

Action Minutes

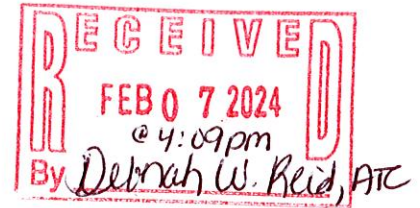
TOWN COUNCIL
COUNCIL CHAMBERS
SOUTH WINDSOR TOWN HALL

REGULAR MEETING
Monday, February 5, 2024
TIME: 7:00 P.M.

Public hearing to be held at 8:00pm to receive citizen input on the proposed amendments to Chapter 66 Library, Article I. In General, Section 66-1 Public library, Article II Organization Section 66-2 Library Department, Section 66-3-66-35 Reserved and Article III Board of Directors Section 66-36.

1. Call Meeting to Order

Mayor Delnicki called the meeting to order at 7:00pm.



2. Pledge of Allegiance

3. Roll Call

Members present:

Mayor Audrey Delnicki
Deputy Mayor Matthew Siracusa
Councilor Richard Balboni
Councilor Michael Buganski
Councilor Carolyn Carey
Councilor Erica Evans
Councilor Steven King Jr.
Councilor Toby Lewis
Councilor Elizabeth Pendleton

Others present:

Michael Maniscalco, Town Manager
Richard Carella, Town Attorney
Scott Roberts, Assistant Town Manager
Vanessa Perry, Director of Human Resources
Kevin Sullivan, Library Director
Jeff Doolittle, Assistant Director of Public Works/ Town Engineer

4. Mayor's Remarks

Councilor Balboni made a motion to adopt the agenda as presented.

5. Adoption of Agenda

Councilor Lewis seconded the motion.

Deputy Mayor Siracusa made a motion to move agenda item 17A to follow agenda item 7.
Public Input for Items on the Agenda.

Councilor Lewis seconded the motion, which was approved by unanimous voice vote.
MOTION CARRIES.

6. **Communications and Reports from the Town Manager**

7. **Public Input for Items on the Agenda**

Public Input shall not exceed thirty (30) minutes. When recognized by the Mayor, the speaker(s) shall approach the lectern, give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item on the agenda. The speaker(s) shall limit their speaking time to five (5) minutes.

The Town Council took a 7-minute recess before the Public Hearing. The regular meeting was suspended at 8:00pm in order to hold a public hearing to receive citizen input on the proposed amendments to Chapter 66 Library, Article I. In General, Section 66-1 Public library, Article II Organization Section 66-2 Library Department, Section 66-3-66-35 Reserved and Article III Board of Directors Section 66-36.

Public Hearing Minutes filed separately

Deputy Mayor Siracusa made a motion to move into executive session.

17. **Executive Session**

(Please invite Town Manager, Michael Maniscalco and Assistant Town Manager, Mr. Roberts and any other appropriate personnel deemed necessary).

a) **Strategy and negotiation regarding collective bargaining**

- UPSEU, Local 424 – Unit 104 Public Safety Dispatchers, Community Service Officers, Support Services Technicians
- South Windsor Police Union, NIPSEU
- Local 1303-028 of Council #4, AFSCME, Public Works Union
- Local 1303-488 of Council 4, AFCSME, Library Union

Councilor Lewis made a motion for the following:

8. **Adoption of Minutes of Previous Meeting**

Approval of the January 16, 2024 Town Council Meeting Minutes

BE IT RESOLVED, that the South Windsor Town Council hereby approves the minutes of the Regular Town Council meeting of January 16, 2024.

Councilor Lewis seconded the motion, which was approved by unanimous voice vote.
MOTION CARRIES.

9. **Communication from Liaisons, Officers, and Boards Directly Responsible to the Council**

10. Reports from Committees

11. Consent Agenda

[All items listed under this section are considered 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 Consent Agenda and be considered in its normal sequence on the Agenda.]

Councilor Carey motion to approve **11 A 1 – 11 A 2** as a first reading on the consent agenda.

Deputy Mayor Siracusa seconded the motion, which was approved by unanimous voice vote.
MOTION CARRIES.

Councilor Evans motion to approve **11 A 3 – 11 A 6** as a first reading on the consent agenda.

Councilor Lewis seconded the motion, which was approved by unanimous voice vote.
MOTION CARRIES.

A. First Reading

1. **Resolution appointing John Murphy III (R) as an alternate on the Inland Wetlands Agency/ Conservation Commission**

BE IT RESOLVED, that the South Windsor Town Council hereby appoints John Murphy III (R) as an alternate on the Inland Wetlands Agency/ Conservation Commission, for a term ending December 1, 2027. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

2. **Resolution appointing Lauren Chung (R) as a member of the Personnel Board of Appeals**

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Lauren Chung (R) as a member of the Personnel Board of Appeals, to replace the expired term of Elizabeth Kuehnel (D), for a term ending November 30, 2026. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

3. **Resolution appointing Paul Bernstein (D) as a member of the Planning & Zoning Commission**

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Paul Bernstein (D) as a member of the Planning & Zoning Commission, to fill the unexpired term of Bart Pacekonis (D) for a term end date of November 8, 2027. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

4. Resolution appointing Atif Quarishi (D) as an alternate on the Planning & Zoning Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Atif Quarishi (D) as an alternate on the Planning & Zoning Commission, to replace the unexpired term of Paul Bernstein (D), for a term ending December 1, 2025. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

5. Resolution reappointing Dwight Johnson (D) as a member of the Housing Authority

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Dwight Johnson (D) as a member of the Housing Authority, for a term ending November 30, 2028. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

6. Resolution appointing Megan Macomber (D) as a member of the Human Relations Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Megan Macomber (D) as a member of the Human Relations Commission, to replace the unexpired term of Anitha Elango (D), for a term ending November 30, 2024. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

Councilor Pendleton motion to approve **11 B 1 – 11 B 2** as a second reading on the consent agenda.

Councilor Lewis seconded the motion, which was approved by unanimous voice vote.
MOTION CARRIES.

B. Second Reading

1. Resolution reappointing Gary Pitcock (D) as a member of the Historic District Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Gary Pitcock (D) as a member of the Historic District Commission, for a term end date of November 30, 2028.

2. Resolution reappointing Jon Stengel (D) as a member of the Zoning Board of Appeals

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Jon Stengel (D) as a member of the Zoning Board of Appeals, to replace the unexpired term of Elizabeth McGuire (D), for a term ending November 30, 2025.

C. Miscellaneous

None.

12. Unfinished Business

Deputy Mayor Siracusa made a motion for the following:

A. Approving an offer of a tax fixing agreement with Lingleaf Developers, L.L.C.

WHEREAS, a request for tax abatement has been received from Lingleaf Developers, LLC, a Connecticut limited liability company having an address of 145 Hudson Street, Suite 6C, New York, NY 10013, for a development of real property located at Evergreen Walk, 151 Buckland Road, Unit 7C, South Windsor, Connecticut (the "Property"); and

WHEREAS, the Town of South Windsor's Tax Partnership Program established pursuant to Connecticut General Statutes Section 12-65b, is intended to encourage the development and expansion of quality business in Town, through tax and other economic incentives and is designed to retain and attract business that will generate substantial additional tax revenues and employment opportunities for the Town while providing quality goods and services; and

WHEREAS, at the Economic Development Commission meeting held on June 28, 2023, the Commission reviewed and recommends that a five (5) year tax fixing agreement (the "Agreement") be offered for the development of the Property upon the application of Continental Global Venture, LLC; and

WHEREAS, Lingleaf Developers, LLC. is an affiliate company of Continental Global Venture, LLC and will be the Property owner subject to the Agreement, and

WHEREAS, the Town Manager recommends, pursuant to said program, that the Agreement be offered to Lingleaf Developers, L.L.C. as an incentive to invest an estimated \$28,450,814 in total costs for the development of one hundred sixty five (165) housing units, where twenty-one (21) of the total Units will be affordable Work Force Units which will be assessed by the Town to result in a tax levy of \$0.00 per Work Force Unit per year for five years of the Agreement, and one hundred and forty-four (144) of the total Units will be Market Rate Units which will be assessed by the Town to result in a tax levy of \$3,165.00 per Market Rate Unit per year for five years of the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the South Windsor Town Council is pleased to offer the Agreement for five (5) years between the Town and Lingleaf Developers, LLC., commencing with the Grand List Following the date the Certificate of Occupancy issued for each Unit constructed on the Property; provided, however, that if such assessment is changed by any future Town revaluation, the new assessed value of the Property shall be reduced by the percentage applicable to the year within the Agreement period such assessment is changed; and

BE IT FURTHER RESOLVED, that the South Windsor Town Council's offer to Lingleaf Developers, L.L.C. of this Agreement is conditioned upon Lingleaf Developers, LLC. (1) meeting the estimated \$28,450,814 in total costs for the development and agreeing to the fixed tax figures; and (2) continuing to pay the real estate taxes on the Property for each Unit for a

minimum of ten (10) years from the date the Certificate of Occupancy for each Unit is issued; (3) if Longleaf Developers, LLC. fails to meet either of these conditions, Longleaf Developers, LLC. shall refund the Town of South Windsor all of the tax benefit reductions it has received; and

BE IT FURTHER RESOLVED, that the South Windsor Town Council's offer is contingent upon the execution of a written tax fixing Agreement by Longleaf Developers, LLC. reflecting the terms set forth in the resolution and such other terms as the Town may require.

Councilor Pendleton seconded the motion.

Mayor Delnicki asked for a roll call vote, the results of which are as follows; **6 ayes**, (Councilor Buganski, Councilor Lewis, Deputy Mayor Siracusa, Councilor King, Councilor Evans, Councilor Pendleton) **3 nays** (Councilor Balboni, Councilor Carey, Mayor Delnicki) and **0 abstentions**. **MOTION CARRIES.**

13. New Business

A. Discussion Item: Energy Committee, proposal of an EV Charger to be placed at the South Windsor Public Library

B. Discussion Item: Proposal to Prepare Request for Proposal (RFP) for the Facilities and Conditions Assessment of the former Orchard Hill Elementary School

Councilor King made a motion for the following:

C. Resolution establishing February 20, 2024 as Social Justice Day

WHEREAS, the South Windsor community stands against social injustice and racial inequities wherever and whenever they may occur; and

WHEREAS, there is no room for racism, bigotry, prejudice, or violence in our Town, State, or Nation; and

WHEREAS, International Social Justice Awareness Day recognizes the need to promote efforts to tackle poverty, exclusion, unemployment, gender equity, and access to social well-being and justice for all; and

WHEREAS, we stand for promoting efforts to tackle issues such as poverty, exclusion, unemployment, gender inequity and unequal access to social well-being and justice for all.

NOW, THEREFORE, BE IT RESOLVED, that the South Windsor Town Council encourages all residents of South Windsor to stand up against poverty, exclusion, unemployment, gender equity, and access to social well-being and justice for all in our Town.

BE IT FURTHER RESOLVED, that the South Windsor Town Council will designate February 20th, 2024 to be proclaimed as South Windsor Social Justice Day;

support the goals and ideals of International Social Justice Day; encourage all citizens of South Windsor to join in activities in support of the goals and ideals of Social Justice Day; and authorize and issue this resolution calling on the people of the Town of South Windsor, in the State of Connecticut, to observe International Social Justice Day with appropriate programs and activities.

BE IT FURTHER RESOLVED, that the South Windsor Town Council Stands firmly to end poverty, promote inclusion, employment, gender equity, and access to social well-being and justice for all in our Town, and establish a social justice culture in South Windsor.

Councilor Pendleton seconded the motion.

Mayor Delnicki asked for a roll call vote, the results of which are as follows; **7 ayes**, (Councilor Buganski, Councilor Carey, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King, Councilor Evans, Councilor Pendleton) **2 nays** (Councilor Lewis, Councilor Balboni) and **0 abstentions**. **MOTION CARRIES.**

Councilor Buganski made a motion for the following:

D. Resolution accepting the resignation of Kathleen Daugherty (R) from the Charter Revision Commission

BE IT RESOLVED, that the South Windsor Town Council hereby accepts, with regret, the resignation of Kathleen Daugherty (R) from the Charter Revision Commission effective January 17, 2024, as more fully described in **exhibit A**.

BE IT FURTHER RESOLVED, that the South Windsor Town Council extends its thanks Kathleen Daugherty (R) for the time she has dedicated to serving her community by her membership on the Charter Revision Commission.

Councilor Carey seconded the motion.

Mayor Delnicki asked for a roll call vote, the results of which are as follows: **8 ayes** (Councilor Buganski, Councilor Lewis, Councilor Carey, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King, Councilor Evans, Councilor Pendleton), **1 nay** (Councilor Balboni) and **0 abstentions**. **MOTION CARRIES.**

Councilor Carey made a motion for the following:

E. Resolution accepting the resignation of Lauren Chung (R) from the Social Justice & Racial Equity Commission

BE IT RESOLVED, that the South Windsor Town Council hereby accepts, with regret, the resignation of Lauren Chung (R) from the Social Justice & Racial Equity Commission effective January 9, 2024, as more fully described in **exhibit B**.

BE IT FURTHER RESOLVED, that the South Windsor Town Council extends its thanks Lauren Chung (R) for the time she has dedicated to serving her community by her membership on the Social Justice & Racial Equity Commission.

Councilor Pendleton seconded the motion, which was approved by unanimous voice vote. **MOTION CARRIES.**

Councilor Balboni made a motion for the following:

F. Resolution appointing Tad Bistor (R) as a member of the Charter Revision Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Tad Bistor (R) as a member of the Charter Revision Commission to replace Kathleen Daugherty (R).

Councilor Lewis seconded the motion.

Mayor Delnicki asked for a roll call vote, the results of which are as follows: **7 ayes** (Councilor Buganski, Councilor Lewis, Councilor Balboni, Councilor Carey, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King.), **2 nay** (Councilor Evans, Councilor Pendleton) and **0 abstentions.** **MOTION CARRIES.**

Councilor Evans made a motion for the following:

14. Passage of Ordinance

Amendment to South Windsor Code of Ordinance to Chapter 66 regarding the Organization and Operations of the Town Public Library

WHEREAS, South Windsor Public Library was established by Town Meeting in October 1898; and

WHEREAS, per the Town Charter Section 502, the Town Council appoints a six-member Board of Directors, for four-year terms, where three of the six members are appointed in alternating biennial cycles by the incoming newly elected Town Council; and

WHEREAS, the organization and operations of the Library has been under the direction of the Board of Directors; and

WHEREAS, the Board of Directors desires to have the organizational oversight and operations of the Library and its employees, transferred to the Town of South Windsor, to be managed under the office of the Town Manager; and

WHEREAS, the Town of South Windsor desires to maintain the Board of Directors to continue to recommend and advise the Town regarding the adoption of policies which will ensure that the Library shall continue to be free to all inhabitants of the Town in accordance with State law.

NOW THEREFORE, BE IT HEREBY ORDAINED THAT, the South Windsor Town Council hereby amends the ordinance regarding the establishment, organization and Operations of the Town of South Windsor Public Library, as shown in the attached **exhibit C**.

Councilor Pendleton seconded the motion.

Deputy Mayor Siracusa made a motion for a friendly amendment to read as follows;

WHEREAS, the ~~Board of Directors~~ Town Council desires to have the organizational oversight and operations of the Library and its employees, transferred to the Town of South Windsor, to be managed under the office of the Town Manager; and

Councilor Lewis seconded the motion for a friendly amendment.

Mayor Delnicki asked for a roll call vote, the results of which are as follows: **8 ayes** (Councilor Buganski, Councilor Lewis, Councilor Balboni, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King, Councilor Evans, Councilor Pendleton), **1 nay** (Councilor Carey) and **0 abstentions**. **MOTION CARRIES.**

15. Public Input for Any Matter

Public Input for any other matter shall not exceed thirty (30) minutes. When recognized by the Mayor, the speaker(s) shall approach the lectern, give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item. The speaker(s) shall limit their speaking time to five (5) minutes.

16. Communications from the Council

Deputy Mayor Siracusa made a motion to for the following.

17. Executive Session

(Please invite Town Manager, Michael Maniscalco and Assistant Town Manager, Mr. Roberts and any other appropriate personnel deemed necessary).

b) Strategy and negotiation regarding collective bargaining

- UPSEU, Local 424 – Unit 104 Public Safety Dispatchers, Community Service Officers, Support Services Technicians
- South Windsor Police Union, NIPSEU
- Local 1303-028 of Council #4, AFSCME, Public Works Union
- Local 1303-488 of Council 4, AFCSME, Library Union

Councilor Lewis seconded the motion.

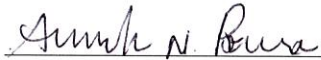
Those in attendance include Councilor Buganski, Councilor Lewis, Councilor Balboni, Councilor Carey, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King, Councilor Evans, and Councilor Pendleton, Michael Maniscalco – Town Manager, Scott Roberts – Assistant Town Manager and Vanessa Perry – Director of Human Resources.

18. Adjournment

Councilor Pendleton made a motion to adjourn the meeting at 11:00pm.

Councilor Lewis seconded the motion., which was approved by unanimous voice vote.
MOTION CARRIES.

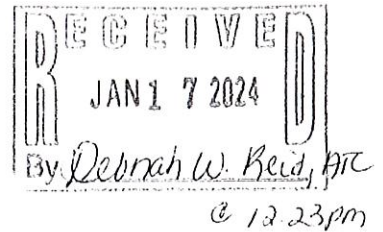
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Amanda N. Poma", is written over a horizontal line.

Amanda N. Poma
Clerk of the Council

Exhibit A

Kathleen S. Daugherty
12 Roy Road
South Windsor, CT. 06074
860-306-4117



Dear Ms. Poma;

January 17, 2024

I am writing to inform you about my decision to resign from the Charter Revision Commission effective immediately.

As a lifelong resident, I am very passionate about the future of our town for all the residents, however, I am very concerned about the legality in which this commission was formed and the desire to continue to ignore Connecticut General Statutes regarding the establishment of this commission.

This commission will have lasting implications on this town. The desire to step back and form the commission correctly has been overshadowed by the desire to get it done and cover your ass. I strongly recommend the council take a second look at the resolution and seek a second legal opinion regarding the legality of this commission.

Sincerely,

Kathleen S. Daugherty
Kathleen S. Daugherty

cc: Miguel Proano,
Bonnie Armstrong
Stephanie Dexter

Exhibit B

To Megan and Stephanie,

I am writing today to give my resignation from the Social Justice and Racial Equity Committee. I have appreciated my time on this committee and wish them well in all they do going forward. Thank you for giving me the opportunity to have served on it.

Respectfully,
Lauren Chung

Exhibit C

Chapter 66 LIBRARY

ARTICLE I. IN GENERAL

Sec. 66-1. Public library.

- (a) A public library is established to be called the South Windsor Public Library, which shall under the proper regulations to be proposed by the directors and adopted by the Town be free to all the inhabitants of the town.
- (b) The town treasurer is authorized to receive such sums as may from time to time be paid to the town for library purposes.

ARTICLE II. ORGANIZATION

Secs. 66-2 Library Department.

- (a) The Town Manager shall establish a Library Department within the Town's department organizational structure and shall have oversight of all aspects of the operations of the library as a department of the Town of South Windsor.
- (b) The Town shall provide suitable space and rooms for public library purposes.
- (c) The Town Manager shall employ a Library Director who shall serve as advisor to the Board of Directors of the library and implement the policies of the Town and the library as directed by the Town Manager.
- (d) Library employees shall be considered Town employees, eligible to participate in all aspects of Town employee benefits.

Secs. 66-3-66-35. Reserved.

ARTICLE III. BOARD OF DIRECTORS

Sec. 66-36. Duties.

The directors shall recommend to the Town reasonable rules and regulations for the operation of the library