

Minutes

TOWN COUNCIL
COUNCIL CHAMBERS
SOUTH WINDSOR TOWN HALL

REGULAR MEETING
Tuesday, January 2, 2024
TIME: 7:00 P.M.

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
Lisa Maneeley, Chairperson, Board of Education
Craig Zimmerman, Board of Education

4. Mayor's Remarks

Mayor Delnicki wished everyone a safe and Happy New Year. Mayor Delnicki wishes all that celebrate a Happy Three Kings Days on January 6th. Town Offices will be closed on Monday, January 15th in observance of Martin Luther King Jr. Day.

Councilor Carey made a motion to approve the agenda as presented.

5. Adoption of Agenda

Councilor Lewis seconded the motion. Councilor Evans made a motion to move agenda items **11 B 9** and **11 B 16** from the consent agenda to separate new business items, following item **13 C**. Councilor Evans would like the opportunity for discussion. Councilor Pendleton seconded the motion.

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

Mayor Delnicki asks for a roll call vote to adopt the agenda as presented, 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 nays** (Councilor Evans, Councilor Pendleton) and **0 abstentions. MOTION CARRIES.**

6. Communications and Reports from the Town Manager

The Town's Finance Director worked with the Town's Financial Advisor and have decided to issue \$8.5 million of authorized, but unissued bonds in order to maintain cash flow. In order to do so, the Town will need to go for another rating from S&P. The Town is tentatively planning a call with the rating analyst for January 11th. Bonds will be issues in early February.

The Town's Audit is complete. Town staff have been working with auditors over the last few months. Preliminary, there are no findings and it is a clean audit. The Audit Committee will review and accept the audit in the coming months. Additionally, the audit has been submitted along with the fiscal year 2022-2023 budget to the Government Finance Officers Authority for their annual review and application for the annual budget award.

The Town Manager recently participated in a call regarding the car tax cap, the formula for State reimbursement uses last years mill rate versus this years' mill rate. Due to revaluation, many communities including South Windsor stand to loose significant amounts of money from the State. CCM and CRCOG are meeting with legislators to fix this issue in the coming legislative session.

Phase II of the HVAC upgrades began on December 28th. This phase includes removing several ceiling tiles and ceiling grid. Then, dropping the old air distribution boxes, installing new ones and reassembling the ceiling. The contractors plan is to complete three boxes a day. The process will take two to three weeks to replace all of the boxes on all three floors.

The Town Manager takes a moment to recognize the town employees who have worked over the holiday season. Many of them had to sacrifice time with family and friends to keep the community safe.

Whole Foods will be performing a bread breaking ceremony, or their own version of a ribbon cutting on January 17th at 7:30am.

Councilor Lewis asked Mr. Maniscalco to explain the issuing of bonds. Bonds are issued for projects that were already approved and constructed. The \$8.5 million will cover the expenditures that were already made for Pleasant Valley School, roof projects and road projects. Typically, those bonds have a fixed interest rate. The Town normally issues 20-year bonds.

Councilor Lewis asks Mr. Maniscalco to explain the car tax cap. Mr. Maniscalco explains that the State implemented a car tax cap about three years ago. The idea is that the legislator in the State of Connecticut, wanted to ensure that a cars value does not differ based on the municipality, as it is still the same vehicle. The State implemented a cap on the mill rate for motor vehicles. The Town of South Windsor had already surpassed that cap, so in order to

remedy this the state instituted a grant program. The grant is based off of a formula that uses the actual mill rate for real estate taxes and other things. The Town of South Windsor receives about \$2.1 million a year to offset the loss of revenue. The legislator failed to consider the fact that municipalities have revaluations every five years. Without taking the revaluation into consideration, the Town will lose millions in grant money. At this time, it's not yet determined if this will affect this budget cycle or the next. There are about 20 other municipalities that will lose grant money.

Councilor Lewis asked the Town Manager what happens to budgeted funds if they are not all used. Mr. Maniscalco explains that any extra funds would get swept into the general fund, which is essentially a savings account for the Town.

Councilor Pendleton asked the Town Manager if the Town is prepared with enough resources including staff, salt, sand etc. The Town Manager answered, yes.

Councilor King inquired about other ADA compliance proposals and asks the Town Manager to look further into the situation. Through the Town website under Capital Project/Capital Improvements there is a link to another website called ClearGov. All Capital projects are listed there.

Councilor Buganski asked about the bonds and if they are baked into the budget. Mr. Maniscalco answered, no. The Town Manager, Finance Director, and Financial Advisor all collaborate in order to manage the impact. There seems to be a little bit of a down turn in terms of past debt.

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.

Barbara Lane, 100 Overlook Road, spoke in support of the proposed changes to the High School Campus. Ms. Lane read part of an email into the record by Walter Woods, one of the leaders at the Senior Center. Mr. Woods advocates for the proposed pickleball courts and points out the benefits of having more courts dedicated to the growing sport. The senior center has since reviewed the plans and is in full support of the pickleball courts. Reference **exhibit D**.

Daria Plummer, 235 Orchard Hill, spoke in support of the proposed high school campus improvements. Mrs. Plummer frequents the senior center, where pickleball has proven to be a crowd favorite. Mrs. Plummer urges the council to send this proposal to referendum.

Samantha Petgrave, 28 Simcka Drive, has spoken in front of the council before expressing her strong support for the proposed high school campus improvements. Ms. Petgrave urges the council to go to referendum.

Dan Edwards, 131 Hilton Drive, read a letter into the record from Tad Bistor, 261 Main Street, an attorney, a copy of which is attached. Reference **exhibit E**.

Joe White, 6 Hunter Drive, spoke in support of the proposed high school campus improvements. Mr. White voices his concerns with the current traffic situation along Collins Crossing. Before and after school there are often times cars that are idling on Collins Crossing that may present a potential hazard.

Dan Edwards, 131 Hilton Drive, does not support discouraging students from using shorter paths to get to and from school. Mr. Edwards stated that creating a berm will create opposition, which creates tension.

Deputy Mayor Siracusa made a motion to read the letter from Shipman, Shaiken & Schwefel, LLC into the record, a copy of which is attached. Reference **exhibit F**.

Councilor King made a motion to globally waive the right to object to the letters being read into the record. Councilor Lewis seconded the motion, which was approved by unanimous voice. **MOTION CARRIES**. Councilor Pendleton read a letter into the record from a Mr. Rick Sanchez, a copy of which is attached. Reference **exhibit G**.

Mayor Delnicki read a statement from Carol Kelley into the record. "Congratulations on your decision to install lighting at the South Windsor High School Football Field. I believe it is a decision that has been long overdue."

Councilor Evans made a motion for the following:

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

Approval of the December 18, 2023 Town Council Meeting Minutes

BE IT RESOLVED, that the South Windsor Town Council hereby approves the minutes of the Regular Town Council meeting of December 18, 2023.

Councilor King seconded the motion.

Councilor Pendleton made a motion to include verbatim minutes under section **13 G** or page 17 of the minutes. Councilor King 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 Balboni, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King, Councilor Evans, Councilor Pendleton) **1 nay**, (Councilor Carey) and **0 abstentions**. **MOTION CARRIES**.

Councilor Lewis made a motion to adopt the revised minutes of the previous meeting, as amended. Councilor Carey seconded the motion, which was passed by unanimous voice vote. **MOTION CARRIES**.

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

None.

10. **Reports from Committees**

None.

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 Balboni made a motion to approve **11 A 1** as a first reading on the consent agenda. Councilor Carey seconded the motion, which was approved by unanimous voice vote. **MOTION CARRIES.**

Councilor King made a motion to approve **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.**

A. **First Reading**

1. **Resolution appointing Daniel Edwards (R) as an alternate on the Economic Development Commission**

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Daniel Edwards (R) as an alternate of the Economic Development Commission, to fill the expired term of Michael Buganski (D), for a term end date of November 30, 2027. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

2. **Resolution reappointing Mindy Lewis (D) as an alternate on the Economic Development Commission**

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Mindy Lewis (D) as an alternate on the Economic Development Commission, for a term ending November 30, 2027. Consideration of this motion is postponed until the Town Council's next regularly scheduled meeting.

Councilor Lewis made a motion to approve **11 B 1- 11 B 16** as a second reading on the consent agenda. Councilor Carey seconded the motion. Councilor Evans restates that **11 B 9** and **11 B 16** should be moved to new business for further discussion, as those appointments would coincide with discussion item **13 C**.

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

Councilor Pendleton made a motion to approve **11 B 17 - 11 B 21** as a second reading on the consent agenda. Deputy Mayor Siracusa seconded the motion, which was approved by unanimous voice vote. **MOTION CARRIES.**

B. Second Reading

1. Resolution appointing Michele Althoff (R) as a member of the Arts Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Michele Althoff (R) as a member of the Arts Commission, to fill a vacancy, for a term ending December 31, 2025.

2. Resolution appointing Janet Holowczak (U) as a member of Arts Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Janet Holowczak (U) as a member of the Arts Commission, to fill a vacancy, for a term ending December 31, 2025.

3. Resolution reappointing Maria Baseel (U) as a member of the Arts Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Maria Baseel (U) as a member of the Arts Commission, for a term ending December 31, 2025.

4. Resolution appointing Nicholas Jones (R) as a member of the Blighted Property Appeals Board

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Nicholas Jones (R) as a member of Blighted Property Appeals Board, to fill a vacancy, for a term ending November 30, 2024.

5. Resolution appointing Katherine Foley (R) as a member of the Board of Assessment Appeals

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Katherine Foley (R) as a member of the Board of Assessment Appeals, to fill a vacancy, for a term ending November 30, 2027.

6. Resolution reappointing Arthur Utay (U) as a member of the Demolition Delay Committee

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Arthur Utay (U) as a member of the Demolition Delay Committee, for a term ending December 31, 2025.

7. Resolution appointing Michael Lanza (R) as a member of the Historic District Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Michael Lanza (R) as a member of the Historic District Commission, to fill the expired term of Gary Pitcock (D), for a term ending November 30, 2028.

8. Resolution appointing Sean Stewart (R) as a member of the Housing & Fair Rent Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Sean Stewart (R) as a member of the Housing & Fair Rent Commission, to fill a vacancy, for a term ending November 30, 2026.

9. Resolution appointing Steven Cordeiro (R) as a member of the Inland Wetlands Agency/ Conservation Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Steven Cordeiro (R) as a member of the Inland Wetlands Agency/ Conservation Commission, to fill the expired term of Adam Reed (D), for a term ending December 1, 2027

10. Resolution reappointing Renee Powell (R) as a member of the Mass Transit & Highway Advisory Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Renee Powell (R) as a member of the Mass Transit & Highway Advisory Commission, for a term ending November 30, 2027.

11. Resolution reappointing Eugene Botteron (R) as a member of the Patriotic Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Eugene Botteron (R) as a member of the Patriotic Commission, for a term ending December 31, 2026.

12. Resolution reappointing Edward Gawlinski (R) as a member of the Patriotic Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Edward Gawlinski (R) as a member of the Patriotic Commission, for a term ending December 31, 2026.

13. Resolution reappointing Herbert Asplund (R) as an alternate on the Patriotic Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Herbert Asplund (R) as an alternate on the Patriotic Commission, for a term ending December 31, 2026.

14. Resolution appointing William Carroll Jr. (R) as a member of the Patriotic Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints William Carroll Jr. (R) as a member of the Patriotic Commission, to replace Bobbi Jo Maltz (R), for a term ending December 31, 2026.

15. Resolution appointing Doug Nation (R) as a member of the Water Pollution Control Authority

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Doug Nation (R) as a member of the Water Pollution Control Authority, to replace the expired term of Bala Ramasamy (D), for a term ending November 30, 2027.

16. Resolution appointing Steven Cordeiro (R) as a member of the Water Pollution Control Authority

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Steven Cordeiro (R) as a member of the Water Pollution Control Authority, to replace the expired term of Toby Lewis (R), for a term ending November 30, 2027.

17. Resolution reappointing Branden Migneault (D) as an alternate on the Parks and Recreation Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Branden Migneault (D) as an alternate on the Parks and Recreation Commission, for a term ending December 31, 2027.

18. Resolution reappointing Mitchell Marks (D) as a member of the Parks and Recreation Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Mitchell Marks (D) as a member of the Parks and Recreation Commission, for a term ending December 31, 2027.

19. Resolution reappointing George Caye (D) as a member of the Parks and Recreation Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints George Caye (D) as a member of the Parks and Recreation Commission, for a term ending December 31, 2027.

20. Resolution reappointing Diane Behler (D) as a member of the Patriotic Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Diane Behler (D) as a member of the Patriotic Commission, for a term ending December 31, 2026.

21. Resolution reappointing Margaret Glover (D) as an alternate on the Patriotic Commission

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Margaret Glover (D) as an alternate on the Patriotic Commission, for a term ending December 31, 2026.

C. Miscellaneous

None.

12. Unfinished Business

Councilor Balboni made a motion for the following:

A. Resolution appointing Thespina Buganski (R) as an alternate on the Planning & Zoning Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Thespina Buganski (R) as an alternate on the Planning and Zoning Commission to replace the expired term of Atif Quarishi (D), for a term end date of December 1, 2027.

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

Councilor Lewis made a motion for the following:

B. Resolution appointing Jackie Balboni (R) as a member of the Parks and Recreation Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Jackie Balboni (R) as a member of Parks and Recreation Commission to replace the unexpired term of Toby Lewis (R), for a term end date of December 31, 2025.

Councilor Lewis 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, Councilors Pendleton) **0 nays**, and **1 abstention** (Councilor Balboni). **MOTION CARRIES.**

Councilor Buganski made a motion for the following:

C. Resolution appointing Mark DiCiancia (R) as a member of the Building Code Board of Appeals

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Mark DiCiancia (R) as a member of the Building Code Board of Appeals, to fill a vacancy, for a term ending January 1, 2025.

Councilor Balboni 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 Balboni, Councilor Carey, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King, Councilor Evans) **1 nay**, (Councilors Pendleton) and **0 abstentions. MOTION CARRIES.**

13. New Business

A. Discussion Item: referendum question regarding the proposed high school campus improvements

Councilor King stated that the plan should go out to referendum. Mr. Maniscalco explains that if the council wishes to make changes prior to the project being completed, that could be problematic, if the project does not identify a basketball court. However, once the project is complete and if there are left over funds, then those potential left-over funds can be used for an additional basketball court. When the bond goes out to referendum, the resolution will include specific uses and items that are to be purchased with the bond.

Mr. Maniscalco explains that there is a bond resolution that is created to go to referendum. That resolution is created by the bond attorney. The resolution will specifically outline what the project entails.

Councilor Evans recommends adding a section to the referendum question or having an informal poll; asking residents why they would vote no to the proposal. Mr. Maniscalco explains that yes, the council can add more to the ballot.

Councilor Lewis expressed his support to send this out for referendum.

Councilor Buganski asks about standard bonds. Mr. Maniscalco explained financing and bonding for projects in Town. The council first has to vote to send something out for referendum. Those bonds are authorized financing, unissued, a term that is regularly used. Those projects are worked on, and paid for using the General Fund or savings account. The General Fund almost acts like the Town's personal bank. As the projects are completed, and the exact dollar amount is determined, that amount is issued for that exact amount. That way, the Town is not over issuing. If the Town overissues, they can receive a penalty and it allows the Town to know the exact cost of the project. When going out to bond, usually it's done for multiple projects. Then the debt is issued based on cash flow, to make sure funding for the project continues. That is why there is usually a 20-year term. For example, if the proposed project gets approved at referendum, it could be issued with other projects such as road repairs, or another larger project.

Councilor Pendleton asks about an 8-24 review from the Planning & Zoning Commission. It is determined that the 8-24 review would be received after referendum.

Lisa Maneeley, Chairperson, Board of Education addressed the council to answer their questions. Ms. Maneeley references Dr. Carters presentation. Dr. Carter did not include plans specific to a new basketball court. If there are left over funds, those monies can be used to address the basketball courts. Ms. Maneeley restated that referendum approved bonds can only be used to for the specific project outlined in the referendum question. The project identifies needs including; more athletic field space, a safer second entrance for students, and the tennis and pickleball courts. Dr. Carter's presentation was created using the Strategic Plan. Ms. Maneeley explains there is a buffer of about \$500,000. If the project is not completed within the timeline that Dr. Carter presented, the cost of inflation would increase this project by at least \$1 million.

Councilor King expressed that the campus improvements should encompass the needs/wants of all residents, which would include a basketball court.

Ms. Maneeley informed the council that those informational tri-folds have already been printed. Once the project goes out for referendum the Board cannot advertise the project.

Mayor Delnicki asked about state bonding. Craig Zimmerman, Board of Education addressed the council. Mr. Zimmerman informed the council that the State Representative was contacted and had this discussion with Dr. Carter. Until the plan is approved for bonding, neither the State Rep. or Senator can act. To go before the State and ask for funding before the plan was approved by the council would be premature, almost like skipping a step. Mr. Zimmerman referenced the baseball field at the High School Annex that will be removed. Little League uses that field. Dr. Carter has already spoken with the leadership at Little League to come up with a low-cost solution to repair the already existing field at Eli Terry.

Mr. Zimmerman confirmed that the basketball court would get replaced. Parks and Recreation and the Board of Education have not yet determined the placement. It will likely go somewhere on the high school campus or within a short walking distance.

After discussion, Mr. Maniscalco confirms that an 8-24 review is not required before going to referendum. That said, it is within the council's purview to request the 8-24 review. The Town Attorney confirms, according to the Charter, Section 314. - Obligatory referendum on bond issues, notes and the sale of real estate by the Town, "No public hearing shall be required on any such matter to be acted upon by such referendum".

Councilor Carey made a motion for the following:

B. Resolution adopting the Budget Policy Statement for the 2024/2025 fiscal year

WHEREAS, the South Windsor Town Council, in preparation for the upcoming budget, would like to establish a Budget Policy Statement; and

WHEREAS, the policy has been presented to the Town Council for their review; and

WHEREAS, the Budget Policy Statement for the Town of South Windsor will give direction to all Town departments and the Board of Education as they formulate their budgets.

THEREFORE, BE IT RESOLVED, that the South Windsor Town Council hereby adopts the Budget Policy Statement for the Fiscal Year 2024/2025 Budget as shown in attached exhibit A.

Deputy Mayor Siracusa seconded the motion.

Councilor Carey mentioned that some revisions have been made to reflect the current Strategic Plan. The goal for this budget is to remain flat.

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

Deputy Mayor Siracusa made a motion for the following:

C. Resolution removing member from appointed office for Charter Revision Commission compliance

WHEREAS, a Charter Revision Commission of seven (7) members was formed by resolution of the Town of South Windsor's Town Council on September 18, 2023; and

WHEREAS, Connecticut General Statutes Section 7-190 states that not more than one-third of the Charter Revision Commission members may hold any other public office in the municipality; and

WHEREAS, of the seven (7) members of the Town of South Windsor Charter Revision Commission, only two (2) members may hold another public office; and

WHEREAS, to date there are three (3) members of the Charter Revision Commission that hold another public office; and

WHEREAS, the Charter Revision Commission has been unable to resolve the matter amongst themselves by either having one of the three members resign from their other public office, or by having one of the three members resign from the Charter Revision Commission; and

WHEREAS, in accordance with the Rules and Procedures of the Town Council, Article X, Section 2, for the cause of bringing the Charter Revision Commission into compliance with the provisions of Connecticut General Statutes Section 7-190, the Charter Revision Commission requests the Town Council to resolve this matter by either (i) removing an individual from their other appointed public office, or (ii) removing an individual from the Charter Revision Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Town of South Windsor's Town Council removes _____ from the appointed office of _____ for the purposes of having the Charter Revision Commission be in compliance with Connecticut General Statutes Section 7-190.

Councilor Buganski seconded the motion.

Councilor Lewis references Attorney Tad Bistors' email during discussion. Attorney Carella explained that three current members fall under the definition of public figure. The council cannot revise the resolution to add more members under Connecticut law. The commission cannot be dissolved. Once the Charter Revision Commission is set into motion State law says the commission cannot be terminated until their task is complete. The Charter Revision Commission has requested that the council resolve the matter. Attorney Carella explained that the resolution is written in order for the commission to follow State compliance. One of those three public officials must be removed from one of their current positions, or removed from the Charter Revision Commission. Mr. Carella confirms the creation of the commission followed State Statute.

Councilor Evans made a motion to change the word "remove(s)" from the resolution and replace it with the word "replace" and include a space for the new name.

Councilor Lewis made a motion to table the resolution. Councilor Carey seconded the motion.

Deputy Mayor Siracusa called for the question. Councilor Lewis seconded the motion. Mayor Delnicki asks for a roll call vote on the motion to table the resolution to the next regularly scheduled council meeting, 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 nays**, (Councilor Evans, Councilor Pendleton) and **0 abstentions. MOTION CARRIES.**

Councilor Balboni made a motion for the following:

D. Resolution accepting the resignation of Veronica Nowak (R) from the Housing Authority

BE IT RESOLVED, that the South Windsor Town Council hereby accepts, with regret, the resignation of Veronica Nowak (R) from the Housing Authority effective December 26, 2023, as more fully described in attached **exhibit B.**

(13 D cont.)

BE IT FURTHER RESOLVED, that the South Windsor Town Council extends its thanks Veronica for the time she has dedicated to serving her community by her membership on the Housing Authority.

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

Councilor Evans made a motion for the following:

E. Resolution approving of five (5) refunds totaling \$3,921.43

BE IT RESOLVED, that the South Windsor Town Council hereby approves five (5) refunds, the total of said refunds being \$3,921.43 and as more fully described on attached **exhibit C**.

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

14. Passage of Ordinance

None.

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.

Kathy Daugherty, 12 Roy Road, addressed the last few meetings. Mrs. Daugherty expressed her concern with the civility between the council members. Specifically, when it comes to addressing each other and speaking about residents. Mrs. Daugherty was embarrassed and believes that action should be taken for sanction in response to the behaviors and actions of the last few meetings.

Tom Dillon, 34 Barbara Hill Road, agrees with Mrs. Daugherty. Mr. Dillon stated he was appalled when viewing the last meeting. Mr. Dillon references comments that Councilor Pendleton made about Mr. DiCiancia. Mr. Dillon references higher standards and how the council needs to hold themselves accountable. It is Mr. Dillon's belief that the council is rushing into a decision to go to referendum for the proposed High School campus improvements.

16. Communications from the Council

Deputy Mayor Siracusa met with a student from Pleasant Valley. The Deputy Mayor presented the student with an Honorary Junior Council Members certificate and recognized the student for her participation with student leadership.

Councilor King formally apologized to Mr. Vincent Stetson, Director of Public Works. Councilor King is referencing a previous meeting that Mr. Stetson attended to answers the council's questions regarding sidewalk installation on Birch Hill Drive and Felt Road.

Mayor Delnicki informed the council that an email came in from a resident earlier that day. Since then the email has been distributed to the council. Following the rules and procedures, Mayor Delnicki would like to allow the council the opportunity to formally deny the request to read the email out loud at their next regularly scheduled meeting.

Councilor Evans mentioned a previous resolution that has been passed by the council. The resolution was passed in reflection of the events that unfolded on January 6, 2021. Councilor Evans asks residents to join her in remembering and honoring Unity Day on January 6th, in recognizing community.

Councilor Pendleton adds to Councilor Evans comments. Councilor Pendleton asked residents to honor the lives that were lost that day. Councilor Pendleton references the Honorary Junior Council Member and asks for clarification.

Deputy Mayor Siracusa explained this was an initiative to get more students involved and make the council look appealing to students. It was the Deputy Mayor's intention to receive feedback from elementary school staff, educators, and parents.

Councilor Pendleton questions the Deputy Mayor's authority and asks the Town Attorney to chime in. Should the rest of the council be notified when presenting the Honorary Junior Council Member certificate?

Attorney Carella responded that from the limited knowledge he has pertaining to the situation in question, no, there doesn't seem to be any violation. The Town Attorney stated the council acts as a group of nine, and they need to start acting like it.

Councilor Balboni stated that there was no insurrection on January 6th and there was only 1 casualty at the time. No one was formally charged.

17. Executive Session


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

a) **None.**

18. Adjournment

Councilor Lewis made a motion to adjourn the meeting at 10:17pm. Councilor Balboni 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

**TOWN OF SOUTH WINDSOR
FISCAL YEAR 2024-2025
Town Council Budget Policy Statement**

GENERAL STATEMENT

The Town of South Windsor's annual budget is a document that creates a financial plan for the fiscal year and determines the financial impact on property owners. Per the Town Charter, Section 704, the Town Council will review and approve or amend the proposed Board of Education Budget, General Government Budget, Capital Budget, and Debt. The purpose of this budget policy statement is to provide guidance to the Town Manager concerning the creation and presentation of the proposed annual budget.

OBJECTIVE

The proposed FY 2024-2025 Budget shall:

1. Be presented to the Town Council and residents as early as possible.
2. Be presented utilizing the safest method possible with consideration of public health.
3. Ensure taxpayers have input in the budget process by utilizing public hearings, the Town website, local newspaper notices, the "Citizens Guide to the Budget" (town website), and during public input at Town Council and/or the Board of Education meetings.
4. Maintain transparency through various forms of distribution of the budget documents.
5. Reflect the guidelines and goals presented here as well as projected revenue, anticipated State of CT funding, and current economic conditions.
6. Maintain or increase the current level of services.
7. Target remaining flat to the current budget for 2024/2025.

2024-2025 BUDGET GOALS

- A. Continue to ensure public safety, health, and welfare for all residents of all ages and to meet the diverse needs of our community (ref - Strategic Plan pg. 11-12 Priority 1; pg. 15-16 Priority 3).
- B. Attempt to avoid using "Fund Balance" to lower the annual mill rate or pay for the Town's operating expenses .
- C. Attempt to avoid using the "Tax Stabilization Fund" to lessen the burden of tax increases on residents unless necessary.
- D. Realize efficiencies and cost savings through review and analysis of the current operational practices that may be redundant, no longer necessary, or can be delivered in a cost-efficient manner (ref - Strategic Plan pg. 14 Priority 2).
- E. Maintain or reduce personnel service costs, where possible, attrition, and/or labor negotiations (ref - Strategic Plan pg. 14 Priority 2).

EXHIBIT A

- F. Appropriate sufficient funding for the Capital Improvement Plan after the Town Council evaluates and approves the proposed budget and projects for maintenance, service, or repairs (ref - Strategic Plan pg. 11-12 Priority 1; pg. 17 Priority 4).
- G. Continue to support in investments, upgrades or improvements to the town's infrastructure (ref - Strategic Plan pg. 11-12 Priority 1).
- H. Conservatively estimate State revenues in preparation for the State's reduction in funding.
- I. Seek cost-savings by pursuing regional sharing of services when practical without negatively impacting the level of services delivered to the residents of South Windsor (ref-Strategic Plan pg. 14 Priority 2).
- J. Support the continued efforts to grow the tax stabilization fund.
- K. Work to realize efficiencies and cost savings for taxpayers (ref - Strategic Plan pg. 11-12 Priority 1).
- L. Continue to evaluate and apply for grant opportunities based on the costs and benefits they provide to the Town (ref- Strategic Plan pg. 11 Priority 1; pg.13 Priority 2) .

DRAFT

Housing Authority of South Windsor

Exhibit B

50 Elm Street
South Windsor, Connecticut 06074
Phone: (860) 644-3082
Fax: (860) 648-9486
Email: wappingnews@aol.com

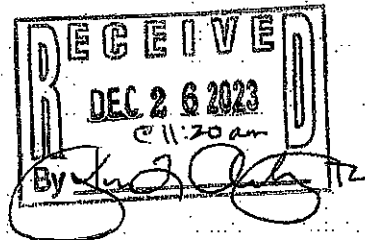
Bonnie Armstrong, Town Clerk

December 26, 2023

Town of South Windsor

1540 Sullivan Avenue

South Windsor, Ct 06074



Ms. Armstrong,

My name is Veronica Nowak, 45 Windy Hill Drive, South Windsor, CT 06074. As of this date of this letter, I am resigning from the position of a Commissioner for the Housing Authority of South Windsor.

Sincerely yours,

Veronica J. Nowak

EXHIBIT C

MEMO

DATE: December 21, 2023

FROM: Linda Russell, Deputy Collector of Revenue

TO: Amanda Poma –Clerk of the Council

SUBJECT: Refund Batch #35 for Town Council – January 2, 2024 Agenda
Michael Maniscalco, Town Manager

CC: Patricia Perry, Director of Finance
Jennifer R. Hilinski-Shirley, Collector of Revenue

OF PAGES: 2

Please note that messages to and from the Town of South Windsor may be subject to public release in accordance with applicable laws.

I respectfully request the Town Council's consideration and approval of 5 refunds totaling \$3,921.43, as noted on the attached report. All refund requests received by December 21, 2023 are included.

Collector of Revenue

FY 23-24 Refund Batch 35

January 2, 2024 Town Council Meeting

Name	Bill	Prop Loc/Vehicle Info.	Reason	Over Paid
HANNON THOMAS J	2022-03-0059706	2003/AR11468/1LNNH87A43Y701565	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(11.40)
JANECZKO CHARLES A 3RD	2022-03-0061144	2015/R2BILDR/1GNKVHKD3FJ220140	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(148.08)
LERETA LLC	2022-01-0003094	308 MILL POND DRIVE	Sec. 12-129 Refund of Excess Payments.	(2,939.52)
VW CREDIT LEASING LTD	2022-03-0074043	2019/109UEG/3VWCS7BU6KM122172	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(337.90)
VW CREDIT LEASING LTD	2022-03-0074055	2019/AS93192/3VV2B7AX0KM048557	Sec. 12-71c Pro rata credit for property tax on motor vehicle when sold, totally damaged, stolen etc	(484.53)
TOTAL OF 5 Refunds				(3,921.43)

Drafted by:

Date:

Linda Russell, CCMC - Deputy Collector of Revenue

Approved by:

Date:

Jennifer R. Hlinski-Shirley, CCMC, CCMO - Collector of Revenue

**LETTER OF SUPPORT FROM THE SOUTH WINDSOR SENIOR CENTER PICKLEBALL
PROGRAM FOR THE PROPOSED PLAN TO IMPROVE OUR HIGH SCHOOL CAMPUS AND
INCREASE RECREATIONAL ASSETS FOR THE COMMUNITY**

December, 2023

The South Windsor Senior Center Pickleball Program participants have had the opportunity to review the proposed plan since it became public. We strongly support the goals and plan as outlined. We believe there are tremendous benefits to having intergenerational programs and we welcome the opportunity to participate in the partnership between the Community Center and the high school.

Additional pickleball courts across the street from the Community Center will continue to help enhance the health and wellness of our town's seniors. South Windsor has been recognized for its early adoption of pickleball over 12 years ago initially by the Seniors Center. We believe this next step of formalizing an intergenerational program will continue to keep South Windsor on the cutting edge of meeting its community's needs. Our players currently enjoy intergenerational play during school breaks and the summer. Having so many athletic facilities in close proximity to the Senior Center will make it easier for seniors to attend and support the youth of South Windsor.

We respectfully request that this letter of support be entered into the minutes of this meeting. Thank you for the opportunity to share our comments with you.

Exhibit D

South Windsor residents supporting the proposed changes in the high school campus

Richard Lane
Barbara Lane
Gary Leone
Susan Leone
Marc Tougas
Rosemary Tougas
Loren Lonczewski
Cal Hulstein
Francesca Echegaray
Michael Serow
Sonia Lacy
John Lacy
John Breault
Jerry McGuire
Dave MacDonald
Carol Delaney
Susan Earle
Debbie Talamini
Elise Carlton
Ed Peruccio
Margie Peruccio
Christina Finnegan
Timothy Finnegan
Carol Colvin
David Soong
Libby Soong
Bill Tatelman
Deborah Wing
Diane Lapore
Debby Lines
Tom Lines
Walter Woods
Gregory Leone

over

Staci Leone
John Hathorne
Edie Hathorne
Jim Hazzard
Joanne Hazzard
Carol Cascone
Toni Moyer
Ida Loening
Paulette O'Malley
Richard Gannon
Tom Bartomeli
Diane Evans
Bernie Evans
Barb Ruocco
John Ruocco
Chris Nochisaki
Lynn Nochisaki
Andrea Oppenheimer
Lori Sylvester
Brad Sylvester
Adam Murphy
Emily Murphy
Jim Katz
Sue Katz
Mike Halligan
Beth Halligan

My name is Tad Bistor and I reside at 261 Main Street, South Windsor, Connecticut. Unfortunately I am unable to attend tonight's Town Council Meeting and to speak in person regarding Agenda Item #13.C. (Resolution removing member from appointed office for Charter Revision Commission compliance). Accordingly, pursuant to the Rules and Procedures of the South Windsor Town Council (Revised October 18, 2021), Article VI, Section 2, Item #7, In-Person Meetings, subsection f., as published on the Town's website, which permits emails to be read into the record if the person submitting the email so requests, I am specifically requesting that this email be read into the record during the Public Comment portion of the meeting regarding items on the Agenda.

I am an attorney in good standing licensed to practice law in the State of Connecticut. I have had the opportunity to review the Resolution adopted by the Town Council at its September 18, 2023 Town Council Meeting establishing the Charter Revision Committee, as well as the applicable State statutes. In my professional opinion, based upon the commonly accepted rules of statutory interpretation, the Resolution creating the Charter Revision Committee was in violation of the Connecticut General Statutes.

Connecticut General Statutes Section 7-190(a) provides that no more than one-third of the members appointed to the Commission may hold another public office in the Town. On a seven-member Commission, that would limit the number of public officials to no more than two. Of the seven members appointed to the Commission on September 18, 2023, four held another public office.

While I understand that that Resolution being proposed this evening is designed to try to correct that error, it is my professional opinion that the error cannot be corrected so easily, as that initial Resolution was in violation of the State statutes in another regard that makes the entire Commission unlawful *ab initio*.

Connecticut General Statutes Section 7-188(b) provides that the Charter Revision Commission process must first be initiated by adoption, by a two-thirds vote of the entire Town Council, of a resolution to adopt or amend the Town's existing Charter.

Thereafter, pursuant to Connecticut General Statutes Section 7-190(a), within thirty days after the adoption of the initial resolution, the Town Council shall by resolution appoint the members to the Commission. Thus, the Connecticut statutes require a two-step process in order to appoint a Charter Revision Committee. That process was not followed. Therefore, in my opinion, the Commission was not created in conformance with State law and must be terminated and the Town Council must start the process again, from the beginning.

Some may argue that Connecticut General Statutes Section 7-188(d), in connection with Connecticut General Statutes Section 7-190(c), would prohibit the Town Council from starting the process over again prior to the current Commission submitting its final report and the Town Council accepting or rejecting that report. I disagree. Section 7-188(d) provides that the Town Council cannot re-initiate the process until the first Commission is terminated. Section 7-190(c) provides that the Commission shall terminate upon the acceptance or rejection of its final report by the Town Council. However, the statutes *do*

Exhibit E

not state that the only way such a Commission can be terminated is by the acceptance or rejection of its final report. Had the State legislature intended that to be the case, they could have, and presumably would have, so provided in the State statutes. Therefore, in my opinion, as the current Charter Revision Commission was unlawfully created, the Town Council is obligated to terminate the current Commission and restart the entire process from the beginning.

In light of the foregoing, I would encourage this Council to reject the proposed Resolution at Item 13.C. of the Agenda.

Lawrence S. Shipman, Esq.
Direct Dial: (860)606-1702
Email: larry@shipmanlawct.com

December 29, 2023

South Windsor Town Council
1540 Sullivan Avenue
South Windsor, CT 06074

Re: Proposed Football Stadium

Dear Mayor Delnicki and Members of the Council:

IN ACCORDANCE WITH SOUTH WINDSOR TOWN COUNCIL RULES AND PROCEDURES WE REQUEST THAT THIS CORRESPONDENCE BE READ INTO THE RECORD DURING PUBLIC INPUT FOR ITEMS ON THE AGENDA CONCERNING AGENDA ITEM 13 (a) – PROPOSED HIGH SCHOOL CAMPUS IMPROVEMENTS

This letter is in response to the current proposal by the Board of Education to build a new lighted football stadium and additional athletic facilities on the high school campus. This is not intended to be in opposition to the proposal but rather to ensure that the Board of Education, as the applicant, is held to the same standards as any other applicant in addressing concerns of abutters to any project. Our client's property directly abuts both the existing football stadium and the new proposed football stadium.

We have many concerns about the viability of the project from the perspective of parking, additional traffic circulating both on campus and in the immediate vicinity of the campus especially at night when athletic events would be held on the field. We are further of the belief that this project requires a referral pursuant to Section 8-24 of the Connecticut General Statutes and that no application shall precede such a referral.

However, we would like you and the applicant to consider several mitigation tools that could make the project more viable:

1. Extending the current fence with a new 8'-10' chain link fence extending the entire length of the project which abuts the neighboring property on Mountain View Road.
2. Planting and maintaining a dense vegetated buffer inside of the newly erected fence will serve to prevent anyone from climbing the fence into abutting property.
3. Ensuring that any loudspeakers used before and during the game (including loud music which is used during the pregame warm-ups) are directed away from our property lines and are operated at a regulated volume which is always supervised by someone in a position of authority.



Shipman, Shaiken & Schwefel, LLC

ATTORNEYS AT LAW

December 29, 2023

South Windsor Town Council

Page 2

4. Establish and enforce specific rules regarding usage of the field including hours, access, decibel levels and supervision requirements. There are current rules but they have not been enforced.
5. Cut-off lighting for all parking lot lights and walkway lighting such that the lighting shines downward and does not bleed over the property lines.
6. No trash collection for the proposed dumpster between the hours of 9:00 pm and 7:00 am.
7. The existing traffic study from 2020 must be updated to incorporate several new developments in the area and further to address and provide and confirm adequate on campus traffic circulation and parking.
8. The intended number of nighttime events in which the field will be used should be identified by the applicant.
9. Eliminate the usage of loudspeakers in the existing field once a new facility is opened.

Many promises were made to the neighbors regarding the current football field and its usage which have not been kept. We would be happy to meet with the applicant and its representatives to address these concerns prior to the formal submission of an application to the Planning & Zoning Commission.

Very truly yours


Lawrence S. Shipman

CC: Erik Hill

Exhibit G

Whom it may concern,

-Nature grass fields possess intrinsic qualities that make them difficult to replicate or replace with artificial turf, despite the promises associated with synthetic surfaces. Firstly, the natural texture and composition of grass contribute to a softer and more forgiving playing surface, reducing the risk of injuries compared to the often firmer and less shock-absorbing nature of artificial turf.

Grass fields also provide better temperature regulation, staying cooler in hot weather and offering a more comfortable playing experience. Additionally, natural grass contributes to environmental sustainability, absorbing carbon dioxide, promoting biodiversity, and reducing water runoff.

While artificial turf is marketed for its durability and all-weather playability, it lacks the authenticity and sensory experience of playing on real grass. Professional sports teams often favor natural grass for major competitions, as it offers a more genuine and traditional playing surface.

Moreover, the upkeep and maintenance of natural grass, though demanding, contribute to the aesthetic appeal and environmental balance of a location. The shift towards artificial turf in some cases may be driven by factors such as cost-effectiveness and year-round usability, but the trade-offs in terms of player comfort, injury prevention, and environmental impact underscore why natural grass remains the preferred choice, particularly in professional sports where the pursuit of optimal playing conditions and authenticity is paramount.

-Community inclusivity is vital. Discussing basketball, the second most popular US sport, as an afterthought in a nearly \$10 million project, while allocating substantial funding to pickle-ball, is disrespectful. Put in 4 basketball courts too and maybe the town will become better there as well. Contributions should consider diverse interests to ensure a fair and representative community sports complex that caters to everyone. Our family doesn't play tennis football or pickle-ball but I'm to pay. Fair consideration is crucial when seeking financial support.

-Does the incorporation of pickle-ball (pre-fab) and tennis elements serve as a tactic to enhance the chances of passing this proposal? Turf field failed in 2021 and in it's current form hoping to run it back.

-The town manager's stance on the proposed tax increase appears flawed, causing my disdain for him to intensify. A house valued at \$500,000 is not assessed at \$350,000; a more accurate valuation would be around \$450,000 according to the town GIS. For what he's paid he needs to try harder.

-Let's refrain from branding this as a community initiative when the discussions primarily revolve around coaches and child benefits. While it's commendable it's crucial to accurately portray the nature of this initiative for what it genuinely represents.

-If the town were to approve this, which, hopefully, won't happen considering the recent tax increase, there should be multiple work tracks progressing simultaneously instead of one at a time. Would be ideal for it to be ready for start of school 2024.

-Lastly, when will the elementary and high schools be modernized? With four new schools having critical flaws and an aging middle school alongside an ancient high school, it's time for some attention and upgrades. When can we expect these important institutions to receive the care they deserve?

Lawsuits and maintenance issues arising from product failures by FieldTurf have led to instances of buyer remorse. The legal challenges and performance issues underscore concerns and dissatisfaction within the community regarding the use of FieldTurf products. Quick Google search shows this in a number of articles.