## **TOWN OF SOUTH WINDSOR**

@ 10:25m Ka Cotabel aust

**Minutes** 

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June 27, 2022

#### **TOWN COUNCIL - SPECIAL MEETING**

#### 1. Call Meeting to Order

Mayor Pendleton called the Special Meeting to order at 7:00 p.m.

## 2. Pledge of Allegiance

#### 3. Roll Call

Members Present:

Mayor Elizabeth Pendleton

Councilor Erica Evans
Councilor Phillip Koboski
Councilor Cesar Lopez
Councilor Andrew Paterna
Councilor Marek Kozikowski

Councilor Karen Lydecker (arrived at 7:15 p.m.)

Councilor Jamie Gamble

Others Present:

Michael Maniscalco, Town Manager

Scott Roberts, Assistant Town Manager/CIO/Emergency Mgmt

Vanessa Perry, Assistant Town Manager/Director of H.R.(Via Webex)

#### 4. Mayor's Remarks

Sia Dowlatsashi and Susan Gabriel, President and Vice President of the South Windsor Lion's Club presented a check to Andrea Cofrancesco in the amount of \$3,900; \$3,000 of which would go to the Food and Fuel Bank, \$500 to the Teen Center, and \$400 for Special Needs.

Mayor Elizabeth Pendleton thanked the Lion's Club for their generosity and stated that the funds will help the South Windsor community.

Mayor Pendleton wished everyone a safe Independence Day celebration and thanked the Veterans responsible for the creation of our country.

Mayor Pendleton reminded residents of the Child Tax Rebate credit and that families can apply until July 31, 2022.

Mayor Pendleton discussed the groundbreaking ceremony for Whole Foods and Shake Shack at Evergreen Walk, and that it will now be called Evergreen Walk 2.0.

Mayor Pendleton reminded everyone that there would be Public Hearings at 8:00 p.m. and 8:15 p.m.

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## ITEM:

## 5. Adoption of Agenda

Councilor Philip Koboski made a motion to adopt the June 27, 2022 agenda.

Councilor Jamie Gamble motioned to add a First Read to the Consent Agenda 11a for Rick Balboni to be placed on the Blighted Board of Appeals. Mayor Pendleton stated that items cannot be added to an agenda during Special Meetings.

Councilor Andrew Paterna made a motion to move Executive Session Items 17a. and 17b. (Discussion of the possible purchase of real estate) and (Discussion of strategy in negotiations regarding retention of all employees) to after item 7 (Public Input for items on the Agenda). Councilor Councilor Erica Evans seconded the motion and it passed unanimously. **MOTION CARRIES.** 

Councilor Phillip Koboski recused himself from Executive Session item 17a.

## 6. Communications and Reports from the Town Manager

• Mr. Maniscalco spoke about how the Pavement for Progress Plan is now at the point where a discussion can be made about implementation of the \$30 million dollar project which would bring the Town roads to an acceptable standard. Mr. Maniscalco discussed how dollar amounts of this magnitude would require a referendum and suggested seeking the approval for the full amount from the residents with the intent of not issuing it all at once, but in increments every few years. Mr. Maniscalco suggested adding a discussion item for the next Council meeting in order to start moving forward with the referendum process. Mr. Maniscalco invited Mr. Vincent Stetson to speak to further discuss the Paving for Progress Plan.

Mr. Stetson added that although the plan is to bring most roads to acceptable condition, they will continue to age over time and it is likely for additional funding to be required in the next 5-6 years to cover the costs for further repair/preservation or for additional sidewalks. Mr. Stetson added that an outside consultant was being used to help with the pavement management schedule, and that approximate annual spending on roads is about five million dollars, which includes drainage upgrades and roadwork.

• Mr. Maniscalco discussed the Whole Foods groundbreaking ceremony at Evergreen Walk and how new tenants include: Shake Shack, Whole Foods, Goddard Schools, and Love Sac. Mr. Maniscalco added that the demolition of the current Sakura Garden is set to start the week of July 5<sup>th</sup> and there is significant utility work that needs to happen in the area so construction may take a bit longer for Whole Foods. Mr. Maniscalco also addressed the Evergreen Walk housing proposal, consisting of about 165 units, which is set to go in front of the Planning and Zoning Commission.

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## ITEM:

## 6. Communications and Reports from the Town Manager (Continued)

- Mr. Maniscalco discussed the Kennedy Road Warehouse application to build a 241,000 square foot facility. With this application, the Planning and Zoning Commission may be taking a further look at the condition of Kennedy Road, as there may be a requirement to make improvements to Kennedy Road to accommodate for another industrial user in addition to the existing FedEx facility.
- Mr. Maniscalco mentioned that many of the Town Staff have participated in a voluntary CPR and Narcan training.
- Mr. Maniscalco reported that over 230 campers started their first day of summer camp today and despite the weather, it was off to a great start.
- Mr. Maniscalco reported that Eversource Gas is currently working on Beelzebub Road, and effort is being made to push this project along so that the paving can be completed in a timely manner.
- Lastly, Mr. Maniscalco reminded members of the Town Council that the Police Department would be holding the Awards Ceremony the following evening.

Answering questions from the Councilors, Mr. Maniscalco clarified that the Whole Foods Groundbreaking ceremony was a private event hosted by Charter Realty. Mr. Maniscalco plans to follow-up with the Town Assessor for an updated reevaluation timeline and also will look into the possibility of restarting textile recycling. Mr. Maniscalco addressed a question regarding school crosswalks or crossing guards and stated that requests can be made in writing at the Town Manager's Office and will be directed to the Legal Traffic Authority or the Board of Education.

## 7. Public Input for Items on the Agenda

Dan Edwards (131 Hilton Drive) spoke regarding item 13c Employee Retention and suggested taking a deeper look into this when considering item 13g Approving the Town Manager's Annual Salary.

#### 17. Executive Session

Councilor Andrew Paterna made a motion to go into Executive Session at 7:34 p.m. to discuss the possible purchase of real estate for the Town pursuant to Connecticut General Statutes §1-210 (b) (7) (Raymond/Birden Development Rights 1871 Main Street & 221 Ferry Lane) and to discuss strategy in negotiations regarding retention of all employees and invited Town Manager, Michael Maniscalco, Assistant Town Manager, Mrs. Perry (via WebEx), and Assistant Town Manager, Mr. Roberts, and any other appropriate personnel deemed necessary. The motion was seconded by Councilor Erica Evans and passed by a unanimous voice vote. **MOTION CARRIES.** The Executive Session was suspended at 8:00 p.m. in order to conduct the Public Hearing.

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## ITEM:

## 8. Adoption of Minutes of Previous Meeting

Councilor Erica Evans made a motion to approve the minutes of the June 6, 2022, Regular Town Council Meeting. Councilor Phillip Koboski seconded the motion. The motion passed with a roll call vote of 7 ayes (Councilors Evans, Lydecker, Gamble, Kozikowski, Koboski, Paterna, and Mayor Pendleton) and 1 abstention (Councilor Lopez). **MOTION CARRIES.** 

# 9. <u>Communications from Liaisons, Officers, and Boards Directly Responsible to Council</u>

Councilor Evans spoke about the first Race Amity Day Celebration which was held by the Human Relations Committee on June 12, 2022. This event received an official statement from the Lieutenant Governor as well as a proclamation from the Governor thanking the Commission for the event. Additionally, the Human Relations Committee is sponsoring a LGBTQ+ Panel Event on June 28, 2022 at the Library, which will be a panel discussion on clear community examining current obstacles and solutions. A number of speakers will be present and all are welcome.

Councilor Paterna reported on a letter provided by the Economic Development Commission for their input on the Local Bid Ordinance.

Councilor Kozikowski reported that the Planning and Zoning Commission met on June 14, 2022 and held two Public Hearings for the proposed Warehouse Building on Kennedy Road and Sullivan Avenue and for the Housing Development Proposal for Evergreen Walk, and both will be continued the following day.

### 10. Reports From Committees

Mayor Pendleton reported that the Personnel Committee will keep Clerk of the Council position open for an additional three weeks and announced that for the interim, Katherine Senerth will be responsible for coordinating the agenda and communications while Lisa Giroux will be responsible for the meeting minutes.

#### 11. Consent Agenda

- A. First Reading
  None
- B. Second Reading
  None
- C. Miscellaneous None

#### 12. Unfinished Business

None

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#### ITEM:

## 13. New Business

A. Discussion Item: Appropriation of \$413,000 of LoCIP Funds to cover costs associated with the South Windsor Fire Headquarters Roof Replacement

Councilor Karen Lydecker introduced the discussion item and Facilities Director, Clay Major provided a presentation for the LoCIP funds. Mr. Major explained that the lowest bid came in at \$399,000 which allows for contingency funds if necessary.

B. Resolution Setting and time and place to receive citizen input on the Appropriation of \$413,000 of LoCIP Funds to cover costs associated with the South Windsor Fire Headquarters Roof Replacement

Councilor Jamie Gamble made a motion for the adoption of the following resolution:

**BE IT RESOLVED**, that the South Windsor Town Council hereby sets **Monday**, **July 18**, **2022 at 8:00 p.m.**, in the Council Chambers of the South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut as the time and place for a Public Hearing to receive citizen input on the proposed Appropriation of \$413,000 of LoCIP Funds to cover costs associated with the South Windsor Fire Headquarters Roof Replacement.

The motion was seconded by Councilor Andrew Paterna which was passed by a unanimous voice vote. **MOTION CARRIES.** 

Councilor Marek Kozikowski made a motion for the Council to take a three minute recess at 8:12 p.m. The motion was seconded by Councilor Andrew Paterna and was passed by a unanimous voice vote. **MOTION CARRIES.** 

#### 17. Executive Session (Continued)

Councilor Marek Kozikowski made a motion to return into Executive Session at 8:18 p.m. to complete the discussion on the possible purchase of real estate for the Town pursuant to Connecticut General Statutes §1-210 (b) (7) (Raymond/Birden Development Rights 1871 Main Street & 221 Ferry Lane) as well as the discussion of strategy in negotiations regarding retention of all employees and invited Town Manager, Michael Maniscalco, Assistant Town Manager, Mrs. Perry (via WebEx), and Assistant Town Manager, Mr. Roberts, and any other appropriate personnel deemed necessary. The motion was seconded by Councilor Councilor Cesar Lopez and was passed by a unanimous voice vote. **MOTION CARRIES.** The Executive Session concluded at 8:50 p.m.

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#### ITEM:

#### 13. New Business

## C. Resolution for Employee Retention and Funding Plan

Mayor Elizabeth Pendleton made a motion for the adoption of the following resolution:

**WHEREAS**, The Town Council recognizes and appreciates the hard work and dedication of Town Staff for the residents of South Windsor;

WHEREAS, The Town Council recognizes the value of knowledge and experience brought by current staff:

**WHEREAS**, due to inflation and a lack of qualified workforce from the pandemic the Town is finding that many of its positions are no longer market competitive resulting in difficult recruiting qualified staff;

**WHEREAS**, The Town Council desires to retain employees in an effort to keep them from taking positions in other Towns posing a possible impediment to providing services to the residents of South Windsor;

**WHEREAS**, The Human Resources Department has conducted salary surveys of surrounding and like communities and found the majority of Towns positions are paid significantly lower than similar positions in surrounding communities;

**WHEREAS**, the Finance Department has developed and proposed a funding plan for said salary recommendation based on conservative revenue budgeting, tax sales and collection enforcement.

**NOW THEREFORE BE IT RESOLVED**, the Town Council approves the provided salary/ benefit recommendations from Human Resources, and directs Town Manager Michael Maniscalco to implement said recommendations effective July 1, 2022.

**FURTHERMORE BE IT RESOLVED**, the Town Council commits \$600,000 from Undesignated Fund Balance to Committed Fund Balance used as salary contingency throughout fiscal year 2023 to account for salary adjustments and fringe costs.

Councilor Koboski commented on conversations with residents on the subject of employee retention and those residents spoke in favor of the plan. Councilor Paterna spoke in favor of the plan and thanked Mrs. Vanessa Perry for her work in completing salary comparisons in surrounding, similar sized towns. Mayor Pendleton spoke in favor of the plan and commended the staff for their services to the community. Councilor Paterna also thanked the staff for their great work.

The motion was seconded by Councilor Andrew Paterna which was passed by a unanimous voice vote. **MOTION CARRIES.** 

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#### ITEM:

## D. Discussion Item: Boards and Commissions Recordings Review

Councilor Evans introduced the discussion item and provided an overview of the history of the plan, beginning in December of 2019 and its effort to promote transparency and accessibility of records. Councilor Evans invited Assistant Town Manager/Director of IT, Scott Roberts to continue the discussion. Mr. Roberts spoke on the logistics of the plan and discussed different options considered to accommodate the recording schedules of the four committees. Mayor Pendleton spoke in favor of video recordings to promote transparency and open government. Mr. Roberts suggested a temporary committee to be formed to conduct an IT Recording Review.

Councilor Erica Evans motioned to form a Temporary IT Recording Review Committee with two members from the majority party and one member from the minority party. Councilor Kozikowski motioned for a modification in the wording. The motion was seconded by Councilor Jamie Gamble and was passed by a unanimous voice vote. **MOTION CARRIES.** Councilors Jamie Gamble, Erica Evans, and Cesar Lopez volunteered to serve on the committee.

# E. Resolution transferring \$21,370 from the Capital Non-Recurring Account to the VMP & TRACS Fire Alarm Projects

Councilor Cesar Lopez made a motion for the adoption of the following resolution: **BE IT RESOLVED**, that the South Windsor Town Council having conducted the required Public Hearing at 8:00 p.m. on June 27, 2022, hereby approves the transfer of \$21,370 from the Capital Non-Recurring Account to the VMP & TRACS Fire Alarm Projects. Mr. Walter Summers, Fire Marshal provided an update on the project. Mr. Summers explained that there are no changes to the plan at the moment and he will report back with a projected completion date.

The motion was seconded by Councilor Andrew Paterna and was passed by a unanimous voice vote. **MOTION CARRIES.** 

## F. Resolution Recognizing Juneteenth as a Holiday for Town of South Windsor Employees

Councilor Erica Evans made a motion for the adoption of the following resolution:

**WHEREAS**, Juneteenth, also known as Jubilee Day and Emancipation Day, commemorates the day in 1865 when news of the Emancipation Proclamation reached Galveston, Texas – one of the most remote parts of the Confederacy; and

WHEREAS, according to reports from 1865, Union troops marched through Galveston on June 19 announcing that in accordance with the Emancipation, all slaves were free, causing celebrations to break out on Galveston; and

(Juneteenth Resolution Continued on Next Page)

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#### ITEM:

F. Resolution Recognizing Juneteenth as a Holiday for Town of South Windsor Employees (Continued)

**WHEREAS**, Juneteenth celebrates our Country's continuous fight to provide an equitable existence for all those who call the United States home; and

WHEREAS, collectively, our Community is looking to acknowledge and work to remedy the complicated and often sordid history of the United States; and

WHEREAS, Juneteenth serves as a reminder of the historical injustices which are still affecting our society today, and our need to combat inequality and inequity in a multitude of different ways; and

**WHEREAS**, our Community is still affected by the legacy of policies which were created to impede the accumulation of wealth, limit educational opportunities, uphold unfair criminal justice practices, and create our current system of institutional racism; and

**WHEREAS**, June 19 has become a day to recognize and commemorate the end of slavery in the United States; and

**WHEREAS**, efforts have been made at the State and Federal level to recognize Juneteenth as a national holiday for more than twenty-five years; and

**WHEREAS**, in June 2021, the United States Congress approved a bipartisan bill to approve Juneteenth as a Federal Holiday, with a unanimous vote in the U.S. Senate and a nearly unanimous vote in the U.S. House of Representatives, and the bill was signed into law by President Biden on June 17, 2021; and

**WHEREAS**, the Connecticut State Senate on May 3, 2022 passed SB-350, 35-1, An Act establishing Juneteenth Independence Day as a Legal Holiday; and

**NOW THEREFORE BE IT RESOLVED**, that the Town of South Windsor recognizes June 19th or Juneteenth as an official holiday for the Town of South Windsor Employees to commemorate and celebrate the end of slavery in the United States; and

**BE IT FINALLY RESOLVED** that June 19th shall be a paid holiday for all Town of South Windsor Employees effective June 19, 2023. When June 19 falls on a Saturday, the holiday shall be observed the preceding Friday. When June 19 falls on a Sunday, the holiday shall be observed on the following Monday.

The motion was seconded by Councilor Andrew Paterna and was passed by a unanimous voice vote. **MOTION CARRIES.** Councilor Evans thanked Deputy Mayor Steven King, Jr. for bringing forward the resolution.

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#### ITEM:

G. Resolution Approving an Annual Salary for Town Manager Michael Maniscalco for Fiscal Year 2022/2023

Councilor Andrew Paterna made a motion for the adoption of the following resolution:

BE IT RESOLVED, that the South Windsor Town Council hereby approves an annual salary increase of 2.25% for Fiscal Year 2022/2023 for the Town Manager, Michael Maniscalco.

The motion was seconded by Councilor Erica Evans and was passed by a unanimous voice vote. **MOTION CARRIES.** 

H. Resolution Approving a Mayoral Appointment of Michael LeBlanc to the Greater Hartford Transit District

Mayor Elizabeth Pendleton made a motion for the adoption of the following resolution:

**BE IT RESOLVED,** that the South Windsor Town Council approves a Mayoral Appointment of Michael LeBlanc to the Greater Hartford Transit District for a term ending December 12, 2024.

The motion was seconded by Councilor Philip Koboski and was passed by a unanimous voice vote. **MOTION CARRIES.** 

#### 14. Passage of Ordinance

A. Resolution Adopting the Proposed Amendment to Sec. 2-530 the Local Preference Bid Ordinance.

Councilor Kozikowski stated that they received a letter of support from the Economic Development Commission and read aloud the letter for the record. Councilor Kozikowski stated that some members of the Commission had a recommendation to extend the preference to those business owners residing in Town. There was a discussion regarding this recommendation and Mr. Maniscalco and Councilor Kozikowski both respectfully declined the recommendation, emphasizing the focus should be on the actual businesses located within the Town. The Economic Development Commission also recommended using a sliding scale of 3% to 10%. Councilor Kozikowski provided an overview of how the sliding scale could be used within the ordinance and there was a discussion on possible verbiage that should be used within the ordinance to illustrate the sliding scale. Councilor Kozikowski clarified that the preference should begin with the \$5,000 figure.

Councilor Andrew Paterna made a motion to amend the ordinance to include the sliding scale chart each time the 10% number is reflected in the narrative. The motion was seconded by Councilor Jamie Gamble and was passed by a unanimous voice vote. **MOTION CARRIES.** 

(Passage of Ordinance Continued on Next Page)

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ITEM:

# A. Resolution Adopting the Proposed Amendment to Sec. 2-530 the Local Preference Bid Ordinance (Continued)

Councilor Marek Kozikowski made a motion for the adoption of the following resolution:

**BE IT RESOLVED**, that the South Windsor Town Council having conducted the required Public Hearing at 8:15 p.m. on June 27, 2022, hereby adopts the Proposed Amendment to Sec. 2-530 the Local Preference Bid Ordinance, as shown in **Exhibit A**.

There was a discussion about first amending the Ordinance:

The motion was seconded by Councilor Philip Koboski and was passed by a unanimous voice vote. **MOTION CARRIES.** 

## 15. Public Input for Any Matter

Audrey Delnicki (Felt Road) provided a written information request concerning Mayoral authority over adding or denying appointments to the consent agenda. Mrs. Delnicki submitted a second request for information for all communications held on June 20, 2022.

## 16. <u>Communications from the Council</u>

Mayor Pendleton asked for clarification regarding the status of Frontier Communications as a second cable option for viewing the Town Hall meetings. Mr. Roberts explained that Frontier Communications is upgrading their infrastructure and he will reach out to them for an update to bring forth to the IT Recording Review Committee

#### 18. Adjournment

At 9:37 p.m., Councilor Andrew Paterna made a motion to adjourn the Special Meeting. Councilor Karen Lydecker seconded the motion, and it was approved unanimously.

Respectfully submitted,

ິLisa Giroux∖

Administrative Secretary

#### Amended 6-27-2022

## Sec. 2-530. - Local preference bid ordinance.

Pursuant to the Town of South Windsor Charter, Section 714 and 715, the Town hereby establishes a local bid preference ordinance wherein a preference is given to South Windsor based bidders for expenditures or revenues of \$5,000.00 or more, as follows:

- (1) The Town Manager shall determine the bidder proposing the lowest bid for expenditures in the following manner:
  - a. Any qualified South Windsor based bidder which has submitted a bid not more than;

Local Preference Bid Ordinance Sliding Scale	
Average Bid Totals	Percent for Match Eligibility
\$5000 - \$49,999	10%
\$50,000-\$99,999	8%
\$100,000-299,999	6%
\$300000-\$499,999	4%
\$500,000 +	3%

b. the low bid from a bidder that is not South Windsor based (such low bid hereinafter the "lowest bid"), provided that the South Windsor based bidder agrees to accept the award of the bid at the amount of the lowest bid. The acceptance shall be submitted in writing to the town manager within ten business days following the release of the bids. If more than one South Windsor based bidder has submitted bids not more than;

Local Preference Bid Ordinance Sliding Scale		
Average Bid Totals	Percent for Match Eligibility	
\$5000 - \$49,999	10%	
\$50,000-\$99,999	8%	
\$100,000-299,999	6%	
\$300000-\$499,999	4%	
\$500,000 +	3%	

and the lowest bid and has agreed to accept the award of the bid at the amount of the lowest bid, the lowest bidder shall be that one of the South Windsor based bidders whose original bid was the lowest, or

- c. In the absence of any qualified South Windsor based bidder, then to the bidder with the lowest bid.
- (2) The Town Manager shall determine the highest bidder for revenues in the following manner:

a. Any qualified South Windsor based bidder which has submitted a bid for the purchase of goods or services not less than;

Average Bid Totals	Percent for Match Eligibility
\$5000 - \$49,999	10%
\$50,000-\$99,999	8%
\$100,000-299,999	6%
\$300000-\$499,999	4%
\$500,000 +	3%

and lower than the highest bid from a bidder that is not South Windsor based (such highest bid hereinafter the "highest bid"), provided that the South Windsor based bidder agrees to accept the award at the amount of the highest bid. The acceptance shall be submitted in writing to the town manager within ten business days following release of the bids. If more than one South Windsor based bidder has submitted a bid not more than;

Local Preference Bid Ordinance Sliding Scale		
Average Bid Totals	Percent for Match Eligibility	
\$5000 - \$49,999	10%	
\$50,000-\$99,999	8%	
\$100,000-299,999	6%	
\$300000-\$499,999	4%	
\$500,000 +	3%	

and lower than the highest bid and has agreed to accept the award at the amount of the highest bid, the highest bidder shall be that one of the South Windsor based bidder whose original response was the highest, or.

- b. In the absence of any qualified South Windsor based bidder, then to the bidder with the highest bid.
- For the purpose of this ordinance, "South Windsor based bidder" shall, mean a business with its principal place of business operation located within the boundaries of the Town of South Windsor. A business shall not be considered a "South Windsor based bidder" unless evidence satisfactory to the Town Manager has been submitted with each bid by said business to establish that it has a bona fide principal place of business operating in the Town of South Windsor. Such evidence may include evidence of ownership of, or a long-term lease of, the real estate from which the principal place of business is operated or payment of property taxes on the personal property of the business.
- (4) The local bid preference in section 1.a. or 2.a above shall not apply in those instances where the bid requested involves a cooperative purchasing arrangement between the Town of South Windsor and other municipalities, the State of Connecticut, or municipal organizations such as the Connecticut Conference of Municipalities.

- (5) The local bid preference in section 1.a. or 2.a above shall not apply in any situation where the preference created by said section would violate state or federal law or any existing contracts with the Town of South Windsor.
- (6) Nothing in this ordinance shall be deemed to contravene any provision set forth in the town charter concerning bidding for expenditures or revenues of \$5,000.00 or more.
- (7) To be considered for a local preference, all South Windsor based bidders must be considered qualified, in the sole discretion of the Town Manager which may include submitting with the bid, verification of funds, verification of operating business location in the Town of South Windsor, ability to complete work, evidence of no delinquency in the payment of real estate or personal property taxes, and any other information deemed necessary by the Town Manager, that can be used to determine a bidder's ability to qualify as a South Windsor based bidder, and thoroughly and sufficiently meet and complete the requirements of a request for proposal.
- (8) All bidders shall be required to submit a non-collusion affidavit, on a form provided by the Town Manager, certifying that the bid is not made in collusion with any other bidder, person, or Town official designed to limit independent competition.