

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Action Minutes

Page 1

November 21, 2016

TOWN COUNCIL – REGULAR MEETING
COUNCIL CHAMBERS – SOUTH WINDSOR TOWN HALL

1. Call Meeting to Order

Mayor Delnicki called the Regular Meeting to order at 7:01 p.m.

4. Roll Call

Members Present: Mayor Thomas Delnicki
Deputy Mayor Carolyn Mirek
Councilor M. Saud Anwar
Councilor William Carroll
Councilor Edward Havens
Councilor Liz Pendleton
Councilor Matthew Riley
Councilor Janice Snyder

Members Absent: Councilor Lisa Maneeley

Others Present: Matthew B. Galligan, Town Manager

7. Adoption of Minutes of Previous Meeting

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meetings: Special Meeting Minutes of September 26, 2016; and Regular Meeting Minutes of October 17, 2016.

Was made by Councilor Riley
Seconded by Councilor Snyder
The motion was approved, unanimously

12. Consent Agenda

Councilor Carroll made a motion to approve Agenda Items 14. A. through 14. C. as the Consent Agenda. Councilor Snyder seconded the motion; and it was approved, unanimously.

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 2

November 21, 2016

ITEM:

14. New Business

- * A. Resolution Appointing Toby Lewis (R) to the Housing Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Toby Lewis (R) to the Housing Authority for a term ending November 30, 2021 and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

- * B. Resolution Appointing Pat Soucy (R) to Full Member to the Water Pollution Control Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Pat Soucy (R) a full member to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the unexpired term of Richard Siedman and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

- * C. Resolution Appointing Erik Dabrowski (R) an Alternate to the Water Pollution Control Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Erik Dabrowski (R) an Alternate to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the unexpired term of Pat Soucy and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

Councilor Havens made a motion to suspend the rules in order to go to Item 14. L. Councilor Anwar seconded the motion; and it was approved, unanimously.

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 3

November 21, 2016

ITEM:

13. Unfinished Business

A. Resolution Appointing Joshua Johnson (D) to the Mass Transit and Highway Advisory Board

BE IT RESOLVED that the South Windsor Town Council hereby appoints Joshua Johnson (D) to the Mass Transit and Highway Advisory Board for a term ending November 30, 2019 to fill the expired term of Anthony Duarte.

Was made by Councilor Havens
Seconded by Councilor Snyder
The motion was approved, unanimously

14. New Business (Continued)

D. Resolution Designating the South Windsor Board of Education as the Building Committee for the Ellsworth Roof Replacement

WHEREAS, the South Windsor Town Council approved the Ellsworth School Roof Replacement Project as part of the Capital Projects Budget at its May 16, 2016 meeting

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby designates the South Windsor Board of Education as the Building Committee for State Project Number TMP-132-PFQZ, Ellsworth Roof Replacement Project; and

BE IT FURTHER RESOLVED that the South Windsor Town Council authorizes the Board of Education to proceed with preparation of the necessary schematic drawings and outline specifications for the project; and authorizes South Windsor's Superintendent of Schools to file application for a School Construction Project Grant.

Was made by Councilor Snyder
Seconded by Councilor Carroll
The motion was approved, unanimously

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Action Minutes

Page 4

November 21, 2016

ITEM:

14. New Business (Continued)

E. Resolution Pursuant to Section 8-24 of the Connecticut General Statutes Referring Proposed Improvements of Eleven Acres of Park Land on Nevers Road to the South Windsor Planning & Zoning Commission

WHEREAS, any plan to improve park lands owned by the Town must first be submitted to the South Windsor Planning & Zoning Commission for a report pursuant to Section 8-24 of the Connecticut General Statutes

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby refers the proposed improvements of eleven acres of park land on Nevers Road (across from Ayers Road) to the South Windsor Planning & Zoning Commission pursuant to Section 8-24 of the Connecticut General Statutes.

Was made by Councilor Pendleton
Seconded by Councilor Carroll

After a short discussion, Councilor Pendleton made a motion to table Item 14. E. Councilor Havens seconded the motion; and it failed on a roll call vote of 3 to 5 with Councilor Anwar, Councilor Havens and Councilor Pendleton voting in favor of the motion; and Mayor Delnicki, Deputy Mayor Mirek, Councilor Carroll, Councilor Riley and Councilor Snyder voting in opposition of the motion.

After further discussion, Mayor Delnicki called for a vote on the original motion; it passed on a roll call vote of 5 to 3 with Mayor Delnicki, Deputy Mayor Mirek, Councilor Carroll, Councilor Riley and Councilor Snyder voting in favor of the original motion; and Councilor Anwar, Councilor Havens and Councilor Pendleton voting in opposition of the original motion.

F. Resolution Approving a Transfer of \$20,000 from the Contingency Account to the Sidewalk Account

BE IT RESOLVED that the South Windsor Town Council hereby approves a transfer of \$20,000 from the Contingency Account to the Sidewalk Account to cover costs associated with improvements to public sidewalks.

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 5

November 21, 2016

ITEM:

14. F. (Continued)

Was made by Councilor Riley
Seconded by Councilor Carroll
The motion was approved, unanimously

G. Resolution Approving a Transfer of \$4,000 from the Contingency Account to the Cemetery Account

BE IT RESOLVED that the South Windsor Town Council hereby approves a transfer of \$4,000 from the Contingency Account to the Cemetery Account to cover costs associated with the maintenance of Center Cemetery on Main Street.

Was made by Councilor Anwar
Seconded by Mayor Delnicki
The motion was approved, unanimously

H. Resolution Accepting a Street and Open Space within the Dzen Tree Farm Subdivision

BE IT RESOLVED that the South Windsor Town Council hereby accepts the deed for a street and open space within the Dzen Tree Subdivision:

- Blue Spruce - 535 linear feet
- Phase II – open space - 7.61 acres
- Phase IV (E) – open space - 4.39 acres
- Phase IV (F) – open space - 2 acres

Was made by Councilor Carroll
Seconded by Councilor Snyder
The motion was approved, unanimously

I. Resolution Accepting a Street within the Clark Estates II Subdivision

BE IT RESOLVED that the South Windsor Town Council hereby accepts the deed for a street within the Clark Estates II Subdivision:

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 6

November 21, 2016

ITEM:

14. I. (Continued)

- Franks Way - 625 linear feet

Was made by Councilor Havens
Seconded by Councilor Snyder
The motion was approved, unanimously

J. Resolution Accepting Open Space within the Beechwood Farms Subdivision

BE IT RESOLVED that the South Windsor Town Council hereby accepts the deed for open space within the Beechwood Farms Subdivision:

- Lot 11 Quarry Brook Drive - 26,840 square feet
(open space)
- Lot 12 Quarry Brook Drive - 28,187 square feet
(open space)

Was made by Deputy Mayor Mirek
Seconded by Councilor Snyder
The motion was approved, unanimously

K. Resolution Amending and Restating a Prior Resolution Concerning Building Permit Fee Waivers for Building Permits to Repair or Replace Defective Foundations

WHEREAS, the Town of South Windsor has recognized the serious issue of defective foundations (also known as crumbling foundations); and

WHEREAS, the Town understands the enormous financial hardship being experienced by property owners facing costly repairs to defective foundations; and

WHEREAS, the Town wishes to waive permit fees related to the repair or replacement of defective foundations; and

(Resolution Continued on Next Page)

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Action Minutes

Page 7

November 21, 2016

ITEM:

14. K. (Continued)

WHEREAS, the issuance of building permits and the collection of permit fees by the Town of South Windsor is regulated by state statute; and

WHEREAS, the Town building official is appointed pursuant to C.G.S. Sec. 29-260, and such official is authorized to enforce the state building code pursuant to Regulations of Connecticut State Agencies Sec. 29-252-1d; and

WHEREAS, the state building code specifically authorizes municipalities to establish a schedule of building fees (Regulations of Connecticut State Agencies Sec. 29-252-1d); and

WHEREAS, on June 6, 2016, the Council adopted a resolution regarding the waiver of permit fees for defective foundations which did not specifically address the issue of refunds for prior repairs of defective foundations; and

WHEREAS, the Council wishes to amend and restate the prior resolution to specifically address this issue

NOW, THEREFORE, BE IT RESOLVED that the Town's schedule of building permit fees shall include a waiver for permits submitted for the repair or replacement of defective concrete foundations, including basement walls, footings, and floors, and further, that in order to obtain such waiver, the applicant shall submit to the building official an application for a waiver either with the permit application, or at anytime within 5 years of the permit being issued, along with evidence of the defective concrete, to the satisfaction of the building official or the official's designee. Further in the event of a waiver being approved after a permit has issued, the building official or the designee may approve, in the official's sole discretion, a refund of any or all fees paid and related to the repair or replacement of defective concrete.

Was made by Councilor Pendleton

Seconded by Mayor Delnicki

The motion was approved, unanimously

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Action Minutes

Page 8

November 21, 2016

ITEM:

14. New Business (Continued)

M. Resolution Approving a Refund of Taxes to Twenty-Eight (28) South Windsor Taxpayers

BE IT RESOLVED that the South Windsor Town Council hereby approves a refund of property taxes to twenty-eight (28) South Windsor Taxpayers, the total of said refund being \$11,934.07 and as more fully described on attached **Exhibit A.**

Was made by Councilor Anwar
Seconded by Councilor Havens
The motion was approved, unanimously

19. Executive Session

At 10:27 p.m. Mayor Delnicki made a motion to go into Executive Session to discuss a Personnel Matter (Town Manager's Evaluation), and to discuss negotiations concerning the possible purchase of property. Councilor Snyder seconded the motion; and it was approved, unanimously.

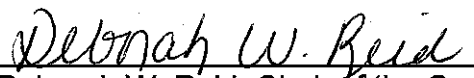
The following individuals went into Executive Session: Mayor Delnicki, Deputy Mayor Mirek, Councilor Anwar, Councilor Carroll, Councilor Havens, Councilor Pendleton, Councilor Riley, Councilor Snyder and Town Manager Matthew B. Galligan.

At 11:37 p.m. Councilor Riley made a motion to adjourn the Executive Session. Councilor Carroll seconded the motion; and it was approved, unanimously.

20. Adjournment

At 11:37 p.m. Councilor Riley made a motion to adjourn the Regular Meeting. Councilor Carroll seconded the motion; and it was approved, unanimously.

Respectfully submitted,


Deborah W. Reid, Clerk of the Council

TAX REFUNDS

Exhibit A

GAMBLE JAMES B 10 Peach Tree Ln S Windsor, CT 06074-3239 2005/882XZK/2G1WH52K859211029 Reason: VEHICLE SOLD 9/2013	\$ (125.19)	ANDERSON SUSAN D 41 SYCAMORE RD SOUTH WINDSOR, CT 06074-3529 2006/269XJZ/1FMELU74EX6UB45567 Reason: Paid bill twice	\$ (243.46)
STEWART BRYAN J 57 Devonshire Drive SOUTH WINDSOR, CT 06074 57 Devonshire Drive Reason: overpaid bill	\$ (2,983.87)	DASILVA ANCEL R 1101 EAGLES BROOK DR LOCUST GROVE, GA 30248-2485 2010/477KSO/4T1BK3EK9AU102126 Reason: oos GA 7/16	\$ (51.80)
MAFFUCCI CAROL ANN & Linda M & Robert J 793 Main ST South Windsor, CT 06074 653 Rye Street Reason: Overpaid Bill	\$ (72.16)	DASILVA ANCEL R 1101 EAGLES BROOK DRIVE LOCUST GROVE, GA 30248--0345 2005/129WOY/JTHBA30G455092551 Reason: oos GA 7/16	\$ (39.22)
PRIMAVERA CHRISTOPHER R 368 Felt Road SOUTH WINDSOR, CT 06074 2004/7AXFH2/ WAUVT64B94N083221 Reason: vehicle sold 7/2015	\$ (172.64)	Dixon Aaron W 2257 ELLINGTON RD SOUTH WINDSOR, CT 06074-2109 2011/521LEB/WA1CFAP9BA005730 Reason: OOS RI 8/2016	\$ (46.99)
BISIGHINI SEAN D 107 Queensbury ST Boston, MA 02215 JF1GJAD66DH014935 Reason: Moved to MA 4/2015	\$ (194.14)	FAGUNDEZ SABRINA MARIANA 822 ELLINGTON RD SOUTH WINDSOR, CT 06074-3542 2004/974ZCW/1J4GL48K84W201693 Reason:	\$ (12.21)
JP MORGAN CHASE BANK NA P O Box 919098 FORD WORTH TX 26101 2012/5272ZBO/4S3BMBG67C3015083 Reason: vehicle sold 1/2015	\$ (278.07)	GENTILE BARBARA A 112 OAK STREET S WINDSOR, CT 06074 2007/9AWXG1/JTHCK262775012461 Reason: overpaid account	\$ (316.47)
JP MORGAN P O BOX 901098 FORT WORTH TX 76101 2013/536ZRS/JF1GJAH68DH007530 Reason: VEHICLE SOLD 8/2015	\$ (41.65)	GRIFFIN THOMAS F 454 AVERY ST SOUTH WINDSOR, CT 06074-3003 2004/4AATE2/1C3EL55R94N357448 Reason: vehicle sold 4/2016	\$ (37.37)
KUCHARSKI LOUIS T 166 WOOD POND RD S WINDSOR, CT 06074-1562 2000/461RUY/1J4GW48S3YC356540 Reason: vehicle sold 9/2014	\$ (106.33)	HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/380YHW/2HGFB2F51DH562012 Reason: vehicle sold 6/16/2016	\$ (90.65)
SOUTHERN NEW ENGLAND REGION OF THE CHURCH OF GOD 1449 JOHN FITCH BLVD SOUTH WINDSOR, CT 06074 Reason: property is tax exempt	\$ (3,558.52)	HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/593WBU/2HKRM4H36DH645925 Reason: vehicle sold 3/2016	\$ (244.20)
HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/6ADB2/1HGCR2F35DA276613 Reason: vehicle sold 4/25/16	\$ (175.75)	LAWLER KRISTEN XENELIS 122 KENT LN SOUTH WINDSOR, CT 06074-2243 2009/754XTD/2HNYD28209H528178 Reason: vehicle traded in 7/2016	\$ (80.66)
HONDA LEASE TRUST 600 KELLY WAY HOLYOKE, MA 01040-9681 2013/735RNP/2HGFB2F53DH548905 Reason: Vehicle sold 6/16/2016	\$ (90.65)	JONES KEVIN P 390 NIEDERWERFER RD SOUTH WINDSOR, CT 06074-1728 2003/845RMM/3N1CB51DX3L786129 Reason: total loss 11/2015	\$ (76.96)

TAX REFUNDS

Exhibit A

JP MORGAN CHASE BANK NA P O Box 901098 Fort Worth, TX 76101-2098 2014/2AHJR4/JM1GJ1V61E1153308 Reason: Vehicle sold 7/2016	\$	(82.51)
KARAHALIOS ATHANASIOS P 371 Foster Street South Windsor, CT 06074 2008/219ZCE/WBAHL83518DT13723 Reason: Vehicle sold 8/2016	\$	(31.08)
KEATING HOLLY A P O Box 512 Windsor, CT 06095-0512 2012/429WFG/3VWDP7AJ5CM403824 Reason: Vehicle sold 12.2015	\$	(247.90)
KEILICH LAUREN CHRISTINE 239 Kent Lane South Windsor, CT 06074 2011/4APWD8/ WBAPK5G52BNN79812 Reason: Bill adjusted; interest was paid in error	\$	(9.98)
MACRAE RITY F 310 Pleasant Vly Condo South Windsor, CT 06074 310 Pleasant Vly Condo Reason: Paid taxes twice	\$	(64.50)
KERCE JESSICA JAYDEN 496 Oakland Road South Windsor, CT 06074 Reason paid Jan 2016 twice	\$	(2,459.14)

Mrs. Bonnie F Rabin, Collector of Revenue

Total Refunds: \$11,934.07

Date 11.21.16