

AGENDA

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

**REGULAR MEETING
MONDAY, SEPTEMBER 21, 2015
TIME: 7:00 P.M.**

1. Call Meeting to Order
2. Prayer: Rabbi Jeffrey Glickman, Temple Beth Hillel
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 Courtney King (D) a Full Member to the Planning & Zoning Commission
14. New Business
 - A. Resolution Accepting the Resignation of Leonard B. Glasser (R) from the Patriotic Commission

AGENDA
Regular Meeting – Town Council
Monday, September 21, 2015

14. New Business (*Continued*)

- B. 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, Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection on behalf of the Town of South Windsor
- C. Resolution Supporting the Design of Roadway Improvements to Abbe Road from South of Robert Drive to the Town Line
- D. Resolution Approving Amendment 16 to the Retirement Plan for Employees of the Town of South Windsor
- E. Discussion Item: Emergency Operation Center (requested by Mayor Anwar)
- F. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Financing of the Emergency Operation Center
- G. Resolution Approving a Refund of Taxes to Forty-Seven (47) South Windsor Taxpayers
- H. Discussion Item: Fraud and Whistleblower Policy
- I. Discussion Item: Virtual Net Metering (requested by Councilor Wagner)

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, September 21, 2015

19. Executive Session

- A. To discuss two tax assessment agreements which would result in disclosure of public records or information contained therein which is exempt from disclosure at this time pursuant to C. G. S. §1-210(b)(1) and §1-210(b)(5)(B)

20. Adjournment

RESOLUTIONS

Monday, September 21, 2015

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

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meetings: Special Meeting Minutes of August 26, 2015; and Regular Meeting Minutes of September 8, 2015.

13. **Unfinished Business**

A. **Resolution Appointing Courtney King (D) a Full Member to the Planning & Zoning Commission**
(Councilor Paterna)

BE IT RESOLVED that the South Windsor Town Council hereby appoints Courtney King (D) a full member to the Planning & Zoning Commission for a term ending November 9, 2015 to fill the unexpired term of Mario Marrero.

14. **New Business**

A. **Resolution Accepting the Resignation of Leonard B. Glasser (R) from the Patriotic Commission**
(Councilor Mirek)

BE IT RESOLVED that the South Windsor Town Council hereby accepts with regret, the resignation of Leonard Glasser (R) from the Patriotic Commission, said resignation effective immediately; and

BE IT FURTHER RESOLVED that the South Windsor Town Council extends its thanks to Leonard Glasser for the time he has dedicated to serving his community by his membership on the Patriotic Commission.

RESOLUTIONS

Regular Meeting – Town Council

Monday, September 21, 2015

14. New Business (Continued)

- B. 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, Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection 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, Division of Emergency Management and Homeland Security, Department of Emergency Services and Public Protection any and all documents which it deems to be necessary or appropriate for the “Memorandum of Agreement Regarding use of State Homeland Security Grant Funding and Custodial Ownership of Regional Assets in DEMHS Region 3”; and

BE IT FURTHER RESOLVED that Matthew B. Galligan who now holds the office of Town Manager of the Town of South Windsor and has held that office since January 5, 1996, 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 such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

- C. Resolution Supporting the Design of Roadway Improvements to Abbe Road from South of Robert Drive to the Town Line**
(Councilor Riley)

WHEREAS, proposed improvements to Abbe Road in the Town of South Windsor from south of Robert Drive to the Town Line have been selected for Federal and State funding under the Local Road Accident Reduction Program by the Connecticut Department of Transportation; and

WHEREAS, the South Windsor Town Council seeks to accomplish roadway improvements to improve safety along this section of Abbe Road with the best geometrical alignment within the existing ROW, keeping impacts to the abutting property owners to a minimum; and

(Resolution Continued on Next Page)

RESOLUTIONS
Regular Meeting – Town Council
Monday, September 21, 2015

14. C. (Continued)

WHEREAS, a public information meeting was held on September 1, 2015 to receive input from property-owners and the public concerning the preliminary design of improvements to this section of Abbe Road and those in attendance supported the improvements shown in the preliminary design

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby reaffirms the need for said project and supports the design of geometric improvements to Abbe Road from south of Robert Drive to the Town Line to improve the safety of this road for residents and the motoring public as presented, and directs the Engineering Division to proceed to final design of these improvements and acquisition of the necessary rights of way to construct these improvements.

D. Resolution Approving Amendment 16 to the Retirement Plan for Employees of the Town of South Windsor
(Councilor Snyder)

WHEREAS, the Town Council for the Town of South Windsor ("Council") has determined that it is in the best interest of the Town of South Windsor and its employees to amend the Retirement Plan for Employees of the Town of South Windsor, Connecticut (the "Plan") to settle matters pertaining to the employment of Ronald R. Asselin

NOW, THEREFORE, BE IT RESOLVED that the Town of South Windsor hereby adopts and approves Amendment 16 to the Plan in the form attached hereto as **Exhibit A**; and

BE IT FURTHER RESOLVED that the Town Manger of the Town of South Windsor is hereby authorized, empowered and directed to execute Amendment 16 to the Plan; and directed to do any and all acts and execute any and all documents necessary to effectuate the foregoing resolution.

E. Discussion Item: Emergency Operation Center *(requested by Mayor Anwar)*

RESOLUTIONS

Regular Meeting – Town Council

Monday, September 21, 2015

14. New Business (Continued)

- F. **Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on the Financing of the Emergency Operation Center**
(Deputy Mayor Havens)

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, October 5, 2015, 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 financing of the Emergency Operations Center.

- G. **Resolution Approving a Refund of Taxes to Forty-Seven (47) South Windsor Taxpayers**
(Councilor Wagner)

BE IT RESOLVED that the South Windsor Town Council hereby approves a refund of property taxes to Forty-Seven (47) South Windsor Taxpayers, the total of said refund being \$7,392.78 and as more fully described on attached **Exhibit B.**

- H. **Discussion Item: Fraud and Whistleblower Policy**

- I. **Discussion Item: Virtual Net Metering (*requested by Councilor Wagner*)**

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.]

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Regular Meeting – Town Council
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19. Executive Session

- A. To discuss two tax assessment agreements which would result in disclosure of public records or information contained therein which is exempt from disclosure at this time pursuant to C. G. S. §1-210(b)(1) and §1-210(b)(5)(B)

20. Adjournment

AMENDMENT 16
TO THE
RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SOUTH WINDSOR,
CONNECTICUT

WHEREAS, Town of South Windsor, Connecticut (the "Employer") is the plan sponsor of the Retirement Plan for Employees of the Town of South Windsor, Connecticut (the "Plan"); and

WHEREAS, the Employer desires to amend the Plan pursuant to the amendatory provisions set forth in the Plan to settle matters pertaining to the employment of Ronald R. Asselin.

NOW THEREFORE, the Plan is hereby amended as follows:

1. Any pages listed in the first column and attached to this Amendment face page supersedes and replaces any corresponding page listed in the second column. Any replaced page is assigned for reference purposes the number shown in the third column.

New Page Numbers	Replaced Page Number	Historical Page Number
64, 64-A	64	130

2. All other terms and provisions of the Plan are hereby ratified and affirmed.

IN WITNESS WHEREOF, the Employer has caused this Amendment 16 to be signed by its duly authorized Town Manager on the day and year set forth below.

TOWN OF SOUTH WINDSOR,
CONNECTICUT

By: _____
Matthew B. Galligan

Title: Town Manager

Date: _____

1. John Marchesseault Settlement Agreement

Pursuant to the Settlement Agreement between the Town of South Windsor, John Marchesseault ("Marchesseault") and South Windsor Police Union Local #1480, the Accrued Benefit of John Marchesseault and all appurtenant rights under the Plan attributable to such Accrued Benefit, shall be determined as if Marchesseault had been employed in a Town Nonbargaining Employee job classification from his original date of hire to the effective date of this paragraph, notwithstanding any provision of the Plan or Marchesseault's actual employment history to the contrary. Consequently, the Accrued Benefit credited to Marchesseault prior to this Amendment is cancelled and this revised Accrued Benefit is substituted therefor. This paragraph shall be effective upon Marchesseault's execution of a letter of acknowledgement and consent to this Amendment in such form as the Employer may require.

2. Town's 2010 Early Retirement Incentive Program.

In the case of any Active Member employed as Town Department Heads in the Town Nonbargaining Group who has attained at least age 55 and have at least 20 years of service with the Town, and who is offered and accepts early retire under the applicable terms of the Town's 2010 Early Retirement Incentive Program as authorized by the Town Council, such Member's accrued retirement benefit shall be determined by increasing such Member's years of credited service by a number of whole years, not exceeding 4, as the Town Manager shall determine.

3. Karl Reichle Settlement Agreement

Provided that Karl Reichle ("Reichle") executes a certain Release Agreement ("Agreement") in a form and within the time period determined by the Employer's Town Manager, and provided further that Reichle fulfills all of the conditions and promises set forth in such Agreement, Reichle shall upon termination of Service with the Employer be entitled to elect a retirement benefit commencing on his Early Retirement Date determined in accordance with Section 3.09, except that his Accrued Benefit shall not be subject to any reduction under Table C on account of his election to commence payment of benefits prior to his Normal Retirement Date.

4. Ronald R. Asselin Settlement Agreement

Provided that Ronald R. Asselin ("Asselin") executes a Release Agreement ("Agreement") in a form and within the time period determined by the Employer's Town Manager, and provided further that Asselin fulfills all of the conditions and promises set forth in such Agreement, Asselin shall on the first day of the month coinciding with or next following his termination of Service with the Employer (the "Asselin Early Retirement Date") be entitled to elect a retirement benefit commencing on the Asselin Early Retirement Date determined in accordance with Section 3.09, except that his Accrued Benefit shall not be subject to any reduction under Table C on account of his election to commence payment of benefits prior to his Normal Retirement Date. In

addition and notwithstanding any language in Section 3.06(b) to the contrary, for purposes of calculating the retirement benefit to which Asselin shall be entitled, "Final Average Earnings" shall mean Asselin's average annual Earnings for 36 months determined by treating as Earnings his imputed (i.e. not actually paid) monthly compensation at Asselin's basic monthly rate of salary as in effect on termination from Service for the number of months that his termination of Service precedes his Normal Retirement Date, plus actual Earnings for the remainder of such 36 month period immediately preceding Asselin's termination from Service. Asselin shall not receive any additional Credited Service on account of his termination from Service.

4843-4853-3800, v. 1

1. John Marchesseault Settlement Agreement

Pursuant to the Settlement Agreement between the Town of South Windsor, John Marchesseault ("Marchesseault") and South Windsor Police Union Local #1480, the Accrued Benefit of John Marchesseault and all appurtenant rights under the Plan attributable to such Accrued Benefit, shall be determined as if Marchesseault had been employed in a Town Nonbargaining Employee job classification from his original date of hire to the effective date of this paragraph, notwithstanding any provision of the Plan or Marchesseault's actual employment history to the contrary. Consequently, the Accrued Benefit credited to Marchesseault prior to this Amendment is cancelled and this revised Accrued Benefit is substituted therefor. This paragraph shall be effective upon Marchesseault's execution of a letter of acknowledgement and consent to this Amendment in such form as the Employer may require.

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3. Karl Reichle Settlement Agreement

Provided that Karl Reichle ("Reichle") executes a certain Release Agreement ("Agreement") in a form and within the time period determined by the Employer's Town Manager, and provided further that Reichle fulfills all of the conditions and promises set forth in such Agreement, Reichle shall upon termination of Service with the Employer be entitled to elect a retirement benefit commencing on his Early Retirement Date determined in accordance with Section 3.09, except that his Accrued Benefit shall not be subject to any reduction under Table C on account of his election to commence payment of benefits prior to his Normal Retirement Date.

TAX REFUNDS

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Exhibit B

Biscette, Rhonda C 1504 Summer Hill Road South Windsor, CT (Vehicle sold 8/2015) 14-502055	8.04	Borek, Sylvester & Joanna 32 Murray Road South Windsor, CT 06074 (Overpayment) RE14-958	3178.98
Brannon, Patrick or Lynn 111 Farm Brook Road South Windsor, CT (Junked 5/2013) 13-502559	66.05	Cassettari, Philip J 2152 Ellington Road South Windsor, CT (Vehicle sold 7/15) 14-503693	39.10
Cormier, Lorraine T 73 Hillside Drive South Windsor, CT (Sold 5/15) 14-504753	15.71	Cormier, Lorraine T 73 Hillside Drive South Windsor, CT (Sold 6/15) 14-504751	63.58
DeLillo, Michael J 21F Amato Drive South Windsor, CT (Vehicle sold 8/15) 14-505723	14.25	Eichner, William A 16 Greenfield Drive South Windsor, CT (Applied vet exemptions) 2013-506896	213.06
Galley, Bryan T or Helena 35 Jonathan Lane South Windsor, CT (Vehicle sold 8/2015) 14-508402	23.39	Grassman LLC 59 Woodland Drive South Windsor, CT (Vehicle sold 8/2015) 14-509269	50.06
Janangelo, Lissette 37 Candlewood Drive South Windsor, CT (Trade 9/14) 2014-511277	100.00	Kania, John M Jr 250 Oak Street South Windsor, CT (Overpayment) MV14-511914	289.45
Kuchipudi, Srinivasa 4 Diggins Ct South Windsor, CT (Vehicle sold 8/15) 14-512854	8.40	Kuna, Shreedhar 110 Frazer Fir Road South Windsor, CT (Vehicle traded in 8/2015) 14-512899	17.54
Lapierre, Leon O 38 Riverside Drive South Windsor, CT (Vehicle traded 8/15) 14-513242	9.50	Lopez, Richard T 1101 Twin Circle Drive South Windsor, CT (Vehicle junked 8/2015) 14-514063	7.67
MacDonald, David T 79 Laurel Street South Windsor, CT (Sold 8/15) 14-514268	6.58	Murphy, Adam G 225 Lawrence Road South Windsor, CT (Sold 11/13) 2013-516561	142.04
Nevin, Amanda L 23C Amato Drive South Windsor, CT (Gifted 2/2014) 13-516824	95.17	NISSAN Infiniti LT Tax Operations, P.O. Box 650214 Dallas, TX 752-0214 (Turned in 7/15) MV14-516924	61.75
NISSAN Infiniti LT Tax Operations, P.O. Box 650214 Dallas, TX 752-0214 (Turned in 6/15) MV14-516923	181.61	NISSAN Infiniti LT Tax Operations, P.O. Box 650214 Dallas, TX 752-0214 (Turned in 8/15) MV14-516790	36.18

TAX REFUNDS

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Exhibit B

NISSAN Infiniti LT Tax Operations, P.O. Box 650214 Dallas, TX 752-0214 (Turned in 8/15) MV14-516787	35.81	NISSAN Infiniti LT Tax Operations, P.O. Box 650214 Dallas, TX 752-0214 (Turned in 8/15) MV14-516924	36.18
NISSAN Infiniti LT Tax Operations, P.O. Box 650214 Dallas, TX 752-0214 (Turned in 7/15) MV14-516769	73.44	NISSAN Infiniti LT Tax Operations, P.O. Box 650214 Dallas, TX 752-0214 (Turned in 7/15) MV14-516879	30.69
Offiaeli, Kenneth 210 Felt Road South Windsor, CT (Sold 10/11) MV11-517066	55.33	Parent, Dave & Jill 121 Overlook Drive South Windsor, CT (Sold 7/15) 2014-517622	18.64
Plank, Cheryl E 4H Amato Drive South Windsor, CT (Traded in 8/2015) 14-504058	16.08	Prestia, Gina S 48 Ordway Drive South Windsor, CT (Paid bill twice) 14-518797	544.08
Randy Tuggle 145 Murielle Drive South Windsor, CT (Junked 11/14) 2014-1500049	53.72	Rodriguez, Edwin M & 10435 SW 99 th Ct Ocala, FL 34481-9077 (OOS FL Reg 6/2015) 14-519787	40.93
Ryan Business System Inc 455 Governors Hwy South Windsor, CT 06074 (Total loss 1/15) 2014-520533	223.62	Shary, Eric & Kujawa, Vicky 135 Robert Drive South Windsor, CT (Correct vet exemption) 2012-9005	104.70
Shum, Kin C or Yin P 19 Natsisky Farm Rd South Windsor, CT (Vehicle total loss on 8/2015) 14-521324	9.86	Shary, Eric & Kujawa, Vicky 135 Robert Drive South Windsor, CT (Correct vet exemption) 2013-9012	106.54
Small, Michael Stuart 1556 Abbe Road South Windsor, CT (Sold 7/15) 14-521623	59.56	Sutton, James P or Judith A 98 Newberry Road South Windsor, Ct (Sold 5/15) 2014-522493	36.18
Sieminski, John 16 Ash Road South Windsor, CT (Sold 7/15) 14-521350	74.18	Totino, Luigi or Cheryl A 97 Saddle Back Drive South Windsor, CT 06074 (Total loss 10/13) MV13-523446	68.18
Weber, Dana J 41 Jonathan Drive South Windsor, CT (Vehicle junked 8/2015) 14-524540	12.05	Whitehead, Jason K 1007 Twin Circle Drive South Windsor, CT (Overpayment) 14-524731	423.50
Witkin, Alan M or Patricia 2544 Cross Country Drive Port Orange, FL 32128 (OOS FL Reg 8/2015) 14-524986	67.60	Witkin, Alan M or Patricia 2544 Cross Country Drive Port Orange, FL 32128 (OOS FL Reg 8/2015) 14-524984	81.84

TAX REFUNDS

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Exhibit B

Witkin, Alan M or Patricia 2544 Cross Country Drive Port Orange, FL 32128 (OOS FL Reg 8/2015) 14-524985	47.14	Honda Lease Trust 600 Kelly Way Holyoke, MA 01040 (Vehicle sold 1/2015 Plate 503ZFT) 14-510597	263.09
WJ Mountford Co. 170 Commerce Way South Windsor, CT (Sold 3/15) 2014-524305	281.73		

Mrs. Bonnie F. Rabin, Collector of Revenue Total Refunds: \$7,392.78 Date: 9/21/2015