

AGENDA

TOWN COUNCIL
COUNCIL CHAMBERS
SOUTH WINDSOR TOWN HALL

REGULAR MEETING
JULY 15, 2019
TIME: 7:00 P.M.

After Roll Call is complete, the Town Council will recognize the U19 Boys Soccer Team.

REMINDER: There are two Public Hearings scheduled in the Council Chambers of the South Windsor Town Hall to receive citizen input. The first public hearing is at 8:00 p.m. on a proposed Amendment to Ordinance #64 – Street Numbering Ordinance; and the second public hearing is at 8:30 p.m. on the Establishment of a proposed Ordinance titled, “Designated Wildlife Protective Areas.”

1. **Call Meeting to Order**
2. **Prayer: TBD**
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Communications and Reports from Town Manager**
6. **Public Input (Items Not on the Agenda)**
7. **Adoption of Minutes of Previous Meetings**
(Councilor Lopez)

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meeting: Special Meeting Minutes of July 1, 2019.
8. **Public Petitions**
9. **Communications from Liaisons, Officers, and Boards Directly Responsible to Council**
10. **Reports from Standing Committees**
11. **Reports of Temporary Committees**
12. **Public Participation (Items on the Agenda)**

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 **Public Input, Public Petitions, Public Participation and Public Input/Participation** of each Public Meeting, as follows:

Item #5:

Communications and Reports from Town Manager – This segment of the meeting shall not exceed twenty (20) minutes, unless extended by a majority consent of the Council present.

Item #6:

Public Input – A segment of up to twenty (20) minutes (which may be extended by the Mayor with consent of the Council) is set aside to hear from the public on any matter **not on the agenda.** Speaker(s) 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 to submit a new item on the agenda as described in Section 312 of the Town Charter.

Item #12:

Public Participation – A segment of up to twenty (20) minutes (which may be extended by the Mayor with consent of the Council) is set aside to hear from the public on any matter **on the agenda.** Speaker(s) generally are to limit their comments to three (3) minutes each, and shall avoid personalities or impugning or improper motive to any person.

Item #17:

Public Input/Participation – A segment of up to ten (10) minutes (which may be extended by the Mayor with consent of the Council) is set aside to hear from the public **on any matter.** Speaker(s) generally are to limit their comments to three (3) minutes each, and shall avoid personalities or impugning or improper motive to any person.

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13. 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.]

(Councilor Maneeley)

Motion to approve Agenda Items 15. A. (*) through 15. B. (*) as the Consent Agenda.

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

14. Unfinished Business

15. New Business

- *A. Resolution Reappointing William Jodice (R) to the Building Code Board of Appeals 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 reappoints William Jodice (R) to the Building Code Board of Appeals for a term ending January 1, 2024, and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- *B. Resolution Appointing Frank Niederwerfer (R) to the Agricultural Land Preservation Advisory 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 Frank Niederwerfer (R) to the Agricultural Land Preservation Advisory Commission for a term ending November 30, 2022, to fill the expired term of Neil Caron and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- C. Discussion Item: Update Regarding Emergency Management and the Establishment of an Advisory Committee *(requested by Councilor Snyder)* *Walter Summers, Fire Marshal; and Scott Roberts, Assistant Town Manager/CIO/Emergency Management to be present***

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15. New Business (*Continued*)

D. Resolution Adopting the South Windsor Municipal, Residential and Business Energy Plan
(Councilor Snyder)

WHEREAS, in its June 2, 2014 Resolution committing to support the Energize South Windsor Initiative, the Town Council pledged “to reduce [the Town’s] municipal building energy consumption 20% by the year 2018 and voluntarily purchase 20% of its municipal building electricity from clean, renewable energy sources by the year 2018; and

WHEREAS, both goals have been met; and

WHEREAS, the Town has realized energy savings in areas such as the conversion of cobra-head streetlights to LED, and through the addition of ammonia and nitrogen removal processes to the sewer plant; and

WHEREAS, the Town reduced its overall energy consumption by 17% between the baseline year of 2010 and calendar 2018; and

WHEREAS, the Town has sponsored two Energize CT programs and two Solarize CT programs for residents, in addition to promoting programs such as C-PACE and Small Business Energy Advantage programs for businesses and non-profits; and

WHEREAS, these programs have resulted in a decrease in electricity consumption to commercial, industrial, and residential customers; and

WHEREAS, the Town Council wishes to recognize the expertise and hard work of the Town, Water Pollution Division, and Board of Education staff, as well as the South Windsor Energy Committee in achieving these results; and

WHEREAS, the Sustainable CT program encourages the adoption of a Municipal, Residential and Business Energy Plan to be adopted in the current year and revised when the Plan of Conservation and Development is to be updated in 2023; and

WHEREAS, the South Windsor Municipal, Residential and Business Energy Plan identifies new goals, broken down by categories and, as appropriate, by the departments that manage the respective facilities; and

(Resolution Continued on Next Page)

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15. D. (Continued)

WHEREAS, the Plan commits the Energy Committee to identify new energy saving projects to be funded by reinvesting the savings from previous energy projects, file periodic progress reports, and continue outreach to the residential and business sectors of South Windsor

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby adopts the South Windsor Municipal, Residential and Business Energy Plan and the energy-related goals for calendar year 2023 identified in the South Windsor Municipal, Residential and Business Energy Plan.

E. Discussion Item: Pedestrian Crossing at 989 Ellington Road (Mill on the River) *(requested by Town Manager, Matthew B. Galligan) (Jeff Doolittle, Town Engineer to be present)*

F. Resolution Regarding the Pedestrian Crossing at 989 Ellington Road (Mill on the River)
(Deputy Mayor Pendleton)

WHEREAS, the Mill on the River Restaurant at 989 Ellington Road obtained approval for and installed a pedestrian crosswalk across Ellington Road (CT Rte 30) from their main parking lot to an overflow parking lot across the street in 2004-2005, and this installation included warning signs and flashing lights that notify motorists of pedestrians using this crosswalk, to improve pedestrian safety; and

WHEREAS, the Connecticut DOT approved this crosswalk and associated warning signs and flashing lights with the condition that the Town of South Windsor own, maintain and pay for the operation of the signs and flashing lights; and

WHEREAS, the in-pavement flashing lights stopped working, were removed and need to be replaced with new post mounted flashing lights, and the warning signs need to be updated to current standards; and

WHEREAS, the Town's Traffic Engineer has completed a plan to install a set of Rectangular Rapid Flash Beacons (RRFB) and new warning signs at this crosswalk and this plan has been reviewed and approved by the Connecticut DOT; and

WHEREAS, the Town has developed a cost estimate to purchase and install the approved RRFB and associated signs, wiring and equipment as shown on the plan of \$35,000; and

(Resolution Continued on Next Page)

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15. F. (Continued)

WHEREAS, the RRFB equipment can only be obtained and installed by a few contractors; and

WHEREAS, the proposal obtained is very close to the Engineers estimate and it does not seem likely that better pricing would be obtained by competitive bidding

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby authorizes the transfer of \$35,000 from Contingency Fund to a project account to purchase and install new RRFB warning lights, warning signs and associated equipment as shown on the plan for the pedestrian crosswalk by 989 Ellington Road (CT Rte. 30), and waives competitive bidding for the purchase and installation of this equipment; and

BE IT FURTHER RESOLVED that the Town Council authorizes the Town Manager to sign any agreements necessary to hire a contractor to perform this work.

G. Resolution Approving the Traffic Calming Policy
(Councilor Delnicki)

WHEREAS, the Town of South Windsor Local Road Safety Committee including members of the South Windsor Police, Fire, Public Works, Planning Department and Board of Education has developed a Neighborhood Traffic Calming Policy as a guide to handle resident traffic concerns and complaints; and

WHEREAS, a public hearing was held on June 18, 2019, at which time, the Town Council obtained public input on the draft Neighborhood Traffic Calming Policy; and

WHEREAS, the Town Council thinks the Neighborhood Traffic Calming Policy will help serve the best interests of the users of Town streets including drivers of all motor vehicles, pedestrians, bicyclists, and residents

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby approves the Neighborhood Traffic Calming Policy dated April 29, 2019.

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15. New Business

H. Resolution Approving the Addressing Policy
(Councilor Lydecker)

WHEREAS, the Town of South Windsor Staff, including members of the South Windsor Police, Fire Marshal, Planning Department, Assessor, Health Inspector, Public Works Department, and Information Technology, has developed an Addressing Policy to serve as a guide to Town Staff in maintaining existing address data and establishing new addresses for the Town; and

WHEREAS, this policy establishes the formal processes of creating, preserving, and enforcing the Town address data standards to record accurate location information for use by all departments servicing the residents and businesses of South Windsor; and

WHEREAS, the Town Council believes the Addressing Policy will help serve the best interests of the residents and businesses in Town and provide valuable data that will help emergency services and other Town Departments to efficiently and accurately respond to an emergency or call for service on any property in Town

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby approves the Addressing Policy dated June 2019.

I. Discussion Item: Pending List (requested by Town Manager, Matthew B. Galligan)

16. Passage of Ordinance

A. Resolution Adopting the Proposed Amendment to Ordinance #64 – Street Numbering Ordinance
(Councilor Riley)

BE IT RESOLVED that the South Windsor Town Council hereby adopts the proposed Amendment to Ordinance #64 – Street Numbering Ordinance, as shown in attached **Exhibit A**.

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16. Passage of Ordinance (*Continued*)

**B. Resolution Adopting the Establishment of a Proposed Ordinance Titled,
“Designated Wildlife Protective Areas”
(Councilor Hockenberry)**

BE IT RESOLVED that the South Windsor Town Council hereby adopts the establishment of a proposed Ordinance titled, “Designated Wildlife Protective Areas,” as shown in attached **Exhibit B**.

17. Public Input/Participation (Any Matter)

18. Communications and Petitions from Council

19. Executive Session

20. Adjournment

STREET NUMBERING ORDINANCE

(Amending Ordinance #64)

ARTICLE IV. - NUMBERING OF STRUCTURES ^[2]

Sec. 86-116. – Required.

It shall be the duty of the Town Manager or the designated Town staff member to enforce the Town Addressing Policy and assign a number to every residential, commercial, industrial or other structure located on premises within the town except those structures designated as inapplicable in the Town Addressing Policy. Every owner, agent, lessee, or occupant shall ascertain from the Town Manager or the designated Town staff member the address number assigned to each structure owned, possessed, or controlled by them and shall place that number upon each structure in the manner provided in section 86-117. Addresses shall not be changed unless approved by the Town Manager or the designated Town staff member in accordance with the Town Addressing Policy.

(Code 1978, § 6-800)

Sec. 86-117. - Method of numbering structures.

New and existing buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street fronting the property. Address numbers shall comply with standards as set by the current State of Connecticut Fire Prevention Code. All numbers shall be of durable metal, glass or plastic or may be painted of neat design with durable material. Numbers made of perishable materials such as wood, paper or cardboard shall not comply with this article. Address numbers for suites within a multiple tenant building or complex shall be individually identified in a manner approved by the Town Manager or the designated Town staff member in accordance with the Town Addressing Policy.

(Code 1978, § 6-801)

Sec. 86-118. - Penalty for violation.

Any person, whether owner, agent or occupant, who shall fail or refuse to file an application pursuant to the Town Addressing Policy or fails or refuses to correctly number any house or other building owned, occupied or controlled by that person or who shall willfully remove, obliterate, conceal or obscure any house number shall receive a written notice of violation from the Town Manager or a designated Town staff member. The notice of violation shall state the violation and the date said violation shall be remedied, not to exceed ten (10) days from the date of said notice. Upon failure to remedy the violation or commence corrective action to the satisfaction of the Town Manager or a designated Town staff member within the time specified in the notice, the Town Manager or a designated Town staff member shall issue a citation as provided for in Connecticut General Statutes § 7-148 and shall impose a fine of \$25.00. Repeat offenders shall be issued additional citations and fined \$50.00 without first receiving a notice of violation. Additional citations shall be issued no more frequently than seven (7) days following a prior citation.

(Code 1978, § 6-802)

ARTICLE VII – DESIGNATED WILDLIFE PROTECTIVE AREAS**Sec. 86-166 – Purpose and Intent.**

The purpose of this ordinance is to protect the safety and general welfare of ground nesting wildlife species from predation by domestic animals commonly accompanying citizens utilizing Town owned open space for passive recreation.

Sec. 86-167 – Applicability.

This ordinance shall apply to all open space properties owned by the Town that have been designated as a Wildlife Protective area by the South Windsor Town Council by Resolution, including Resolutions adopted prior to the passage of this ordinance.

Sec. 86-168 – Prohibited Conduct.

All persons are prohibited from entering a designated Wildlife Protective Area with and/or accompanied by a dog, either on or off leash, and such use is not authorized on said property and violators are subject to being ejected from the property.

Sec. 86-169 – Penalties for offenses.

The first violation of this ordinance shall be punished by a fine not to exceed \$100.00. The second violation by any person or entity of any provision of this ordinance shall be punished by a fine of \$175.00. Subsequent violations of any provision of this ordinance shall be punished by a fine of \$250.00

Sec. 86-170 – Enforcement.

- (a) Any person aggrieved by an act constituting a violation of this chapter may complain to the South Windsor Police Department which shall enforce these provisions, with or without complaint.
- (b) This chapter shall be enforced by citations issued by the designated municipal officers or employees in accordance with C.G.S. §§ 51-164m and/or 51-164p violations of municipal ordinances (penalty greater than \$90.00 but not more than \$250.00.)
- (c) The appeal of any such infraction ticket issued for violation for municipal ordinance shall be in the centralized infraction bureau and Connecticut Superior “Court system pursuant to C.G.S. §51-16n.

Sec. 86-171.- Severability.

All provisions of the Charter, ordinances and/or any applicable laws(s) which are more stringent than those set forth herein, remain valid and may be enforced in addition to the provisions of this chapter. If any section, paragraph, sentence, clause or phrase of this article or any part thereof, is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portion of this article or any part thereof.