

## AGENDA

TOWN COUNCIL  
COUNCIL CHAMBERS  
SOUTH WINDSOR TOWN HALL

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

*After Roll Call is complete a proclamation will be read proclaiming March 12, 2016 as Girl Scout Day in the Town of South Windsor*

**REMINDER:** There is a Public Hearing scheduled for 8:00 p.m. regarding the appropriation of \$164,726.66 of LoCIP funds for the EOC/Town Hall Annex.

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 Reappointing William Flagg (D) an Alternate to the Planning & Zoning Commission

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**  
**Monday, March 7, 2016**

13. Unfinished Business (*Continued*)

- \* B. Resolution Appointing Daniel Seypura (R) a Full Member to the Inland Wetlands Agency/Conservation Commission
- C. Discussion Item: Complete Streets Update on Sidewalks and Signal Pedestrian Crossing at Sullivan Avenue/Oakland Road Intersection (5 corners) (*requested by Councilor Anwar*) (*Town Engineer, Jeff Doolittle to be present*)

14. New Business

- \* A. Resolution Reappointing Peter DeMallie (U) to the Central Regional (Tourism) District and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- \* B. Resolution Appointing Teri Parrott (R) to the Demolition Delay Committee and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- \* C. Resolution Appointing Kathy Hale (D) to the Mass Transit and Highway Advisory Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- \* D. Resolution Appointing David Starr (D) an Alternate to the Economic Development Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting
- E. Discussion Item: Emergency Operations Center (*requested by Mayor Delnicki*) (*Clay Major, Public Works and Scott Roberts, IT Dept. to be present*)
- F. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Proposed General Government Budget for Fiscal Year 2016/2017
- G. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Proposed Board of Education Budget for Fiscal Year 2016/2017
- H. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Town of South Windsor Granting a Permanent Easement to Eversource Energy

**AGENDA**  
**Regular Meeting – Town Council**  
**Monday, March 7, 2016**

14. New Business (*Continued*)

- I. Resolution Authorizing the Transfer of \$16,000 from the Voting Machine Capital Project Account to the ADA/Fire Code Update Capital Project Account
- J. Resolution Approving a Refund of Taxes to Twenty-Two (22) South Windsor Taxpayers
- K. Resolution Waiving Competitive Bidding for the Construction of a Berm at the Fairgrounds at Rye Street Park (Barton Property)
- L. Discussion Item: Capital Projects Budget Review (*requested by Councilor Snyder*)
- M. Discussion Item: Crumbling Foundations (*requested by Mayor Delnicki*)
- N. Resolution Establishing a Temporary Committee to Address the Disaster of Crumbling Foundations in South Windsor
- O. Discussion Item: Synthetic Field at South Windsor High School (*requested by Mayor Delnicki*)
- P. Resolution Regarding Metropolitan District Commission (MDC) and Concerns of the South Windsor Community

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.]

**AGENDA**  
**Regular Meeting – Town Council**  
**Monday, March 7, 2016**

19. Executive Session

- A. Discuss potential litigation regarding DCK

20. Adjournment

## RESOLUTIONS

Monday, March 7, 2016

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

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meetings: Regular Meeting Minutes of February 16, 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 Pendleton and Councilor Riley)

Motion to approve Agenda Item 13. A. (\*) through 13. B. (\*); and 14. A. (\*) through 14. D. (\*) as the Consent Agenda.

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

13. **Unfinished Business**

\* A. **Resolution Reappointing William Flagg (D) an Alternate to the Planning & Zoning Commission**  
(Councilor Pendleton)

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.

\* B. **Resolution Appointing Daniel Seypura (R) a Full Member to the Inland Wetlands Agency/Conservation Commission**  
(Councilor Riley)

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.

## **RESOLUTIONS**

**Regular Meeting – Town Council  
Monday, March 7, 2016**

### **13. Unfinished Business (Continued)**

- C. Discussion Item: Complete Streets Update on Sidewalks and Signal Pedestrian Crossing at Sullivan Avenue/Oakland Road Intersection (5 corners) (requested by Councilor Anwar) (Town Engineer, Jeff Doolittle to be present)**

### **14. New Business**

- \* A. Resolution Reappointing Peter DeMallie (U) to the Central Regional (Tourism) District and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting  
(Councilor Riley)**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Peter DeMallie (U) to the Central Regional (Tourism) District for a term ending September 1, 2018 and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- \* B. Resolution Appointing Teri Parrott (R) to the Demolition Delay Committee and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting  
(Councilor Riley)**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Teri Parrott (R) to the Demolition Delay Committee for a term ending December 31, 2016 to fill the unexpired term of Lavina Wilson and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- \* C. Resolution Appointing Kathy Hale (D) to the Mass Transit and Highway Advisory Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting  
(Councilor Pendleton)**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Kathy Hale (D) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2017 to fill the unexpired term of Mary Justine Hockenberry and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

## RESOLUTIONS

Regular Meeting – Town Council

Monday, March 7, 2016

### 14. New Business (Continued)

- \* D. **Resolution Appointing David Starr (D) an Alternate to the Economic Development Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**  
(Councilor Pendleton)

BE IT RESOLVED that the South Windsor Town Council hereby appoints David Starr (D) an Alternate to the Economic Development Commission for a term ending November 30, 2019 to fill the expired term of Mary Justine Hockenberry and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- E. **Discussion Item: Emergency Operations Center (*requested by Mayor Delnicki*) (*Clay Major, Public Works and Scott Roberts, IT Dept. to be present*)**

- F. **Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Proposed General Government Budget for Fiscal Year 2016/2017**  
(Councilor Havens)

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, March 21, 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 proposed General Government Budget for Fiscal Year 2016/2017.

- G. **Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Proposed Board of Education Budget for Fiscal Year 2016/2017**  
(Councilor Maneeley)

BE IT RESOLVED that the South Windsor Town Council hereby sets **Wednesday, March 23, 2016, at 8:00 p.m.**, Timothy Edwards Middle School, Room Alt. #6, 100 Arnold Way, South Windsor, Connecticut as the time and place for a Public Hearing to receive citizen input on the proposed Board of Education Budget for Fiscal Year 2016/2017.



## RESOLUTIONS

Regular Meeting – Town Council

Monday, March 7, 2016

### 14. New Business (Continued)

**H. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Town of South Windsor Granting a Permanent Easement to Eversource Energy**

(Deputy Mayor Mirek)

BE IT RESOLVED that the South Windsor Town Council hereby sets Monday, March 21, 2016, at 8:15 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 Town of South Winsor granting a permanent easement to Eversource Energy for access to their existing right of way on the Priest Property.

**I. Resolution Authorizing the Transfer of \$16,000 from the Voting Machine Capital Project Account to the ADA/Fire Code Update Capital Project Account**

(Councilor Pendleton)

BE IT RESOLVED that the South Windsor Town Council hereby authorizes the transfer of \$16,000 from the completed Voting Machine Capital Project account to the ADA/Fire Code Update Capital Project account, to cover the cost of the Town Hall front door ADA upgrade.

**J. Resolution Approving a Refund of Taxes to Twenty-Two (22) South Windsor Taxpayers**

(Councilor Snyder)

BE IT RESOLVED that the South Windsor Town Council hereby approves a refund of property taxes to twenty-two (22) South Windsor Taxpayers, the total of said refund being \$5,493.41 and as more fully described on attached **Exhibit A.**

**K. Resolution Waiving Competitive Bidding for the Construction of a Berm at the Fairgrounds at Rye Street Park (Barton Property)**

(Councilor Carroll)

WHEREAS, part of the intended natural buffer of existing trees south of the Barton property entrance along Brookfield Street unexpectedly failed to survive; and

**(Resolution Continued on Next Page)**

## **RESOLUTIONS**

**Regular Meeting – Town Council**

**Monday, March 7, 2016**

### **14. K. *(Continued)***

WHEREAS, it was decided by the Barton Project staff that a man-made earthen berm with new tree plantings be put in its place; and

WHEREAS, neighbors that are affected by this have been assured that correct measures are being planned; and

WHEREAS, the estimated contracted cost for this project is \$40,612; and

WHEREAS, Environmental Services, Inc. has volunteered to partner with the Town in order to resolve this buffer issue; and

WHEREAS, the estimated cost if the Town partners with Environmental Services, Inc. for this project is \$11,750; and

WHEREAS, the partnership with Environmental Services, Inc. will save the Town an estimated \$28,862

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby waives the competitive bidding process as described in Section 714 of the Town's Charter, for the construction of a berm at the Fairgrounds at Rye Street Park (Barton Property) and authorizes the Town of South Windsor to partner with Environmental Services, Inc. to correct this buffer issue.

**L. Discussion Item: Capital Projects Budget Review *(requested by Councilor Snyder)***

**M. Discussion Item: Crumbling Foundations *(requested by Mayor Delnicki)***

**N. Resolution Establishing a Temporary Committee to Address the Disaster of Crumbling Foundations in South Windsor  
(Councilor Anwar)**

WHEREAS, it is in the best interest of the Town of South Windsor and its citizens to actively identify homes with foundation problems; and

**(Resolution Continued on Next Page)**

## RESOLUTIONS

Regular Meeting – Town Council  
Monday, March 7, 2016

### 14. N. *(Continued)*

WHEREAS, it is also in the best interest of the Town and its citizens to work together to protect current homes and home owners as well as future homes and home owners from the challenges of crumbling basements; and

WHEREAS, the Lieutenant Governor at the request of the Governor has created a State of Connecticut Task Force to address this challenge at the level of the State, and this includes the Department of Consumer Protection along with members of the Attorney General's Office and Legislators to study and develop a plan to address this disaster; and

WHEREAS, the challenges at the level of the local community in South Windsor are very substantial, that there is an acute need to have a committee based in South Windsor to help identify the true impact and the collective effect to the Town and help in studying solutions to the disaster locally; and

WHEREAS, it is determined that it is in the best interests of the Town that a temporary committee to address the disaster of crumbling foundations in South Windsor be formed pursuant to the following:

1. The committee shall consist of eleven (11) members who shall be appointed by the Town Council. The members of the committee shall include at least two (2) members of the Town Council, the Chief Building Official of the Building Department, a representative from the Assessor's Department, a representative from the Planning Department, a representative from the Human Services Department, and five (5) additional members of the public representing the community members who have been impacted by the crumbling basements; and
2. The committee shall select a Chairperson, Vice-Chairperson and Secretary at its first meeting following the start of the next month; and
3. The committee shall be established for a minimum of three-years from this day (March 7, 2016) unless extended by the Town Council; and
4. The committee shall have the following duties and responsibilities:
  - a. Help educate the community on the current status of the disaster within the Town of South Windsor.

**(Resolution Continued on Next Page)**

**RESOLUTIONS**  
**Regular Meeting – Town Council**  
**Monday, March 7, 2016**

**14. N. (Continued)**

- b. Develop a plan to help prevent a similar disaster from occurring in the future.
  - c. Educate South Windsor residents about individuals, groups and some businesses who are preying on the victims of the disaster.
  - d. Identify appropriate Federal and State incentive and grant programs that provide opportunities for helping the victims of the disaster.
  - e. Develop a resource and support system within the Town to help the victims at the various levels of the impact of the disaster.
  - f. Help develop an understanding on the reduction in value of the homes impacted by the disaster.
  - g. The committee shall serve in an advisory capacity only and its recommendations shall not bind the Town to take any specific action or require that it appropriate any funds; and
5. All of the meetings and records of the committee shall be in compliance with applicable State Statutes; and
6. A status report shall be provided by the committee to the Town Council on a quarterly basis or as may be directed by the Town Council

NOW, THEREFORE, BE IT FURTHER RESOLVED that the South Windsor Town Council hereby establishes a Temporary Committee to address the disaster of crumbling foundations in South Windsor, provide advice to the Town Council regarding ways to address the challenges of the crumbling foundations in South Windsor and make recommendations in accordance with the duties and responsibilities set forth herein.

- O. Discussion Item: Synthetic Field at South Windsor High School  
(requested by Mayor Delnicki)**
- P. Resolution Regarding Metropolitan District Commission (MDC) and  
Concerns of the South Windsor Community  
(Councilor Anwar)**

WHEREAS, water is vital to our existence and that of plants, animals and our environment; and

**(Resolution Continued on Next Page)**

## **RESOLUTIONS**

**Regular Meeting – Town Council**

**Monday, March 7, 2016**

### **14. P. (Continued)**

WHEREAS, we are fortunate that in our State we have access to safe and clean drinking water and sanitation; and

WHEREAS, our water sources are subject to pollution from industrial, agricultural, sewage and storm water runoff; and

WHEREAS, there are significant costs incurred in maintaining adequate supplies of safe and clean drinking water, which costs are borne by customers; and South Windsor residents have been obligated by water companies to pay not only for the cost of safe water, but also for the cost of maintaining the water supply infrastructure; and

WHEREAS, there are approximately 1,800 South Windsor homes which depend upon Metropolitan District Commission (MDC) for their water; and MDC imposes a "surcharge" which had increased manifold over the past few years, and municipalities have engaged in litigation against MDC to ensure that such surcharges are reasonable; and

WHEREAS, MDC customer fees should be directed at ensuring a reliable source of clean water and a stable water delivery infrastructure; and

WHEREAS, MDC has announced a plan to sell water to Niagara Bottling, at a discounted rate; and to divert valuable water supplies paid for by MDC customers to this bottling business venture which will be subsidized by MDC customers; and

WHEREAS, MDC's business venture with Niagara Bottling includes the construction of a 443,000 square-foot water bottling plant in Bloomfield and the diversion of up to 1.8 million gallons of water per day; and

WHEREAS, MDC has a legal obligation to put its customer needs first and foremost, rather than its desire to sell customer subsidized water to a private business

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council, on behalf of its MDC water customers, directs the Town Manager to contact the MDC Board urging them to develop a priority plan for customers in a situation of drought, where the residential customers are given priority over any for-profit venture, and the cost of water to any for-profit entity should not be less than what is being charged to the South Windsor residents; and

**(Resolution Continued on Next Page)**

## **RESOLUTIONS**

### **Regular Meeting – Town Council Monday, March 7, 2016**

#### **14. P. (Continued)**

BE IT FURTHER RESOLVED that the South Windsor Town Council, on behalf of the MDC water customers, directs the Town Manager to contact the Governor and State Elected Officials to seek legislation prohibiting MDC from diverting customer subsidized water to a private business; prohibit MDC from depleting valuable water resources; ensure that MDC meets its customer obligations to ensure safe and clean drinking water; and maintain the water supply infrastructure.

#### **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

#### **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. Discuss potential litigation regarding DCK**

#### **20. Adjournment**

## TAX REFUNDS

Exhibit A

Ally Financial Louisville PPC, P.O. Box 9001951 Louisville, KY 40290-1951 (Sold 5/14) MV13-524168	111.86	CAB East, LLC P.O. Box 67000, Department 231601 Detroit, MI 48267-2316 (Sold 12/14) MV14-503213	368.33
Atluri, Sreenivas 6000 Eldorado #817 Frisco, TX 75033 (Out of state registration TX 8/15) MV14-501047	25.57	Atluri, Sreenivas 6000 Eldorado #817 Frisco, TX 75033 (Out of state registration TX 8/15) MV14-501046	83.31
Dhage, Laxmikanth 1199 Taft Street Irvine, CA 92620 (Out of state registration, CA 7/15) MV14-505980	66.50	Garbart, Keith & Michelle 11 Austin Circle South Windsor, CT (Overpayment) MV14-508483	5.72
Hyundai Lease Titling Trust P.O. Box 198069 Nashville, TN 37219 (Sold 10/13) MV13-511164	647.35	Hyundai Lease Titling Trust P.O. Box 198069 Nashville, TN 37219 (Sold 2/14) MV13-511129	371.08
Hyundai Lease Titling Trust P.O. Box 198069 Nashville, TN 37219 (Sold 5/14) MV13-511098	142.39	Hyundai Lease Titling Trust P.O. Box 198069 Nashville, TN 37219 (Sold 4/14) MV13-511119	151.27
Hyundai Lease Titling Trust P.O. Box 198069 Nashville, TN 37219 (Sold 5/14) MV13-851715	148.43	Hyundai Lease Titling Trust P.O. Box 198069 Nashville, TN 37219 (Sold 1/14) MV13-511149	312.84
JP Morgan Chase Bank P.O. Box 901098 Fort Worth, TX 76101 (WTT sent to Groton) MV14-511768	562.72	Liu, Tony S. 118 Gilbert Lane South Windsor, CT (Sold 8/15) MV14-513960	24.85
Marcotte, George J 981 Hixville Road Dartmouth, MA 02747 (Out of state registration, MA 8/15) MV14-514676	5.85	Marcotte, Nicolette 981 Hixville Road Dartmouth, MA 02747 (Vehicle registered in MA August 2015, 2011 Jeep) MV14-514679	49.69
Marcotte, George J & Stacey A 981 Hixville Road Dartmouth, MA 02747 (Vehicle registered in MA August 2015, 2009 Niss) MV14-514677	35.81	Max Finkelstein Inc 1 Half Moon Bay Drive Croton-on-Hudson, NY 10520 (Out of state registration) 14-515024	963.56
Mercedes-Benz Financial Services, Daimler Trust 13650 Heritage Parkway Fort Worth, TX 76177 (Bought out lease 11/14) MV14-505215	596.69	Patel, Ami D 714 Edgewater Ridge Ct Apex, NC 27523-6401 (Overpayment) MV14-517728	83.31
Peterson DL Trust 940 Ridgebrook Road C Sparks, MD 21152 (Sold 9/14) MV14-518240	474.65	Yetishefsky, Sara A 61 Hazel Street South Windsor, CT 06074-1448 (Total loss 9/14) MV14-5285237	261.63