

AGENDA

TOWN COUNCIL
COUNCIL CHAMBERS
SOUTH WINDSOR TOWN HALL

REGULAR MEETING
MONDAY, NOVEMBER 21, 2016
TIME: 7:00 P.M.

REMINDER: There is a Public Hearing scheduled at 8:00 p.m. for the Amendment to Ordinance #169, Section 90-4 – Veterans Exemption.

1. Call Meeting to Order
2. Prayer: TBD
3. Pledge of Allegiance
4. Roll Call
5. Public Input
[Per Town Council Rules, this segment of the meeting shall not exceed thirty (30) minutes unless extended by the Mayor, with the consent of a majority of the Town Council.]
6. Environmental Health & Safety Message
7. Adoption of Minutes of Previous Meetings
8. Public Petitions
9. Communications from Officers and Boards Directly Responsible to Council
10. Reports from Standing Committees
11. Reports of Temporary Committees
12. Consent Agenda
[All items listed with an asterisk (*) are considered to be 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 General Order of Business and be considered in its normal sequence on the Agenda.]
13. Unfinished Business
 - A. Resolution Appointing Joshua Johnson (D) to the Mass Transit and Highway Advisory Board
 - B. Discussion Item: Senior Citizens Tax Exemptions (postponed from the September 19, 2016 Town Council Meeting) *(requested by Mayor Delnicki)*

AGENDA
Regular Meeting – Town Council
Monday, November 21, 2016

14. New Business

- * A. Resolution Appointing Toby Lewis (R) to the Housing Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- * B. Resolution Appointing Pat Soucy (R) a Full Member to the Water Pollution Control Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- * C. Resolution Appointing Erik Dabrowski (R) an Alternate to the Water Pollution Control Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- D. Resolution Designating the South Windsor Board of Education as the Building Committee for the Ellsworth Roof Replacement
- E. Resolution Pursuant to Section 8-24 of the Connecticut General Statutes Referring Proposed Improvements of Eleven Acres of Park Land on Nevers Road to the South Windsor Planning & Zoning Commission
- F. Resolution Approving a Transfer of \$20,000 from the Contingency Account to the Sidewalk Account
- G. Resolution Approving a Transfer of \$4,000 from the Contingency Account to the Cemetery Account
- H. Resolution Accepting a Street and Open Space within the Dzen Tree Farm Subdivision
- I. Resolution Accepting a Street within the Clark Estates II Subdivision
- J. Resolution Accepting Open Space within the Beechwood Farms Subdivision
- K. Resolution Amending and Restating a Prior Resolution Concerning Building Permit Fee Waiver for Building Permits to Repair or Replace Defective Foundations
- L. Resolution Directing Town Manager, Matthew B. Galligan to Send a Letter Saying "No" to a Casino in South Windsor

AGENDA
Regular Meeting – Town Council
Monday, November 21, 2016

14. New Business (*Continued*)

M. Resolution Approving a Refund of Taxes to Twenty-Eight (28) South Windsor Taxpayers

N. Discussion Item: Assessments for Homes with Crumbling Foundations (Mary Huda, Town Assessor to be present) (*requested by Councilor Anwar*)

15. Passage of Ordinance

16. Communications and Reports from Town Manager

[Per Town Council Rules, this segment of the meeting shall not exceed ten (10) minutes unless extended by the Mayor, with the consent of a majority of the Council.]

17. Public Input

[Per Town Council

Rules, this segment of the meeting shall not exceed thirty (30) minutes unless extended by the Mayor, with the consent of a majority of the Town Council.]

18. Communications and Petitions from Council

[Per Town Council Rules, this segment of the meeting shall not exceed twenty (20) minutes unless extended by the Mayor, with the consent of a majority of the Council.]

19. Executive Session

A. Personnel Matter (Town Manager's Evaluation)

B. To discuss negotiations concerning the possible purchase of property.

20. Adjournment

RESOLUTIONS

Monday, November 21, 2016

7. **Adoption of Minutes of Previous Meetings**
(Councilor Riley)

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meetings: Special Meeting Minutes of September 26, 2016; and Regular Meeting Minutes of October 17, 2016.

8. **Public Petitions**

9. **Communications from Officers and Boards Directly Responsible to Council**

10. **Reports from Standing Committees**

11. **Reports of Temporary Committees**

12. **Consent Agenda**
(Councilor Carroll)

Motion to approve Agenda Item 14. A. (*) through 14. C. (*) as the Consent Agenda.

(Please read dark headings, only, on Consent Agenda Items.)

13. **Unfinished Business**

A. **Resolution Appointing Joshua Johnson (D) to the Mass Transit and Highway Advisory Board**
(Councilor Havens)

BE IT RESOLVED that the South Windsor Town Council hereby appoints Joshua Johnson (D) to the Mass Transit and Highway Advisory Board for a term ending November 30, 2019 to fill the expired term of Anthony Duarte.

B. **Discussion Item: Senior Citizens Tax Exemptions (postponed from the September 19, 2016 Town Council Meeting) (requested by Mayor Delnicki)**

RESOLUTIONS

Regular Meeting – Town Council
Monday, November 21, 2016

14. New Business

- * **A. Resolution Appointing Toby Lewis (R) to the Housing Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**
(Councilor Carroll)

BE IT RESOLVED that the South Windsor Town Council hereby appoints Toby Lewis (R) to the Housing Authority for a term ending November 30, 2021 and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- * **B. Resolution Appointing Pat Soucy (R) a Full Member to the Water Pollution Control Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**
(Councilor Carroll)

BE IT RESOLVED that the South Windsor Town Council hereby appoints Pat Soucy (R) a full member to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the unexpired term of Richard Siedman and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- * **C. Resolution Appointing Erik Dabrowski (R) an Alternate to the Water Pollution Control Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**
(Councilor Carroll)

BE IT RESOLVED that the South Windsor Town Council hereby appoints Erik Dabrowski (R) an Alternate to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the unexpired term of Pat Soucy and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- D. Resolution Designating the South Windsor Board of Education as the Building Committee for the Ellsworth Roof Replacement**
(Councilor Snyder)

WHEREAS, the South Windsor Town Council approved the Ellsworth School Roof Replacement Project as part of the Capital Projects Budget at its May 16, 2016 meeting

(Resolution Continued on Next Page).

RESOLUTIONS

Regular Meeting – Town Council
Monday, November 21, 2016

14. D. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby designates the South Windsor Board of Education as the Building Committee for State Project number TMP-132-PFQZ, Ellsworth Roof Replacement Project; and

BE IT FURTHER RESOLVED that the south Windsor Town Council authorizes the Board of Education to proceed with preparation of the necessary schematic drawings and outline specifications for the project; and authorizes South Windsor's Superintendent of Schools to file application for a School Construction Project Grant.

E. **Resolution Pursuant to Section 8-24 of the Connecticut General Statutes Referring Proposed Improvements of Eleven Acres of Park Land on Nevers Road to the South Windsor Planning & Zoning Commission**
(Councilor Pendleton)

WHEREAS, any plan to improve park lands owned by the Town must first be submitted to the South Windsor Planning & Zoning Commission for a report pursuant to Section 8-24 of the Connecticut General Statutes

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby refers the proposed improvements of eleven acres of park land on Nevers Road (across from Ayers Road) to the South Windsor Planning & Zoning Commission pursuant to Section 8-24 of the Connecticut General Statutes.

F. **Resolution Approving a Transfer of \$20,000 from the Contingency Account to the Sidewalk Account**
(Councilor Riley)

BE IT RESOLVED that the South Windsor Town Council hereby approves a transfer of \$20,000 from the Contingency Account to the Sidewalk Account to cover costs associated with improvements to public sidewalks.

RESOLUTIONS

Regular Meeting – Town Council
Monday, November 21, 2016

14. New Business (Continued)

G. Resolution Approving a Transfer of \$4,000 from the Contingency Account to the Cemetery Account
(Councilor Anwar)

BE IT RESOLVED that the South Windsor Town Council hereby approves a transfer of \$4,000 from the Contingency Account to the Cemetery Account to cover costs associated with the maintenance of Center Cemetery on Main Street.

H. Resolution Accepting a Street and Open Space within the Dzen Tree Farm Subdivision
(Councilor Maneeley)

BE IT RESOLVED that the South Windsor Town Council hereby accepts the deed for a street and open space within the Dzen Tree Subdivision:

- Blue Spruce - 535 linear feet
- Phase II – open space - 7.61 acres
- Phase IV (E) – open space - 4.39 acres
- Phase IV (F) – open space - 2 acres

I. Resolution Accepting a Street within the Clark Estates II Subdivision
(Councilor Havens)

BE IT RESOLVED that the South Windsor Town Council hereby accepts the deed for a street within the Clark Estates II Subdivision:

- Franks Way - 625 linear feet

J. Resolution Accepting Open Space within the Beechwood Farms Subdivision
(Deputy Mayor Mirek)

BE IT RESOLVED that the South Windsor Town Council hereby accepts the deed for open space within the Beechwood Farms Subdivision:

- Lot 11 Quarry Brook Drive (open space) - 26,840 square feet
- Lot 12 Quarry Brook Drive (open space) - 28,187 square feet

RESOLUTIONS
Regular Meeting – Town Council
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14. New Business (Continued)

K. Resolution Amending and Restating a Prior Resolution Concerning Building Permit Fee Waiver for Building Permits to Repair or Replace Defective Foundations
(Councilor Pendleton)

WHEREAS, the Town of South Windsor has recognized the serious issue of defective foundations (also known as crumbling foundations); and

WHEREAS, the Town understands the enormous financial hardship being experienced by property owners facing costly repairs to defective foundations; and

WHEREAS, the Town wishes to waive permit fees related to the repair or replacement of defective foundations; and

WHEREAS, the issuance of building permits and the collection of permit fees by the Town of South Windsor is regulated by state statute; and

WHEREAS, the Town building official is appointed pursuant to C.G.S. Sec. 29-260, and such official is authorized to enforce the state building code pursuant to Regulations of Connecticut State Agencies Sec. 29-252-1d; and

WHEREAS, the state building code specifically authorizes municipalities to establish a schedule of building fees (Regulations of Connecticut State Agencies Sec. 29-252-1d); and

WHEREAS, on June 6, 2016, the Council adopted a resolution regarding the waiver of permit fees for defective foundations which did not specifically address the issue of refunds for prior repairs of defective foundations; and

WHEREAS, the council wishes to amend and restate the prior resolution to specifically address this issue

NOW, THEREFORE, BE IT RESOLVED that the Town's schedule of building permit fees shall include a waiver for permits submitted for the repair or replacement of defective concrete foundations, including basement walls, footings, and floors, and further, that in order to obtain such waiver, the applicant shall submit to the building official an application for a waiver either with the permit application, or at anytime within 5 years of the permit being issued, along with evidence of the defective concrete, to the satisfaction of

(Resolution Continued on Next Page)

RESOLUTIONS
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14. K. (Continued)

the building official or the official's designee. Further in the event of a waiver being approved after a permit has issued, the building official or the designee may approve, in the official's sole discretion, a refund of any or all fees paid and related to the repair or replacement of defective concrete.

L. Resolution Directing Town Manager, Matthew B. Galligan to Send a Letter Saying "No" to a Casino in South Windsor
(Councilor Anwar)

WHEREAS, there has recently been an interest shown in bringing a casino to the I-291 Corridor in South Windsor; and

WHEREAS, South Windsor residents have serious concerns about the impact the casino would have to the character and the quality of life of the residents in South Windsor

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby directs Town Manager, Matthew B. Galligan to send a letter to the relevant individuals and/or entities involved in the decision and interest in the casino coming to South Windsor to inform them that the South Windsor Town Council does not want a casino in the Town of South Windsor.

M. Resolution Approving a Refund of Taxes to Twenty-Eight (28) South Windsor Taxpayers
(Councilor Anwar)

BE IT RESOLVED that the South Windsor Town Council hereby approves a refund of property taxes to twenty-eight (28) South Windsor Taxpayers, the total of said refund being \$11,934.07 and as more fully described on attached Exhibit A.

N. Discussion Item: Assessments for Homes with Crumbling Foundations
(Mary Huda, Town Assessor to be present) *(requested by Councilor Anwar)*

15. Passage of Ordinance

16. Communications and Reports from Town Manager

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Regular Meeting – Town Council
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17. Public Input

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18. Communications and Petitions from Council

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19. Executive Session

A. Personnel Matter (Town Manager's Evaluation)

B. To discuss negotiations concerning the possible purchase of property.

20. Adjournment

TAX REFUNDS

Exhibit A

| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| GAMBLE JAMES B 10 Peach Tree Ln S Windsor, CT 06074-3239 2005/882XZK/2G1WH52K859211029 Reason: VEHICLE SOLD 9/2013 | \$ (125.19) | ANDERSON SUSAN D 41 SYCAMORE RD SOUTH WINDSOR, CT 06074-3529 2006/269XJZ/1FMEU74EX6UB45567 Reason: Paid bill twice | \$ (243.46) |
| STEWART BRYAN J 57 Devonshire Drive SOUTH WINDSOR, CT 06074 57 Devonshire Drive Reason: overpaid bill | \$ (2,983.87) | DASILVA ANCEL R 1101 EAGLES BROOK DR LOCUST GROVE, GA 30248-2485 2010/477KSO/4T1BK3EK9AU102126 Reason: oos GA 7/16 | \$ (51.80) |
| MAFFUCCI CAROL ANN & Linda M & Robert J 793 Main St South Windsor, CT 06074 653 Rye Street Reason: Overpaid Bill | \$ (72.16) | DASILVA ANCEL R 1101 EAGLES BROOK DRIVE LOCUST GROVE, GA 30248--0345 2005/129WOY/JTHBA30G455092551 Reason: oos GA 7/16 | \$ (39.22) |
| PRIMAVERA CHRISTOPHER R 368 Felt Road SOUTH WINDSOR, CT 06074 2004/7AXFH2/ WAUVT64B94N083221 Reason: vehicle sold 7/2015 | \$ (172.64) | Dixon Aaron W 2257 ELLINGTON RD SOUTH WINDSOR, CT 06074-2109 2011/521LEB/WA1CFAFP9BA005730 Reason: OOS RI 8/2016 | \$ (46.99) |
| BISIGHINI SEAN D 107 Queensbury St Boston, MA 02215 JF1GJAD66DH014935 Reason: Moved to MA 4/2015 | \$ (194.14) | FAGUNDEZ SABRINA MARIANA 822 ELLINGTON RD SOUTH WINDSOR, CT 06074-3542 2004/974ZCW/1J4GL48K84W201693 Reason: | \$ (12.21) |
| JP MORGAN CHASE BANK NA P O Box 919098 FORD WORTH TX 26101 2012/5272ZBO/4S3BMBG67C3015083 Reason: vehicle sold 1/2015 | \$ (278.07) | GENTILE BARBARA A 112 OAK STREET S WINDSOR, CT 06074 2007/9AWXG1/JTHCK262775012461 Reason: overpaid account | \$ (316.47) |
| JP MORGAN P O BOX 901098 FORT WORTH TX 76101 2013/536ZRS/JF1GJAH68DH007530 Reason: VEHICLE SOLD 8/2015 | \$ (41.65) | GRIFFIN THOMAS F 454 AVERY ST SOUTH WINDSOR, CT 06074-3003 2004/4AATE2/1C3EL55R94N357448 Reason: vehicle sold 4/2016 | \$ (37.37) |
| KUCHARSKI LOUIS T 166 WOOD POND RD S WINDSOR, CT 06074-1562 2000/461RUY/1J4GW48S3YC356540 Reason: vehicle sold 9/2014 | \$ (106.33) | HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/380YHW/2HGFB2F51DH562012 Reason: vehicle sold 6/16/2016 | \$ (90.65) |
| SOUTHERN NEW ENGLAND REGION OF THE CHURCH OF GOD 1449 JOHN FITCH BLVD SOUTH WINDSOR, CT 06074 Reason: property is tax exempt | \$ (3,558.52) | HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/593WBU/2HKRM4H36DH645925 Reason: vehicle sold 3/2016 | \$ (244.20) |
| HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/6ADBG2/1HGCR2F35DA276613 Reason: vehicle sold 4/25/16 | \$ (175.75) | LAWLER KRISTEN XENELIS 122 KENT LN SOUTH WINDSOR, CT 06074-2243 2009/754XTD/2HNYD28209H528178 Reason: vehicle traded in 7/2016 | \$ (80.66) |
| HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/735RNP/2HGFB2F53DH548905 Reason: Vehicle sold 6/16/2016 | \$ (90.65) | JONES KEVIN P 390 NIEDERWERFER RD SOUTH WINDSOR, CT 06074-1728 2003/845RMM/3N1CB51DX3L786129 Reason: total loss 11/2015 | \$ (76.96) |
| | | | |

TAX REFUNDS

Exhibit A

| | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| JP MORGAN CHASE BANK NA P O Box 901098 Fort Worth, TX 76101-2098 2014/2AHJR4/JM1GJ1V61E1153308 Reason: Vehicle sold 7/2016 | \$ | (82.51) |
| KARAHALIOS ATHANASIOS P 371 Foster Street South Windsor, CT 06074 2008/219ZCE/WBAHL83518DT13723 Reason: Vehicle sold 8/2016 | \$ | (31.08) |
| KEATING HOLLY A P O Box 512 Windsor, CT 06095-0512 2012/429WFG/3VWDP7AJ5CM403824 Reason: Vehicle sold 12.2015 | \$ | (247.90) |
| KEILICH LAUREN CHRISTINE 239 Kent Lane South Windsor, CT 06074 2011/4APWD8/ WBAPK5G52BNN79812 Reason: Bill adjusted; interest was paid in error | \$ | (9.98) |
| MACRAE RITY F 310 Pleasant Vly Condo South Windsor, CT 06074 310 Pleasant Vly Condo Reason: Paid taxes twice | \$ | (64.50) |
| KERCE JESSICA JAYDEN 496 Oakland Road South Windsor, CT 06074 Reason paid Jan 2016 twice | \$ | (2,459.14) |

Mrs. Bonnie F Rabin, Collector of Revenue

Total Refunds: \$11,934.07

Date 11.21.16