

AGENDA

**TOWN COUNCIL
COUNCIL CHAMBERS
SOUTH WINDSOR TOWN HALL**

**REGULAR MEETING
TUESDAY, FEBRUARY 16, 2016
TIME: 7:00 P.M.**

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
14. New Business
 - A. Resolution Reappointing William Flagg (D) an Alternate to the Planning & Zoning Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting

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

Item #5 & Item 17 (Continued):

Public Input – A segment of up to thirty (30) minutes (which may be extended by the Chair with consent of the Council) is set aside to hear from the public on any matter. Precedence is given during this segment to any South Windsor Resident or Taxpayer who wishes to speak to any matter on the Agenda. South Windsor Residents or Taxpayers generally are to limit their comments to three (3) minutes each and shall avoid personalities or impugning of improper motive to any person.

Item #8:

Public Petitions – A South Windsor Resident or Taxpayer may petition the Council, in writing, to include a new item on the Agenda for the next Regular Meeting of Council. An item duly presented in writing shall be placed on the Agenda for such meeting. South Windsor Resident or Taxpayers shall refrain from any discussion of the item until the next Regular Meeting, except when the Chair, with the unanimous consent of the Council Members present, shall suspend the rules.

The Council appreciates and encourages the active and orderly participation of the public in all Public Meetings. Any South Windsor Residents (a person registered to vote in South Windsor) or Taxpayer may participate at the time and in the manner stated above. When recognized by the Chair (generally the Mayor, or the Deputy Mayor) the South Windsor Resident or Taxpayer should approach the lectern, give his or her name and address, and speak freely in accordance with these procedures.

AGENDA

Regular Meeting – Town Council Tuesday, February 16, 2016

14. New Business

- B. Resolution Appointing Daniel Seypura (R) a Full Member to the Inland Wetlands Agency/Conservation Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- C. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Appropriation of \$164,726.66 of LoCIP Funds for the EOC/Town Hall Annex
- D. Resolution Authorizing the Town Manager to Contribute \$2,000 to South Windsor High School's 2016 "Operation Graduation Fund"
- E. Resolution Endorsing the Regional Performance Incentive Program Project Proposal for the Stop Loss Captive Program
- F. Resolution Authorizing Town Manager, Matthew B. Galligan, to Execute and Deliver any and all Documents Deemed to be Necessary or Appropriate to the State of Connecticut, Department of Emergency Management and Homeland Security on behalf of the Town of South Windsor
- G. Resolution Accepting a Street and Open Space within the Dzen Tree Farm Subdivision
- H. Approving a Refund of Taxes to Eleven (11) South Windsor Taxpayers
- I. Discussion Item: South Windsor's Support for the Tri-Town Shelter, *(requested by Councilor Anwar)*
- J. Discussion Item: Succession Planning for the Town of South Windsor, *(requested by Councilor Anwar)*
- K. Discussion Item: Complete Streets Update on Sidewalks and Signal Pedestrian Crossing at Sullivan Avenue/Oakland Road Intersection (5 corners), *(requested by Councilor Anwar)*

15. Passage of Ordinance

- A. Resolution Adopting an Ordinance Concerning Panhandling

AGENDA

Regular Meeting – Town Council

Tuesday, February 16, 2016

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. To discuss pending litigation (Docket #HHD-CV-11-6021042-S)
 - B. To discuss strategy with respect to collective bargaining pursuant to C.G.S. §1-210 (b) (9)
20. Adjournment

RESOLUTIONS

Tuesday, February 16, 2016

7. **Adoption of Minutes of Previous Meetings**
(Deputy Mayor Mirek)

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meetings: Regular Meeting Minutes of February 1, 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**

13. **Unfinished Business**

14. **New Business**

- A. **Resolution Reappointing William Flagg (D) an Alternate to the Planning & Zoning Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**
(Councilor Havens)

BE IT RESOLVED that the South Windsor Town Council hereby reappoints William Flagg (D) an Alternate to the Planning & Zoning Commission for a term ending November 30, 2019 and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- B. **Resolution Appointing Daniel Seypura (R) a Full Member to the Inland Wetlands Agency/Conservation Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**
(Councilor Maneeley)

BE IT RESOLVED that the South Windsor Town Council hereby appoints Daniel Seypura (R) a full member to the Inland Wetlands Agency/Conservation Commission for a term ending December 1, 2016 to fill the unexpired term of Carol Heffler and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

RESOLUTIONS

Regular Meeting – Town Council

Tuesday, February 16, 2016

14. New Business (Continued)

- C. **Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Appropriation of \$164,726.66 of LoCIP Funds for the EOC/Town Hall Annex**
(Councilor Anwar)

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, March 7, 2016 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 approximately \$164,726.66 of LoCIP funds for the security systems and construction of the driveway and sidewalks at the EOC/Town Hall Annex.

- D. **Resolution Authorizing the Town Manager to Contribute \$2,000 to South Windsor High School's 2016 "Operation Graduation Fund"**
(Councilor Snyder)

BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Matthew B. Galligan, to contribute \$2,000 to South Windsor High School's 2016 "Operation Graduation Fund", said funds to be taken out of the Town Manager's Professional Account.

- E. **Resolution Endorsing the Regional Performance Incentive Program Project Proposal for the Stop Loss Captive Program**
(Councilor Riley)

WHEREAS, Section 4-124s as amended by Section 251 and 253 of Public Act 13-247 passed by the Connecticut General Assembly provides statewide incentive grants to regional planning organizations for projects that involve shared services; and

WHEREAS, the Capitol Region Council of Governments is acting as a convener and facilitator of service sharing projects around the CRCOG region; and

(Resolution Continued on Next Page)

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14. E. (Continued)

WHEREAS, on November 24, 2015 and January 27, 2016 the Policy Board of CROCOG passed resolutions authorizing development and submittal of application packages to the State Office of Policy and Management for funding under the Regional Performance Incentive Grant Program, on behalf of the Council's member municipalities, and municipalities of other regions, which are participating in Council initiatives; and

WHEREAS, the Chief Elected Officials and municipal staff of the Capitol Region have developed a list of service sharing project proposals that will be included in this application package, to the benefit of individual municipalities and the region as a whole; and

WHEREAS, the Town of South Windsor has expressed an interest in taking part in the project proposal entitled, "Stop Loss Captive Insurance"

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council does hereby endorse the above referenced Regional Performance Incentive Program project proposal and authorizes the Town Manager to sign all necessary agreements and take all necessary actions to allow for the Town's participation in this program.

F. Resolution Authorizing Town Manager, Matthew B. Galligan, to Execute and Deliver any and all Documents Deemed to be Necessary or Appropriate to the State of Connecticut, Department of Emergency Management and Homeland Security on behalf of the Town of South Windsor
(Councilor Pendleton)

BE IT RESOLVED that the Town of South Windsor may enter into with and deliver to the State of Connecticut, Department of Emergency Management and Homeland Security any and all documents which it deems necessary or appropriate for the "Memorandum of Agreement Regarding use of Federal Fiscal Year 2015 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 3"; and

(Resolution Continued on Next Page)

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14. F. (Continued)

BE IT FURTHER RESOLVED that Matthew B. Galligan, Town Manager of the Town of South Windsor is authorized and directed to execute and deliver any and all documents on behalf of the Town of South Windsor and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of the "Memorandum of Agreement Regarding use of Federal Fiscal Year 2015 State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 3" including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

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

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

Dzen Tree Farm Subdivision

Frazer Fir (partial) - 1,450 linear feet
Phase III – open space - 10.53 acres

H. Approving a Refund of Taxes to Eleven (11) South Windsor Taxpayers
(Councilor Maneeley)

BE IT RESOLVED that the South Windsor Town Council hereby approves a refund of property taxes to eleven (11) South Windsor Taxpayers, the total of said refund being \$1,243.97 and as more fully described on attached **Exhibit A**.

I. Discussion Item: South Windsor's Support for the Tri-Town Shelter,
(requested by Councilor Anwar)

J. Discussion Item: Succession Planning for the Town of South Windsor,
(requested by Councilor Anwar)

K. Discussion Item: Complete Streets Update on Sidewalks and Signal Pedestrian Crossing at Sullivan Avenue/Oakland Road Intersection (5 corners),
(requested by Councilor Anwar)

RESOLUTIONS
Regular Meeting – Town Council
Tuesday, February 16, 2016

15. Passage of Ordinance

A. Resolution Adopting an Ordinance Concerning Panhandling
(Mayor Delnicki)

BE IT RESOLVED that the South Windsor Town Council hereby adopts an ordinance concerning Panhandling, as shown in attached **Exhibit B**.

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

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. To discuss pending litigation (Docket #HHD-CV-11-6021042-S)

B. To discuss strategy with respect to collective bargaining pursuant to C.G.S. §1-210 (b) (9)

20. Adjournment

TAX REFUNDS

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Exhibit A

Chase Auto Finance P.O. Box 901076 Ft. Worth, TX 76101-2076 (Sold 6/15) MV14-511771	133.37	Chase Auto Finance P.O. Box 901076 Ft. Worth, TX 76101-2076 (Sold 6/15) MV14-511772	191.83
Chopra, Navin Singh Ritika 109 Quail Run South Windsor, CT (OOS Registration MO 8/15) 14-521474	13.89	Chopra, Navin Singh Ritika 109 Quail Run South Windsor, CT (OOS Registration MO 8/15) 14-504141	18.27
Hunter, Jarrett H 253 High Street Hartford, CT 06103 (Sold 12/14) 14-510864	100.85	King, Lydelle H 105 Sandstone Drive South Windsor, CT (Trade in 2/15) 14-512454	121.67
Kisselburgh, Clifford or Cindy 64 Marilyn Road South Windsor, CT (Trade in 6/15) 14-512506	133.37	O'Brien, William F or Susan 69 Benedict Drive South Windsor, CT 06074 (Total loss 6/14) MV13-517332	30.18
Portal, Lisa M 220 Old Farm Road South Windsor, CT (Removed – paid in Hartford) 13-150062	333.92	Ryder, Susan & Stephen 31 Woodland Drive South Windsor, CT (BAA mileage adjustment) 14-520269	21.19
Vu, Son H 1210 Mill Pond Drive South Windsor, CT (Trade in with new plates 4/15) 14-524214	145.43		

Mrs. Bonnie F. Rabin, Collector of Revenue Total Refunds: \$1,243.97 Date: 2/16/2016

DIVISION 3. – AGGRESSIVE OR HAZARDOUS PANHANDLING

Sec. 70-56. - Definitions

- (a) A person acts "recklessly" with respect to a result or to a circumstance described by Sec. 70-57 when the person is aware of and consciously disregards a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that disregarding it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.

Sec. 70-57. – Unlawful Aggressive or Hazardous Activity

It shall be unlawful for any person to engage in one or more of the following activities:

- (a) Recklessly approaching, speaking to, or following a person in a manner which would cause a reasonable person to fear bodily harm.
- (b) Recklessly approaching, speaking to, or following a person in a manner which would cause a reasonable person to fear the commission of a criminal act upon such person's property.
- (c) Touching another person without that person's consent.
- (d) Recklessly blocking or interfering with the safe passage of a person or vehicle in a way likely to cause bodily harm or property damage.
- (e) Directing abusive or profane language toward any person.
- (f) Standing on any roadway or roadway median, including the areas immediately adjacent thereto, previously designated by the Town, through its legal traffic authority, as a place where standing is hazardous to the safe travel of persons or traffic. Prior to enforcing the provisions of this subsection (f), a police officer shall first notify the person that the Town has designated such roadway or roadway median as a place where standing is hazardous to the safe travel of persons or traffic, and the police officer shall give such person an opportunity to leave the roadway or roadway median.

Sec. 70-58. – Hazardous roadways or roadway medians

The Town of South Windsor, through its legal traffic authority, may designate roadways or roadway medians, including the areas immediately adjacent to said roadway or median, as a place where the presence of pedestrians is hazardous to the safe travel of persons or traffic. The Chief of Police, acting as the Town's legal traffic authority, shall designate roadways or roadway medians, including the areas immediately adjacent to said roadway or median, as to which pedestrian use should be restricted in the interest of public safety. Upon designation of such roadway or median, the Chief of Police shall submit the same to the Town Clerk and to the Clerk of Town Council, and said

designations shall be posted at the Town Hall and on the Town Website. Posting of the same shall be deemed as sufficient notice to the public of said designations.

Sec. 70-59. – Penalties and Appeal

A person who violates any provision of Sec. 70-57 shall be fined not more than \$90.00, or imprisoned for not more than one day, or both. A person who has been issued a notice of violation may demand a hearing as to the roadway or median designation which was the subject of the violation, if within 15 days after receipt of the issuance of the notice of violation, the individual makes a written demand for a hearing by mailing the demand to the Chief of Police by certified mail, return receipt requested. The hearing shall be conducted by a Board consisting of the Chief of Police or his/her designee, the Town Manager or his/her designee, and the Director of Planning or his/her designee. A hearing, if any, shall be conducted on or before the 30th day after the date of the mailing, publication or service of the notice of violation. The failure of the individual to request a hearing shall constitute a waiver of the right thereto. A decision of the Board shall be deemed to have been served on the date a copy thereof has been mailed to the owner by certified mail, return receipt requested, to the address set forth in the notice of violation or to any other address requested by the owner in writing. At the hearing, the individual may contest the propriety of the designation of the roadway or roadway median at issue, including the areas immediately adjacent to said roadway or median, as a place where the presence of pedestrians is hazardous to the safe travel of persons or traffic. The Board shall consider the individual's arguments and shall thereafter render its written decision by a majority of those present and voting having applied the criteria set forth in this Ordinance. The individual's remedies as to the notice of violation shall be those available to the individual through the Superior Court.