

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 1

July 15, 2019

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

1. Call Meeting to Order

Mayor Paterna called the Regular Meeting to order at 7:00 p.m.

2. Roll Call

Members Present: Mayor Andrew Paterna
Deputy Mayor Liz Pendleton (arrived at 7:19 p.m.)
Councilor Audrey Delnicki
Councilor Mary Justine Hockenberry
Councilor Cesar Lopez
Councilor Karen Lydecker
Councilor Lisa Maneeley
Councilor Matthew Riley
Councilor Janice Snyder

Others Present: Michael Maniscalco, Town Manager (new)
Matthew B. Galligan, Town Manager (previous)
Morris Borea, Town Attorney

6. Adoption of Minutes of Previous Meetings

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meeting: Regular Meeting Minutes of July 1, 2019.

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

13. Consent Agenda

Councilor Maneeley made a motion to approved Agenda Items 15. A. (*) through 15. B. (*) as the Consent Agenda. Councilor Snyder seconded the motion; and it was approved, unanimously.

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 2

July 15, 2019

ITEM:

15. New Business

- *A. Resolution Reappointing William Jodice (R) to the Building Code Board of Appeals 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 reappoints William Jodice (R) to the Building Code Board of Appeals for a term ending January 1, 2024, and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

- *B. Resolution Appointing Frank Niederwerfer (R) to the Agricultural Land Preservation Advisory Commission 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 Frank Niederwerfer (R) to the Agricultural Land Preservation Advisory Commission for a term ending November 30, 2022, to fill the expired term of Neil Caron and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

Councilor Riley recused himself from Item 15. D.

- D. Resolution Adopting the South Windsor Municipal, Residential and Business Energy Plan**

WHEREAS, in its June 2, 2014 Resolution committing to support the Energize South Windsor Initiative, the Town Council pledged "to reduce [the Town's] municipal building energy consumption 20% by the year 2018 and voluntarily purchase 20% of its municipal building electricity from clean, renewable energy sources by the year 2018; and

WHEREAS, both goals have been met; and

(Resolution Continued on Next Page)

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Action Minutes

Page 3

July 15, 2019

ITEM:

15. D. (Continued)

WHEREAS, the Town has realized energy savings in areas such as the conversion of cobra-head streetlights to LED, and through the addition of ammonia and nitrogen removal processes to the sewer plant; and

WHEREAS, the Town reduced its overall energy consumption by 17% between the baseline year of 2010 and calendar 2018; and

WHEREAS, the Town has sponsored two Energize CT programs and two Solarize CT programs for residents, in addition to promoting programs such as C-PACE and Small Business Energy Advantage programs for businesses and non-profits; and

WHEREAS, these programs have resulted in a decrease in electricity consumption to commercial, industrial, and residential customers; and

WHEREAS, the Town Council wishes to recognize the expertise and hard work of the Town, Water Pollution Division, and Board of Education staff, as well as the South Windsor Energy Committee in achieving these results; and

WHEREAS, the Sustainable CT program encourages the adoption of a Municipal, Residential and Business Energy Plan to be adopted in the current year and revised when the Plan of Conservation and Development is to be updated in 2023; and

WHEREAS, the South Windsor Municipal, Residential and Business Energy Plan identifies new goals, broken down by categories and, as appropriate, by the departments that manage the respective facilities; and

WHEREAS, the Plan commits the Energy Committee to identify new energy saving projects to be funded by reinvesting the savings from previous energy projects, file periodic progress reports, and continue outreach to the residential and business sectors of South Windsor

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 4

July 15, 2019

ITEM:

15. D. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby adopts the South Windsor Municipal, Residential and Business Energy Plan and the energy-related goals for calendar year 2023 identified in the South Windsor Municipal, Residential and Business Energy Plan.

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

F. Resolution Regarding the Pedestrian Crossing at 989 Ellington Road (Mill on the River)

WHEREAS, the Mill on the River Restaurant at 989 Ellington Road obtained approval for and installed a pedestrian crosswalk across Ellington Road (CT Rte. 30) from their main parking lot to an overflow parking lot across the street in 2004-2005, and this installation included warning signs and flashing lights that notify motorists of pedestrians using this crosswalk, to improve pedestrian safety; and

WHEREAS, the Connecticut DOT approved this crosswalk and associated warning signs and flashing lights with the condition that the Town of South Windsor own, maintain and pay for the operation of the signs and flashing lights; and

WHEREAS, the in-pavement flashing lights stopped working, were removed and need to be replaced with new post mounted flashing lights, and the warning signs need to be updated to current standards; and

WHEREAS, the Town's Traffic Engineer has completed a plan to install a set of Rectangular Rapid Flash Beacons (RRFB) and new warning signs at this crosswalk and this plan has been reviewed and approved by the Connecticut DOT; and

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 5

July 15, 2019

ITEM:

15. F. (Continued)

WHEREAS, the Town has developed a cost estimate to purchase and install the approved RRFB and associated signs, wiring and equipment as shown on the plan of \$35,000; and

WHEREAS, the RRFB equipment can only be obtained and installed by a few contractors; and

WHEREAS, the proposal obtained is very close to the Engineers estimate and it does not seem likely that better pricing would be obtained by competitive bidding

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby authorizes the transfer of \$35,000 from Contingency Fund to a project account to purchase and install new RRFB warning lights, warning signs and associated equipment as shown on the plan for the pedestrian crosswalk by 989 Ellington Road (CT Rte. 30), and waives competitive bidding for the purchase and installation of this equipment; and

BE IT FURTHER RESOLVED that the Town Council authorizes the Town Manager to sign any agreements necessary to hire a contractor to perform this work.

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

G. Resolution Approving the Traffic Calming Policy

WHEREAS, the Town of South Windsor Local Road Safety Committee including members of the South Windsor Police, Fire, Public Works, Planning Department and Board of Education has developed a Neighborhood Traffic Calming Policy as a guide to handle resident traffic concerns and complaints; and

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 6

July 15, 2019

ITEM:

15. G. (Continued)

WHEREAS, a public hearing was held on June 18, 2019, at which time, the Town Council obtained public input on the draft Neighborhood Traffic Calming Policy; and

WHEREAS, the Town Council thinks the Neighborhood Traffic Calming Policy will help serve the best interests of the users of Town streets including drivers of all motor vehicles, pedestrians, bicyclists, and residents

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby approves the Neighborhood Traffic Calming Policy dated April 29, 2019.

Was made by Councilor Delnicki
Seconded by Deputy Mayor Pendleton

Councilor Snyder made a friendly amendment to put maximum in front of anywhere there is a time line on the flow chart. Councilor Delnicki and Deputy Mayor Pendleton both accepted the friendly amendment.

Mayor Paterna made a friendly amendment to insert language into the resolution to have the policy come before the Town Council in six months for review. Councilor Delnicki and Deputy Mayor Pendleton both accepted the friendly amendment.

Mayor Paterna called for a vote on the amended resolution; it was approved, unanimously.

The Resolution the read as follows:

WHEREAS, the Town of South Windsor Local Road Safety Committee including members of the South Windsor Police, Fire, Public Works, Planning Department and Board of Education has developed a Neighborhood Traffic Calming Policy as a guide to handle resident traffic concerns and complaints; and

(Resolution Continued on Next Page)

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Action Minutes

Page 7

July 15, 2019

ITEM:

15. G. (Continued)

WHEREAS, a public hearing was held on June 18, 2019, at which time, the Town Council obtained public input on the draft Neighborhood Traffic Calming Policy; and

WHEREAS, the Town Council thinks the Neighborhood Traffic Calming Policy will help serve the best interests of the users of Town streets including drivers of all motor vehicles, pedestrians, bicyclists, and residents

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby approves the Neighborhood Traffic Calming Policy dated April 29, 2019, **and requests that a member of the Local Road Safety Committee comes to a Town Council meeting in six months to review how the Neighborhood Traffic Calming Policy is functioning.**

H. Resolution Approving the Addressing Policy

WHEREAS, the Town of South Windsor Staff, including members of the South Windsor Police, Fire Marshal, Planning Department, Assessor, Health Inspector, Public Works Department, and Information Technology, has developed an Addressing Policy to serve as a guide to Town Staff in maintaining existing address data and establishing new addresses for the Town; and

WHEREAS, this policy establishes the formal processes of creating, preserving, and enforcing the Town address data standards to record accurate location information for use by all departments servicing the residents and businesses of South Windsor; and

WHEREAS, the Town Council believes the Addressing Policy will help serve the best interests of the residents and businesses in Town and provide valuable data that will help emergency services and other Town Departments to efficiently and accurately respond to an emergency or call for service on any property in Town

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 8

July 15, 2019

ITEM:

15. H. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby approves the Addressing Policy dated June 2019.

Was made by Councilor Lydecker
Seconded by Deputy Mayor Pendleton
The motion was approved, unanimously

16. Passage of Ordinance

A. Resolution Adopting the Proposed Amendment to Ordinance #64 – Street Numbering Ordinance

BE IT RESOLVED that the South Windsor Town Council hereby adopts the proposed Amendment to Ordinance #64 – Street Numbering Ordinance, as shown in attached **Exhibit A**.

Was made by Councilor Riley
Seconded by Deputy Mayor Pendleton
The motion was approved, unanimously

B. Resolution Adopting the Establishment of a Proposed Ordinance Titled, “Designated Wildlife Protective Areas”

BE IT RESOLVED that the South Windsor Town Council hereby adopts the establishment of a proposed Ordinance titled, “Designated Wildlife Protective Areas,” as shown in attached **Exhibit B**.

Was made by Councilor Hockenberry
Seconded by Councilor Maneeley
The motion was approved, unanimously

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

Page 9

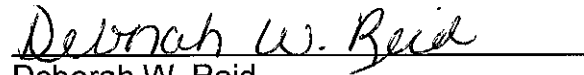
July 15, 2019

ITEM:

20. Adjournment

At 9:35 p.m., Councilor Maneeley made a motion to adjourn the Regular Meeting. Deputy Mayor Pendleton seconded the motion; and it was approved, unanimously.

Respectfully submitted,



Deborah W. Reid
Clerk of the Council

STREET NUMBERING ORDINANCE

(Amending Ordinance #64)

ARTICLE IV. - NUMBERING OF STRUCTURES ^[2]

Sec. 86-116. – Required.

It shall be the duty of the Town Manager or the designated Town staff member to enforce the Town Addressing Policy and assign a number to every residential, commercial, industrial or other structure located on premises within the town except those structures designated as inapplicable in the Town Addressing Policy. Every owner, agent, lessee, or occupant shall ascertain from the Town Manager or the designated Town staff member the address number assigned to each structure owned, possessed, or controlled by them and shall place that number upon each structure in the manner provided in section 86-117. Addresses shall not be changed unless approved by the Town Manager or the designated Town staff member in accordance with the Town Addressing Policy.

(Code 1978, § 6-800)

Sec. 86-117. - Method of numbering structures.

New and existing buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street fronting the property. Address numbers shall comply with standards as set by the current State of Connecticut Fire Prevention Code. All numbers shall be of durable metal, glass or plastic or may be painted of neat design with durable material. Numbers made of perishable materials such as wood, paper or cardboard shall not comply with this article. Address numbers for suites within a multiple tenant building or complex shall be individually identified in a manner approved by the Town Manager or the designated Town staff member in accordance with the Town Addressing Policy.

(Code 1978, § 6-801)

Sec. 86-118. - Penalty for violation.

Any person, whether owner, agent or occupant, who shall fail or refuse to file an application pursuant to the Town Addressing Policy or fails or refuses to correctly number any house or other building owned, occupied or controlled by that person or who shall willfully remove, obliterate, conceal or obscure any house number shall receive a written notice of violation from the Town Manager or a designated Town staff member. The notice of violation shall state the violation and the date said violation shall be remedied, not to exceed ten (10) days from the date of said notice. Upon failure to remedy the violation or commence corrective action to the satisfaction of the Town Manager or a designated Town staff member within the time specified in the notice, the Town Manager or a designated Town staff member shall issue a citation as provided for in Connecticut General Statutes § 7-148 and shall impose a fine of \$25.00. Repeat offenders shall be issued additional citations and fined \$50.00 without first receiving a notice of violation. Additional citations shall be issued no more frequently than seven (7) days following a prior citation.

(Code 1978, § 6-802)

ARTICLE VII – DESIGNATED WILDLIFE PROTECTIVE AREAS

Sec. 86-166 – Purpose and Intent.

The purpose of this ordinance is to protect the safety and general welfare of ground nesting wildlife species from predation by domestic animals commonly accompanying citizens utilizing Town owned open space for passive recreation.

Sec. 86-167 – Applicability.

This ordinance shall apply to all open space properties owned by the Town that have been designated as a Wildlife Protective area by the South Windsor Town Council by Resolution, including Resolutions adopted prior to the passage of this ordinance.

Sec. 86-168 – Prohibited Conduct.

All persons are prohibited from entering a designated Wildlife Protective Area with and/or accompanied by a dog, either on or off leash, and such use is not authorized on said property and violators are subject to being ejected from the property.

Sec. 86-169 – Penalties for offenses.

The first violation of this ordinance shall be punished by a fine not to exceed \$100.00. The second violation by any person or entity of any provision of this ordinance shall be punished by a fine of \$175.00. Subsequent violations of any provision of this ordinance shall be punished by a fine of \$250.00

Sec. 86-170 – Enforcement.

- (a) Any person aggrieved by an act constituting a violation of this chapter may complain to the South Windsor Police Department which shall enforce these provisions, with or without complaint.
- (b) This chapter shall be enforced by citations issued by the designated municipal officers or employees in accordance with C.G.S. §§ 51-164m and/or 51-164p violations of municipal ordinances (penalty greater than \$90.00 but not more than \$250.00.)
- (c) The appeal of any such infraction ticket issued for violation for municipal ordinance shall be in the centralized infraction bureau and Connecticut Superior “Court system pursuant to C.G.S. §51-16n.

Sec. 86-171.- Severability.

All provisions of the Charter, ordinances and/or any applicable laws(s) which are more stringent than those set forth herein, remain valid and may be enforced in addition to the provisions of this chapter. If any section, paragraph, sentence, clause or phrase of this article or any part thereof, is for any reason held to be unconstitutional or invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portion of this article or any part thereof.