

REVISED AGENDA

RECEIVED JUL 15 2022
Deborah W. Reid, ARC
@ 10:50 a.m

TOWN COUNCIL
COUNCIL CHAMBERS
SOUTH WINDSOR TOWN HALL

Regular Meeting
Monday, July 18, 2022
TIME: 7:00 P.M.

Note: A Public hearing will be held at 8:00 p.m. to receive citizen input on the Appropriation of \$413,000 of LoCIP Funds

After Roll Call is complete, the Mayor will read a proclamation in observance of National Pollinators Week.

1. **Call Meeting to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **Mayor's Remarks**

Proclamation in observance of National Pollinators Week (*John Caldwell, Superintendent of Parks to be present*)

5. **Adoption of Agenda**
(Councilor Cesar Lopez)

6. **Communications and Reports from the Town Manager**

7. **Public Input for Items on the Agenda**

Public Input shall not exceed thirty (30) minutes. When recognized by the Mayor, the speaker(s) shall approach the lectern, and give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item on the agenda. The speaker(s) shall limit their speaking time to five (5) minutes.

8. **Adoption of Minutes of Previous Meetings**
(Councilor Erica Evans)

BE IT RESOLVED, that the South Windsor Town Council hereby approves the Minutes of the Regular Town Council Meeting of July 5, 2022 and,

BE IT RESOLVED, that the South Windsor Town Council hereby approves the Minutes of the Special Work Session Meeting of July 5, 2022.

9. **Communication from Liaisons, Officers, and Boards Directly Responsible to Council**

10. **Reports from Committees**

**REVISED AGENDA
Regular Meeting – Town Council
Monday, July 18, 2022**

Public Meetings are the time and place at which the Town Council conducts official business of the Town. The Council reserves the time and invites the public to be heard during **Public Input** of each Public Meeting, as follows:

Item #7: Public Input on Agenda Items Only

In-Person Meetings:

Public Input shall not exceed thirty (30) minutes unless extended by the Mayor with the consent of the majority of the Council present. When recognized by the Mayor, the speaker(s) shall approach the lectern, and give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item on the agenda. The speaker(s) shall limit their speaking time to five (5) minutes. This limit may not be exceeded, except when invoked by any member of the Council with the consent of a majority of the Council present. Town Council members will not respond to any public comments/questions. Emails will only be read into the record if brought forth by a Council member or if the person submitting the email has requested that the email is read into the record. A Council member who brings an email forward will read the email into the record. No email shall be read if the substance of such email, at the discretion of the Mayor or any Council member violates these rules, or if, upon the advice of the Town Attorney, would otherwise be improper. A Council member or the Mayor shall advise the rest of the Council in writing through the Clerk of the Council their objection to the email being read prior to the call of the meeting.

Virtual Meetings:

Public Input shall not exceed thirty (30) minutes unless extended by the Mayor with the consent of the majority of the Council present. When recognized by the Mayor, the speaker(s) shall approach the lectern, and give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item on the agenda. The speaker(s) shall limit their speaking time to five (5) minutes. This limit may not be exceeded, except when invoked by any member of the Council with the consent of a majority of the Council present. Town Council members will not respond to any public comments/questions. Emails sent to TownCouncilComments@southwindsor-ct.gov will only be read into the record. A Council member who brings an email forward will read the email into the record. No email shall be read if the substance of such email, at the discretion of the Mayor or any Council member, violates these rules, or if, upon the advice of the Town Attorney, would otherwise be improper. A Council member or the Mayor shall advise the rest of the Council in writing through the Clerk of the Council their objection to the email being read prior to the call of the meeting.

Item #15: Second Public Input - on any matter over which the Council has Jurisdiction

In-Person Meetings:

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Regular Meeting – Town Council
Monday, July 18, 2022**

11. Consent Agenda

[All items listed under this section are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and be considered in its normal sequence on the Agenda.]

(Councilor Erica Evans)

Motion to approve item 11.A.1 as a First Reading on the Consent Agenda.

A. First Reading

1. Resolution Appointing Srinivasa Chalikonda (D) as a member of the Park and Recreation Commission and Postponing Consideration of this Motion until the Town Council's next regularly scheduled meeting.

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Srinivasa Chalikonda (D) as a member of the Park and Recreation Commission for a term ending December 31, 2023, and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Deputy Mayor Steven King Jr.)

Motion to approve item 11.B.1 as a Second Reading on the Consent Agenda.

B. Second Reading

1. Resolution Appointing Suresh Jeyaprasad (U) as a member of the Social Justice and Racial Equity Commission for a term ending November 30, 2022

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Suresh Jeyaprasad (U) as a member of the Social Justice and Racial Equity Commission for a term ending November 30, 2022

C. Miscellaneous

1. None.

12. Unfinished Business

13. New Business

**A. Resolution Authorizing the Appropriation of \$413,000 of LoCIP Funds to Cover Costs Associated with the replacement of the South Windsor Fire Headquarters Roof (Clay Major, Director of Facilities to be present)
(Councilor Philip Koboski)**

(Resolution Continued on Next Page)

**REVISED AGENDA
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WHEREAS, the Town Council wishes to use \$413,000 in LoCIP funds to pay for the replacement of the South Windsor Fire Headquarters Roof; and

WHEREAS, the required public hearing was held on Monday, July 18, 2022

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes the Town Manager to apply to the State of Connecticut, Office of Policy and Management to use \$413,000 in LoCIP funds to cover costs associated with the replacement of the Fire Headquarters Roof

B. Resolution Approving an Agreement Between the Town of South Windsor and Local 1303-466 of Council 4, AFSCME, AFL-CIO Pollution Control Employees (Councilor Karen Lydecker)

BE IT RESOLVED that the South Windsor Town Council hereby approves the proposed “Agreement Between the Town of South Windsor and Local 1303-466 of Council 4, AFSCME, AFL-CIO Pollution Control Employees” for the period of July 1, 2022, through June 30, 2025.

C. Resolution Approving a Refund of Taxes to Four (4) South Windsor Taxpayers. (Councilor Jamie Gamble)

BE IT RESOLVED, that the South Windsor Town Council hereby approves a refund of property taxes to Four (4) South Windsor Taxpayers, the total of said refunds being \$8,222.54 and as more fully described in attached **Exhibit A**.

D. Discussion Item: Plan for Paving (Vincent Stetson, Director of Public Works to be present)

E. Resolution Requesting the Town Council to Approve a Referendum Date of November 8, 2022 for the Planning, Design, Construction and/or Replacement of Town-wide road paving, sidewalks and drainage improvements and authorizing the issuance of \$35,470,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose (Councilor Marek Kozikowski)

WHEREAS, it is the desire of the Town Council to bring the referendum question forward to the South Windsor community on November 8, 2022

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby approves a referendum date of November 8, 2022 with polling time of 6:00 a.m. to 8:00 p.m.

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Regular Meeting – Town Council
Monday, July 18, 2022**

- F. Resolution Appropriating \$35,470,000 for the Planning, Design, Construction and/or Replacement of Town-wide road paving, sidewalks and drainage improvements and authorizing the issuance of \$35,470,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose and more fully described on attached Exhibit B**
(Mayor Liz Pendleton)

- G. Resolution Approving a Ballot Question for Referendum of Town Electors**
(Deputy Mayor Steven King Jr.)

BE IT RESOLVED that the resolution entitled “Resolution Appropriating \$35,470,000 For The Planning, Design, Construction And/Or Replacement Of Town-Wide Road Paving, Sidewalks And Drainage Improvements And Authorizing The Issuance Of \$35,470,000 Bonds Of the Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”; heretofore at this meeting adopted, be submitted to the Town electors for approval or disapproval at a referendum to be held in conjunction with the general election on Tuesday, November 8, 2022, and that the warning of said referendum state the question to be voted upon as follows:

- 1. “Shall the resolution approving an appropriation and bond authorization in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements, adopted by the Town Council on July ____, 2022, be approved?”

The ballot label for said question will read as follows:

“Shall the resolution appropriating and authorizing bonds in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements be approved? YES NO”

- H. Resolution Authorizing the Town Attorney to Draft Explanatory Text**
(Councilor Andrew Paterna)

BE IT RESOLVED that the South Windsor Town Council hereby authorizes the Town Attorney to draft Explanatory Text pursuant to C.G.S. Section 9-369b(a) for the upcoming referendum regarding the Planning, Design, Construction and/or Replacement of Town-wide road paving, sidewalks and drainage improvements and authorizing the issuance of \$35,470,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose

- 14. **Passage of Ordinance**
 - I. None.

- 15. **Public Input for Any Matter**

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Public Input for any other matter shall not exceed thirty (30) minutes. When recognized by the Mayor, the speaker(s) shall approach the lectern, and give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item. The speaker(s) shall limit their speaking time to five (5) minutes.

16. Communications from the Council

17. Executive Session

(Please invite Town Manager, Michael Maniscalco, Assistant Town Manager, Mrs. Perry, Assistant Town Manager, Mr. Roberts, and any other appropriate personnel deemed necessary).

- A. To discuss a personnel issue (Agreement between the Town of South Windsor and Local 1303-466 of Council 4, AFSCME, AFL-CIO Pollution Control Employees).

18. Adjournment

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SWCT
TMS

JENNIFER R. HILINSKI SHIRLEY, CCMC, CCMO
COLLECTOR OF REVENUE

MEMO

DATE: July 7, 2022
FROM: Carlene Andrulat
TO: Katherine Senerth – Interim Clerk of the Council
SUBJECT: Refund Batch #1 for Town Council – July 18, 2022 Agenda
CC: Michael Maniscalco, Town Manager
Patricia Perry, Director of Finance
OF PAGES: 2

Please note that messages to and from the Town of South Windsor may be subject to public release in accordance with applicable laws.

I respectfully request the Town Council's consideration and approval of 4 refunds totaling \$8,222.54, as noted on the attached report. All refund requests received by July 6, 2022 are included.

Name	Bill	Prop Loc/Vehicle Info.	Reason	Over Paid
CHASE AUTO	2020-03-0061356	2017/SALCR2BG1HH680862	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(541.78)
KHAW RYAN &	2021-01-0005113	200 PEPIN PLACE	Sec. 12-129 Refund of Excess Payments.	(4,427.54)
MERZOUGUI BELABBES	2021-01-0005175	15 SKYLINE DRIVE	Sec. 12-129 Refund of Excess Payments.	(3,177.20)
STODDARD CYNTHIA M	2020-03-0071638	2003/1HGCM56693A086516	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(76.02)

Total of 5 Refunds **(8,222.54)**

Drafted by: *Carlene Andrusak*
Carlene Andrusak
Revenue Clerk

Date: 7/7/22

Approved by: *Jennifer R. Hillinski-Shirley*
Jennifer R. Hillinski-Shirley
Collector of Revenue, CCMC, COMO

Date: 7 July 2022

RESOLUTION APPROPRIATING \$35,470,000 FOR THE PLANNING, DESIGN, CONSTRUCTION AND/OR REPLACEMENT OF TOWN-WIDE ROAD PAVING, SIDEWALKS AND DRAINAGE IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$35,470,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$35,470,000 is hereby appropriated by the Town of South Windsor, Connecticut (the "Town") for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements, and related legal, consulting, advisory and administrative fees and expenses and costs of issuance related thereto, said appropriation being inclusive of any and all State and Federal grants-in-aid thereof (the "Project").

Section 2. To meet said appropriation \$35,470,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). Said bonds may be issued in one or more series as determined by the Town Manager, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient, with other funds available for such purpose, to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, financing, legal and other costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Town Manager and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Town Manager and Town Treasurer, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the Town Manager in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the purchase agreement shall be approved by the Town Manager and Town Treasurer.

Section 4. The Town Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Town Manager and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Town Manager, be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut and be certified by a bank or trust company designated by the Town Manager pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which

comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The appropriation and any proceeds of bonds or notes for the Project not required to meet the actual cost of the Project may be transferred by the Town Manager, upon approval of the Town Council, to meet the actual cost of any other public improvement (including capital projects authorized by prior and future capital resolutions) for which a valid appropriation and bond authorization is outstanding; provided that the aggregate amount of the appropriation and bond authorization pursuant to such transfer shall not be increased.

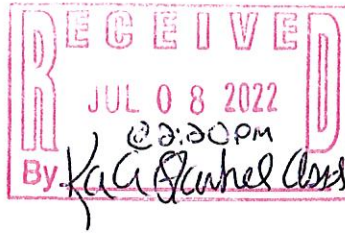
Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds, notes, or other tax-exempt obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Town Treasurer or his/her designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Tax Exempt Obligations.

Section 7. The Town Manager and Town Treasurer are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of certain events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The Town Manager and the Town Treasurer, or either of them, are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution. The Town Manager and the Town Treasurer, or either of them, are hereby authorized, on behalf of the Town, to apply for and accept any and all Federal and State loans and or grants-in-aid of the Project, to expend said funds in accordance with the terms hereof, and in connection therewith to contract in the name of the Town with engineers, contractors and others.

Section 9. This resolution shall become effective upon its approval by the Town electors at a referendum called by the Town Council for such purpose.

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Office of the Town Council
South Windsor, CT

TO BE PUBLISHED IN THE JOURNAL INQUIRER

July 8, 2022

LEGAL AD

TOWN OF SOUTH WINDSOR

Notice is hereby given that the South Windsor Town Council has set Monday, July 18, 2022 at 8:00 p.m., in the Council Chambers of the South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut, as the time and place for a Public Hearing to receive citizen input on the appropriation of \$413,000 of LoCIP Funds to cover costs associated with the replacement of the South Windsor Fire Headquarters Roof.

Dated at South Windsor, Connecticut this 8th day of July 2022.

Attested to by:

Katherine Sennerth
Katherine Sennerth
Executive Assistant

PUBLIC NOTICE

PUBLIC NOTICE
LEGAL AD
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Dated at South Windsor, Connecticut this 8th day of July 2022.

Attested to by: _____
Katherine Sennerth
Executive Assistant

Journal Inquirer
July 8, 2022

TOWN MANAGER'S REPORT

To: Members of the South Windsor Town Council

From: Michael Maniscalco, Town Manager

Subject: Town Manager's Report for 7/18/2022 Town Council Meeting

Date: July 13, 2022

Main Street Bridge: I am pleased to inform the Town Council that the Main Street Bridge is expected to be complete sometime in the beginning of August. While the planning and design of this project took some time, the construction and installation has gone fairly smooth. We are expecting to hold some type of ceremony to formally open the bridge with our State Delegation and Town Council sometime towards the end of August. This project was funded in part with State and local funds.

Clark Street Sewer Line Lining: The WPCA has been conducting work on Clark Street this last week lining the sewer lines in that area. This is the first location of many throughout town that will be relined. This important work will extend the life span of the sewer lines in town, saving residents money. This project is being funded through ARPA funds.

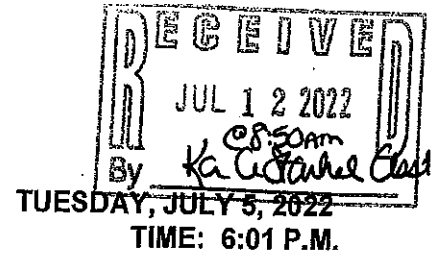
Nevers Park Outdoor Fitness Area: We are expecting the outdoor fitness equipment to be delivered anytime now with the intent of installation late summer to early fall as work schedules will allow. This will be a great rehabilitation to Nevers Park and will provide a renewed opportunity for residents to get outside and stay physically fit. This project is being funded through a joint effort with the MaxChallenge and ARPA funds.

Buckland Road Repaving: Buckland Road repaving is scheduled to begin in early August. Work is going to occur both at night, and during the day. Residents should plan for delays in the area and schedule accordingly. Thankfully, the repaving of Buckland Road should only take about a month and a half to complete. This project is funded through bond funding approved at referendum by South Windsor residents.

ARPA Funding: We were expecting to receive ARPA funds from the Federal and State Government in two (2) payments. We received the first payment last year and were expecting the second in May. Unfortunately, we have not received the second payment for the funds. We have been in touch with the State and they are claiming they have not received the funding from the Federal government yet. We are closely watching and working on this situation to ensure we do not over extend the Towns financial commitment to projects while trying to keep projects on track.

TOWN OF SOUTH WINDSOR
SPECIAL WORK SESSION MINUTES

TOWN COUNCIL
COUNCIL CHAMBERS



1. Call Meeting to Order

Mayor Liz Pendleton called the meeting to order at 6:01 p.m.

2. Roll Call

Members Present: Mayor Elizabeth Pendleton
Deputy Mayor Steven King Jr.
Councilor Erica Evans
Councilor Philip Koboski
Councilor Andrew Paterna
Councilor Marek Kozikowski
Councilor Cesar Lopez (arrived after Roll Call)

Others Present: Michael Maniscalco, Town Manager
Vanessa Perry, Assistant Town Manager/Director of H.R.
Scott Roberts, Assistant Town Manager/CIO/Emergency Mgmt.
Richard Carella, Town Attorney with Updike, Kelly & Spellacy

3. Items for Discussion

A. To Discuss Possible Ordinance Regarding Public Safety in Municipal Buildings Concerning Concealed Carry on Town Property.

Town Attorney, Rich Carella read aloud the draft Ordinance into record, **Exhibit A**

Mayor Pendleton welcomed questions and comments from the public.

4. Public Participation

Floyd Baronello, resident and member of the CCDL Gun Rights Organization, spoke in opposition of the Ordinance and asked for clarification regarding the Ordinance, as it pertained to concealed weapons. Mayor Pendleton clarified that the Ordinance only addresses prohibiting openly carry firearms, rather than prohibiting all firearms.

Paul Bernstien (191 Newberry Rd.) asked for clarification on the ordinance, specifically section 3, item c. Attorney. Carella stated that the Ordinance requires the concealment of weapons while in Public Buildings.

Jim Kupchunos (1 Christine Ln.) spoke in opposition of the Ordinance and spoke of his concerns that this Ordinance may be a stepping stone eventually leading to gun-free zones.

Dan Edwards (131 Hilton Dr.) spoke in opposition of the ordinance and inquired about whether or not other towns have had similar ordinances and whether this was an issue that has been addressed in the past. Attorney Carella answered that it is within a Town's

prevue to create such ordinances, and that many towns have enacted a wide range of regulations or prohibitions related to firearms. Mayor Pendleton reiterated that the purpose of a Work Session is for open conversations.

Tom Dillon (44 Barber Hill Rd.) inquired about what the mitigating factor was that initiated the development of this Ordinance. It was discussed that around 20-25 residents/town employees showed concern over the issue. Mr. Dillon spoke in opposition of the Ordinance and feels the public should not be punished for other's actions and that we as citizens are responsible for our own safety.

Lisa Cooper (1 Autumn Dr.) spoke in favor of the Ordinance, and shared how she would prefer a prohibition on guns within municipal buildings and also stated her interest in obtaining police opinion on the matter of concealed carry.

Sergeant Mark Cleverdon, of the South Windsor Police Department discussed how the police would enforce the potential ordinance, stating that the first goal would be to educate the public without escalating the situation. There was a discussion about how concealing a weapon could help in extending the time it would take to discharge. There was also a discussion on the verbiage used within the Ordinance, specifically regarding the penalties and how the charge should be revised from disorderly conduct to trespassing because it is more suitable for what is trying to be accomplished with the Ordinance. The exact wording as follows: Such person shall be subject to arrest for trespass instead of constitutes a breach of peace and should be based off statute 53a-107.

There was a question from the public as to whether or not there has been research done regarding other town's experience after initiating such ordinances. Sergeant Cleverdon reiterated that his purpose was to speak on the enforcement of the Ordinance.

Mr. Baronello stated his opinion that gun owners would comply with the Ordinance, as they tend to follow the rules in order obtain the permit.

Mr. Dillon agreed with Mr. Baronello and stated his opinion that a person with a gun permit would abide by the Ordinance and that those who carry firearms without permits are the ones to be concerned about.

Rick Balboni (23 Debbie Dr.) spoke in opposition of the Ordinance and inquired why the Justice of the Peace is excluded from the wording. Attorney Carella stated that it is the intent of the Ordinance to cover those that participate in town business as town officials such as Councilors or the Town Attorney. Mr. Balboni also questioned how concealing one's firearm promotes peace, good government, and welfare of the town. Deputy Mayor King answered that it is in consideration for those who do not feel comfortable, to promote their peace.

At 7:02 pm Councilor Kozikowski motioned to suspend the Special Work session. Councilor Paterna seconded the motion; and it was approved unanimously.

At 7:04 Councilor Kozikowski motioned to call the Special Work Session back to order for 30 minutes. Deputy Mayor King seconded the motion; and it was approved unanimously.

Mr. Balboni stated his opinion that his rights should not end due to other people's feelings. Mr. Balboni suggested a forum setting for a discussion and presentation to educate citizens on firearms, especially pertaining to retention of one's firearms to help promote gun safety.

Brendan Malone (Suffield, CT) Spoke in opposition of the Ordinance and stated his opinion that those who have taken the time to obtain a firearm permit, have made a commitment to safety and suggested more education on firearm accident prevention.

Mr. Kupchunos asked about the language of the wording "official" within the Ordinance. Attorney Carella reiterated that those officials conducting town business would be allowed to conceal carry a firearm.

Kathy Belanger (906 Twin Circle Dr.) Spoke in favor of the Ordinance and stated her opinion that Open Carry creates fear and asked for whether Child Care Centers are considered to be gun-free zones. Attorney Carella will look into this further.

Walt Hudson (Woodbury, CT) Spoke in opposition of the Ordinance and asked for people who feel uncomfortable around those with firearms to reflect on the reason why and stated his opinion that those who open carry are legal and responsible.

Mary Beaulieu, resident of South Windsor spoke in opposition of the Ordinance and stated her opinion that the Ordinance is limiting our freedom. Councilor Paterna clarified that the intention is not to take away any rights.

Lauren Chung, resident of South Windsor posed a question as to whether the Ordinance was paving the way to an eventual ban of weapons and stated her opinion that laws should not be formed based off feelings rather than safety.

Mayor Pendleton thanked the public for their input and encouraged anyone who may have additional questions or concerns to contact a member of the Council.

5. **Adjournment**

At 7:40 p.m. Councilor Kozikowski made a motion to adjourn the Special Work Session. Councilor Andrew Paterna seconded the motion; and it was approved, unanimously.

Respectfully submitted,



Lisa Giroux

Recording Secretary

TOWN OF SOUTH WINDSOR

AN ORDINANCE REGARDING PUBLIC SAFETY IN MUNICIPAL BUILDINGS

Section 1. Purpose and Authority

The purpose of this ordinance is to provide for the good order, peace, health, safety and welfare of the Town and its residents in the management of the business of the Town while inside any Town building; and

WHEREAS, Chapter Three, Section 305 of the Town of South Windsor Charter states that the Town Council shall have power to make, alter and repeal ordinances or resolutions not inconsistent with this charter and the general statutes of the state for the execution of the powers vested in it by this charter, for the government of the Town and the management of its business and for the preservation of the good order, peace, health and safety of the Town and its inhabitants; and

WHEREAS, The Town of South Windsor Personnel Rules & Regulations states that the Town maintains a zero tolerance policy with respect to violence or the threat of violence in the workplace, by any of its employees, customers, the general public, and/or anyone who conducts business with the Town, and that it is the policy of the Town of South Windsor to promote a safe environment for its employees--free from violence, threats of violence, harassment, intimidation, possession of weapons, and other disruptive behavior in the workplace.

WHEREAS, Conn. Gen. Stat. § 7-148(c)(7)(H)(xi), provides the Town with the power to provide for the health of the inhabitants of the municipality and do all things necessary or desirable to secure and promote the public health; and

WHEREAS, Conn. Gen. Stat. § 7-148(c)(7)(H)(xiii), provides the Town with the power to make and enforce police, sanitary and similar regulations and protect or promote the peace, safety, good government and welfare of the municipality and its inhabitants; and

WHEREAS, Article First, Section 15, of the Connecticut Constitution grants every citizen the right to bear arms in defense of himself and the state; and

WHEREAS, the federal Gun-Free School Zones Act, 18 U.S.C. §922(q)(2)(A) prohibits anyone from knowingly possessing a firearm at a place the person knows, or has reasonable cause to believe, is a "school zone"; and

WHEREAS, Conn. Gen. Stat. §29-35(a) prohibits the carrying of a pistol or revolver without a valid permit or license to carry such pistol or revolver issued pursuant to Conn. Gen. Stat §29-28; and

WHEREAS, Conn. Gen. Stat. §29-35(b) states that the holder of a permit issued pursuant to section 29-28 shall carry such permit upon one's person while carrying such pistol or revolver, and shall present his or her permit upon the request of a law enforcement officer who has reasonable suspicion of a crime for purposes of verification of the validity of the permit or identification of the holder, provided such holder is carrying a pistol or revolver that is observed by such law enforcement officer; and

WHEREAS, Conn. Gen. Stat. §29-28(e) states that the issuance of any permit to carry a pistol or revolver does not thereby authorize the possession or carrying of a pistol or revolver in any premises where the possession or carrying of a pistol or revolver is otherwise prohibited by law or is prohibited by the person who owns or exercises control over such premises

Section 2. Definitions

“Municipal building” for purposes of this ordinance, shall be the same as set forth in Conn. Gen. Stat. §7-122b, as may be amended from time to time, and means any building or facility, owned or leased by a municipal government in the state of Connecticut and open to the public or intended for such use, inclusive of any municipally owned outbuildings, sheds, warehouses, garages or buildings of a temporary nature located within the Town of South Windsor;

“Assault Weapon” for purposes of this ordinance shall be the same as set forth in Conn. Gen. Stat. §53-202a, as may be amended from time to time, and

“Deadly weapon” for purposes of this ordinance shall have the same meaning as set forth in Conn. Gen. Stat. §53a-3(6), and means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles, or electronic defense weapon . The definition of “deadly weapon” in this ordinance shall be deemed to not apply to the lawfully, permitted carrying of a pistol, -revolver or electronic defense weapon;

“Disorderly conduct” for the purposes of this ordinance shall have the same meaning as set forth in Conn. Gen. Stat. §53a-182

“Electronic defense weapon” refers to any weapon which by electronic impulse or current is capable of immobilizing a person temporarily, including a stun gun or other conductive energy device;

“Peace Officer” for purposes of this ordinance shall be the same as set forth in Conn. Gen. Stat. §53a-3(9), as may be amended from time to time, and

“Firearm” for purposes of this ordinance shall be the same as set forth in Conn. Gen. Stat. §53a-3(19), as may be amended from time to time, and

“Pistol or revolver” for purposes of this ordinance shall be the same as set forth in Conn. Gen. Stat. §53a-3(18), as may be amended from time to time, and

“Employee” of the Town of South Windsor for purposes of this ordinance shall be the same as set forth in the South Windsor Code of Ethics and means any person receiving a salary or wages from the town for services rendered, whether full-time or part-time.

“Official” for purposes of this ordinance shall be the same as set forth in the South Windsor Code of Ethics, and means any person holding elective or appointive office in the government of the town, except justices of the peace, and shall include the town treasurer, the town attorney, the town clerk, and members and alternate members, if any, of the town council, the board of education, the town planning and zoning commission, the zoning board of appeals, the board of library directors, the housing authority, committees appointed to oversee the construction or improvement of town facilities, or any board, commission or agency that exercises legislative or judicial functions or financial authority.

Section 3. Prohibitions, Rules and Regulations

- a. No person shall knowingly possess a firearm at a place the person knows, or has reasonable cause to believe, is a “school zone” as defined in federal law 18 U.S.C. §922(q)(2)(A).
- b. No person shall possess an electronic defense weapon, pistol or revolver while inside any municipal building without a valid permit to carry such electronic defense weapon, pistol or revolver.
- c. Any person possessing an electronic defense weapon, pistol or revolver while inside any municipal building shall keep such electronic defense weapon, pistol or revolver concealed from view so as to promote peace, good government, and welfare of the Town.
- d. The possession by any person of a deadly weapon, assault weapon, or firearm, other than an electronic defense weapon, pistol or revolver, while inside any municipal building in the Town of South Windsor is hereby prohibited.
- e. The possession by any town employee, of a deadly weapon, assault weapon, or any firearm while inside any municipal building in the Town of South Windsor during their time of employment, is prohibited.
- f. Upon request by any peace officer, any person possessing an electronic defense weapon, pistol or revolver while inside any municipal building will duly provide evidence of a valid permit to carry such electronic defense weapon, pistol or revolver.

- g. Placards providing notice of the prohibitions and rules contained in this ordinance shall be posted at all entrances to all municipal buildings.
- h. The provisions of this ordinance shall not apply to any peace officer charged with the preservation of the public peace while engaged in such peace officer's official duties.

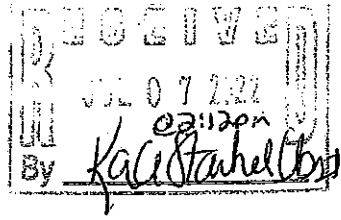
Section 4. Enforcement

Upon the observed violation of this ordinance by a peace officer, the offending person shall first be asked to comply with the ordinance and the peace officer's instructions.

If the offending person fails to comply with the peace officer's instructions, then such actions shall be considered a violation of this ordinance and shall result in the offending person being asked to leave the municipal building by the peace officer.

If, after failing to comply with the instructions of the peace officer, and the offending person fails to leave the municipal building, then such action shall constitute a breach of the peace subject to arrest for trespass, and such person shall be guilty of disorderly conduct, punishable under Conn. Gen. Stat. §53a-182 as a Class C misdemeanor with up to three months in jail and \$500 in fines.

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**



Minutes

Page 1

July 5, 2022

TOWN COUNCIL – REGULAR MEETING

1. Call Meeting to Order

Mayor Pendleton called the Meeting to order at 7:02 p.m. Councilor Paterna motioned to suspend the Town Council Regular Meeting to allow for the completion of the Special Work Session. Councilor Marek Kozikowski seconded the motion and it passed unanimously. **MOTION CARRIES**

Councilor Kozikowski motioned for a five minute recess at 7:35 p.m. Councilor Andrew Paterna seconded the motion and it passed unanimously. **MOTION CARRIES**

Mayor Pendleton called the Town Council Regular Meeting back to order at 7:42 p.m.

2. Pledge of Allegiance

3. Roll Call

Members Present: Mayor Elizabeth Pendleton
Deputy Mayor Steven King Jr.
Councilor Erica Evans
Councilor Philip Koboski
Councilor Andrew Paterna
Councilor Marek Kozikowski
Councilor Cesar Lopez

Others Present: Michael Maniscalco, Town Manager
Vanessa Perry, Town Manager/Director of H.R.
Scott Roberts, Assistant Town Manager/CIO/Emergency Mgmt

4. Mayor's Remarks

Mayor Pendleton discussed the Work Session that was just held pertaining to the possible ordinance regarding public safety in Municipal Buildings which allowed citizens to ask questions or state concerns regarding the possible ordinance.

Mayor Pendleton requested a moment of silence for those affected by the violence that occurred over the Holiday weekend in Highland Park, Illinois.

5. Adoption of Agenda

Councilor Philip Koboski made a motion to adopt the July 5, 2022 agenda.

The motion was seconded by Councilor Andrew Paterna and was passed by a unanimous voice vote. **MOTION CARRIES.**

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

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July 5, 2022

ITEM:

6. Communications and Reports from the Town Manager

Mr. Michael Maniscalco provided the Assessor's 2022 Re-evaluation Schedule which was requested at the last Council meeting, and is attached as **Exhibit B**.

Mr. Maniscalco reported that the tax collection rate from last Fiscal Year was 99.5% and wanted to recognize the impressive collection rate.

Mr. Maniscalco attended the Crumbling Foundations Insurance Meeting, and informed the Council that the insurance consortium has completed the repair of about 600 foundations throughout the region.

Mr. Maniscalco reported that he attended the Strategic Planning Committee Meeting where it was discussed that consultants from UCONN would be used for some of the surveying portion for Strategic Planning.

Lastly, Mr. Maniscalco discussed last week's Police Department Awards Ceremony and recognized the Town's Police Officers for their great work within our community.

Answering questions from the Councilors, Mr. Maniscalco clarified that the purpose of the surveys would be to aid in obtaining citizen input during Strategic Planning.

7. Public Input for Items on the Agenda

None

8. Adoption of Minutes of Previous Meeting

Councilor Erica Evans made a motion for the adoption of the following resolution:

BE IT RESOLVED, that the South Windsor Town Council hereby approves the Minutes of the Special Town Council Meeting of June 27, 2022.

The motion was seconded by Councilor Philip Koboski and was passed by a unanimous voice vote. **MOTION CARRIES.**

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

Page 3

July 5, 2022

ITEM:

9. **Communication from Liaisons, Officers, and Boards Directly Responsible to Council**

Councilor Evans shared that the Human Relations Committee held its Pride Event on June 28th and that the event was well received by those who attended.

Councilor Kozikowski reported that the Planning and Zoning Commission held two Public Hearings last week.

10. **Reports from Committees**

None

11. **Consent Agenda**

A. **First Reading**

1. **Resolution Appointing Suresh Jeyaprasad (U) as a member of the Social Justice and Racial Equity Commission and Postponing Consideration of this Motion until the Town Council's next regularly scheduled meeting.**

Councilor Cesar Lopez made a motion for the adoption of the following resolution:

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Suresh Jeyaprasad (U) as a member of the Social Justice and Racial Equity Commission for a term ending November 30, 2022, and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

The motion was seconded by Councilor Erica Evans and was passed by a unanimous voice vote. **MOTION CARRIES**. There was a discussion that now there are enough committee members to reach a Quorum and that meetings can now be scheduled.

B. **Second Reading**

1. None

C. **Miscellaneous**

1. None

12. **Unfinished Business**

None

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

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July 5, 2022

ITEM:

13. New Business

A. Resolution Approving a Refund of Taxes to Eight (8) South Windsor Taxpayers.

Councilor Andrew Paterna made a motion for the adoption of the following resolution:

BE IT RESOLVED, that the South Windsor Town Council hereby approves a refund of property taxes to Eight (8) South Windsor Taxpayers, the total of said refunds being \$4,358.37 and as more fully described in attached Exhibit A.

The motion was seconded by Councilor Erica Evans and was passed by a unanimous voice vote.
MOTION CARRIES.

B. Discussion Item: Plan for Paving

Mr. Maniscalco gave an overview of the Paving for Progress Tentative Financial Plan, detailed in attached **Exhibit C**. Mr. Maniscalco discussed how the goal would be to have the Plan posed as a referendum item in the upcoming November election and that the idea is to obtain approval for the total amount, but finance portions of that over the years through bonding, in order to have the least amount of impact on taxpayers.

Mr. Vincent Stetson, Director of Public Works discussed the purpose of the funding and explained that if the project is not funded now, then it may become more expensive in the future due to inflation and the cost of deferred maintenance. Mr. Stetson further discussed how the Paving Condition Index is used to determine which roads are considered and to develop the tentative schedule and timeline for repair. Answering questions from Mayor Pendleton, Mr. Stetson stated that the goal is to pave Pleasant Valley Road in the spring of 2024, and stated that the Town's Mill and Fill Program will be used as a provisional solution until the larger project is complete. More information on the Paving For Progress Program can be found on the Town website at <https://www.southwindsor-ct.gov/public-works/news/paving-progress>.

14. Passage of Ordinance

None

15. Public Input for Any Matter

Audrey Delnicki (Felt Road) spoke about items being left out of discussion during the Agenda Setting Meeting and left off the Town Council Agenda.

16. Communications from the Council

None

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

Page 5

July 5, 2022

ITEM:

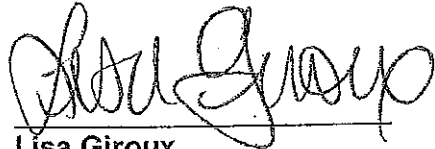
17. **Executive Session**

None

18. **Adjournment**

At 8:23 p.m., Councilor Andrew Paterna made a motion to adjourn the Regular Meeting. Councilor Erica Evans seconded the motion, and it was approved unanimously.

Respectfully submitted,



Lisa Giroux
Administrative Secretary

06 74



SWICT

JENNIFER R. HILSKI SHIRLEY, CCMC, CCMO
COLLECTOR OF REVENUE

MEMO

DATE: June 23, 2022

FROM: Carlene Andrulat

TO: Katherine Senerth – Interim Clerk of the Council

SUBJECT: Refund Batch #15 for Town Council - July 5, 2022 Agenda

CC: Michael Maniscalco, Town Manager
Patricia Perry, Director of Finance

OF PAGES: 2

Please note that messages to and from the Town of South Windsor may be subject to public release in accordance with applicable laws.

I respectfully request the Town Council's consideration and approval of 8 refunds totaling \$4,358.37, as noted on the attached report. All refund requests received by June 22, 2022 are included.

Collector of Revenue

Name	Bill	Prop Loc/Vehicle Info.	Reason	Over Paid
CCAP AUTO-LEASE LTD	2020-03-0053607	2018/3C4NJD883JT400289	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(171.20)
COHEN LAURENCE	2020-03-0054249	2015/JTHBW1GG7F2090131	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(94.84)
KERCE JESSICA JAYDEN	2019-01-0005079	496 OAKLAND ROAD	Sec. 12-129 Refund of Excess Payments.	(77.50)
NISSAN INFINITI LT	2020-03-0066289	2017/JN1BJLGRXHW119949	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(450.53)
RATHINAM BHAGAVATHY V	2020-04-0083245	2021/JTDEPMAE1MH178549	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(134.29)
THIBODEAU RANDALL J	2020-03-0075019	2014/5FRYD4H81EB008849	Sec. 12-129 Refund of Excess Payments.	(17.29)
VW CREDIT LEASING LTD	2020-03-0073684	2019/SVV2B7AX3KM192877	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(499.45)
WELLS FARGO	2020-01-0010622	365 GRAHAM ROAD.	Sec. 12-129 Refund of Excess Payments.	(2913.33)
Total of 8 refunds				(4358.37)

Drafted by: *Carlene Andruskat*

Carlene Andruskat
Revenue Clerk

Date: 6/23/22

Approved by: *Jennifer R. Hipski-Shirley*
Jennifer R. Hipski-Shirley
Collector of Revenue

Date: *6/23/22*

Town of South Windsor
2022 Revaluation of all taxable and exempt property

Timeline	Deadline	Task
Feb-22		Data mailers sent to all residential property owners to verify construction detail
June-22		Finishing Residential and Commercial data collection, field verification and sales inspections
July-22		Mass appraisal land tables and cost modeling being updated based on validated sales data
August-22		Preliminary values being tested and compared to recent sales
September-22		Initial sales ratio and other statistics being run for State to ensure fair and equitable values
October-22		Assessment date, all sales data finalized and market models completed
November-22		Assessor finalizes and approves market values for all real property parcels as determined by mass appraisal methodology
December-22		By early December all owners should receive notice of revaluation value results
December-22		Informal hearings conducted with all property owners interested in value, comparable sales or the reval process in general
December-22		Assessor files all statistics and final certification of the revaluation with OPM
Dec/January		Assessor signs the grand list after all exemptions and 490 land classifications applied
January-23	1/31/2023	Board of Assessment appeals applications due for any owner wishing to appeal value
February-23	2/20/2023	Board of Assessment Appeals hearings are held and Board decisions finalized
March-23	3/31/2023	Board of Assessment Appeals hearings are held and Board decisions finalized
May-23		Town Council sets mil rate based on October 1, 2022 REVALUED Grand List
June-23		Tax bill file is created based on new assessed values and new mil rate
July-23		Taxpayers receive first billing with new revaluation assessments

What happens during a revaluation?

A Municipal, mass appraisal Revaluation is the process of performing all of the necessary Market Analysis and Valuation steps to determine accurate and equitable values for all properties within a municipality.

The equalization of the values within the Town creates a fair distribution of the tax burden. The purpose of a Revaluation is not to raise taxes. The purpose is to create an equitable distribution of the tax.

- 1) Collect Required Physical Data

2) Quality Control Procedures

3) Collect Water Specific Water Data
4) Analysis

5) Field Review and Value Correlation

6) Informal Hearings - target date is mid November and all tasks are on schedule

7) Project Complete

The Town of South Windsor Assessor's Department is currently in the
Verification of Water Data and Analysis Stage of the project. The
Sales Tax is being updated by October 1, 2023. All
The Mass Appraisal is in place.

Paving For Progress Tentative Financial Plan

Construction Year	Streets	Est Cost	PW Proj	Est Cost	Sidewalks	Est Cost	Year Total
2023/24 Please Note W/ Referendum voting in Novemeber there may not be enough calendar to design and execute all this work in 2023.	Pleasant Valley Rd	2,500,000					
	Miller Road	495677					
	Brook Street	497437					
	Overlook	255157					
	Farmstead	430389					
	Skyline	391960					
	High Street	327590					
	Hillside Drive	368180					
	Steep Rd	273880					
	Mara Trail	72160					
	Fairview	170530					
	Homestead	327043					
	Tumble Brook	165640					
	Sawmill	62047					
	Juniper	158670				B.Hill Drive	1,000,000
Kent Lane	252560						
Sub total paving	6,748,920		Drainage	1,000,000			8,748,920
Construction Year	Streets	Est Cost	PW Proj	Est Cost	Sidewalks	Est Cost	Year Total
2024/2025	Strong Road	333503					
	Pierce Road	672500					
	Baker Lane	57579					
	Edgewood Drive	378345					
	Elizabeth	204612					
	Clark Street	791136					
	Demming (partial)	93571					
	Dawn	150000				Sullivan	1,000,000
	Chapel	222493				S.Hill:Oak	
	Sub total Paving	2,903,739		Drainage	1,000,000		
Construction Year	Streets	Est Cost	PW Proj	Est Cost	Sidewalks	Est Cost	Year Total
2025/2026	Gov Highway	564799					
	Griffin Road (partial)	577887					
	Graham Road	566639					
	Old Farm Road	342487					
	Abbe Road (partial)	309567					
	Sub total Paving	2,361,379		Drainage	1,000,000	Ellington	1,000,000

Paving For Progress Tentative Financial Plan

Construction Year	Streets	Est Cost	PW Proj	Est Cost	Sidewalks	Est Cost	Year Total
2026/2027	Rye Street	553773					
	Wheeler Road	216495					
	Community Road	51933					
	Deerfield Lane	177074					
	Judge Lane	202130					
	Rimfield Drive	414891					
	Tuttle Circle	31861					
	Jared Court	45483					
	Kellog Circle	30914					
	Heatherwood	257379					
	Carson Way	134671					
	Perrin Lane	141440					
	Carson Way	43530					
	Smith Street	326343					
	Wheeler Road	216495				Griffin	1,000,000
Subtotal Roads	2,844,412		Drainage	1,000,000			4,844,412
Construction Year	Streets	Est Cost	PW Proj	Est Cost	Sidewalks	Est Cost	Year Total
2027/2028	Main Street	3156690					
	N. King Street	123574					
	Vibert Road	83093					
	PVR (Main : RT5)	396788					
	Newberry Road	304220					
	Gov Hwy (Main :5)	437000					
	Strong (Main :5)	369827					
	Gorski	211186					
	Bancroft	129232					
	Ferry	277324					
	Sullivan	74237					
	Scantic Meadow	359843					
	High Tower	199260					
	Ann	138717					
	Dower	175480					
	Farnham	411503					
	McGrath	295200					
	Pear Tree	48517					
	Cherry Blossom	63140					
	Apple Orchard	62457					
Harvest	28700						
Plum Lane	38813				Demming	1,000,000	
Sub Total	7,384,801		Drainage	1,000,000			9,384,801

Paving For Progress Tentative Financial Plan

Total Paving	Total PW Proj	Total Drainage	Total Sidewalks	Grand Total
22,243,251	0 Place hold for potential other public works projects and initiatives.	5,000,000 Town Wide	5,000,000 Birch Hill Drive Sullivan Ellington Road Griffin Road Demming Road	\$32,243,251 D Check 32,243,251 Grand total w/ cont \$35,467,576.10

NOTE: This plan does not incorporate funding for PVR Bridge Replacement or Darthill Road Lotcip projects

NOTE: Based upon current inflation rates it is prudent to include a 10% contingency in this plan.

Potential Other Sidewalk Locations:

- Long View
- All of PVR
- Graham
- Griffin
- Abbe
- Miller
- Foster St
- Demming
- Clark
- Lake Street
- Steep

BOARD, COMMISSION, AND COMMITTEE APPOINTMENTS, REAPPOINTMENTS, OR RESIGNATIONS(This form is to be filled out for each appointment, reappointment, or resignation that is being requested)

(This form is to be filled out for each appointment, reappointment, or resignation that is being requested)

BOARD OR COMMISSION	NAME	ADDRESS AND EMAIL	PHONE NUMBER	APPTMT REAPPTMT OR RESIGNATION	NAME OF THE PERSON WHO IS BEING REPLACED OR VACANCY	PARTY AFFILIATION	TERM
PARK & REC	SRINIVASA CHALIKONDA	42 SCHOOL HOUSE DRIVE CCSRINI@YAHOO.COM	860-794-9096	APPT TO FULL MEMBER FROM ALTERNATE	RITU GOYAL	D	12-31-23

All appointments or reappointments are to be submitted to the Town Council Office on the Monday prior to the Council meeting. If they are not received on the Monday prior to the Town Council Meeting, appointments or reappointments WILL NOT be put on that agenda and would need to wait until the following Town Council Meeting. All resignations must be accompanied with a letter of resignation. If the resignation is from an elected position, the letter must be original and sent to the Town Clerk to be processed. The date and time the Town Clerk posts on the letter, is when the resignation is official. Also, all information should be filled in or WILL NOT be accepted.

Submitted by: Sandra C Jeski Party Affiliation: D 7-11-2022

Senerth, Katherine

From: Mail Verification! (c) <scjpp@cox.net>
Sent: Monday, July 11, 2022 3:57 PM
To: Senerth, Katherine
Subject: [External]FOR NEXT TC AGENDA
Attachments: SRINIVASA CHALIKONDA TO FULL PARK REC.docx

Importance: High

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or on clicking links from unknown senders.

Sandra C. Jeski

*** SECOND READING**

BOARD, COMMISSION, AND COMMITTEE APPOINTMENTS, REAPPOINTMENTS, OR RESIGNATIONS

(This form is to be filled out for each appointment, reappointment, or resignation that is being requested)

BOARD OR COMMISSION	NAME	ADDRESS AND EMAIL	PHONE NUMBER	APPTMT REAPPTMT OR RESIGNATION	NAME OF THE PERSON WHO IS BEING REPLACED OR VACANCY	PARTY AFFILIATION	TERM
SOCIAL JUSTICE & RACIAL EQUITY COMMISSION	SURESH JEYAPRASAD	75 TRUMBULL LANE SURESH.JEYAPRASAD@ICLOUD.COM	860-597-7723	APPT	NEW COMMISSION ORD. 234	U	

RECEIVED
JUN 27 2022
TOWN MANAGER'S OFFICE
TOWN OF SOUTH WINDSOR

All appointments or reappointments are to be submitted to the Town Council Office on the Monday prior to the Council meeting. If they are not received on the Monday prior to the Town Council Meeting, appointments or reappointments WILL NOT be put on that agenda and would need to wait until the following Town Council Meeting. All resignations must be accompanied with a letter of resignation. If the resignation is from an elected position, the letter must be original and sent to the Town Clerk to be processed. The date and time the Town Clerk posts on the letter, is when the resignation is official. Also, all information should be filled in or WILL NOT be accepted.

Submitted by: SANDRA C. JESKI, Party Affiliation: DEMOCRAT Date: 6-27-2022

Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Appropriation of \$413,000 of LoCIP Funds

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, July 18th 2022, at 8:00 p.m.**, in the Council Chambers of the South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut as the time and place for a Public Hearing to receive citizen input on the appropriation of \$413,000 of LoCIP Funds to cover costs associated with the replacement of the South Windsor Fire Headquarters Roof.

Resolution Authorizing the Appropriation of \$413,000 of LoCIP Funds to Cover Costs Associated with the replacement of the South Windsor Fire Headquarters Roof

WHEREAS, the Town Council wishes to use \$413,000 in LoCIP funds to pay for the replacement of the South Windsor Fire Headquarters Roof; and

WHEREAS, the required public hearing was held on Monday, July 18, 2022

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes the Town Manager to apply to the State of Connecticut, Office of Policy and Management to use \$413,000 in LoCIP funds to cover costs associated with the replacement of the Fire Headquarters Roof

22/8/22
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SWICT

JENNIFER R. HILINSKI SHIRLEY, CCMC, CCMO
COLLECTOR OF REVENUE

MEMO

DATE: July 7, 2022
FROM: Carlene Andrulat
TO: Katherine Senerth – Interim Clerk of the Council
SUBJECT: Refund Batch #1 for Town Council – July 18, 2022 Agenda
CC: Michael Maniscalco, Town Manager
Patricia Perry, Director of Finance
OF PAGES: 2

Please note that messages to and from the Town of South Windsor may be subject to public release in accordance with applicable laws.

I respectfully request the Town Council's consideration and approval of 4 refunds totaling \$8,222.54, as noted on the attached report. All refund requests received by July 6, 2022 are included.

Name	Bill	Prop Loc/Vehicle Info.	Reason	Over Paid
CHASE AUTO	2020-03-0061356	2017/SALCR28G1HH680862	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(541.78)
KHAW RYAN &	2021-01-0005113	200 PEPIN PLACE	Sec. 12-129 Refund of Excess Payments.	(4,427.54)
MERZOGUI BELABBES	2021-01-0005175	15 SKYLINE DRIVE	Sec. 12-129 Refund of Excess Payments.	(3,177.20)
STODDARD CYNTHIA M	2020-03-0071638	2003/1HGCM56693A086516	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(76.02)
Total of 5 Refunds				(8,222.54)

Drafted by: *Carlene Andrusak*
 Carlene Andrusak
 Revenue Clerk

Date: 7/7/22

Approved by: *Jennifer R. Hiiński-Shirley*
 Jennifer R. Hiiński-Shirley
 Collector of Revenue, CCMC, CCMO

Date: 7 July 2022



DAVID M. PANICO
280 Trumbull Street
Hartford, CT 06103-3597
Tel (860) 275-8390
Fax (860) 275-8299
dpanico@rc.com

July 6, 2022

VIA E-MAIL AND U.S. MAIL

Michael Maniscalco
Town Manager
Town of South Windsor
1540 Sullivan Avenue
South Windsor, CT 06074

Re: Resolution Appropriating \$35,470,000 For The Planning, Design, Construction And/Or Replacement Of Town-Wide Road Paving, Sidewalks And Drainage Improvements And Authorizing The Issuance Of \$35,470,000 Bonds Of the Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Dear Michael:

Enclosed please find the captioned Bond Resolution and a set of proceedings to be followed in connection with its adoption by the Town at a referendum held in conjunction with the general election on November 8, 2022.

The procedure for the vote on the resolution pursuant to Town Charter and the Connecticut General Statutes, is as follows:

1. Pursuant to Town Council Rules and Procedures, a newspaper of general circulation in the Town shall be advised by the Clerk of the Council of the Agenda for the Town Council meeting, including the Bond Resolution, at least 48 hours before the meeting.
2. Pursuant to Section 314 of the Charter, no public hearing is required for bond resolutions subject to referendum.
3. The Town Council adopts the Bond Resolution and adopts a resolution providing for submission to the voters in conjunction with the general election on November 8, 2022 (draft Minutes included in Proceedings).
4. Per Connecticut General Statutes Section 9-370, all local action taken to submit resolutions to a vote on November 8, 2022 must be completed at least sixty (60) days prior to the election date, i.e. by September 8, 2022. Therefore, the Town Council must adopt the resolution no later than **September 8, 2022**.

Michael Maniscalco
Town Manager
July 6, 2022
Page 2

5. Per Connecticut General Statutes Section 9-369a, the Town Clerk must file a certificate regarding the local questions to be voted upon (a form thereof is enclosed) with the Secretary of the State at least forty-five (45) days prior to the election, i.e. by **September 23, 2022**.
6. The election is warned in the usual manner, including the notice of referendum on local questions, absentee ballots are made available, results of vote reported (form included in Proceedings), and all other matters regarding the holding of the election are conducted in the usual manner.

By copy of this letter, I am requesting the Town Clerk to send one certified copy of all of the Proceedings as they shall appear in the Town Record Books.

Please feel free to call me if you have any questions or comments on the enclosed.

Very truly yours,

David M. Panico

David M. Panico

DMP/jh

cc: Patricia Perry, Director of Finance
John Pelkey, Town Treasurer
Bonnie L. Armstrong, Town Clerk
Deborah Reid, Clerk of the Council

RESOLUTION APPROPRIATING \$35,470,000 FOR THE PLANNING, DESIGN, CONSTRUCTION AND/OR REPLACEMENT OF TOWN-WIDE ROAD PAVING, SIDEWALKS AND DRAINAGE IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF \$35,470,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$35,470,000 is hereby appropriated by the Town of South Windsor, Connecticut (the "Town") for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements, and related legal, consulting, advisory and administrative fees and expenses and costs of issuance related thereto, said appropriation being inclusive of any and all State and Federal grants-in-aid thereof (the "Project").

Section 2. To meet said appropriation \$35,470,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). Said bonds may be issued in one or more series as determined by the Town Manager, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient, with other funds available for such purpose, to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, financing, legal and other costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Town Manager and the Town Treasurer, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, the certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest, shall be determined by the Town Manager and Town Treasurer, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the Town Manager in a competitive offering or by negotiation, in his discretion. If sold in a competitive offering, the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the purchase agreement shall be approved by the Town Manager and Town Treasurer.

Section 4. The Town Treasurer is authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Town Manager and the Town Treasurer, have the seal of the Town affixed, be payable at a bank or trust company designated by the Town Manager, be approved as to their legality by Robinson & Cole LLP, Hartford, Connecticut and be certified by a bank or trust company designated by the Town Manager pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which

comply with the provisions of the Connecticut General Statutes governing the issuance of such notes. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The appropriation and any proceeds of bonds or notes for the Project not required to meet the actual cost of the Project may be transferred by the Town Manager, upon approval of the Town Council, to meet the actual cost of any other public improvement (including capital projects authorized by prior and future capital resolutions) for which a valid appropriation and bond authorization is outstanding; provided that the aggregate amount of the appropriation and bond authorization pursuant to such transfer shall not be increased.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount of the Project with the proceeds of bonds, notes, or other tax-exempt obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Town Treasurer or his/her designee is authorized to pay Project expenses in accordance herewith pending the issuance of the Tax Exempt Obligations.

Section 7. The Town Manager and Town Treasurer are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of certain events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The Town Manager and the Town Treasurer, or either of them, are hereby authorized, on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution. The Town Manager and the Town Treasurer, or either of them, are hereby authorized, on behalf of the Town, to apply for and accept any and all Federal and State loans and or grants-in-aid of the Project, to expend said funds in accordance with the terms hereof, and in connection therewith to contract in the name of the Town with engineers, contractors and others.

Section 9. This resolution shall become effective upon its approval by the Town electors at a referendum called by the Town Council for such purpose.

RESOLUTION PROVIDING FOR
REFERENDUM OF TOWN ELECTORS

RESOLVED: That the resolution entitled “Resolution Appropriating \$35,470,000 For The Planning, Design, Construction And/Or Replacement Of Town-Wide Road Paving, Sidewalks And Drainage Improvements And Authorizing The Issuance Of \$35,470,000 Bonds Of the Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”; heretofore at this meeting adopted, be submitted to the Town electors for approval or disapproval at a referendum to be held in conjunction with the general election on Tuesday, November 8, 2022, and that the warning of said referendum state the question to be voted upon as follows:

1. “Shall the resolution approving an appropriation and bond authorization in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements, adopted by the Town Council on July ____, 2022, be approved?”

The ballot label for said question will read as follows:

“Shall the resolution appropriating and authorizing bonds in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements be approved? YES NO”

Excerpt For Minutes Of Meeting Of
Town Council To Be Held July ____, 2022

The Meeting of the Council was called to order at ____ P.M. by ____.
Those present and absent were as follows:

Present

Absent

* * *

Councilman _____ introduced and read the following resolution:

RESOLUTION APPROPRIATING \$35,470,000 FOR THE PLANNING,
DESIGN, CONSTRUCTION AND/OR REPLACEMENT OF TOWN-
WIDE ROAD PAVING, SIDEWALKS AND DRAINAGE
IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF
\$35,470,000 BONDS OF THE TOWN TO MEET SAID
APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE
MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Councilman _____ moved that said resolution be adopted as introduced and read
and the motion was seconded by Councilman _____. Upon roll call the ayes and nays
were as follows:

Ayes
(List Names)

Nays

The Chairman thereupon declared the motion carried and the resolution adopted.

* * *

Councilman _____ introduced and read the following resolution:

RESOLUTION PROVIDING FOR
REFERENDUM OF TOWN ELECTORS

RESOLVED: That the resolution entitled "Resolution Appropriating \$35,470,000 For The
Planning, Design, Construction And/Or Replacement Of Town-Wide Road Paving, Sidewalks And
Drainage Improvements And Authorizing The Issuance Of \$35,470,000 Bonds Of The Town To Meet
Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such
Purpose", heretofore at this meeting adopted, be submitted to the Town electors for approval or

disapproval at a referendum to be held in conjunction with the general election on Tuesday, November 8, 2022, and that the warning of said referendum state the question to be voted upon as follows:

1. "Shall the resolution approving an appropriation and bond authorization in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements, adopted by the Town Council on July ____, 2022, be approved?"

The ballot label for said question will read as follows:

"Shall the resolution appropriating and authorizing bonds in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements be approved? YES NO"

Councilman _____ moved that said resolution be adopted as introduced and read and the motion was seconded by Councilman _____. Upon roll call the ayes and nays were as follows:

Ayes
(List Names)

Nays

The Chairman thereupon declared the motion carried and the resolution adopted.

CERTIFICATE

I, **BONNIE L. ARMSTRONG**, Town Clerk of the Town of South Windsor, hereby certify that on July ____, 2022, the Town Council of said Town adopted the following resolution entitled "Resolution Appropriating \$35,470,000 For The Planning, Design, Construction And/Or Replacement Of Town-Wide Road Paving, Sidewalks And Drainage Improvements And Authorizing The Issuance Of \$35,470,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", subject to the approval of the electors of the Town at a referendum to be held in conjunction with the general election on Tuesday, November 8, 2022.

The submission of said resolution to the electors of the Town is pursuant to Section 314 of the Town Charter, as amended, and Chapter 90 of the Connecticut General Statutes, as amended.

The warning of said referendum will include the following statements:

To vote "YES" or "NO" on the following question:

1. "Shall the resolution approving an appropriation and bond authorization in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements, adopted by the Town Council on July ____, 2022, be approved?"

The ballot label for said question will read as follows:

"Shall the resolution appropriating and authorizing bonds in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements be approved? YES NO"

The full text of said resolution is on file open to public inspection in the office of the Town Clerk.

Dated _____, 2022.

Bonnie L. Armstrong
Town Clerk

TOWN OF SOUTH WINDSOR

NOTICE OF GENERAL ELECTION AND REFERENDUM

The electors of the Town of South Windsor are hereby warned to meet at their respective polling places in said Town on Tuesday, November 8, 2022, for the following purposes, to wit:

I. XXX

II. By way of referendum:

To vote "YES" or "NO" on the following question:

1. "Shall the resolution approving an appropriation and bond authorization in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements, adopted by the Town Council on July ____, 2022, be approved?"

The ballot label for said question will read as follows:

"Shall the resolution appropriating and authorizing bonds in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements be approved? YES NO"

The full text of said resolution is on file open to public inspection in the office of the Town Clerk.

The vote will be by optical scan voting machine. Those in favor of a resolution referred to in a question shall fill in the oval under the word "YES" under such question. Those not in favor of a resolution referred to in a question shall fill in the oval under the word "NO" under such question.

The referendum will be held under authority of Section 314 of the Town Charter, as amended, and Chapter 90 of the Connecticut General Statutes, as amended.

The polls will be open from 6:00 o'clock A.M. until 8:00 o'clock P.M. (E.T.) and electors will cast their votes at the following places in the districts specified:

District No. 1	Pleasant Valley School 591 Ellington Road
District No. 2	Eli Terry School 569 Griffin Road
District No. 3	South Windsor High School 161 Nevers Road
District No. 4	Philip R. Smith School 949 Avery Street
District No. 5	Timothy Edwards Middle School 100 Arnold Way

Absentee ballots shall be available as provided by law at the Town Clerk's office during business hours. Central counting of absentee ballots will be held at the Town Hall.

Dated at South Windsor, Connecticut, this _____ day of _____, 2022.

Bonnie L. Armstrong, Town Clerk

TOWN OF SOUTH WINDSOR
RESULTS OF REFERENDUM

At a Referendum held on Tuesday, November 8, 2022, in the Town of South Windsor, Connecticut, the following vote was taken on the question, viz.:

1. "Shall the resolution appropriating and authorizing bonds in the amount of \$35,470,000 for the planning, design, construction and/or replacement of Town-wide road paving, sidewalks and drainage improvements be approved?"

YES _____

NO _____

Bonnie L. Armstrong, Town Clerk



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION
55 Farmington Ave Hartford, Connecticut 06105

Prohibition on Expenditure of Public Funds Relating to Referenda

1. *Spending Public Funds To Inform Citizens Regarding Referenda*

Historically, an "explanatory text" has been the exclusive method by which a municipality or regional school district could expend public funds for printing and distribution of an explanation of the subject matter of a referendum. Connecticut General Statutes § 9-369b(a) sets forth the following conditions for such explanatory texts:

- (a) a vote of the municipality's legislative body is needed to authorize it;
- (b) the municipal clerk must prepare the text and the municipal attorney must approve it;
- (c) it must specify the intent and purpose of each referendum; and
- (d) cannot advocate either the approval or the disapproval of the referendum.

Materials in addition to the explanatory text may now be prepared and printed with public funds if they (1) do not advocate either the approval or disapproval of the referendum; (2) are authorized by vote of the local legislative body; and (3) are approved by the municipal attorney.

In a municipality that has a town meeting as its legislative body, the board of selectmen by majority vote can authorize the issuance of an explanatory text or other neutral printed matter. Pursuant to Connecticut General Statutes § 9-369b(b), for a referendum called for by a regional school district, the regional board of education shall authorize and approve the explanatory text, which shall be prepared by the regional school board's secretary, and approved by the regional board of education counsel.

2. *Expenditure of Public Funds For Advocacy Prohibited*

With two exceptions discussed below, no expenditure of state, municipal or regional school district funds can be made to influence any person to vote for approval or disapproval of any referendum question. The ban applies when a referendum is pending.

3. *When is a Referendum Question Pending?*

A referendum question is pending when the necessary legal conditions have been satisfied to require the publication of the warning (notice) of the referendum. For example, a referendum is pending when a sufficient number of signatures have been certified by the Town Clerk under § 7-7, Connecticut General Statutes, or when the selectmen (or other authorized government official) have determined that a referendum will be conducted.

4. Pro-Con Summaries

By ordinance, a municipality may provide for the preparation and printing of concise summaries of arguments in favor of and opposed to a referendum for which an explanatory text is prepared under § 9-369b(a) or (b). The ordinance must provide for a committee to prepare these summaries. See § 9-369b(d), Connecticut General Statutes for other conditions which must be satisfied.

5. Press Releases and Constituent Responses Permitted

The other exception is that an official can express his/her views on a pending referendum at a bona fide news conference, and may use public funds, facilities, and supplies to prepare a press release to be disseminated at the conference. Also, an official may use public funds, facilities and supplies to respond to a constituent request for information concerning the referendum, including the official's views. The exception is lost however, if the official responds to the citizen's request with the knowledge that the response will be disseminated to others in the community.

6. Children in School as Couriers

Children in school may not be used as couriers of information that advocates a position on a referendum. A notice limited to the time, place and question to be voted upon may be sent home to parents via children in school.

7. Use of School Teachers, Administrators, Facilities, Supplies, and Equipment Prohibited

The prohibition on state or municipal funds also applies to the use of school facilities, supplies, and equipment and postal permits to advocate a position on a referendum. For example, parent teacher organizations and school administrators may not use school equipment to prepare or copy advocacy material even if the town, regional district or school system is reimbursed for such use. This prohibition also extends to the use of a school's public address system to advocate a result of a referendum.

8. Use of School Facilities by Outside Political Committees and Organizations For Meetings or Rallies

School facilities may not be used by political committees or other groups for the purpose of advocating a position on a referendum unless such facilities are accessible to all such committees or groups on a non discriminatory basis. A charge can be made for the use of school facilities for this purpose and all groups or committees must be charged the same.

9. *What Constitutes Advocacy?*

A communication advocates a position on a referendum when in part, or taken as a whole, it urges the listener or reader to vote in a particular manner. The style, tenor and timing of a communication are factors which are considered by the Commission when reviewing alleged improprieties of § 9-369b.

10. *Civil Penalties For Violations*

The State Elections Enforcement Commission may impose a civil penalty against any person who violates § 9-369b, in an amount not exceeding twice the amount of the improper expenditure or \$1,000, whichever is greater. The official is personally liable for the penalty and cannot be reimbursed or indemnified by the state, regional school district or municipality for payment of a civil penalty.

11. *Political Committees to Promote Referenda*

Under Chapter 155 of the General Statutes, public officials and citizens alike may join together to advocate their views on a referendum by registering a political committee with the clerk of the municipality in which the referendum is to be held. Upon its registration, the political committee is permitted to solicit, receive and expend private funds to promote the success or defeat to a referendum question. If less than \$1,000 is expected to be collected or spent, a group may file a certification of exemption in lieu of a political committee registration form.

12. *Independent Personal Expenditures*

Any citizen or public official may independently (acting alone) make expenditures of his/her own funds to promote the success or defeat of a referendum question without forming a political committee in conformance with Chapter 155, Connecticut General Statutes. However, once such individual spends more than \$1,000 to promote the success or defeat of a referendum question, he or she must file statements according to the same schedule and in the same manner as is required of a campaign treasurer of a political committee under § 9-608.

The information contained herein is not exhaustive. If you have any questions concerning the enforcement of § 9-369b, please contact the State Elections Enforcement Commission, 20 Trinity Street, Suite 101, Hartford, CT 06106-1628. (860-256-2940). You may also wish to consult the Commission's publication [A Guide to Financing Referendum Questions](#) or our website www.ct.gov/seec.

