

**TOWN COUNCIL**  
**TOWN OF SOUTH WINDSOR**

**Action Minutes**

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**December 21, 2015**

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

**1. Call Meeting to Order**

Mayor Delnicki called the Regular Meeting to order at 7:03 p.m.

**4. Roll Call**

Members Present: Mayor Thomas Delnicki  
Deputy Mayor Carolyn Mirek (left at 9:20 p.m.)  
Councilor William Carroll (arrived at 7:39 p.m.)  
Councilor Liz Pendleton  
Councilor Matthew Riley  
Councilor Janice Snyder

Members Absent: Councilor M. Saud Anwar  
Councilor Edward Havens  
Councilor Lisa Maneeley

Also Present: Matthew B. Galligan, Town Manager  
Keith Yagaloff, Town Attorney

**7. Adoption of Minutes of Previous Meetings**

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meetings: Regular Meeting Minutes of December 7, 2015.

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

**12. Consent Agenda**

Councilor Snyder and Councilor Pendleton made a motion to approve Agenda Items 13. A. (\*) through 13. III. (\*); and 14. B. (\*) through 14. D. (\*) as the Consent Agenda. Anwar felt that the resignations should be addressed prior to doing the Consent Agenda. Council members agreed. Deputy Mayor Mirek seconded the motion.

Councilor Riley requested that Item 13. CCC. be removed from the Consent Agenda.

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**ITEM:**

**13. Unfinished Business**

**\*A. Resolution Appointing Mike LeBlanc (R) an Alternate to the Planning & Zoning Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Mike LeBlanc (R) an Alternate to the Planning & Zoning Commission for a term ending November 11, 2017 to fill a vacancy.

**(Approved by Consent Agenda)**

**\*B. Resolution Reappointing Kevin Greer (R) to the Board of Assessment Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Kevin Greer (R) to the Board of Assessment Appeals for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*C. Resolution Reappointing Carolyn Carey (R) an Alternate to the Board of Assessment Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Carolyn Carey (R) an Alternate to the Board of Assessment Appeals for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*D. Resolution Reappointing Susan Burnham (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Susan Burnham (R) to the Economic Development Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

**\*E. Resolution Reappointing Edwina Futtner (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Edwina Futtner (R) to the Economic Development Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*F. Resolution Reappointing William Jodice (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints William Jodice (R) to the Economic Development Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*G. Resolution Reappointing Wayne Kilburn (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Wayne Kilburn (R) to the Economic Development Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*H. Resolution Appointing Cindy Beaulieu (R) an Alternate to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Cindy Beaulieu (R) an Alternate to the Economic Development Commission for a term ending November 30, 2017 to fill a vacancy.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

- \*I. Resolution Appointing Katherine Foley (R) a Full Member to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Katherine Foley (R) a full member to the Historic District Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

- \*J. Resolution Appointing Louise Evans (R) a Full Member to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Louise Evans (R) a full member to the Historic District Commission for a term ending November 30, 2020 to fill an expired term of Wayne McKinney (D).

**(Approved by Consent Agenda)**

- \*K. Resolution Appointing Nadine Hassan-Caron (R) an Alternate to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Nadine Hassan-Caron (R) an Alternate to the Historic District Commission for a term ending November 30, 2017 to fill an unexpired term of Katherine Foley.

**(Approved by Consent Agenda)**

- \*L. Resolution Appointing Sandy Ramesh (R) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Sandy Ramesh (R) to the Human Relations Commission for a term ending November 30, 2017 to fill a vacancy.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

**\*M. Resolution Reappointing Richard Muller (R) to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Richard Muller (R) to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019.

**(Approved by Consent Agenda)**

**\*N. Resolution Appointing John Phillips (R) a Full Member to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints John Phillips (R) a full member to the Inland Wetland Agency/Conservation Commission for a term ending June 1, 2017 to fill an unexpired term of Joseph Durette (D).

**(Approved by Consent Agenda)**

**\*O. Resolution Appointing Daniel Seypura (R) an Alternate to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Daniel Seypura (R) an Alternate to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019 to fill the expired term of John Phillips.

**(Approved by Consent Agenda)**

**\*P. Resolution Reappointing Elizabeth Asplund (R) to the Library Board**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Elizabeth Asplund (R) to the Library Board for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

**\*Q. Resolution Reappointing Carol Stroud (R) to the Library Board**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Carol Stroud (R) to the Library Board for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*R. Resolution Reappointing Herb Asplund (R) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Herb Asplund (R) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*S. Resolution Reappointing Mark Peterson (R) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Mark Peterson (R) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*T. Resolution Appointing Cindy Beaulieu (R) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Cindy Beaulieu (R) to the Park & Recreation Commission for a term ending December 31, 2017 to fill the unexpired term of Gary Bazzano.

**(Approved by Consent Agenda)**

**ITEM:**

**13. Unfinished Business (Continued)**

**\*U. Resolution Appointing Leigh Lovering (R) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Leigh Lovering (R) to the Patriotic Commission for a term ending December 31, 2016 to fill a vacancy.

**(Approved by Consent Agenda)**

**\*V. Resolution Appointing Linc Streeter (R) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Linc Streeter (R) to the Patriotic Commission for a term ending December 31, 2017 to fill an unexpired term of William Carroll.

**(Approved by Consent Agenda)**

**\*W. Resolution Appointing Kathleen Daugherty (R) to the Personnel Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Kathleen Daugherty (R) to the Personnel Board for a term ending November 30, 2018 to fill the expired term of Elizabeth Kuehnel (D).

**(Approved by Consent Agenda)**

**\*X. Resolution Reappointing Carol Kelley (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Carol Kelley (R) to the Public Building Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**ITEM:**

**13. Unfinished Business (Continued)**

**\*Y. Resolution Appointing Philip Koboski (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Philip Koboski (R) to the Public Building Commission for term ending November 30, 2019 to fill the expired term of Bernard Thomas (D).

**(Approved by Consent Agenda)**

**\*Z. Resolution Appointing Matthew Beaulieu (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Matthew Beaulieu (R) to the Public Building Commission for a term ending November 30, 2017 to fill the unexpired term of Howard Fitts.

**(Approved by Consent Agenda)**

**\*AA. Resolution Appointing Richard Siedman (R) a Full Member to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Richard Siedman (R) a full member to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of Robert Dickinson.

**(Approved by Consent Agenda)**

**\*BB. Resolution Appointing Zaheer Sharaf (R) to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Zaheer Sharaf (R) to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of Edward Havens, Jr. (D).

**(Approved by Consent Agenda)**



**ITEM:**

**13. Unfinished Business (Continued)**

**\*CC. Resolution Appointing Pat Soucy (R) an Alternate to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Pat Soucy (R) an Alternate to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of Richard Siedman.

**(Approved by Consent Agenda)**

**\*DD. Resolution Reappointing Joseph Etter (R) to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Joseph Etter (R) to the Zoning Board of Appeals for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*EE. Resolution Reappointing Teri Dickey-Gaignat (R) to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Teri Dickey-Gaignat (R) to the Zoning Board of Appeals for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*FF. Resolution Appointing Wayne Kilburn (R) a Full Member to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Wayne Kilburn (R) a full member to the Zoning Board of Appeals for a term ending November 30, 2019 to fill the expired term of Joseph Kennedy, Jr. (D).

**(Approved by Consent Agenda)**

**ITEM:**

**13. Unfinished Business (Continued)**

**\*GG. Resolution Reappointing Edwina Futtner (R) an Alternate to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Edwina Futtner (R) an Alternate to the Zoning Board of Appeals for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*HH. Resolution Appointing Paul Oates (R) an Alternate to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Paul Oates (R) an Alternate to the Zoning Board of Appeals for a term ending November 30, 2019 to fill the expired term of Wayne Kilburn.

**(Approved by Consent Agenda)**

**\* II. Resolution Reappointing Walter Fitzpatrick (R) to the Demolition Delay Committee**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Walter Fitzpatrick (R) to the Demolition Delay Committee for a term ending December 31, 2017.

**(Approved by Consent Agenda)**

**\*JJ. Resolution Appointing Charles (Tim) Shepard (R) to the Demolition Delay Committee**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Charles (Tim) Shepard (R) to the Demolition Delay Committee for a term ending December 31, 2016 to fill a vacancy.

**(Approved by Consent Agenda)**

**ITEM:**

**13. Unfinished Business (Continued)**

**\*KK. Resolution Reappointing Debbie Duarte (D) to the Board of Assessment Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Debbie Duarte (D) to the Board of Assessment Appeals for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*LL. Resolution Reappointing Linda Jeski (D) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Linda Jeski (D) to the Economic Development Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*MM. Resolution Appointing David Marsh (D) an Alternate to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints David Marsh (D) an Alternate to the Economic Development Commission for a term ending November 30, 2017 to fill the unexpired term of M. Atif Quraishi.

**(Approved by Consent Agenda)**

**\*NN. Resolution Appointing Wayne McKinney (D) an Alternate to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Wayne McKinney (D) an Alternate to the Historic District Commission for a term ending November 30, 2018 to fill the unexpired term of Caroline Taylor.

**(Approved by Consent Agenda)**

**ITEM:**

**13. Unfinished Business (Continued)**

**\*OO. Resolution Reappointing Karen Wagner (D) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Karen Wagner (D) to the Human Relations Commission for a term ending November 30, 2018.

**(Approved by Consent Agenda)**

**\*PP. Resolution Reappointing Karen Patterson (D) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Karen Patterson (D) to the Human Relations Commission for a term ending November 30, 2017.

**(Approved by Consent Agenda)**

**\*QQ. Resolution Reappointing Charles Margolis (D) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Charles Margolis (D) to the Human Relations Commission for a term ending November 30, 2018.

**(Approved by Consent Agenda)**

**\*RR. Resolution Reappointing Bryan Jennings (D) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Bryan Jennings (D) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**ITEM:**

**13. Unfinished Business (Continued)**

**\*SS. Resolution Reappointing James Neary (D) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints James Neary (D) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*UU. Resolution Reappointing Marcia Andrus (D) to the Library Board**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Marcia Andrus (D) to the Library Board for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*VV. Resolution Reappointing George Caye (D) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints George Caye (D) to the Park & Recreation Commission for a term ending December 31, 2019.

**(Approved by Consent Agenda)**

**\*WW. Resolution Reappointing Richard Grigorian (D) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Richard Grigorian (D) to the Park & Recreation Commission for a term ending December 31, 2019.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

**\*XX. Resolution Reappointing Dan Rezende (D) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Dan Rezende (D) to the Park & Recreation Commission for a term ending December 31, 2019.

**(Approved by Consent Agenda)**

**\*YY. Resolution Reappointing Roger Anderson (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Roger Anderson (D) to the Patriotic Commission for a term ending December 31, 2018.

**(Approved by Consent Agenda)**

**\*ZZ. Resolution Reappointing Daria Plummer (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Daria Plummer (D) to the Patriotic Commission for a term ending December 31, 2018.

**(Approved by Consent Agenda)**

**\*AAA. Resolution Reappointing Robert Hornish (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Robert Hornish (D) to the Patriotic Commission for a term ending December 31, 2018.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

**\*BBB. Resolution Reappointing Peter Anthony, Sr. (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Peter Anthony, Sr. (D) to the Patriotic Commission for a term ending December 31, 2018.

**(Approved by Consent Agenda)**

**\*DDD. Resolution Reappointing Matthew Montana (D) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Matthew Montana (D) to the Public Building Commission for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*EEE. Resolution Reappointing Richard Aries (D) to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Richard Aries (D) to the Water Pollution Control Authority for a term ending November 30, 2019.

**(Approved by Consent Agenda)**

**\*FFF. Resolution Appointing Edward Havens, Jr. (D) an Alternate to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Edward Havens, Jr. (D) an Alternate to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of M. Atif Quraishi.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

**\*GGG. Resolution Reappointing Adam Reed (D) to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Adam Reed (D) to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019.

**(Approved by Consent Agenda)**

**\*HHH. Resolution Reappointing Barbara Kelly (D) to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Barbara Kelly (D) to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019.

**(Approved by Consent Agenda)**

**\* III. Resolution Appointing Stephen Wagner (D) an Alternate to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Stephen Wagner (D) an Alternate to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2016 to fill a vacancy.

**(Approved by Consent Agenda)**

**\*JJJ. Resolution Appointing Philip Koboski (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Philip Koboski (R) to the Public Building Commission for a term ending November 30, 2019 to fill the expired term of Bernard Thomas (D).

**(Approved by Consent Agenda)**



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**ITEM:**

**14.     New Business**

- \* B.     Resolution Appointing Kevin Greer (R) to the Planning & Zoning Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Winsor Town Council hereby appoints Kevin Greer (R) to the Planning & Zoning Commission for a term ending November 13, 2017 to fill the unexpired term of Lavina Wilson and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

**(Approved by Consent Agenda)**

- \* C.     Resolution Appointing Teri Parrot (R) an Alternate to the Planning & Zoning Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Winsor Town Council hereby appoints Teri Parrot (R) an Alternate to the Planning & Zoning Commission for a term ending November 13, 2017 to fill a vacancy and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

**(Approved by Consent Agenda)**

- \* D.     Resolution Appointing Sandy Remesh (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 Winsor Town Council hereby appoints Sandy Remesh (R) to the Housing Authority for a term ending November 30, 2020 to fill the expired term of Joan Murphy and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

**(Approved by Consent Agenda)**

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**ITEM:**

**13. Unfinished Business (Continued)**

**CCC. Resolution Reappointing James Neary (D) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints James Neary (D) to the Public Building Commission for a term ending November 30, 2019.

Was made by Councilor Pendleton  
Seconded by Mayor Delnicki

Was made by Councilor Carroll  
Seconded by Councilor Snyder

Mayor Delnicki called for a vote on the motion; it was approved, unanimously.

**JJJ. Resolution Removing from the Table Resolution Item WWW. From the Town Council's Regular Meeting of December 7, 2015 – Resolution concerning the issuance of building Permits which Involve the Use of Concrete**

BE IT RESOLVED that the South Windsor Town Council hereby removes from the table, Item WWW. From the Town Council's Regular Meeting of December 7, 2015 – a resolution concerning the issuance of building permits which involve the use of concrete.

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

**KKK. Resolution Concerning the Issuance of Building Permits which Involve the Use of Concrete**

WHEREAS, maintaining the value of residential and commercial real properties is of primary importance to the residents and business owners of the Town of South Windsor; and

**(Resolution Continued on Next Page)**

**ITEM:**

**13. KKK. Unfinished Business (Continued)**

WHEREAS, a concrete foundation is one of the most important elements of a building, since the foundation supports the weight of the structure; and

WHEREAS, there have been many reports in the Eastern Connecticut area about failing concrete foundations, which can lead to a sudden collapse of the building, and which creates a risk to the lives and property of the occupants; and

WHEREAS, there are many South Windsor residents who have shared their concerns about failing foundations and the risks associated with the foundations, as well as the costs to make repairs, and the effects on their property values; and

WHEREAS, there have been a number of investigations into the issue of failing concrete foundations, and evidence points to a source of defective concrete as a Connecticut based company; and

WHEREAS, the Connecticut Department of Consumer Protection and the Connecticut Attorney General's Office are investigating the issue of defective concrete and failing foundations resulting from the use of defective concrete; and

WHEREAS, these investigations have not been completed, and there are concerns about the cost of repairs, the lack of insurance coverage, the risk of sudden collapse and the need to identify affected buildings and to prevent the continuing use of defective concrete; and

WHEREAS, new construction, renovations and additions to homes and commercial properties continues in the Town of South Windsor and it is of utmost urgency that permit applicants are able to make informed decisions about their construction projects

**(Resolution Continued on Next Page)**

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**ITEM:**

**13.KKK. (Continued)**

NOW, THEREFORE, BE IT RESOLVED that the Town of South Windsor directs the Town Manager, Matthew B. Galligan, to direct Town Staff, that at the time a permit is issued for work that involves the use of concrete, the Building Department will provide the applicant with a notice that reads: "There have been recent reports that the use of defective concrete in foundations and basement walls may lead to the failure of the concrete resulting in costly repairs and risks to the safety of occupants. The source of defective concrete is under investigation by the Connecticut Attorney General's Office and the Connecticut Department of Consumer Protection. The Town of South Windsor advises applicants to be diligent in the purchase and installation of concrete for use in their construction projects.

Was made by Councilor Pendleton  
Seconded by Deputy Mayor Mirek

Mayor Delnicki called for a vote on the motion; it failed on a Roll Call vote of 1 to 5 with 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 this motion.

**14. New Business (Continued)**

**A. Resolution Accepting the Resignation of Lavina Wilson (R) from the Planning & Zoning Commission**

BE IT RESOLVED that the south Windsor town council hereby accepts with regret, the resignation of Lavina Wilson (R) from the Planning & Zoning Commission, said resignation to be effective immediately; and

BE IT FURTHER RESOLVED that the South Windsor Town Council extends its thanks to Lavina Wilson for the time she has dedicated to serving her community be her membership on the Planning & Zoning Commission.

Was made by Deputy Mayor Mirek  
Seconded by Councilor Snyder

Mayor Delnicki called for a vote on the motion; it was approved, unanimously.

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**ITEM:**

**14. New Business (Continued)**

- E. Resolution Setting a Time and Place for a Public Hearing to Receive citizen Input on an Amendment to Ordinance #195, Chapter 50 – Health and Sanitation, Article IV, Blight and Nuisance Ordinance**

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, January 4, 2016, 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 an **Amendment to Ordinance #195, Chapter 50 – Health and Sanitation, Article IV, Blight and Nuisance Ordinance**, said Ordinance more fully described in attached Exhibit A, a copy of which is on file in the Office of the Town Clerk.

Was made by Councilor Pendleton  
Seconded by Councilor Carroll

Mayor Delnicki called for a vote on the motion; it was approved, unanimously.

- F. Resolution Approving a Transfer of \$3,000 from the Contingency Account to the Repair Maintenance Facilities Account**

BE IT RESOLVED that the South Windsor Town Council hereby approves a transfer of \$3,000 from the Contingency Account to the Repair Maintenance Facilities Account to cover costs associated with installing a new fitness center access system.

Was made by Deputy Mayor Mirek  
Seconded by Councilor Pendleton

Mayor Delnicki called for a vote on the motion; it was approved, unanimously.

- G. Resolution Authorizing Town Manager, Matthew B. Galligan to Apply for a STEAP Grant for Improvements to the Wapping School to a Full-Time Recreation Center**

WHEREAS, the Board of Education has determined that the Wapping School will no longer be necessary due to enrollment; and

**(Resolution Continued on Next Page)**

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**ITEM:**

**14. G. (Continued)**

WHEREAS, the community has accepted the idea of using the old Wapping School facility for a new Recreation Center; and

WHEREAS, the Town has gone for referendum and plans for a new for a new school called Orchard Hill Elementary School which will accommodate those students; and

WHEREAS, the use of this Recreation Center will allow the existing Community Center to be taken over by Human Services for the increased senior population; and

WHEREAS, the Town Council would like to retrofit this building to meet the needs of the growing Recreation programs in the Town of South Windsor; and

WHEREAS, the building will be transferred to the Town within the next Fiscal Year

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Matthew B. Galligan to apply for a STEAP Grant in the amount of \$500,000 for improvements to the Wapping School to be transformed into a Recreation Center in the Town of South Windsor in which the Town Council will accept such grant for such purpose; and

BE IT FURTHER RESOLVED that Matthew B. Galligan was appointed Town Manager of the Town of South Windsor on January 5, 1996 and will continue in the future, and as the Town Manger, Matthew B. Galligan serves as Chief Executive Officer of South Windsor and is duly authorized to enter into agreements and contracts on behalf of the Town of South Windsor.

Was made by Councilor Riley  
Seconded by Councilor Snyder

Councilor Riley made a motion to Amend the third paragraph to eliminate "which will accommodate those students". Councilor Snyder seconded the Amendment; and it was approved, unanimously.

**(Resolution Continued on Next Page)**

**ACTION MINUTES**  
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**ITEM:**

**14. G. (Continued)**

Councilor Riley made another motion to Amend the sixth paragraph to eliminate “within the next Fiscal Year”. Councilor Pendleton seconded the Amendment.

Mayor Delnicki called for a motion on the Amendment; it was approved, unanimously

Mayor Delnicki called for a motion on the Amended Resolution; it was approved, unanimously.

The amended resolution to read as follow:

WHEREAS, the Board of Education has determined that the Wapping School will no longer be necessary due to enrollment; and

WHEREAS, the community has accepted the idea of using the old Wapping School facility for a new Recreation Center; and

WHEREAS, the Town has gone for referendum and plans for a new for a new school called Orchard Hill Elementary School; and

WHEREAS, the use of this Recreation Center will allow the existing Community Center to be taken over by Human Services for the increased senior population; and

WHEREAS, the Town Council would like to retrofit this building to meet the needs of the growing Recreation programs in the Town of south Windsor; and

WHEREAS, the building will be transferred to the Town

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Matthew B. Galligan to apply for a STEAP Grant in the amount of \$500,000 for improvements to the Wapping School to be transformed into a Recreation Center in the Town of South Windsor in which the Town Council will accept such grant for such purpose; and

**(Resolution Continued on Next Page)**

**ACTION MINUTES**  
**Regular Meeting – Town Council**  
**Page 24**  
**December 21, 2015**

**ITEM:**

**14. G. (Continued)**

BE IT FURTHER RESOLVED that Matthew B. Galligan was appointed Town Manager of the Town of South Windsor on January 5, 1996 and will continue in the future, and as the Town Manger, Matthew B. Galligan serves as Chief Executive Officer of South Windsor and is duly authorized to enter into agreements and contracts on behalf of the Town of South Windsor.

**H. Resolution Approving a Refund of Taxes to Four (4) South Windsor Taxpayers**

BE IT RESOLVED that the South Windsor Town Council hereby approves a refund of property taxes to four (4) South Windsor Taxpayers, the total of said refund being \$6,399.96 and as more fully described on attached **Exhibit B**.

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

**20. Adjournment**

At 9:49 p.m. Councilor Pendleton made a motion to adjourn the Regular Meeting. Councilor Snyder seconded the motion; and it was approved, unanimously.

Respectfully submitted,

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Deborah W. Reid  
Clerk of the Council



**Ordinance # 195  
Anti-Blight Ordinance Proposed Substitution**

**Town of South Windsor Anti-Blight Ordinance**

It is hereby found that within the Town of South Windsor there exists dangerous and blighted properties which adversely affect the health, safety and welfare of the residents of the Town, which constitute a nuisance, and which affect the economic well-being of the Town.

**Sec. 1. Definitions**

***Blighted structure*** shall mean any building or structure or any part of a building or structure, including, but not limited to, a separate unit attached or connected thereto, in which at least one of the following conditions exist as determined by the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or Chief of Police:

(a) Failure to maintain the structure; factors that may be considered to determine whether a property is being maintained include, but are not limited to, missing or boarded windows or doors; collapsing or missing walls, roof or floor; siding that is seriously damaged or missing; fire damage; a foundation that is structurally faulty; improperly stored garbage, trash, debris or abandoned or junk vehicles located thereon; dilapidation such that the property is deteriorated to the extent that it would not receive a certificate of occupancy if applied for.

(b) Attraction of illegal activity or attractive nuisance.

(c) Fire hazard or fire damage that has not been corrected or repaired for a period of 60 days.

(d) Existence or use that creates a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or of other properties within the neighborhood as documented by neighborhood complaints or by the cancellation of insurance on other properties in the neighborhood.

***Vacant and vacant property*** shall mean real property or a structure in or on which there has not been a person or entity in legal occupancy for a period of 60 days or more.

***Dangerous structure*** shall mean any building or structure or any part of a building or structure, including, but not limited to, a separate unit attached or connected thereto, in which at least one of the following conditions exist as determined by the Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or Chief of Police:

- (a) Conditions that pose a serious or immediate danger to occupants, users or the public that puts their health, safety and welfare at risk.
- (b) Interior or exterior bearing walls or other vertical structural members that list, lean or buckle to such an extent as to weaken the structural support they provide.
- (c) Loads upon the floors or roofs that are improperly distributed or floors or roofs that have insufficient strength for their intended purpose.
- (d) Damage caused by fire, wind or a natural cause to the extent that the structure no longer provides shelter from the elements and is dangerous to the health, safety and welfare of its occupants or users or the public.
- (e) Dilapidated, decayed, unsafe, unsanitary or vermin-infested conditions that are likely to cause sickness or disease or injury to the occupants or users or the public.

**Nuisance**

- (a) A *blighted structure* as defined herein where there exists any condition that is a danger to the health, safety and welfare of the public;
- (b) A *dangerous structure* as defined herein where there exists any condition that is a danger to the health, safety and welfare of the public; or
- (c) Any other vacant or improved real property where there exists any condition that is a danger to the health, safety and welfare of the public, including, but not limited to:
  - (1) The accumulation, exposure, deposit or burial of any foul, decayed, putrid or offensive substances, including, but not limited to, garbage, litter, sewage, animal carcasses or parts thereof or any other refuse or filth.
  - (2) Any condition that causes an unreasonably offensive odor, which unreasonably offensive odor may be smelled or detected on any property other than that from which the odor emanates.
  - (3) The storage of 10 or more tires outdoors except where such tires are stored incidental to the conduct of a business licensed by the Connecticut Department of Motor Vehicles or one that is lawfully engaged in the sale or recycling of tires on the premises where the tires are kept.

**Sec. 2. Prohibitions**

- (a) No owner of real property located in the Town of South Windsor shall cause or allow real property to be blighted, dangerous, or a nuisance, as defined herein.

**Sec. 3. Blighted Property Appeals Board**

There shall be established a Blighted Property Appeals Board which shall consist of three members and two alternates who shall be appointed by the Mayor with the approval of the Town Council and all of whom shall be electors of the town. The first term of the members and alternates of the Board shall end on November 30, 2016. Thereafter, the members and alternates shall serve for four-year terms commencing on December 1 and ending on November 30. Any vacancy in any term of office of a member or alternate shall be filled in accordance with the provisions of the Town Charter.

#### **Sec. 4. Enforcement**

(a) Notice of violation. If the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or Chief of Police determines that a nuisance exists, he or she shall issue a notice of violation, the form of which is set forth herein, by mailing said notice of violation to the owner of the subject property by certified mail, return receipt requested, to the address of said owner as recorded in the Tax Collector's office. Service may also be made by in-hand or abode service by a duly authorized Connecticut Sheriff. The notice of violation shall contain sufficient details about the nuisance, to give the owner adequate notice thereof. The notice of violation shall also contain sufficient details about the required repairs to give the owner adequate notice thereof. The owner shall be required to remove or correct the nuisance within 15 days after the receipt of the notice. The owner may demand a hearing before the Blighted Property Appeals Board if, within said fifteen-day period, he or she makes a written demand therefore that is received by the official who issued the notice of violation within said fifteen-day period. Such request shall be mailed to the official who issued the notice of violation by certified mail, return receipt requested, or delivered using an overnight carrier. A hearing, if any, shall be conducted on or before the 30th day after the date of the mailing, publication or service of the notice of violation. The failure of the owner to request a hearing shall constitute a waiver of the right thereto. The receipt of a timely, written request for a hearing will automatically stay any further enforcement of the demand set forth in the notice of violation until a decision of the Blighted Property Appeals Board has been made and served upon the owner. A decision of the Blighted Property Appeals Board shall be deemed to have been served on the date a copy thereof has been mailed to the owner by certified mail, return receipt requested, to the address set forth in the notice of violation or to any other address requested by the owner in writing.

(b) Hearing. At the hearing, the owner may contest the propriety of the issuance of the notice of violation. The Blighted Property Appeals Board shall consider the owner's arguments and shall thereafter render its written decision by a majority of those present and voting having applied the criteria and definitions set forth in this ordinance. The Blighted Property Appeals Board may, but shall not be required to, issue or continue any stay for a period not to exceed 15 days.

(c) Decision. The decision of the Blighted Property Appeals Board shall be final and may be appealed to the Superior Court in accord with the applicable provisions of the Connecticut General Statutes.

#### **Sec. 5. Other grounds for issuance of notice of violation**

In addition to any of the other grounds set forth in this article, a notice of violation may be issued if the Building Inspector determines that an occupied structure is damaged, decayed or deteriorated to the extent that it has become dangerous to the occupants thereof; he or she may issue a notice of violation containing an order, inter alia, that the structure be vacated and demolished.

#### **Sec. 6. Penalties for offenses**

##### **a) Penalties:**

- 1) Each violation of this ordinance shall be considered a separate municipal offense.
- 2) Each day any violation continues shall constitute a separate offense.
- 3) Each separate offense under this ordinance shall be punishable by a fine of one hundred dollars (\$100.00) payable to the Town of South Windsor.

##### **b) Enforcement:**

- 1) The Town Manager, Enforcement Officer, or any police officer in the Town of South Windsor is authorized to issue a citation or summons for a violation of this ordinance.
- 2) In addition thereto, the Town Manager or Enforcement Officer is authorized to initiate legal proceedings in the Superior Court for the immediate correction of the violation(s), collection of any penalties, and the recovery of all costs including costs of remedial action, court and the reasonable attorney's fees incurred by the Town of South Windsor to enforce this ordinance.
- 3) All fines, court costs, costs of remedial action, and attorney's fees, as ordered by the court, shall constitute a lien on the subject premises, provided the owner of said premises has been notified of the violations as herein provided.

#### **Sec. 7. Immediate Action**

(a) Where the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or the Chief of Police determines that there is a condition that causes an immediate danger to the health, safety or welfare of the users, occupants or owner of property or to health, safety or welfare of the residents of the town or that there is an immediate danger to other property, such officer shall cause the town or its agents or employees to make immediate repairs or to effect whatever other work may be

necessary to eliminate the cause or causes of such danger and place a lien on the subject property for the cost of the repairs or other work.

(b) Where the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or the Chief of Police determines that there is a condition that causes an immediate danger to the health, safety or welfare of the users, occupants or owner of property or to health, safety or welfare of the residents of the town or that there is an immediate danger to other property, such officer and his agents shall have the right to enter upon said property for the purpose of evaluating the extent and causes of the danger and for making repairs.

(c) As soon as is practicable under the circumstances, the officer entering property for a purpose set forth above shall take all reasonable efforts to contact the owner of the subject property and give information concerning the need for immediate action.

#### **Sec. 8. Special Consideration**

Special consideration may be given to individuals who are elderly or disabled and who demonstrate that the issuance of a notice of violation results from an inability to maintain an owner-occupied residence and no person with that ability resides therein. If the official who issued the notice of violation has reason to believe that these facts exist, he or she shall, as soon as is practicable but in no event more than five business days after the discovery of such alleged facts, convene a meeting of the Blighted Building Appeals Board for the purpose of determining whether to afford special consideration to the property owner. Such special consideration shall be limited to the reduction or elimination of fines and/or an agreement that the town or its agents will perform the necessary work and place a lien on the property for the cost thereof as hereinabove set forth.

## TAX REFUNDS

Page 1

Exhibit B

Ryder Truck Rental Inc. 99 Murphy Road Hartford, CT 06114-2104 (Removed per DMV Tax Town error Plate #48121A) MV14-520286	934.33	Ryder Truck Rental Inc. 99 Murphy Road Hartford, CT 06114-2104 (Removed per DMV Tax Town error Plate #52275A) MV14-520302	934.33
King Colin Z 230 Beelzebub Road South Windsor, CT (Overpayment) MS-851821	95.35	Freedom Mortgage Attn: LaKetia Harris, Escrow Admin. Dept. P.O. Box 489 Mt. Laurel NJ 08054-0489 (Overpayment) RE14-6441	4435.95

**Mrs. Bonnie F. Rabin, Collector of Revenue    Total Refunds: \$6,399.96    Date: 12/21/2015**