

**ENFIELD TOWN COUNCIL
MINUTES OF A REGULAR MEETING
TUESDAY, JULY 6, 2021**

A Regular Meeting of the Enfield Town Council was called to order by Chairman Ludwick on Tuesday, July 6, 2021. The meeting was called to order at 7:00 p.m.

PRAYER – The prayer was given by Councilor Cressotti.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was recited.

ROLL-CALL – Present were Councilors Bosco, Cekala, Cressotti, Hemmeler, Ludwick, Mangini, Muller, Riley, Sferrazza, Szewczak and Unghire. Councilor Unghire attended remotely. Also present were Town Manager, Christopher Bromson; Assistant Town Manager, Kasia Purciello; Town Clerk, Sheila Bailey;

FIRE EVACUATION ANNOUNCEMENT

Chairman Ludwick made the fire evacuation announcement.

MINUTES OF PRECEDING MEETINGS

MOTION #5854 by Councilor Muller, seconded by Councilor Mangini to accept the minutes of the June 21, 2021 Special Meeting.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #5854** adopted 11-0-0.

MOTION #5855 by Councilor Szewczak, seconded by Councilor Riley to accept the minutes of the June 21, 2021 Regular Meeting.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #5855** adopted 11-0-0.

SPECIAL GUESTS

There were no special guests this evening.

PUBLIC COMMUNICATIONS & PETITIONS

Peter Jonaitis, 3 Farmstead Circle

Stated firework displays have gotten out of hand with people having total disregard for their neighbors. He requested the Council consider setting up some parameters as to how late firework parties are allowed to go on and how late fireworks can be set off. He noted these displays

should not be set off in densely populated neighborhoods. He noted there are plenty of open spaces where people can gather, have parties, and set off fireworks. He stated if there is an ordinance in place to enforce this, then such an ordinance should be enforced.

Mr. Jonaitis suggested the Board of Education and Town Council get together this summer and review the Social Studies curriculum to make sure critical race theory is not going to be part of Enfield's curriculum.

Jack Sheridan, 7 Buchanan Road

Agreed with Mr. Jonaitis concerning critical race theory. He added the School Board should be advised that people in Enfield do not want anything to do with critical race theory.

COUNCILOR COMMUNICATIONS & PETITIONS

Councilor Mangini commended and thanked the Enfield Fourth of July Committee for the parade and fireworks display. She noted the volunteers of this Committee start their work the end of December or beginning of January to organize, coordinate, solicit and secure funding for this event. She thanked all the volunteers because this event is a big undertaking, and they work very hard.

Councilor Mangini questioned when they will be back on the dais because they feel like they are in left field and it is wrong. She stated at the end of July, the law says those that are vaccinated and not vaccinated can co-mingle. She questioned if they could get a ruling from the Governor or Town staff as to when this can happen.

Councilor Mangini referred to 122 Windsor Street and the blight question that arose, and she stated her understanding the Town sent out a letter on June 22nd, and the parties had 10 days to respond. She questioned the status on this.

She noted the Enfield Dog Park contacted her and Mayor Ludwick, and the search is on for a new dog mayor in Enfield, and the candidates are Rocky, Lacy, Bella and Honey. She stated they have the opportunity to meet the mayor on July 17th at the Enfield Dog Park from 10:00 a.m. to 2:00 p.m. She noted the Enfield Dog Park is looking for funds to help offset costs.

Councilor Mangini requested a report on Lynch Terrace and the flooding issue.

She stated she is not familiar with the critical race curriculum, but the Council and Board of Education do not get together and set curriculum because that is the responsibility of the Board of Education. She noted she does support working together as a team and a community to unify people and not to divide people. She stated she is not familiar with this issue, but she will speak in favor of whatever programs that they have to offer students to help educate them in the world of welcoming others. She stated their goal should be working toward being unified.

Councilor Muller thanked all the residents and sponsors that came out for the fireworks and the parade.

Councilor Hemmeler stated New Day Church is having a prayer service on the Town Green at the gazebo the second Saturday of every month at 10:00 a.m. She noted everyone is welcome.

She stated the Opera House Players are producing shows again. She noted Shrek, The Musical, will be a great event for families, and that play is scheduled for August 20th, 21st, and 22nd, and this production will be at The Annex.

Councilor Hemmeler stated the parade and fireworks were great events.

MOTION #5856 by Councilor Szewczak, seconded by Councilor Riley to suspend the rules to address under Miscellaneous Item 14 A-1 through A-3, C, F, G, H, I and J.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #5856** adopted 11-0-0.

Councilor Szewczak stated there is a new book out on the history of the powder mills, and it is entitled, "Hazard Powder", and it is written by a current Enfield resident.

She stated people must put what happens in history in the context of when it happened. She noted they cannot dilute it, change it, or turn it into something else. She noted people need to fully understand it, and they need to embrace it. She noted she has been receiving a number of emails on the critical race theory. She stated things happened, which are not proper by today's standards, but they happened, and they must accept them, and they must be a better society for what they see and for what has happened.

Councilor Szewczak stated they had a lot of comment, questions and concerns raised on the referendums. She questioned if there is a place where other questions can be submitted, and they can get answers, so that they have proper information. She noted sometimes they end up with speculation and misinformation. She stated people need to fully understand things.

Councilor Cressotti referred to Mr. Jonaitis and stated there is a Board of Education meeting on Tuesday of next week, and that would be a good time for Mr. Jonaitis to bring up the topic of critical race curriculum. He noted the Town Council and Board of Education do communicate, but the Council does not communicate regarding curriculum. He stated his belief there is a curriculum committee that would address that.

Councilor Cressotti referred to the issue of an ordinance regarding fireworks that was raised by Mr. Jonaitis. He stated if there is an ordinance, the Town needs to start strictly enforcing it by immediately giving a fine. He noted this is something that the Council really needs to look at. He acknowledged fireworks are going off for at least a week before the Fourth of July. He agreed some neighbors do not have any regard for one another, and it is quite annoying.

Councilor Sferrazza stated there is no Town ordinance regarding fireworks. He noted contrary to what people believe, the fireworks being seen around town are illegal. He stated the State of Connecticut says it is illegal to possess and illegal to display these fireworks, and people flaunt that law all the time. He noted what is legal are the sparklers and some of the ground displays are

okay, but all the aerial displays are against state law. He noted when he worked in the Police Department, there were so many firework calls that there were not enough police to get to all of them because they were busy answering calls for domestic violence, break-ins, etc.

Councilor Riley thanked the Board of Education and Superintendent, Chris Drezek, for having summer school, which started today. She noted summer school is optional and not mandated. She noted her two children attended today, and they had a great day.

Chairman Ludwick stated his understanding that regardless of whether the Legislature extends the Governor's executive powers, the Town does not have to wait to declare a non-emergency.

Mr. Bromson stated that is a question for the Town Attorney.

TOWN MANAGER REPORT & COMMUNICATIONS

Mr. Bromson referred to the blight issue on Windsor Street. He noted that is an enforcement issue, and they do not comment on those.

As concerns Lynch Terrace, a memorandum was furnished today outlining the situation. He noted that area is prone to flooding.

Mr. Bromson stated questions concerning the referendums can be forwarded to Town staff. He noted the presentations are on the Town's website. He noted the August community conversation will be a good time to review questions.

He noted they can forward the concerns about fireworks to the Chief of Police, and he can respond in writing.

TOWN ATTORNEY REPORT & COMMUNICATIONS

There was no report this evening.

REPORT OF SPECIAL COMMITTEES OF THE COUNCIL

There were no reports this evening.

OLD BUSINESS

Item 12A remained tabled.

NEW BUSINESS

All items remained on the agenda.

ITEMS FOR DISCUSSION

All items have been moved to Miscellaneous.

MISCELLANEOUS

MOTION #5857 by Councilor Muller, seconded by Councilor Riley to approve the Consent Agenda.

- Copies of 3 Resolutions Appended -

Mr. Bromson commended Nelson Tereso for successfully getting grants through DECD.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #5857** adopted 11-0-0.

NOMINATION #5858 by Councilor Szewczak to appoint Jean Acree (R) to the Enfield Board of Education for a term which expires 11/16/2021.

MOTION #5859 by Councilor Szewczak, seconded by Councilor Sferrazza to close nominations.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #5859** adopted 11-0-0.

Upon a **ROLL-CALL** vote being taken, the Chair declared Jean Acree appointed to the Enfield Board of Education by an 11-0-0 vote.

RESOLUTION #5860 by Councilor Mangini, seconded by Councilor Muller.

RESOLVED, that in accordance with Chapter VII, Section II of the Town Charter, the Enfield Town Council does hereby adopt the "Water Pollution Control Plumber" job description.

Mr. Bromson stated this was a recommendation in the Novak Report to keep the Water Pollution Control plant running in a very efficient manner. He noted Superintendent, Todd Matthewson, also made this recommendation, and this is fully budgeted.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #5860** adopted 11-0-0.

RESOLUTION #5861 by Councilor Szewczak, seconded by Councilor Riley.

WHEREAS, there is a freight rail line (rail line) running from the East Windsor/Enfield town line through the eastern portion of Enfield to the Massachusetts state line in East Longmeadow; and

WHEREAS, a walking trail would contribute to the health, well-being, and enjoyment of Enfield residents by allowing direct access to outdoor activities and exercise.

NOW, THEREFORE, BE IT RESOLVED, that the Enfield Town Council expresses its support for a walking trail alongside the rail line for the benefit and enjoyment of the Enfield community.

THEREFORE, BE IT RESOLVED, that the Town Manager is authorized to submit an application to the Connecticut Department of Transportation to develop a walking trail within the railroad right-of-way for the benefit and enjoyment of the Enfield community.

Mr. Bromson stated this is a good start to start some dialog about the real feasibility of doing a trail alongside the freight line. He noted if they can live together simultaneously, that 's wonderful, but if the freight line doesn't materialize, Enfield will be in a much better position to start moving forward on the trail itself.

Councilor Mangini questioned at what point they will get a cost analysis on the actual trail itself. She noted she is also very concerned about public safety.

Mr. Bromson stated this is the preliminary stage, which will generate some dialog. He noted going forward they can get more details and information. He stated staff will keep the Council posted.

Chairman Ludwick stated the dialog will help understand what the costs will be and whether the State must spend money on the bridge. He noted taxpayers should also understand how much it will cost to fix the rail.

Councilor Szewczak stated there was a lot of activity on the rail in the spring, and now that work has totally stopped. She stated as they keep this conversation going, it may be better understood what is actually going on in this area, and they can better explain to residents about what is happening.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #5861** adopted 11-0-0.

RESOLUTION #5862 by Councilor Muller, seconded by Councilor Riley.

WHEREAS, Governor Lamont has signed Bill No. 1201, *Responsible and Equitable Regulation of Adult-Use Act (RERACA)*, legalizing the recreational use of cannabis and establishments therefore; and

WHEREAS, Municipalities may, by ordinance, prohibit cannabis establishments, as defined in Sections 148(b) and 1(4) of RERACA; and

WHEREAS, the Council wishes to enact such an ordinance; and

WHEREAS, the Council wishes to seek input on the proposed ordinance;

NOW, THEREFORE, BE IT RESOLVED, that the Enfield Town Council hereby schedules a public hearing regarding the proposed ordinance Prohibiting Cannabis Establishments to be held

on September 7, 2021 at 6:30 p.m. in the Enfield Town Hall, Council Chambers, 820 Enfield Street, Enfield, Connecticut in order to receive public comment.

Councilor Mangini stated her belief a public hearing is extremely important. She stated she is not sure she supports or does not support cannabis establishments. She questioned if that precludes her position by supporting the actual public hearing. Chairman Ludwick stated the resolution is specifically for the public hearing.

Councilor Hemmeler stated she is against selling recreational marijuana in Enfield. She noted on the surface it looks like a lot of money on the table, but she believes the cost will outweigh any tax revenue. She stated they all need to ask themselves if they want Enfield to remain a community focused on education and a great place to raise a family, or do they want Enfield to become a destination to buy marijuana. She stated she wants to invest in families.

Councilor Cekala stated regardless of how she feels about whether or not to have an establishment, she is supporting the need and the desire for a public hearing. She noted before the public hearing, she would like some data from surrounding towns, Massachusetts, and surrounding states on what they have seen as benefits versus what they have seen as cons, whether its increased traffic, crime, or whether its decreased crime, or whether its increased or decreased property values, what the revenue is to the town, and how many establishments do they really think will come to Enfield. She noted it has been legal up the road for quite some time, and she does not know that Enfield is necessarily going to get an influx. She stated she is not quite sure where she stands on this issue at this time, and that is why she wants to hear the public, and she wants to see some information, and she would like that information prior to this public hearing, so people can also see it. She stated her belief there will be a lot of hoops that these establishments will have to jump through in order to even be allowed to open. She stated she would like a layman's presentation on this to show the pros and cons.

Councilor Cressotti stated he is not going to say whether he is for or against, but when he is looking at the actual writing of this ordinance, who is the one who wrote this proposed ordinance. He noted the word "prohibition" is a powerful term. He stated he would like some statistics and possibly meet together in a special meeting and iron out a different writing of this ordinance. He stated he does not want to give the wrong impression to businesses wanting to come to Enfield in terms of whether it is a dispensary facility leading to jobs, or cultivators or farms or any of this type of activity. He noted he does not want Enfield to be impaired financially due to this. He stated surrounding towns will be benefiting. He stated it is a 120-page bill they are reacting to. He noted he is glad they are having a public hearing because he definitely wants to hear everyone's views on this. He noted he has heard some pros and cons from people regarding this topic.

Chairman Ludwick stated this ordinance came from the Town Attorney's office. He noted having the public hearing on September 7th provides time for everyone to read the bill. He stated this is also a public policy and it impacts the police as well. He noted there are a lot of things in that bill that effect the way they do business in Enfield. He encourages the public to read this bill as well, so they are informed. He stated his opinion this is not a good public policy bill.

Mr. Bromson stated he is not comfortable with staff doing a presentation on this topic. He noted there is a plethora of information on the internet for people to review. He stated they will just pass onto the Council the information that the State sends.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #5862** adopted 11-0-0.

RESOLUTION #5863 by Councilor Muller, seconded by Councilor Mangini.

WHEREAS, the Town of Enfield budget includes revenues from increased fees for Curbside Bulky Waste pick-up and the Transfer Station; and

WHEREAS, the schedule of fees for curbside bulky waste and transfer station has not been amended since July of 2009; and

WHEREAS, Council wishes to seek input on this increase from the residents,

NOW, THEREFORE, BE IT RESOLVED, the Enfield Town Council will hold a Public Hearing in the Enfield Town Hall Council Chambers, 820 Enfield Street, Enfield, Connecticut on Monday, August 2, 2021 at 6:45 p.m. to allow interested citizens an opportunity to express their opinions regarding the Proposed Amendment to the "Bulky Waste Transfer Station-Fees" (Attachment A).

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #5863** adopted 11-0-0.

RESOLUTION #5864 by Councilor Muller, seconded by Councilor Szewczak.

WHEREAS, the proposed amendments to Enfield Town Code, Chapter 30 are to enact a revised Solid Waste and Recycling Ordinance which will provide for the safe, convenient, and sanitary disposal of solid waste generated within the Town, increase the incidence of recycling, and reduce the expenditure of public resources for collection and disposal costs; and

WHEREAS, the Town Council wishes to seek input on the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED, that the Enfield Town Council does hereby schedule a public hearing to be held on August 2, 2021 at 6:30 p.m. in the Enfield Town Hall Council Chambers, 820 Enfield Street, Enfield, Connecticut in order to allow interested citizens an opportunity to express their opinions regarding the proposed amendments to the Solid Waste and Recycling Ordinance.

Councilor Bosco urged everyone to read this ordinance, and if they wish to comment about it, they should come to the public hearing. He noted this is something completely different than what was done in the past. He stated the price to dispose of trash is very expensive.

Councilor Cekala requested a red-line version of this ordinance, so the differences can be seen.

Chairman Ludwick questioned if this can be available on the Town's website, and Mr. Bromson indicated that can be done.

AMENDMENT #1 by Chairman Ludwick, seconded by Councilor Hemmeler to change the start of the public hearing from 6:30 to 6:15 p.m.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **AMENDMENT #1** adopted 11-0-0.

Upon a **ROLL-CALL** vote being taken, the Chair declared **RESOLUTION #5864** adopted 11-0-0, as amended.

PUBLIC COMMUNICATIONS

There were no comments from the public.

COUNCILOR COMMUNICATIONS

There were no comments from the Council.

ADJOURNMENT

MOTION #5865 by Councilor Muller, seconded by Councilor Mangini to adjourn.

Upon a **SHOW-OF-HANDS** vote being taken, the Chair declared **MOTION #5865** adopted 11-0-0, and the meeting stood adjourned at 8:00 p.m.

Respectfully submitted,

Sheila M. Bailey
Town Clerk
Clerk of the Council

Jeannette Lamontagne
Secretary to the Council

Consent Item #1 Appended
to the minutes of the July 6,
2021 Regular Town Council
Meeting See Page 5

**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: Family Resource Center

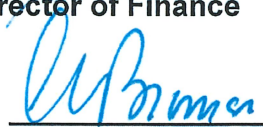
Salaries	22048854 511000	\$2,500
Social Security	22048854 522000	\$156
Medicare	22048854 522100	\$37
Other Professional Services	22048854 533900	\$323
Postage	22048854 553500	\$500
Travel	22048854 558000	\$500
Instructional Supplies	22048854 561100	\$984
Other Supplies/Materials	22048854 561900	\$2,000

FROM: Family Resource Center CT FRC Network-Enfield Hub

OEC FRC HUB	22048854 413699	\$7,000
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CERTIFICATION: I hereby certify that the above-stated funds are available as of July 6, 2021


John Wilcox, Director of Finance

APPROVED BY:  Town Manager

Date: 6/30/21

ENFIELD TOWN COUNCIL

RESOLUTION NO. _____

**Resolution Authorizing the Town Manager to Sign the
Assistance Agreement with the State of Connecticut Acting by the
Department of Economic & Community Development for the Strand Project**

WHEREAS, the Town submitted to the State of Connecticut acting by the Department of Economic & Community Development a Round 13 Brownfield Municipal Grant Application for a non-matching grant-in-aid in connection with the Assistance Agreement for a project entitled the Strand Environmental Investigation Project (Project) to perform the necessary environmental investigations; and

WHEREAS, on June 24, 2021 the Town was awarded a grant-in-aid in an amount not to exceed \$47,000 for the Project; and

WHEREAS, the Town and State of Connecticut acting by the Department of Economic & Community Development will enter into the Assistance Agreement pursuant to Connecticut General Statutes §32-763 whereby the State agrees to provide financial assistance to the Town for the Project in the form of a Round 13 Municipal Brownfield Assessment Grant in an amount not to exceed \$47,000.

NOW THEREFORE, BE IT RESOLVED, that the Enfield Town Council authorizes the Town Manager to sign the Assistance Agreement with the State of Connecticut acting by the Department of Economic & Community Development and to execute such other documents as may be required.

Prepared by: Nelson Tereso,
Deputy Director of Economic & Community Development

Date Prepared: June 25, 2021

ENFIELD TOWN COUNCIL

RESOLUTION NO. _____

**Resolution Authorizing the Town Manager to
Sign the Assistance Agreement with the State of Connecticut
Acting by the Department of Economic & Community Development for
the Levitz Property Project**

WHEREAS, the Town has submitted to the State of Connecticut acting by the Department of Economic & Community Development a Round 13 Brownfield Municipal Grant Application for a non-matching grant-in-aid in connection with this Assistance Agreement for a project entitled North River Street Levitz Property Environmental Assessment Project (Project) to perform the necessary environmental investigations; and

WHEREAS, on June 24, 2021 the Town was awarded a grant-in-aid in an amount not to exceed \$175,000 for the Project; and

WHEREAS, the Town and State of Connecticut acting by the Department of Economic & Community Development will enter into the Assistance Agreement pursuant to Connecticut General Statutes §32-763 whereby the State agrees to provide financial assistance to the Town for the Project in the form of a Round 13 Municipal Brownfield Assessment Grant in an amount not to exceed \$175,000.

NOW THEREFORE, BE IT RESOLVED, that the Enfield Town Council authorizes the Town Manager to sign the Assistance Agreement with the State of Connecticut acting by the Department of Economic & Community Development and to execute such other documents as may be required.

Prepared by: Nelson Tereso,
Deputy Director of Economic & Community Development

Date Prepared: June 25, 2021

TOWN OF ENFIELD JOB DESCRIPTION

DEPARTMENT OF PUBLIC WORKS WATER POLLUTION CONTROL

WATER POLLUTION CONTROL - PLUMBER

GENERAL STATEMENT OF DUTIES: Responsible for the layout fabrication, assembling, installation and maintenance of piping and piping systems, fixtures and equipment for steam, hot/cold water, heating, cooling, lubricating, drainage, sprinkling and processing.

SUPERVISION RECEIVED: Works under the general supervision of the Superintendent of Water Pollution Control and Lead Attendant II Shift Operator or his/her designee.

SUPERVISION EXERCISED: Directs operators assigned to assist with plumbing work.

ESSENTIAL JOB FUNCTIONS: Regular & punctual attendance; identify, analyze, diagnose and repair plumbing and sprinkler systems, as needed, with the use of a variety of hand-tools, blueprints, line diagrams or engineering specifications in a safe, effective manner; perform preventive maintenance, replacement and modification as needed; keep and maintain service records; inspect equipment for signs of wear; determine and select parts needed for repair according to job specifications and Building, Fire and Health Codes, and order in a timely fashion; inspects work site, plans sequence of installation, cuts, threads, joins and bends pipe; assembles, installs and maintains a variety of metal and non-metal pipes, fittings, valves, pumps, meters and control systems; understand and practice safety and good judgment at all times; make systems recommendations to Supervisors for outside services.

OTHER JOB FUNCTIONS: Performs related work as required. Will perform other duties that do not require State Wastewater Operator License.

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 of this job.

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

The employee must frequently lift and/or move up to 50 pounds and occasionally, lift and/or move more than 100 pounds. Specific vision abilities required by this job include close vision 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 individual with disabilities to perform the essential functions of the job.

While performing the duties of this job, the employee occasionally works near moving mechanical parts. The employee occasionally works in high, precarious places and is exposed to wet and/or humid conditions, fumes or airborne particles, and toxic chemicals. The employee is occasionally exposed to risk of electrical shock.

The noise level in the work environment is usually moderate to loud.

MINIMUM QUALIFICATIONS:

KNOWLEDGE, SKILL AND ABILITY: Considerable knowledge of the materials, methods, tools and equipment involved in the plumbing and steam fitting trades; knowledge of building codes; knowledge of maintenance and repair of sprinkler systems; basic knowledge of the operation of institutional steam boilers and heating

systems; interpersonal skills; oral communication skills; ability to plan, layout and schedule maintenance assignments; ability to maintain records and prepares reports; ability to read blueprints; ability to respond to and handle emergencies on an overtime basis.

EXPERIENCE AND TRAINING: High School diploma or GED. Must hold current State of Connecticut P-2 Journeyman license. Must have at least five (5) years of general experience within the field. Graduation from a vocational or technical school in the trade may be substituted for two (2) years of the general experience. Any equivalent combination of education and experience which provides the required knowledge, skills and abilities. Must have a current valid motor vehicle operator's license. Must pass criminal background check and physical.

This job description is not, nor is it intended to be, a complete statement of all duties, functions and responsibilities that comprise this position. Adopted: **Pending**

ATTACHMENT A

Town of Enfield
Bulky Waste Transfer Station – Fees

Residential Fees – Effective September 1, 2021

Annual Residential Permit.....	\$5 \$20.00 per vehicle
Annual Residential Trailer Permit	\$5
Annual Commercial Business with Primary Address in Enfield Permit	\$20.00 per vehicle
Disposal Rate (bulky non-yard waste)....	\$0.07 \$0.10 per pound of material
Disposal Rate (yard waste)	\$0.00 per pound of material
Accepted Yard Waste: Leaves, brush, grass, tree debris (no longer than 6 feet in length and 12 inches in diameter), NO STUMPS. Leaves are to be placed in Brown Kraft bags or in loose form only. No Plastic Bags	
Disposal Rate (metal)	\$0.00 per pound of material
Metal must be weighed separately	
Disposal of Refrigeration Units	\$20 each unit
Curbside Residential Bulky.....	\$150 each collection Each Truck Load

~~Commercial and Non-resident Fees – Effective July 15, 2008~~

Annual Commercial* and Non-resident Vehicle Permit.....	\$120.00
Annual Commercial Trailer** Permit	\$120.00
Disposal Rate (all allowable materials)	\$0.12 per pound of material
*Out of Town Commercial One Day Vehicle Permit	\$20.00 \$25.00 per vehicle
*Out of Town Contractor must provide building permit for building material or yard waste form	

* ~~Commercial Vehicle shall be defined as any commercially registered vehicle or any vehicle rated over 10,000 lbs. GVW.~~

** ~~Commercial Trailer shall be defined as any trailer in tow of a defined commercial vehicle.~~

Additions **Bold RED**

Deletions **[Strikethrough]**

SOLID WASTE AND RECYCLING ORDINANCE

I. Declaration of Policy

A. The Town of Enfield is authorized by Conn. Gen. Stat. §§ 7-148(c)(4)(H), 22a-220 and 22a-220a to license refuse collectors, regulate and make provisions for the safe and sanitary disposal of all acceptable solid waste, as defined herein, generated within its boundaries and to collect a fee for that service.

B. The Town Council has determined that the public health, safety, and welfare of the citizens of the Town will be best served by the adoption of this ordinance.

C. This chapter is also adopted pursuant to Conn. Gen. Stat. §7-148(c)(7)(H)(xv) and is considered a blight ordinance.

II. Definitions

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bulky waste means waste resulting directly from demolition activities other than clean fill and includes wood (tied and bundled, no longer than six feet in length); furniture, metal, and appliances (excluding: refrigerators, air conditioners, dehumidifiers, and all electronics); carpets and linoleum; mattresses and box springs.

Collector means any person, firm, or corporation that is engaged in the business of regularly collecting solid waste from residential, business, commercial or other establishments. Collector does not include: (1) Any person who transports solid waste that is incidentally generated during professional or commercial activities unrelated to the collection of solid waste, such as residential property repairs, provided such solid waste is self-generated by such person's professional or commercial activities and such solid waste is transported to an authorized recycling facility, a permitted recycling facility, or a permitted solid waste facility, and (2) any person who transports used materials for the purpose of delivering such materials to a charitable organization that distributes reused household items or to a retail facility that sells reused household items.

Common gathering venue means any area or building located in the Town or portion thereof, that is open to the public, including but not limited to, any (1) building that provides facilities or shelter for public assembly; (2) inn, hotel, motel, sports arena, supermarket, transportation terminal, retail store, restaurant or other commercial establishment that provides services or retails merchandise; or (3) museum, hospital, auditorium, movie theater or university building.

Condominium unit, a single-family residential unit that is part of a condominium or planned residential development.

Curbside placement means a location on the roadway pavement against the curb; on roadway pavement adjacent to the edge the grass; or against a snowbank during the winter months; or in a location designated by the Director based on safety or collection efficiency. The tipper barrel must be oriented as indicated by manufacture's marking on the tipper barrel with no obstruction within three feet in any direction.

Customer means a resident or commercial entity and any other establishment or institution, including without limitation any landlord, and any association or company managing a condominium.

DEEP means the Department of Energy and Environmental Protection or its successor agency.

Director means the Director of Public Works of the Town or his or her designated agent.

Disposal charge means the amount to be charged for each ton of solid waste delivered to the SWF as established by the procedures authorized in the municipal service agreement.

DPW means the Department of Public Works of the Town.

Fine means monetary penalty for violations of this ordinance.

Fixed site container means an enclosed container for refuse generated by commercial establishments or residential complexes with greater than six units, with a capacity of either four, six, or eight cubic yards, with an attached lid that allows for a 270-degree swing to the rear of the container, of a design for automated transfer of the refuse from the container into the refuse collection vehicle.

Generator means any person or entity that creates solid waste or recyclables.

Hazardous waste means any waste material which may pose a present or potential hazard to human health or the environment when improperly disposed of, treated, stored, transported, or otherwise managed, including:

1. hazardous waste identified in accordance with Section 3001 of the Federal Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.);
2. hazardous waste identified by DEEP regulations;
3. polychlorinated biphenyls (PCBs) in concentrations greater than 50 parts per million, but does not mean byproduct material, source material or special nuclear material, as defined in Conn. Gen. Stat. § 22a-151; and
4. tires.

Materials Recycling Facility (MRF) is a specialized plant that receives, separates, and prepares recyclable materials for marketing to end-user manufacturers.

Multi-family homes are residential homes with at least two, but no more than four, units/apartments. Multi-family homes with five or more units/apartments are considered

commercial properties for purposes of this ordinance. Single family homes with accessory apartments are excluded from this definition.

Municipal Solid Waste (MSW) means solid waste from residential, commercial, and industrial sources, excluding solid waste consisting of significant quantities of hazardous waste, land-clearing debris, demolition debris, biomedical waste, sewage sludge and scrap metal.

Plastic bag means any bag made of plastic, purchased for the disposal of household waste and not plastic single-use shopping bags.

Policy means a course or principle of action adopted or proposed by a government, party, business, or individual.

Recyclables means discarded material which may be reclaimed, such as cardboard, batteries, glass, metal, plastics, newspapers, office paper, crankcase oil, brush and leaves, grass clippings and any other material designated as such by regulation adopted by the DEEP or by local regulation or ordinance.

Regulations means rules developed by the Director to carry out the terms of this chapter, which rules shall have the same binding effect on generators and collectors as this chapter.

Residential waste means solid waste, recyclables, and yard waste generated by persons living in residences containing not greater than six dwelling units, but excluding hospitals, motels, hotels, or other facilities with communal living quarters.

Scrap metal means used or discarded items which consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel, or alloys thereof, including white goods.

Solid waste, also known as municipal waste, means unwanted or discarded solid, semisolid or contained gaseous material, including, but not limited to, demolition debris, material burned or otherwise processed at a resources recovery facility or incinerator, material processed at a recycling facility and sludges or other residue from a water pollution abatement facility, water supply treatment plant or air pollution control facility, excluding:

1. Hazardous waste
2. Semi-solid or liquid materials which are collected and treated in a sewerage system.

Solid Waste Facility (SWF) any solid waste disposal area, volume reduction plant, transfer station, wood burning facility, or biomedical waste treatment facility.

Tipper barrel means a container for refuse of not less than 35 nor more than 96-gallon capacity, with an attached lid that allows for a 270-degree swing to the rear of the container, compatible for automated or semi-automated transfer of the refuse from the

container into the refuse collection vehicle. Gray tipper barrels are for solid waste. Blue tipper barrels are for recyclables. Brown tipper barrels are for yard waste.

Town means the Town of Enfield.

Town's Transfer Station means the Town owned transfer station facility on Town Farm Road.

Transfer station means any location or structure, whether located on land or water, where more than ten cubic yards of solid waste, generated elsewhere, may be stored for transfer or transferred from transportation units and placed in other transportation units for movement to another location, whether or not such waste is stored at the location prior to transfer.

Waste stream means material that has been placed at curbside or at any designated collection or pick-up site or designated disposal site.

Written warning means a warning issued in writing and on a form specified by the Director or his or her designee to first time violators of this article.

Yard waste means grass, grass clippings, bushes, shrubs, clippings from bushes and shrubs, and vegetative debris. *Yard waste* excludes branches greater than three inches in diameter and/or three feet in length, logs, stumps, stones, rocks, dirt, and waste from construction, renovation, or demolition.

III. Registration of Collectors of Solid Waste Generated in the Town

A. Any collector hauling solid waste and/or recyclables generated by residential, business, commercial or other establishments shall register and apply for a permit annually as directed by the Director and shall disclose: (1) The name and address of the collector and the owner of such collection company; (2) the name of any other municipality in which such collector hauls such solid waste, including recyclables; (3) whether the hauling done by such collector is residential, commercial or other; (4) the types of waste hauled; (5) the anticipated location of any disposal facilities or end users receiving recyclable solid waste; and (6) any additional information that such Director requires to enhance the health and safety of the residents of the Town. No person may act as a collector in the Town without maintaining an active permit issued pursuant hereto, and no person may drive a solid waste collection vehicle to collect solid waste in the Town without demonstrating that such person has a valid license issued by the State of Connecticut to drive such vehicle. It shall be a condition of such registration and permit that any such collector agrees to comply with all provisions of this ordinance and Chapter 446d of the Connecticut General Statutes applicable to collectors, and all other requirements set forth in the application for such permit, which agreement to comply shall be contained in all annual registrations and permit applications.

B. Any such collector shall report to the Director (1) the types of solid waste, including recyclables, as listed in Conn. Gen. Stat. §22a-208e(c), as it may be amended from time

to time, generated within the borders of the Town and collected by such collector, (2) the name, location and contact information for the first destination where such solid waste, including recyclables, was delivered by the collector during the previous fiscal year, and (3) the types and actual or estimated amounts of such solid waste, including recyclables, directly delivered to (a) an out-of-state destination, (b) an end user or manufacturer in Connecticut, or (c) any other location in Connecticut not maintaining an active permit as a solid waste facility issued by the Connecticut Department of Energy and Environmental Protection. Such reports shall be submitted to the Director annually, on or before June 30th, and shall provide the information specified in this subdivision for the prior fiscal year of the State of Connecticut. Such reports shall be on a form prescribed by the Connecticut Commissioner of Energy and Environmental Protection and any other information needed by the Director.

C. The collector shall annually pay a registration fee set by the Council. The Council may (1) authorize the imposition of an increase of the fee to an amount twice the disclosed fee if the registration and permit application of the collector is not filed timely in accordance with subsection B above, and (2) provide for a proration of the registration fee for a new collector applying for a registration and permit for new collection service to be begun after December 31st in any fiscal year.

D. The Director shall administer the licensing and registration of any refuse collector engaged in collecting and transporting solid waste and recyclables within the Town. No license shall be issued until the refuse collector provides proof of adequate liability insurance which shall include an obligation on the part of the carrier to notify the Town if coverage is terminated.

IV. Designation of Location for Disposal of Acceptable Solid Waste and Processing of Recyclables

A. Acceptable solid waste generated within the boundaries of the Town by residential, business, commercial or other establishments may be disposed at any DEEP approved solid waste facility (SWF).

B. Curb-side collected items designated for recycling by Connecticut statute, regulation and the Statewide Solid Waste Management Plan (including without limitation the 2016 Comprehensive Materials Management Strategy), all as may be amended or updated from time to time, generated within the boundaries of the Town by residential, business, commercial or other establishments may be taken for processing or sale elsewhere to any DEEP approved Materials Recycling Facility (MRF).

V. Recycling

A. Residential Recycling. Each person who generates solid waste from residential property shall separate recycling from other solid waste.

B. Non-residential Recycling. Every person who generates solid waste and recyclables from property other than residential property shall make provision for and

cause the separation of recyclables from other solid waste using one or more tipper barrels for designated items that are separate from tipper barrels for other solid waste.

C. Failure to Recycle. Any collector who has reason to believe that a person from whom he collects solid waste has commingled recyclable items with such solid waste in violation of said subsections A. or B. shall promptly notify the Director of the alleged violation. Upon the request of the Director, a collector shall provide a written warning, by tag or other means, to any person suspected by the collector or the Director of violating separation requirements. A collector shall also assist the Director to identify any person responsible for creating loads containing significant quantities of recyclable items mixed with solid waste or yard waste which are delivered to a resource's recovery facility or solid waste facility by the collector and detected by the owner or operator of such facility.

D. Recycling Receptacles at Common Gathering Venues. The owner of a common gathering venue at which recyclables are generated shall, in addition to providing for the collection of solid waste, provide recycling receptacles for the collection of any designated recyclable items generated at such venue. Nothing in this section shall be construed to require an owner or operator of such venue, or the Town, to provide such recycling receptacles whenever such receptacles are provided by another person pursuant to contract. Such recycling receptacles shall be as accessible to the public and at the same locations as trash receptacles, that is, there must be one recycling receptacle accompanying each trash receptacle.

E. Collector Contracts with Business Customers. Each contract between a collector and a customer for the collection of solid waste shall make provision for the collection of designated recyclable items, either by providing for the collection of designated recyclable items by the same collector who is party to the solid waste contract or by including an identification by the customer of the collector with whom such contract exists. The provisions of this section shall not be construed to require a customer to contract exclusively with one collector for the collection of both designated recyclable items and other solid waste. Each collector shall provide each customer with clear written or pictorial instructions on how to separate designated recyclable items in accordance with the provisions of subsection VI B. above.

F. Collectors Required to Offer Recycling Collection. Each collector who offers curbside or on-site collection of solid waste generated by residential properties in the Town shall offer curbside or on-site collection of designated recyclable items to each of such collector's customers and such curbside or backyard collection of designated recyclable items shall be included in the collector's charge for solid waste collection. The provisions of this subsection shall not be construed to prohibit any collector from determining and adjusting its fees for combined curbside collection services.

G. Recombining of Segregated Items. No person shall combine previously segregated designated recyclable items with other solid waste.

H. Removal of recyclable materials.

1. No person shall remove recyclable materials, including but not limited to scrap metal, newspapers, unbroken glass, bottles, cans, tires, and other collectibles from the designated disposal site without authorization from the Director.
2. Once recyclable materials are placed at curbside or other designated area, it shall be a violation of this chapter for any person or entity, other than those authorized under this chapter, to collect or remove recyclable materials from said area.
3. At the option of the Director or his or her designee, violators of subsection 1. or 2. of this section may be required to make restitution to the Town for any materials illegally removed.
4. Nothing in this chapter shall limit the right of anyone to dispose of his own recyclables in any other lawful manner, provided that such materials have not been set out on the curb or placed in any designated collection or disposal site.
5. Any nonprofit organization within the Town may request authorization from the Director to collect recyclables.

VI. Operational and Implementation

A. DPW Collection of Municipal Solid Waste and Recyclables.

1. DPW will collect Municipal Solid Waste and Recyclables generated at single family homes; multi-family homes with four or fewer residential units; Town-owned buildings, including schools; condominiums and planned residential developments that have collection agreements with the Town of Enfield; and religious, commercial, or industrial properties that receive DPW collection at the time of adoption of this ordinance, provided that these properties enter into a collection agreement with the Town of Enfield.
2. Municipal Solid Waste and Recyclables must be deposited into tipper barrels per the provisions set forth below, or into a fixed site container.
3. Municipal Solid Waste, recyclables, leaves, and yard waste must each be kept separate and cannot be commingled.
 - a. Municipal Solid Waste. One 96-gallon grey tipper barrel will be collected per week at no charge. Refuse bags or other items outside the tipper barrels will not be collected.
 - i. A maximum of up to two additional 96-gallon grey tipper barrels, per single family residence, may be purchased at a fee to be established

by the Director. No more than a total of three grey tipper barrels per single family residence shall be collected per week.

- ii. A maximum of up to one additional 96-gallon grey tipper barrel, per unit in a multi-family home, may be purchased at a fee to be established by the Director. No more than a total of two grey tipper barrels per unit in a multi-family home shall be collected per week.
 - iii. Tipper barrel tags shall be purchased annually at a fee to be established by the Director for those residences with additional grey tipper barrels. The cost for an additional tipper barrel excludes the cost of the tag.
- b. Recyclables. One 96-gallon blue tipper barrel will be collected per week at no charge. Subject to approval by the Director, a maximum of up to three additional 96-gallon blue tipper barrels, per single-family residence or per unit in a multi-family home, will be available, at no additional charge. No more than a total of four blue tipper barrels per single-family residence or per unit in a multi-family home shall be collected.
- c. Yard Waste. Up to two 96-gallon brown tipper barrels will be collected per week at no charge. A maximum of up to two additional 96-gallon brown tipper barrels may be purchased for a fee to be established by the Director. Tipper barrel tags shall be purchased annually at a fee to be determined by the Director for those residences with a third or fourth brown tipper barrel. No more than a total of four 96-gallon brown tipper barrels will be collected per week at single family homes and multi-family homes. The cost for an additional tipper barrel excludes the cost of the tag. Yard Waste collection shall be seasonal on a schedule to be determined by the Director. Residential yard waste brought to the Town's Transfer Station must be weighed.
- d. Spring Clean-Up. On dates to be determined by the Director, the four brown tipper barrel collection limit, referenced above, shall not apply. There will be no fee required for collection of any additional brown tipper barrels. In addition to the 96-gallon brown tipper barrels, one grey tipper barrel, with a red tag may be used for yard waste.
- e. Leaf Waste. The Director will establish the leaf waste collection schedule, usually in the fourth quarter of the calendar year. During scheduled leaf collection up to 40 (forty) bio-degradable leaf bags and unlimited 96-gallon brown tipper barrels will be collected per collection day. Condominiums, planned residential developments and senior residential developments are

excluded from this collection. During leaf collection season residents may bring their leaf waste to the Town's Transfer Station without weighing.

4. *Bulky Waste* collection is by appointment only, at a fee determined by the Director, and is limited to residences and Town-owned buildings, including schools. Condominiums and businesses are excluded from such collection.
5. *Oil and battery* collections are specially scheduled events, the date and location of which shall be publicized.
6. Christmas trees will be collected at the discretion of the Director of Public works discretion.
7. The contents of all tipper barrels must be completely contained inside the barrel with the lid securely closed. Tipper barrels not so secured will not be collected. Tipper barrels that contain items other than that for which they are intended will not be collected. All tipper barrels, and their lids, must be maintained in good working order.

B. Not Collected.

1. Refrigerators, air conditioners, and dehumidifiers are not collected at curbside and may be brought to the Town's Transfer Station. The fee per item will be determined by the Director and is subject to change.
2. Hazardous wastes, paints, pesticides, oil, or their by-products are not collected. The Director may schedule Household Hazardous Waste Days for proper disposal.
3. Electronics, including but not limited to TVs, computers, monitors, printers, and microwaves are not collected. These items may be brought to the Town's Transfer Station during normal operating hours. There is no charge upon proof of residency.
4. Logs are not collected and branches greater than three inches in diameter and/or three feet in length. These items may be brought to the transfer station during normal operating hours.
5. Other than at designated collection times, yard waste, leaves, grass, or brush are not collected and must be brought to the Town's Transfer Station.
6. Construction and demolition material are not collected curbside. These items must be brought to the Town's Transfer Station.
7. Asbestos, shingles, tile, sheet rock, concrete, windows with glass, glass, vehicle parts are not collected.
8. Textiles, including but not limited to, clothing, stuffed animals, handbags, and shoes, may be recycled at 40 Moody Road or the Town's Transfer Station.

C. Curbside Placement of Tipper Barrels

1. Tipper barrels shall not be placed at curbside sooner than two hours prior to sunset on the day preceding a scheduled collection. Tipper barrels shall be placed at the edge of the roadway with orientation to facilitate automated collection as directed on the tipper barrel. All solid waste placed for collection must be contained within a tipper barrel.
2. Tipper barrels must be placed at the edge of the roadway no later than 6:00 a.m. the day of collection.
3. Tipper barrels must be removed from the edge of the roadway no later than 7:00 p.m. the day of collection. Tipper barrels must be stored behind the front building line of the principal residential structure on the property.
4. Tipper barrels must have three feet of clearance in any direction from other tipper barrels, walls, fences, vehicles, and any other structures that can be damaged by the claw and the arm of the automated collections vehicles.

VII. **Enforcement**

A. Any person, including without limitation any collector, found to have knowingly disposed of unacceptable solid waste or prohibited materials; knowingly disposed of items designated for recycling; or, violated any of the provisions of the requirements of this ordinance, shall be subject to the following fines:

1. Nonresidential and multi-family residential property. The initial violation of this article shall be documented by the issuance of a written warning. Each violation subsequent to a written warning shall be documented by the issuance of a citation and punishable by a fine. The first subsequent violation shall be punishable by a fine not to exceed \$100. The next subsequent violation within five years of the first subsequent violation shall be punishable by a fine not to exceed \$250. Each subsequent violation within five years of a previous violation shall be punishable by a fine not to exceed \$500. Fines shall be in addition to any other penalty that may be imposed by law. Each violation constitutes a separate and distinct offense. If fines are not timely paid, liens may be filed on the property.
2. Civil penalties for collectors. A collector that knowingly mixes recyclables with solid waste may be issued a citation imposing civil penalties in an amount between \$1,000 and \$5,000.
3. Single-family residential property. The initial violation of this article shall be documented by a written warning for the first offense. The first subsequent violation

within five years of the written warning shall be punishable by a fine not to exceed \$50, the next subsequent violation within five years of the previous violation shall be punishable by a fine not to exceed \$100, the next subsequent violation within five years of the previous violation shall be punishable by a fine not to exceed \$150, the next subsequent violation within five years of the previous violation shall be punishable by a fine not to exceed \$250. All subsequent violations shall be punishable by a fine not to exceed \$500. Unpaid fines shall result in liens upon the property.

4. Hazardous waste violation. Any person who violates the terms of this chapter or any regulation intended to implement this chapter involving hazardous waste shall be issued a citation, and DPW may impose a fine of not more than \$500 for each offense, in addition to any other penalty that may be imposed by law. Violators shall also be responsible for the costs incurred in mitigation, remediation, and/or the proper disposal of such hazardous waste.

B. Any police officer or other person authorized by the Town Manager may issue a citation to any person who commits a violation of any section of the Solid Waste and Recycling Ordinance.

C. Any person fined or whose permit has been or may be revoked or suspended pursuant to this Section may request and shall be granted a hearing on the matter, provided that such request must be made, after notice to such person, and the hearing shall be conducted, in accordance with the provisions of Conn. Gen. Stat. §7-152c.

D. Climbing over railings or into containers at the Town's Transfer Station is strictly prohibited. Any individual found to violate permitted practices at the Town's Transfer Station may be subject to a suspension of privileges. Customers who do fail to pay Town's Transfer Station fees will fully be prosecuted.

VIII. Revocation or Suspension of License or Registration

Generally. Failure to comply with the provisions of this article shall be grounds for revocation or suspension of any license or registration issued under its provisions.

- A. Notice required. Revocation or suspension shall become effective five calendar days after written notice is mailed by the Director unless a lesser time is indicated in the notice.
- B. Person available to receive notice. Licensees must provide the Director with the name and address of a person who will always be available, in person or by designee, to receive notice either by mail or in-hand delivery. Lack of availability on the part of such person shall be deemed a waiver of required notice.

- C. Request for review. Upon receipt of a notice of suspension or revocation, the licensee may file a written request for review. Such request must be filed with the town clerk within five days of receipt of the notice. Failure to file within such time shall waive the licensee's right to review, making the suspension or revocation final and binding upon the refuse collector.
- D. Timely filing. If such request is filed within five days of receipt of notice, such request shall stay the revocation or suspension, excepting such cases where a stay would present substantial harm to the health, safety, and welfare of the public.
- E. Special appeals board, hearing. The Town Council may appoint a special appeals board consisting of four electors of the Town, one licensed refuse collector, and a member of the Town Council to serve as a nonvoting liaison member. The board shall, within 15 days of the request for hearing, hear and decide the matter. The decision of the board shall be final and binding upon the refuse collector.
- F. Loss of permission to use SWF. The Director shall have the right to request that the SWF or MRF deny any refuse collector admission to the SWF when in his opinion such collector has violated this article or the regulations.