

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

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June 1, 2020

**TOWN COUNCIL – REGULAR MEETING
VIRTUAL MEETING**

1. Call Meeting to Order

Mayor Paterna called the Regular Meeting to order at 7:02 p.m.

3. Roll Call

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

Members Absent: Councilor Mary Justine Hockenberry

Others Present: Michael Maniscalco, Town Manager

5. Adoption of Agenda

Deputy Mayor Pendleton made a motion to adopt the agenda as presented. Councilor Evans seconded the motion, and it was approved unanimously.

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 Meeting: Virtual Special Budget Work Session Meeting Minutes of May 14, 2020.

Was made by Councilor Delnicki

Seconded by Councilor Snyder

The motion was approved unanimously

(Adoption of Minutes of Previous Meetings Continued on Next Page)

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ITEM:

8. Adoption of Minutes of Previous Meetings (Continued)

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meeting: Virtual Regular Meeting Minutes of May 18, 2020.

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

12. Unfinished Business

A. Resolution Appointing a Rate Maker for Fiscal Year 2020/2021

BE IT RESOLVED that the South Windsor Town Council hereby appoints Michael Maniscalco, Town Manger as Rate Maker for Fiscal Year 2020/2021.

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

B. Resolution Taking from the Table Item 13. I. of the Town Council's Regular Meeting of May 18, 2020 – Resolution Establishing a Policy and an Application to Provide for the Display of Commemorative or Organization Flags

BE IT RESOLVED that the South Windsor Town Council hereby takes from the table, Item 13. I. of the Town Council's Regular Meeting of May 18, 2020 – Resolution Establishing a Policy and an Application to Provide for the Display of Commemorative or Organization Flags.

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

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ITEM:

12. Unfinished Business (*Continued*)

C. Resolution Establishing a Policy and an Application as Provides for the Display of Commemorative or Organization Flags

WHEREAS, requests to fly a commemorative or organization flags on a Town of South Windsor flag pole must be made at a regularly scheduled Town Council meeting; and

WHEREAS, an application form must be submitted for any requests to fly a commemorative or organization flag on a Town of South Windsor flag pole; and

WHEREAS, the flag request must meet the guidelines within the policy established by the Town of South Windsor Town Council

NOW, THEREFORE, BE IT RESOLVED, that the South Windsor Town Council hereby approves the 2020 Flag Flying Policy (**Exhibit A**) and Application Form (**Exhibit B**).

Was made Councilor Lydecker
Deputy Mayor Pendleton

Councilor Lydecker made a motion to postpone Item 12. C. to the June 15, 2020, Town Council Meeting pending the review and a written opinion on the guidelines for the Flag Policy from the Town Attorney. Deputy Mayor Pendleton seconded the motion, and it was approved unanimously.

Mayor Paterna informed the Council that a request had been received to fly the Pride Banner during the month of June. Mayor Paterna informed the Council that a banner had been hung on the Town Hall last year, not on the flag pole, with consensus from the Council, and he would like to do the same this year. Mayor Paterna requested consensus from the Council.

Councilor Maneeley questioned why the Council is going to allow a flag to fly without a policy, and if the Council did this last year, why is this being asked of the Town Council?

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ITEM:

12. Unfinished Business (*Continued*)

Town Manager Michael Maniscalco suggested that the Council put the request in the form of a motion to direct Town staff to place the banner on the Town Hall.

Councilor Delnicki felt that the Council should wait to hang anything up on the flag pole or on the Town Hall until a policy is established.

Deputy Mayor Pendleton suggested that the Town vote on using the State guidelines until a policy is established.

Councilor Maneeley stated that she does not want to make any exceptions at this time and feels the policy should be established before a flag is approved to be flown on the flag pole or a banner is put on the Town Hall.

Deputy Mayor Pendleton questioned the Town Manager if it would be appropriate to make a motion to follow State policy until the Town's policy is established? Mr. Maniscalco suggested making a motion to follow State policy until such time that the Town Council approves a policy or wants to do something different.

Councilor Snyder stated that she would not be in favor of putting any flag or banner up at this time on Town property. Mayor Paterna informed the Council that the State and other Towns put organizational flags up on their flag poles.

Councilor Delnicki informed the Council that the Town of Tolland is discussing this same issue and reviewing other Town policies. In the past, there was an issue with a religious object being on Town property, and at that time, it was moved to the Community Church.

Mayor Paterna stated that the State guidelines specifically talk about flag poles.

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ITEM:

12. Unfinished Business (*Continued*)

Councilor Lydecker stated that she does not see the Pride Flag the same as a religious artifact. The Town hung the Pride Flag last year on the Town Hall with no issues, and the State just recently hung the Pride Flag up. Councilor Lydecker said she would support putting the Pride Banner on the Town Hall like was done last year.

Councilor Lydecker made a motion to erect the Pride Banner for the month of June to be displayed on the Town Hall building. Deputy Mayor Pendleton seconded the motion; and the motion passed on a roll call vote of 5 to 3 with Mayor Paterna, Deputy Mayor Pendleton, Councilor Evans, Councilor Lopez, and Councilor Pendleton voting in favor of the motion; and Councilor Delnicki, Councilor Maneeley, and Councilor Snyder voting in opposition of the motion.

13. New Business

A. Resolution Approving a First Amendment to the Assistance Agreement Between the State of Connecticut and the Town of South Windsor under the Small Cities/Community Development Block Grant Program

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant of Public Law 93-3 83, as amended; and

WHEREAS, pursuant to Chapter 127c and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal Monies to local municipalities; and

WHEREAS, it is desirable and in the public interest that the Town of South Windsor make application to the State for \$910,000.00 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement, therefore, should one be offered

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ITEM:

13. A. (Continued)

NOW, THEREFORE, BE IT RESOLVED by the South Windsor Town Council:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and
2. That the filing of an application by the Town of South Windsor in an amount not to exceed \$910,000.00 is hereby approved, and that the Town Manager of South Windsor is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of South Windsor.

Was made by Deputy Mayor Pendleton

Seconded by Councilor Snyder

The motion was approved unanimously

D. Resolution Authorizing the Sale, Donation, or Disposal of Surplus Vehicles

BE IT RESOLVED that the South Windsor Town Council hereby declares the following vehicle to be "Surplus Equipment," as shown in attached **Exhibit C**, and authorizes Town Manager Michael Maniscalco to sell, donate, or otherwise dispose of this vehicle.

Was made by Councilor Delnicki

Seconded by Councilor Maneeley

The motion was approved unanimously

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ITEM:

13. New Business (*Continued*)

F. Resolution Authorizing the Town Manager to Contribute \$2,000 to South Windsor High School's 2020 "Operation Graduation Fund"

BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager Michael Maniscalco, to contribute \$2,000 to South Windsor High School's 2020 "Operation Graduation Fund," said funds to be taken out of the Town Manager's Professional Account.

Deputy Mayor Pendleton recused herself from this item.

Was made by Councilor Snyder
Seconded by Councilor Delnicki
The motion as approved unanimously

G. Resolution Supporting the Use of Absentee Ballots for the General Election

WHEREAS, Governor Lamont recently extended the Absentee Voting which can be applied to all voters, and applications are being sent out for the August Presidential primary; and

WHEREAS, it is important that this change in the definition of reasons for using absentee ballots due to the risk posed by the Coronavirus (COVID-19) also be applied to the General Election in November 2020; and

WHEREAS, no person should have to choose between exercising their American right to vote and their health; and

WHEREAS, there is currently a global pandemic of COVID-19, and COVID-19 is spread from person-to-person through contact with a person, surface, or object that has the virus on it; and

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ITEM:

13. G. (Continued)

WHEREAS, COVID-19 can be particularly severe for older adults and people of any age who have serious underlying medical conditions, and there are currently no effective vaccine or treatments available to the public for COVID19; and

WHEREAS, in-person voting carries a greater risk of spreading disease than voting via absentee ballot, and no person should be required to risk their health in order to exercise their right to vote; and

WHEREAS, no person should be denied the right to vote because they fear contracting an illness; and

WHEREAS, a significant portion of poll workers and volunteers are 60 or older; and

WHEREAS, absentee voting offers a proven method of secure voting that reduces the risk of transmission of COVID-19 by allowing individuals to vote by mail and by reducing the density of in-person voting at polling places; and

WHEREAS, Governor Lamont issued Executive Order No. 7QQ, which allows any eligible elector to vote by absentee ballot for the August 11, 2020, primary election if an individual is unable to appear at his or her polling place during the hours of voting due to serious concerns about COVID-19

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH WINDSOR TOWN COUNCIL that:

Section One: (1) Calls on the Governor and General Assembly to adopt the changes to absentee voting procedures made by Governor Lamont in Executive Order No. 7QQ for the November General Election and (2) appropriate funds to municipalities to defray the increased cost of holding elections during the pandemic; and

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ITEM:

13. G. (Continued)

Section Two: The Town Council calls on the General Assembly to (1) convene in special session for the purpose of adopting a joint resolution to amend the State Constitution to permanently allow any elector to vote by absentee ballot for any reasons and (2) submit such joint resolution to the popular vote for ratification in the November election.

Was made by Councilor Lopez
Seconded by Deputy Mayor Pendleton

Councilor Lopez stated absentee ballots had been a great way for many senior citizens to vote or for others who are unable to get to the polls. When doing in-person voting, there is a greater risk of contracting COVID-19.

Councilor Lydecker explained that for the August election, there is an Executive Order put into place, but in November, if an Executive Order is not put into place, residents should have ability to do what they would like to do. The email from the Town Attorney stated that she feels there should be input from the residents before any letter is sent to Governor Lamont supporting the use of absentee ballots for November. Councilor Lydecker requested that the residents of South Windsor be allowed to give input on this matter before any decision is made on this issue. This resolution should be tabled in order to get input from the residents.

Councilor Lydecker made a motion to table Item 13. G. in order to get public input on this matter. Councilor Maneeley seconded the motion, and it was approved unanimously.

Councilor Delnicki stated that the Legislature votes to change the State Constitution for a General Election. The Governor cannot override the State Constitution.

Councilor Snyder called for a Point of Order requesting that only one person speaks at a time.

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ITEM:

13. G. (Continued)

Councilor Lydecker explained that given the fact that we are in a crisis right now, our United State Supreme Court has stated that they are essentially overlooking part of our United States Constitution because of this crisis, so I believe that we are within our rights to ask our Governor to extend an Executive Order, and Councilor Lydecker stated she would be surprised to hear that is unconstitutional, but as of right now it is not a legal challenge in the State of Connecticut.

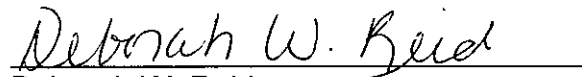
Councilor Delnicki made a motion to have a resolution on the next meeting to set a date for a public hearing to get citizen input on the proposed changes to the November 2020 General Election due to COVID-19. Councilor Maneeley seconded the motion.

After a lengthy discussion, Councilor Delnicki withdrew her motion.

18. Adjournment

At 9:43 p.m. Deputy Mayor Pendleton made a motion to adjourn the Regular Meeting. Councilor Maneeley seconded the motion, and it was approved unanimously.

Respectfully submitted,



Deborah W. Reid
Clerk of the Council

PROPOSED GUIDELINES for Town of South Windsor Flag Flying Policy:

- *Requests to fly a commemorative or organization flag on a Town flagpole must be made, using the attached Application Form, at a regularly scheduled Town Council meeting;
- *The flag will fly in connection with a specific town or state event, town or state proclamation, or town or state recognition of an event or organization;
- *Commemorative or Organization Flags must be approved by a majority vote of the Town Council; (or the town manager).
- *Approval by the Town Council shall be limited to not more than one commemorative, or organization flag being added to the flagpole for display during any time period;
- *The flag shall be flown for a period not to exceed (two weeks), ~~or one month~~, or for the duration of the associated event;
- *The flag shall be flown no more than once per calendar year;
- *After receipt by Town Hall staff, prior to approval, the request will be sent to the Town Council
- *No flags of commercial, religious or political organizations shall be permitted;
- *No flags of an individual, group or organization shall be permitted whose actions or philosophy are contrary to Town of South Windsor policies or Charter, or enable violence, discrimination, prejudice, or racism;
- * Flags will be flown according to the U.S. Flag Code:

Application for a Flag to be Flown in South Windsor 2020

A request for a flag to be flown in South Windsor should be at minimum of seven days in advance of the date for flag to be flown. The commemorative flag is to be flown on a Town flagpole according to the U.S. Flag Code

Print Name/ Street Address/ City and State

Phone #: _____ Cell #: _____

Date of Request: _____

Name of Flag to be Flown: _____

Flag dimensions must not be larger than: 5' x 9' with grommets for securing the lanyard.

Date (s) Event Requested for: _____

Special Requests: _____

Date to be Raised: _____ Date Lowered _____

Name of person making this request: _____

Signature of person making this request: _____

This Application must remain on file in the South Windsor Town Manager's Office and cannot be submitted more than once in any calendar year.

Signature/Town Manager: _____ Request

Received by Town Manager/Date: _____

Accepted: _____ Approval process by

Town Council: approved _____ (date) denied _____ (date)

Approved by the South Windsor Town Council on: _____

Flag Location: _____

VEHICLE SURPLUS						
VEHICLE ID	YEAR	MAKE	MODEL	VIN #	REASON TO BE REMOVED FROM SERVICE	DEPARTMENT
1015	2011	FORD	F150	1FTFX1EF4BFA15559	REPAIR COSTS EXCEED ITEMS VALUE	POLICE