (48 hrs)	=	24 points
Trench Rescue Technician (56 hrs)	=	28 points
Haz-Mat Rescue Technician (40 hrs)	=	20 points

Fire Police Courses

Traffic Incident Management (6 hrs)	=	3 points
Hazardous Material Awareness (8 hrs)	=	4 points
ICS-100 (2 hrs)	=	1 point
ICS -200 (42 hrs)	=	21 points
IS-700 (42 hrs)	=	21 points

(R.T.M. 4-3-23 (part))

67. *Ineligibility due to misconduct or separation from ~~waterford~~ Waterford fire-Fire department*~~Department~~: The ordinance codified in this section incorporates by reference, the Waterford Fire Department ~~Policy 103—Disciplinary Procedures~~ Policy, as may be ~~renumbered~~ and/or amended from time to time.

In the event that the director of fire services decides to impose disciplinary action short of termination against any active volunteer firefighter or active volunteer fire police member, the director of fire services retains the discretion to suspend any active volunteer firefighter or active volunteer fire police member from the program, as either the discipline or as a component of the discipline. The director of fire services retains the discretion to determine the status of any existing points (e.g., forfeited, retained) at the time of suspension.

Any active volunteer firefighter or active volunteer fire police member who is terminated from volunteer service by the Town of Waterford immediately forfeits all points and is not eligible for any stipend. The director of fire services and the human resources director shall evaluate and determine, in their discretion, the eligibility for a stipend of an active volunteer firefighter or active volunteer fire police member who voluntarily separated from volunteer service as of the end of a quarter.

D. *Funding and administration.*

1. *Funding:*

- a. Through its normal, annual budget process, the town shall determine whether or not to fund the program and, if so, in what amount.
- b. Any portion of the annual appropriation not expended during a fiscal year does not carry over to the next fiscal year.
- c. Should the total expenses for the program exceed the annual appropriation, then the quarterly stipends for the then-current quarter will be prorated to reflect the total amount available for distribution for that quarter. If the program exceeds the annual appropriation in a quarter other than the last quarter of the fiscal year, the program may be unfunded for quarters following the pro-rated quarter.

2. *Modifications:* Any modifications allowed under this section without an ordinance amendment (e.g., change in the ~~stipend rate~~ course hours or points) will be recorded in an annual program update each July and maintained on file in the office of the director of fire services.

3. *Termination:* The town shall have the right through the ~~representative town meeting~~ RTM to terminate the program at any time through the ordinance process.

(Amend. of 10-5-20(4))

(R.T.M. 4-3-23 (part))

Footnotes:

--- (1) ---

Depending on the date of enactment of this Ordinance, the implementation date is~~The implementation date of the initial education stipends for Emergency Medical Technician, Firefighter 1, and Firefighter 2 courses shall be retroactive to July 1, 2020.~~

RECEIVED FOR RECORD
WATERFORD, CT

2022 DEC 21 A 11:50

TOTAL

BUDGET: 0
ENUNBEREE

TOMMY CLERK

1.2 COVID-19 Testing

COVID Test Kits PROJECT COMPLETE

\$	3,500.00	\$	3,499.84	\$
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1.5 Personal Protective Equipment

Wfd-1.5-01 PPE Supplies

\$	1,000.00	\$	1,000.00
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1.7 Other COVID-19 Public Health Expenses

First Responder CADlink Equipment and Software

\$	80,570.00	\$	1,308.68	\$	69,363.69	\$	9,897.63
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ESD Fire RMS Software PROJECT COMPLETE

\$ 10,924.00	\$ -	\$ 10,923.95	\$ 0.05
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Wfd-1.7-03 Dispatch Upgrades PROJECT COMPLETE

1.12 Mental Health Services
Wfd-1.12-01 Human Services Coordinator

\$	266,101.00	\$	207,374.78	\$	58,726.22	\$	-
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1.14 Other COVID-19 Public Health Services

Wfcd-1.14-01 Ledgelight Health District PROJECT COMPLETE

\$	55,479.00	\$	55,478.90	\$	0.10
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PUBLIC HEALTH SUBTOTAL

\$	417,574.00	\$	208,683.46	\$	197,992.60	\$	10,897.78
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NEGATIVE ECONOMIC IMPACTS

2.32 Small Business Economic Assistance (General)

Wfd-2.32-01 Waterford Small Business Grants

\$ 300,000.00	\$ 22,000.00	\$ 122,746.20	\$ 155,253.80
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2.35 Aid to Tourism, Travel or Hospitality

Wfd-2.35-01 Eugene O'Neill Theater

\$ 588,765.00	\$ 1,500.00	\$ 60,147.94	\$ 527,117.06
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NEGATIVE ECONOMIC IMPACTS SUBTOTAL

\$ 888,765.00	\$ 23,500.00	\$ 182,894.14	\$ 682,370.86
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TOWN OF WATERFORD
AMERICAN RESCUE FUNDS QUARTERLY REPORT
October 1, 2022 through December 31, 2022

5: INFRASTRUCTURE

		BUDGET	TOTAL ENCUMBERED	TOTAL EXPENDED	BALANCE AVAILABLE
5.5 Clean Water: Other Sewer Infrastructure					
Wfd-5.5-01	Cross Road Pump Station Upgrade PROJECT CANCELLED	\$ 54,361.28	\$ -	\$ 54,361.28	\$ -
Wfd-5.5-02	Old Norwich Road Pump Station Upgrade	\$ 1,097,938.72			\$ 1,097,938.72
Wfd-5.5-03	Gorman Pump Station Control Panels Upgrade	\$ 163,750.00			\$ 163,750.00
5.14 Drinking Water: Storage					
Wfd-5.14-01	Fargo Lane Water Tower Rehab	\$ 1,200,000.00	\$ 39,499.95	\$ 19,500.05	\$ 1,141,000.00
5.21 Broadband: Other Projects					
Wfd-5.21-01	Broadband/Security Upgrades at Pump Stations	\$ 680,322.00	\$ -	\$ 5,574.00	\$ 674,748.00
INFRASTRUCTURE SUBTOTAL		\$ 3,196,372.00	\$ 39,499.95	\$ 79,435.33	\$ 3,077,436.72

6: REVENUE REPLACEMENT

6.1 Wfd-6.1-01 Civic Triangle Park ADA Revitalization		\$ 950,000.00	\$ 32,289.65	\$ 259.95	\$ 917,450.40
Wfd-6.1-02	Town GIS Updates	\$ 37,500.00	\$ 22,598.97	\$ 14,901.03	\$ -
Wfd-5.21-02	Cyber Security PROJECT COMPLETE	\$ 25,168.00	\$ -	\$ 25,168.00	\$ -
REVENUE REPLACEMENT SUBTOTAL		\$ 1,012,668.00	\$ 54,888.62	\$ 40,328.98	\$ 917,450.40
TOTAL		\$ 5,515,379.00	\$ 326,572.03	\$ 500,651.05	\$ 4,688,155.76

**REPRESENTATIVE TOWN MEETING BUDGET HEARINGS
FY 2023-24**

Town Hall Auditorium
7:00 P.M.

MONDAY MAY 1

Board of Education

WEDNESDAY MAY 3

Ethics Commission
Conservation of Health
Public Health Nursing
Social Services Grants/Review
Registrar of Voters
Retirement Commission
Youth & Family Services Bureau
Senior Citizens Commission
Board of Assessment Appeals
Assessor
Contingency
Debt Service
Insurance
Town Clerk
Representative Town Meeting

MONDAY MAY 8

Zoning Board of Appeals
Economic Development Commission
Conservation Commission
Planning and Zoning Commission
Flood and Erosion Control Board
Building Department
Building Maintenance
Recreation & Parks Commission
Board of Selectmen
Public Works

WEDNESDAY MAY 10

Tax Collector
Waterford Public library
Finance Department
Human Resources Department
Board of Finance
Legal Department
Fire Services
Emergency Management
Board of Police Commissioners
Information Technology
Current Year Capital Improvements
Transfers to Capital & Nonrecurring Expenditure Fund

FINAL ACTION

RECEIVED FOR RECORD
WATERFORD, CT
2023 APR -5 A 9:04
TEST: David L. Longo
TOWN CLERK

Updated 04/03/2023