

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

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February 18, 2020

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.

3. Roll Call

Members Present: Mayor Andrew Paterna
Deputy Mayor Liz Pendleton
Councilor Audrey Delnicki
Councilor Erica Evans
Councilor Mary Justine Hockenberry
Councilor Cesar Lopez
Councilor Karen Lydecker
Councilor Lisa Maneeley
Councilor Janice Snyder

Others Present: Michael Maniscalco, Town Manager

After roll call was complete, the South Windsor Community Chorus sang the National Anthem.

4. Mayor's Remarks

Deputy Mayor Pendleton and Mayor Paterna thanked the South Windsor Community Chorus.

5. Adoption of Agenda

Councilor Lopez made a motion to adopt the agenda as presented. Councilor Hockenberry seconded the motion.

Councilor Snyder made a motion to amend the agenda to move Item 13. C. after the Town Manager's Report. Councilor Maneeley seconded the motion; and it was approved unanimously.

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ITEM:

13. New Business

C. Resolution Authorizing the Town Manager and Town Attorney to Negotiate, Sign, and Execute an Agreement with Lodestar

BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Michael Maniscalco and the Town Attorney to negotiate, sign, and execute all necessary agreements, contracts, and documents on behalf of the Town of South Windsor with Lodestar Energy for the creation of a Virtual Net Metering project to be constructed at 115 Sand Road, North Canaan, and based on the attached Virtual Net Metering Savings calculations (**Exhibit A**) and Virtual Net Metering Services Agreement (**Exhibit B**).

Councilor Snyder made a motion to amend the resolution to add language after documents to say "based on the recommendation of the Energy Committee, and review and approval of the contract by the Town Attorney." Councilor Hockenberry seconded the motion; and it was approved unanimously.

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

The resolution to read as follows:

BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Michael Maniscalco and the Town Attorney to negotiate, sign, and execute all necessary agreements, contracts, and documents, **based on the recommendation of the Energy Committee, and review and approval of the contract by the Town Attorney**, on behalf of the Town of South Windsor with Lodestar Energy for the creation of a Virtual Net Metering project to be constructed at 115 Sand Road, North Canaan, and based on the attached Virtual Net Metering Savings calculations (**Exhibit A**) and Virtual Net Metering Services Agreement (**Exhibit B**).

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ITEM:

8. 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: Public Hearing Minutes of February 3, 2020, and Regular Meeting Minutes of February 3, 2020.

Was made by Councilor Hockenberry

Seconded by Deputy Mayor Pendleton

The motion passed on a roll call vote of 8-1 with Councilor Lopez abstaining.

11. Consent Agenda

Councilor Evans made a motion to approve Agenda Items 11.a.A. through 11.a.C for a first reading on the Consent Agenda. Deputy Mayor Pendleton seconded the motion; and it was approved unanimously.

A. Resolution Appointing Timothy Appleton (D) to the Zoning 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 appoints Timothy Appleton (D) to the Zoning Board of Appeals for a term ending November 30, 2023, to fill an expired vacancy and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

B. Resolution Appointing Steven King, Jr. (D) 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 Steven King, Jr. (D) to the Water Pollution Control Authority for a term ending November 30, 2023, to fill the expired term of Richard Aries and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

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ITEM:

11. Consent Agenda (*Continued*)

- C. Resolution Appointing Elizabeth Burgess (D) to the Demolition Delay Committee 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 Elizabeth Burgess (D) to the Demolition Delay Committee for a term ending December 31, 2021, to fill the expired term of Water Fitzpatrick and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

Councilor Maneeley made a motion to approve Agenda Items 11.b.A. through 11.b.D for a second reading on the Consent Agenda. Councilor Delnicki seconded the motion; and it was approved unanimously.

- A. Resolution Approving a Mayoral Reappointment of Matthew Streeter to the Cable Advisory Board**

BE IT RESOLVED that the South Windsor Town Council hereby approves a Mayoral Reappointment of Matthew Streeter to the Cable Advisory Board for a term ending June 30, 2021.

(Approved by Consent Agenda)

- B. Resolution Approving a Mayoral Reappointment of David O'Neil to the Cable Advisory Board**

BE IT RESOLVED that the South Windsor Town Council hereby approves a Mayoral Reappointment of David O'Neil to the Cable Advisory Board for a term ending June 30, 2020.

(Approved by Consent Agenda)

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ITEM:

11. Consent Agenda (Continued)

C. Resolution Approving a Mayoral Appointment of Craig Zimmerman to the Cable Advisory Board

BE IT RESOLVED that the South Windsor Town Council hereby approves a Mayoral Appointment of Craig Zimmerman to the Cable Advisory Board for a term ending June 30, 2020.

(Approved by Consent Agenda)

D. Resolution Approving a Mayoral Appointment of Janice Snyder to the Greater Hartford Transit District

BE IT RESOLVED that the South Windsor Town Council approves a Mayoral Appointment of Janice Snyder to the Greater Hartford Transit District for a term ending December 12, 2020.

(Approved by Consent Agenda)

13. New Business (Continued)

A. Resolution Setting the Salary and Benefits for the Town Clerk

WHEREAS, the appointment of Bonnie Armstrong as Town Clerk with a term ending on January 3, 2022, to fill the unexpired term of Lori Trahan was approved by the Town Council on December 16, 2019; and

WHEREAS, the Town Clerk is an elected position, serving a four-year term; and

WHEREAS, the Town Clerk's rate of compensation is to be paid by the municipality; and

WHEREAS, the Personnel Committee discussed this position and decided upon a salary

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ITEM:

13. A. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby stipulates that the Town Clerk's position shall be equivalent to a Grade 8 in the current Non-Bargaining Unit Members Job Classification, with an annual compensation of \$76,000, said annual salary rate to be retroactive to December 16, 2019; and

BE IT FURTHER RESOLVED that the Town Clerk's annual compensation will be adjusted each July 1st, starting in 2020, in accordance with the management plan.

Was made by Councilor Lydecker
Seconded by Councilor Maneeley

Deputy Mayor Pendleton made a friendly amendment to change "decided" to "recommends" in the fourth paragraph. Councilor Maneeley agreed to the friendly amendment.

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

The resolution to read as follows:

WHEREAS, the appointment of Bonnie Armstrong as Town Clerk with a term ending on January 3, 2022, to fill the unexpired term of Lori Trahan was approved by the Town Council on December 16, 2019; and

WHEREAS, the Town Clerk is an elected position, serving a four-year term; and

WHEREAS, the Town Clerk's rate of compensation is to be paid by the municipality; and

WHEREAS, the Personnel Committee discussed this position and **is recommending** a salary

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ITEM:

13. A. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby stipulates that the Town Clerk's position shall be equivalent to a Grade 8 in the current Non-Bargaining Unit Members Job Classification, with an annual compensation of \$76,000, said annual salary rate to be retroactive to December 16, 2019; and

BE IT FURTHER RESOLVED that the Town Clerk's annual compensation will be adjusted each July 1st, starting in 2020, in accordance with the management plan.

B. Resolution Appointing Murtha Cullina as Town Attorney

BE IT RESOLVED that the South Windsor Town Council appoints Murtha Cullina to the position of Town Attorney for the Town of South Windsor; and

BE IT FURTHER RESOLVED that this appointment is in accordance with Chapter 5, Section 501 of the Town Charter, and in accordance with the terms agreed to by the Town Council.

Was made by Councilor Delnicki
Seconded by Deputy Mayor Pendleton

Answering questions from the Council, Mr. Maniscalco explained that Murtha Cullina offered a retainer fee in the amount of approximately \$100,000 for all of the work that they are going to be doing for the Town Attorney activities. There are potentially going to be special projects above and beyond the normal work that will require additional work and hours. Town staff will be working on identifying what those special projects will be.

Councilor Snyder stated that the current Town Attorney has not been working on a retainer. In the past, it was found that when the Town was working with a Town Attorney that was on retainer, the funds were not being used. Councilor Snyder voiced concern about switching the process from a pay as you go to a retainer.

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ITEM:

13. B. (Continued)

Mr. Maniscalco responded by explaining that the Town has over spent this line item this past year by 125% and has over spent for the past two years. The retainer system is the best way to help control this cost. In discussions with Murtha Cullina, they have said the dollar amount for the retainer system could be discussed in the coming year to align it more with what the Town is using.

At 8:00 p.m., the Regular Meeting was recessed in order to go to a Public Hearing. The Regular Meeting reconvened at 8:05 p.m.

Councilor Snyder informed the Council that she does not like having a retainer.

Councilor Lydecker stated that she likes the idea of a retainer because in previous years, the Town had budgeted \$150,000, and by the end of the year, the Town had spent well over \$200,000. Councilor Lydecker explained that she had thought the Council was going to be presented with other firms tonight that were being considered by the Committee as opposed to just being given one name to vote on.

Mr. Maniscalco informed the Council that the Committee has a master scoring sheet that can be provided to the Council. The different categories that firms were scored on were pricing, services, the different types of law the firm practices, their experience with the Town of South Windsor, communication, and responsiveness. Each Committee member scored the firms based on the categories, and then all of the scores were combined. There was only a .5 or .8 difference between the top two firms. There were nine firms that applied for the position and three that were interviewed.

Councilor Lydecker stated that she is a little hesitant because she would have liked to have seen the information regarding the firms and would also have liked to have had the special projects defined. Councilor Lydecker questioned if the Council should wait to act on this resolution?

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ITEM:

13. B. (Continued)

Mr. Maniscalco voiced concern because at this point, the Town needs to get a Town Attorney in place to address the legal issues of the Town. Mr. Maniscalco stated that he believes that Murtha Cullina's hourly billing rate is approximately \$225.00, which is in the same proximity as the blended rates for most firms. The attorney that will be working with South Windsor is Attorney Kari Olson, but there are several attorneys that will be available to the Town with different experiences.

Councilor Snyder felt that an Executive Session should have been held but would not hold up the vote on this item.

Councilor Maneeley stated that the Town needs a firm that is equipped to handle the diversified issues that arise so that outside lawyers are not needed.

Deputy Mayor Pendleton stated that in the past, she has requested that the Council receives historical documentation or correspondence related to any agenda item that will help the Council make an informed and educated decision on a matter that comes before the Council. Deputy Mayor Pendleton said she has not received any information on this appointment and does not feel she can take a vote on this item.

Mr. Maniscalco recommended that the Council does not move forward with this resolution tonight, and he would get the Council the appropriate information concerning this issue but voiced disappointment that since the Council received their packet on Thursday, he has not heard from any Council members until today at 6:00 p.m.

Councilor Maneeley made a motion to table the resolution. Deputy Mayor Pendleton seconded the motion. The motion failed on a roll call vote of 2 to 7 with Councilor Lopez, Deputy Mayor Pendleton in favor; and Councilor Lydecker, Councilor Evans, Councilor Hockenberry, Mayor Paterna, Councilor Delnicki, Councilor Maneeley, and Councilor Snyder not in favor of tabling.

Councilor Snyder made a motion to call the question. The motion was approved unanimously.

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ITEM:

13. New Business (*Continued*)

D. Resolution Authorizing the Town Manager to Sign and Execute an Agreement with the South Windsor Chamber of Commerce

WHEREAS, the South Windsor Chamber of Commerce has been looking for space to relocate; and

WHEREAS, discussions have been held with the Town about using office space in the Community Building at 1776 Ellington Road; and

WHEREAS, in order for the South Windsor Chamber of Commerce to use this property for office space, a two year temporary and conditional permit was necessary through the Planning & Zoning Commission; and

WHEREAS, on February 11, 2020, the Planning & Zoning Commission approved a two year temporary and conditional permit for 500 square feet of business office space within the Community Building for the South Windsor Chamber of Commerce

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Michael Maniscalco to sign and execute an agreement, and any other necessary documentation that would allow the South Windsor Chamber of Commerce to relocate to the 500 square feet of office space at the Community Building located at 1776 Ellington Road.

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

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ITEM:

17. Executive Session

At 10:02 p.m., Deputy Mayor Pendleton made a motion to go into Executive Session to discuss a personnel issue (Six Month Performance Evaluation of Michael Maniscalco, Town Manger). Councilor Delnicki seconded the motion; and it was approved unanimously.

The following individuals went into Executive Session: Mayor Paterna, Deputy Mayor Pendleton, Councilor Delnicki, Councilor Evans, Councilor Hockenberry, Councilor Lopez, Councilor Lydecker, Councilor Maneeley, and Councilor Snyder.

At 10:45 p.m., Councilor Maneeley made a motion to adjourn the Executive Session. Councilor Hockenberry seconded the motion; and it was approved unanimously.

Respectfully submitted,



Deborah W. Reid
Clerk of the Council

Exhibit A

SOLAR ENERGY PROJECTIONS FOR TOWN OF SOUTH WINDSOR FOR SAND HILL IN N. CANAAN

TECHNOLOGY

System Size	1000	kWDC
Module	Best in class	
Inverters	Best in class	
Mounting	Ground Mounted	
Warranties	20 years (solar modules)	
Degradation	0.50%	per year

PRICING

Upfront Costs	None
Discount	15.0%
Type	Variable
Contract Term	20 years
Minimum Year 1-5	\$ 0.1050
Minimum Year 6-10	\$ 0.1100
Minimum Year 11-15	\$ 0.1150
Minimum Year 16-20	\$ 0.1200

ENERGY

Yield	1200	kwh/kwP
Production	1,200,000	kwh per year
Total Energy		Top 10 accts
Percentage Solar		

UTILITY & NMC RATE

Utility	Eversource
Rate 30 Gen*	\$ 0.0928
Rate 30 T&D	\$ 0.0734
Y1/Y2/Y3-20	80%/60%/40%
Est. Escalator	2.0%
NM Credit Cap**	\$ 0.15953

SAVINGS PROJECTIONS

Contract Year	kWh Produced	Generation Rate	T&D	Net Meter Credit Rate (Total)	Discounted NM Credit Rate Price	NM Credit Savings	Annual Benefit
1	1,200,000	\$ 0.0928	\$ 0.0587	\$ 0.1516	\$0.1288	\$ 0.0227	\$ 27,281
2	1,194,000	\$ 0.0947	\$ 0.0449	\$ 0.1396	\$0.1187	\$ 0.0209	\$ 25,004
3	1,188,030	\$ 0.0966	\$ 0.0306	\$ 0.1271	\$0.1081	\$ 0.0191	\$ 22,654
4	1,182,090	\$ 0.0985	\$ 0.0312	\$ 0.1297	\$0.1102	\$ 0.0194	\$ 22,991
5	1,176,179	\$ 0.1005	\$ 0.0318	\$ 0.1323	\$0.1124	\$ 0.0198	\$ 23,334
6	1,170,299	\$ 0.1025	\$ 0.0324	\$ 0.1349	\$0.1147	\$ 0.0202	\$ 23,682
7	1,164,447	\$ 0.1045	\$ 0.0331	\$ 0.1376	\$0.1170	\$ 0.0206	\$ 24,035
8	1,158,625	\$ 0.1066	\$ 0.0337	\$ 0.1404	\$0.1193	\$ 0.0211	\$ 24,393
9	1,152,832	\$ 0.1087	\$ 0.0344	\$ 0.1432	\$0.1217	\$ 0.0215	\$ 24,756
10	1,147,067	\$ 0.1109	\$ 0.0351	\$ 0.1460	\$0.1241	\$ 0.0219	\$ 25,125
11	1,141,332	\$ 0.1131	\$ 0.0358	\$ 0.1489	\$0.1266	\$ 0.0223	\$ 25,499
12	1,135,625	\$ 0.1154	\$ 0.0365	\$ 0.1519	\$0.1291	\$ 0.0228	\$ 25,879
13	1,129,947	\$ 0.1177	\$ 0.0373	\$ 0.1550	\$0.1317	\$ 0.0232	\$ 26,265
14	1,124,298	\$ 0.1201	\$ 0.0380	\$ 0.1581	\$0.1344	\$ 0.0237	\$ 26,656
15	1,118,676	\$ 0.1225	\$ 0.0388	\$ 0.1595	\$0.1356	\$ 0.0239	\$ 26,769
16	1,113,083	\$ 0.1249	\$ 0.0395	\$ 0.1595	\$0.1356	\$ 0.0239	\$ 26,636
17	1,107,517	\$ 0.1274	\$ 0.0403	\$ 0.1595	\$0.1356	\$ 0.0239	\$ 26,502
18	1,101,980	\$ 0.1300	\$ 0.0411	\$ 0.1595	\$0.1356	\$ 0.0239	\$ 26,370
19	1,096,470	\$ 0.1326	\$ 0.0420	\$ 0.1595	\$0.1356	\$ 0.0239	\$ 26,238
20	1,090,988	\$ 0.1352	\$ 0.0428	\$ 0.1595	\$0.1356	\$ 0.0239	\$ 26,107
Total							\$ 506,176

* Based on R30 Gen rate blended over the past 24 months -

** Annual virtual net metering credits (VNMC) will be calculated at the time of the application and this will be the maximum annual amount.

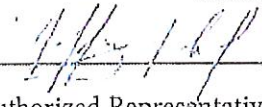
107 Selden Street
Berlin, CT 06037Application ID: 062019073

Virtual Net Metering Service Agreement

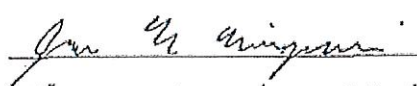
The Connecticut Light and Power Company doing business as Eversource Energy (the Company) has completed its review of the **Gazy Brothers Farm Virtual Net Metering (VNM) Application**, including any supplemental information provided to the Company, for the **2000 kW distributed generation facility** located at **115 Sand Road, North Canaan, CT**. The Company hereby provides an agreement for commencement of participation by this facility in the Company's VNM program ("Agreement").

Your participation in the VNM program is contingent upon agreement with the information set forth in the attached **VNM Credit Cap Calculation** which identifies and details the expected operation of your VNM facility, and the excess kWh and rate applicable in determining the annual VNM credit cap for this facility. By signing this Agreement you agree to this cap, and to abide by all other provisions of the Company's VNM Rider in order to qualify for and receive VNM credits.

Please sign this Agreement, initial the attachments and return all documents to the Company. Upon review and acceptance of these documents the Company will counter sign and establish the date of acceptance into the VNM queue for the facility described herein, as stated below.

By  *Customer Signature*
 Its Authorized Representative
 Date 10/18/19

VNM Queue Acceptance Date: **October 17, 2019**

By  *Company Signature*
 Its Team Leader CT Rates
 Date 10/20/2019

Attachments