

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

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July 19, 2021

**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 Erica Evans
Councilor Steven King, Jr.
Councilor Philp Koboski
Councilor Cesar Lopez
Councilor Karen Lydecker (arrived at 7:35 p.m.)
Councilor Lisa Maneeley
Councilor Janice Snyder

Others Present: Michael Maniscalco, Town Manager
Scott Roberts, Asst. Town Manager/CIO/Emergency Mgmt.
Vanessa Perry, Asst. Town Manager/Director of H.R.

4. Mayor's Remarks

Mayor Paterna requested that the Council take a Moment of Silence for two South Windsor Town employees who passed away, Officer Ben Lovett, South Windsor Police Department; and Joseph Pava, South Windsor Public Library.

5. Adoption of Agenda

Councilor Koboski made a motion to adopt the agenda as presented. Councilor Snyder seconded the motion, and it was approved unanimously.

6. Communications and Reports from Town Manager

Town Manager Maniscalco reported on the following:

- There have been a total of 1,748 cases of COVID-19 in South Windsor, with 1,692 past quarantine at this time. Fifty-three individuals in South Windsor have passed away due to COVID-19.

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ITEM:

6. Communications and Reports from Town Manager (Continued)

- During Storm events in the past week, the Town had close to 200 damage spots consisting of power lines down, trees down, roads blocked, flooding, and other multiple issues. The Public Works Department, Police Department, Fire Department, and Water Pollution Control should be recognized for their outstanding work during Storm Elsa and previous weather events.
- The Town issued a Declaration of Emergency due to the considerable damage from the storms, debris management, and the possibility of flooding. Issuing the Declaration of Emergency enabled the Town to be ready to receive permits towards debris management, a debris management site, and to receive reimbursement through FEMA if necessary.
- A mosquito in South Windsor has tested positive for West Nile. Residents should take the appropriate steps to keep themselves and their family safe which includes minimizing time spent outdoors between dusk and dawn; be sure door and window screens are tight-fitting and in good repair; wear shoes, socks, long pants, and a long-sleeved shirt when outdoors for long periods, or when mosquitoes are most active. Clothing should be light-colored and made of tightly woven materials that keep mosquitoes away from the skin; use mosquito netting when sleeping outdoors or in an unscreened structure and to protect small babies when outdoors; consider the use of mosquito repellent, according to directions, when it is necessary to be outdoors; and eliminate standing water as much as possible on your property to reduce the mosquito population. Dunks are available for residents at the Health Department.
- Town staff has finalized and submitted their project proposals for the American Recovery Act Funds, which have been approved. The list will be on the Town website.
- The Transparency Report has been submitted for review, as shown in attached **Exhibit A**.

Answering questions from the Council, Town Manager Maniscalco explained that the proposal for sidewalks is for Pleasant Valley Road to get residents to the park, not the school. All of the information regarding the American Recovery Act Funds is being put on the website, but will not public until tomorrow. The proposed road repair project for the Pleasant Valley Road and sidewalk project will be done in conjunction with each other if possible. The sidewalk project will be from Long Hill Road to Veterans Memorial Park.

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7. Public Input

Mrs. Karen Wagner, 181 Tumblebrook Drive, came before the Council and voiced her support for the creation of an Arts Commission.

Mr. Anthony J. Dennis, 47 Breezy Hill Road (**Exhibit B**)

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: Regular Meeting Minutes of July 6, 2021.

Was made by Councilor Koboski
Seconded by Councilor Snyder
The motion was approved unanimously

9. Communications from Liaisons, Officers, and Boards Directly Responsible to Council

Mrs. Karen Wagner from the Mass Transit and Highway Advisory Board came forward and explained that the Board is creating more opportunities for public transportation in South Windsor. The Board filed an application with the U.S. Department of Transportation for a grant in the amount of \$135,000 to pay for a survey and design and planning study for this service. The design study would recommend the optimal routes, provide services to under-served neighborhoods, provide better services to the business community, recommend support services and talk about the cost for this service. A Town-wide survey would be done to see if there is interest in using this type of transit system. If the Town gets this grant, the Mass Transit and Highway Advisory Board could move forward with the planning and put the Town in a favorable position to apply for other grants and other means of revenue to establish this bus system in Town. The Town Council's approval would be necessary to accept the grant.

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ITEM:

9. Communications from Liaisons, Officers, and Boards Directly Responsible to Council (Continued)

Answering questions from the Council, Mrs. Wagner explained that under the proposal developed, it would be expected that a small fare would be charged. The Town would pay nothing. This endeavor would be for the Town of South Windsor but could cover a couple of areas with gaps in Manchester and Vernon. The Mass Transit and Highway Advisory Board have also discussed linking this system up to the bike path. Both of these ideas will be discussed further in the future. The Town should know in November if South Windsor will receive the grant.

Councilor Snyder reported that the Planning & Zoning Commission had approved an 8-24 referral for Pleasant Valley Elementary School with special requirements placed on that project. The Board of Education came back to the Planning & Zoning Commission because there are requirements placed on the approval that they cannot meet.

Councilor Snyder informed the Council that the Library Board does not have funding to get carpeting for the whole area. There is a resolution on tonight's agenda to transfer funds to order the necessary carpet. The Library received a grant for close to \$20,000, and they are presently reviewing ways to spend those funds based on the criteria.

Mayor Paterna stated that he attended the Open Space Task Force meeting, and they would encourage the purchase of property located at 155 Griffin Road.

Councilor Maneeley made a motion to suspend the rules to bring Item 13. A. after Item 9. Communications from Liaisons, Officers, and Boards Directly Responsible to Council. Councilor King seconded the motion, and it was approved unanimously

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ITEM:

13. New Business

**A. Discussion Item: Car Break-ins in the Town of South Windsor
(requested by Councilor Maneeley) (Chief Lindstrom, Police Department
to be present)**

Councilor Maneeley explained that she had requested this discussion because there have been many car break-ins and is wondering if this could be addressed.

Chief Lindstrom from the Police Department explained that car break-ins are happening all across Connecticut. There are a few things that are being worked on regionally, but the best tool is to educate the public. The scope of this activity is extending beyond cars and into garages and is happening not only at night but during the day.

Senator Saud Anwar came before the Council and gave a presentation titled "Juvenile Car Crimes, Understanding the Issue and Solutions," as shown in **Exhibit C**.

Chief Lindstrom informed the Council that there had been 27 thefts of automobiles since July 2020 and 67 reports of burglary into a motor vehicle. The South Windsor Police Department is trying to remind the community to have a routine of locking their vehicles. It is important for law enforcement agencies to act regionally with this issue. It has become a statewide policy not to pursue these individuals in a car chase. Chief Lindstrom does not feel it is worth anyone getting hurt. There needs to be a multi-prong approach regionally, which would include the Police, mental health, legislation, and judges; and public education should be available to the victims and the suspects. The law only allows the police to hold the suspects (kids) for six hours and the police have to apply for an order to detain, which has to be signed off by a judge. There have been instances where the parents of these suspects have pleaded to have their kids detained longer, but the police cannot do that. Chief Lindstrom informed the Council that he and the Town Manager had discussed some strategies that will hopefully be helpful.

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ITEM:

13. A. (Continued)

Answering questions from the Council, Chief Lindstrom reiterated that the public should have a routine to remove valuables from the vehicle, lock their cars, and lock their house. If someone is pulled over by the police, you should have a dialogue with the officer if your registration or necessary materials are in a different location in your vehicle.

Councilor Lydecker stated as well as looking at different strategies to help eliminate this activity there also needs to be funding for rehabilitative programs for these children who are committing these crimes and being arrested because they do not have support at home and they need to become involved in community activities.

Councilor Evans felt it is important to understand why this is happening and seek preventative measures.

Answering a question from Councilor King, Chief Lindstrom explained that he does not have numbers on suspect identities or suspect Town of residence with him to be able to tell the Council how many of these crimes are believed to be by someone in the community compared to outside of the community. Senator Anwar commented that the Chief of Police in East Hartford stated that 80% of the vehicles stolen in their community were recovered in Hartford, but that does not mean that is where the suspects live.

Councilor Snyder said that the crimes these juveniles are committing are wrong, and action needs to be taken to curve the escalation of further activity. There needs to be something done through the legislation.

Councilor Koboski stated that he hopes when discussions occur through the Legislature that they include the various professionals that can help with a solution to this problem.

Councilor King felt that there is a responsibility on both sides. If people know that cars are being broken into and are being stolen or items inside the cars are being stolen, it is the responsibility of everyone to lock their vehicles. The suspects should know that stealing is wrong and there are consequences to those actions, but there should also be an opportunity to rehabilitate.

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ITEM:

13. A. (Continued)

Senator Anwar stated that the State hears the community but also recognizes that there is a responsibility to protect the children who are being guided by the wrong individuals to commit these crimes.

Deputy Mayor Pendleton requested that Senator Anwar come back to the Council to report on the State's plan of action to help with this issue after it has been determined. Deputy Mayor Pendleton then requested that after Chief Lindstrom meets regionally on this issue, if there is anything that can be done locally, please let the Council know. If the Town decides to invest in any future education for this item, the Town Manager should make the Council aware.

Chief Lindstrom stated that all incidents should be reported to the police. The police may not solve the crime but could use the location and data to come up with a plan.

Mayor Paterna suggested that when a regional meeting regarding this issue is held that a task force of government officials be included in meetings.

10. Reports from Committees

None

11. Consent Agenda

a. First Reading

Councilor Lopez made a motion to approve Agenda Item 11.a.A as a First Reading on the Consent Agenda. Councilor Snyder seconded the motion, and it was approved unanimously.

A. Resolution Appointing Deputy Mayor Pendleton (D) to the Pension Committee and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting

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ITEM:

11. Consent Agenda (Continued)

a. First Reading (Continued)

BE IT RESOLVED that the South Windsor Town Council hereby appoints Deputy Mayor Pendleton (D) to the Pension Committee for a term ending November 8, 2021, to fill the unexpired term of Mary Justine Hockenberry and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

Councilor Maneeley made a motion to approve Agenda Items 11.a.B. as a First Reading on the Consent Agenda. Councilor Snyder seconded the motion, and it was approved unanimously.

B. Resolution Reappointing John Phillips (R) to the Inland Wetlands Agency/Conservation 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 reappoints John Phillips (R) to the Inland Wetlands/Conservation Commission for a term ending June 1, 2025, and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

Deputy Mayor Pendleton made a motion to approve Agenda Items 11.b.A. as a Second Reading on the Consent Agenda. Councilor Snyder seconded the motion, and it was approved unanimously.

b. Second Reading (Continued)

A. Resolution Reappointing Matthew Streeter (U) to the Cable Advisory Board

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Matthew Streeter (U) to the Cable Advisory Board for a term ending June 30, 2023.

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ITEM:

11. Consent Agenda (Continued)

b. Second Reading (Continued)

Councilor Lydecker made a motion to approve Agenda Items 11.b.B. through 11.b.D. as a Second Reading on the Consent Agenda. Councilor Snyder seconded the motion, and it was approved unanimously.

B. Resolution Appointing Alan Cavagnaro (D) an Alternate to the Planning & Zoning Commission

BE IT RESOLVED that the South Windsor Town Council hereby appoints Alan Cavagnaro (D) an Alternate to the Planning & Zoning Commission for a term ending December 1, 2023, to fill the unexpired term of Elizabeth McGuire.

C. Resolution Appointing Claudia Bernstein (D) to the South Windsor Alliance for Families

BE IT RESOLVED that the South Windsor Town Council hereby appoints Claudia Bernstein (D) to the South Windsor Alliance for Families for a term ending September 1, 2022, to fill an expired vacancy.

D. Resolution Appointing Tim Appleton (D) an Alternate to the Board of Assessment Appeals

BE IT RESOLVED that the South Windsor Town Council hereby appoints Tim Appleton (D) an Alternate to the Board of Assessment Appeals for a term ending November 30, 2021, to fill the unexpired term of Gavin Zhu.

12. Unfinished Business

A. Discussion Item: The Creation of a Memorial to Honor Residents who have been Impacted by COVID-19 (*requested by Councilor Evans*) (*Previously discussed at the Town Council Regular Meeting on July 6, 2021*)

Councilor Evans explained that the Town is in preliminary discussions with The Home Depot to receive a grant for the materials needed to create a memorial. Councilor Evans suggested that when this memorial is unveiled that a speaker is there to discuss mental health and the programs available to address mental health. This item will be discussed further at the next meeting.

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ITEM:

12. Unfinished Business (Continued)

B. Discussion Item: Creation of an Arts Commission (*requested by Councilor Evans*) *Previously discussed at the Town Council Regular Meeting on July 6, 2021*)

Councilor Evans stated that she is working on a rough draft Ordinance which should be ready for the Council to review in September.

Councilor Koboski questioned if the established Arts Committee could take over this Commission.

Councilor Snyder stated that she is concerned about setting up another Commission. In other communities, this type of Committee/Commission is private. This would prevent any monies from being spent by the Town.

Councilor King suggested bringing in the individuals who have been part of the Arts Committee in the past.

Answering questions from Councilor Maneeley, Councilor Evans explained that she would like an Arts Commission established to make a commitment to encourage and foster the arts in the South Windsor community. Councilor Evans stated that a rough draft of the Ordinance would be sent to the Council before the meeting in September. Mayor Paterna felt that individuals from past/present Arts Committees should be invited to the Town Council meeting in September.

C. Discussion Item: Recommendation to Review Transparency and Communications in South Windsor Town Government (*requested by Councilor Evans and Deputy Mayor Pendleton*) (*Previously discussed at the Town Council Regular Meeting on July 6, 2021*)

Councilor Evans thanked the Town Manager for putting the Transparency Chart together (**Exhibit A**). Councilor Evans felt that under Opportunities to Involve Unaffiliated Voters could be switched from not started to in progress because while establishing the Social Justice and Racial Equity Commission Ordinance, there was language in the Ordinance that creates the opportunity for unaffiliated membership. Councilor Evans suggested sharing this chart with the Town, and there may be other recommendations related to transparency.

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ITEM:

12. C. (Continued)

Answering a question from Councilor King, Town Manager Maniscalco explained that the Town billboard refers to electronic signs that are programmed to inform the public about various Town functions/events/messages/meetings. There will be one by the EOC, Town Hall, and one or two more throughout Town. These were paid for by a grant.

Councilor Maneeley requested that the Transparency Report be put on the Town website for the public to view. Deputy Mayor Pendleton felt that this item should be displayed in an easily accessible area such as under the Town Manager's Department.

Town Manager Maniscalco stated that in terms of an Instructional video to explain how residents can get involved if someone has an idea and would like to put a video together, the Town has the equipment that could help to promote people's participation in Boards/Commissions/Volunteer Activities. As far as the Town website, individual pages are updated by individual departments with the help of IT if needed.

Answering questions from the Council, Town Manager Maniscalco explained that some items on the Transparency Report would continually be ongoing. Green shows that the item has been complete. Town Manager Maniscalco informed the Council that each department has its own Facebook and then there the main Town Facebook managed through the IT Department. If the main Facebook is not up-to-date, that can certainly be done.

Mr. Scott Roberts, Assistant Town Manager/CSO/Emergency Management, came forward and explained that because there are so many Town Facebook pages, the IT Department has always asked each department to share their posts on Facebook with the main Facebook, but that does not always happen. The Town is working on ways to improve posts going to the main Facebook. If there is information that people would like the Town to share, please send it to the Town. A resident can search South Windsor, CT under Facebook, and everything will come up.

Mayor Paterna felt that there should be a standard for all departments to share all their information. Town Manager Maniscalco stated that this would be reviewed and coordinated better.

Town Manager Maniscalco stated that the agenda and the minutes on the website, for the most part, are up-to-date.

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Deputy Mayor Pendleton made a motion to suspend the rules to move Item 12. D. after Item 13. F. Councilor Snyder seconded the motion, and it was approved unanimously.

13. New Business

B. Resolution Authorizing Referendum on the Sale of a Certain Parcel of Property Known as Lot 2 and Located at 725 Sullivan Avenue, South Windsor

BE IT RESOLVED, that the Resolution entitled "Resolution Authorizing the Sale of a Certain Parcel of Property Known as Lot 2 and Located at 725 Sullivan Avenue" heretofore at this meeting adopted, be submitted to the Town electors for approval, or disapproval, at a referendum to be held in conjunction with the general election on November 2, 2021; and that the warning of said referendum state the question to be voted on as follows:

"Shall the resolution entitled "Resolution Authorizing the Sale of a Certain Parcel of Property Known as Lot 2 and Located at 725 Sullivan Avenue, South Windsor, to JP RE Holdings, LLC for the sum of Two Hundred Sixty-Five Thousand Dollars (\$265,000), adopted by the Town Council on July 19, 2021, be approved?"

The ballot label for said question shall read as follows:

"Shall the resolution authorizing the sale of a certain parcel of property known as Lot 2 and located at 725 Sullivan Avenue, South Windsor, to JP RE Holdings, LLC for Two Hundred Sixty-Five Thousand Dollars (\$265,000) be approved? YES/NO"

The warning of said referendum shall state that the full text of said resolution is on file and open to public inspection in the Office of the Town Clerk.

Was made by Councilor Evans
Seconded by Councilor Maneeley

Answering questions from the Council, Town Manager Maniscalco explained that the property was purchased in 2009. The excess property that was not used for the development of the firehouse was identified for economic development purposes. The proposed development for this property would be

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ITEM:

13. B. (Continued)

for a medical office building with some rehabilitation and office space. The Town would collect approximately \$8,800 with no development on the property and will collect approximately \$120,000 in taxes if developed as proposed. Personal property is not included in this estimate. The Town does not advertise that property is for sale in the Town of South Windsor, but someone can go onto the GIS map and look for vacant parcels.

Councilor Snyder added that for approximately 12 years, no one has been interested in this property, and now someone has approached the Town to purchase this property.

Mayor Paterna called for a vote on the motion; it passed on a Roll Call vote of 8-1 with Mayor Paterna, Deputy Mayor Pendleton, Councilor Evans, Councilor King, Councilor Koboski, Councilor Lopez, Councilor Maneeley, and Councilor Snyder voting in favor of approval; and Councilor Koboski voting in opposition of approval.

C. Resolution Authorizing the Town Manager to Sign and Execute all Necessary Agreements with ICMA Retirement Corporation

WHEREAS, the Town of South Windsor is the named Employer-Sponsored for five separate deferred compensation plans with ICMA for employees of the Town; and

WHEREAS, the named authorized Plan Coordinator is the former Town Manager Matthew B. Galligan and should be updated to the current Town Manager Michael Maniscalco

NOW, THEREFORE, BE IT RESOLVED that Michael Maniscalco, Town Manager for the Town of South Windsor shall be the coordinator for each plan; shall receive reports, notices, etc. from ICMA Retirement Corporation or Vantage Trust; shall cast, on behalf of the Employer any required votes under VantageTrust; and may delegate any administrative duties relating to the Plan to appropriate departments; and

BE IT FURTHER RESOLVED, that the South Windsor Town Council hereby authorizes the Town Manager to sign and execute all necessary agreements with ICMA Retirement Corporation incidental to the administration of the Plan.

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ITEM:

13. C. (Continued)

Was made by Councilor King
Seconded by Councilor Snyder
The motion was approved unanimously

D. Resolution Approving a Transfer of \$45,000 from the Fiscal Year 2021 Building Utilities Account to the Library Carpet Replacement Capital Account

BE IT RESOLVED that the South Windsor Town Council hereby approves a transfer of \$45,000 from the Fiscal Year 2021 Building Utilities Account to the Library Carpet Replacement Capital Account to cover costs for additional carpeting for the lower level at the South Windsor Public Library.

Was made by Councilor Snyder
Seconded by Councilor Maneeley

Town Manager Maniscalco explained to the Council that this transfer would allow the carpet for the Library's lower level to be purchased, but it will not be installed until a later date.

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

E. Resolution Waiving the Competitive Bidding Process for DNR Laboratories

WHEREAS, the Town of South Windsor Information Technology Department's two primary media servers responsible for the recording and broadcasting of public meetings will no longer be supported and need to be replaced due to their age as of September 12, 2021; and

WHEREAS, the current servers, as well as all of the other G-Media equipment, were installed, programmed, and have been supported by DNR Laboratories, LLC; and

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13. E. (Continued)

WHEREAS, given the specialized nature and complexity of the Town's A/V setup, DNR's first-hand knowledge of this setup, the fact that the new equipment will need to seamlessly integrate with the Town's current setup that DNR configured, and DNR has already quoted the project, it is felt that it would be in the Town's best interest to waive competitive bidding

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby waives the competitive bidding process.

Was made by Councilor Lopez
Seconded by Councilor Maneeley

Mr. Scott Roberts, Assistant Director/CSO/Emergency Management, explained to the Council that the technology itself is not unique, but the configuration and programming are unique. Over the last ten years, all of the uniqueness has been built into this system by DNR and the Town. Using DNR saves the Town half of the cost if another vendor came in and did the same work.

Town Manager Maniscalco suggested that a new resolution be brought back before the Council to make DNR the vendor of this project.

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

F. 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 refunds being \$9,675.79 and as more fully described on attached **Exhibit A**.

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

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ITEM:

12. Unfinished Business (Continued)

D. Discussion Item: Proposed Revisions to the Town Council Rules & Procedures (requested by the Town Council Rules & Procedures Committee) (Previously discussed at the Town Council Regular Meeting on July 6, 2021)

Deputy Mayor Pendleton stated she would like every Council member to state their proposed suggested changes. Mayor Paterna informed the Council that all items discussed at the previous meeting had been put into this new draft.

Councilor Koboski suggested that on page 5 of the redlined version, he would like to keep the speaker's time limit at five minutes. On page 19, under voting for changes to the Town Council Rules & Procedures, he would like that to be changed to 2/3rds plus one.

Councilor Maneeley agreed that speaker's time limit should be five minutes. Also, on page 17, she would like more than one person to say no for the time of adjournment. Deputy Mayor Pendleton said that could be looked at and make sure it is not Charter driven.

Mayor Paterna would like the speaker's time limits discussed.

Councilor Evans would like to keep the Adoption of Agenda. Emails being brought forth to the Councilor members should be read into the record or should have something in the procedures to show that they want their email read. The timeline that the agenda is set should be reviewed to make sure they are workable.

Councilor Lopez stated that on page 2, Article III, Section 2, Item C – The Mayor shall be recognized as the official head of the Town for all ceremonial and military purposes. Should ceremonial be defined? Deputy Mayor Pendleton explained that it is taken from the Charter, so it is not something that can be changed.

Councilor Lopez, on page 4, Article IV, Section 6, Item b – should language be added to explain what the responsibilities regarding Executive Session are after someone is no longer a Councilor? Deputy Mayor Pendleton felt that Town Attorney input should be sought for this question.

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ITEM:

12. D. (Continued)

Councilor Lopez felt that public speakers should be allotted five minutes to speak.

Councilor Lydecker stated that public speakers should be allowed five minutes to speak no matter if the meeting is in-person or virtual. Also, emails should be read into the record. This is a great way for the public to communicate with the Council.

Councilor Snyder agreed that public speakers should be allowed five minutes to speak.

Deputy Mayor Pendleton stated that the revisions will be made and given to the Council for review.

13. New Business (Continued)

G. Discussion Item; Legalization of Marijuana in the State of Connecticut and the Possible Impacts on the Town of South Windsor *(requested by Councilor Koboski and Mayor Paterna)*

Councilor Koboski felt that a temporary moratorium should be placed on the possibility of dispensaries being established in Town to enable the Council to hold discussions regarding how the Town would like to move forward and how the Town would meet the guidelines in SB1201.

Mayor Paterna felt that the Council should have a discussion in September and should draft standards for the establishment of dispensaries in Town.

Town Manager Maniscalco stated that he is sure that the State will send more information to the Town that will be shared with the Town Council. Town Manager Maniscalco explained that he would like to have a discussion with the Town Attorney to find out whose responsibility it is to set standards for the establishment of dispensaries, the Town Council, or the Planning & Zoning Commission. He also would like to find out whose responsibility it would be to implement a moratorium. These items can be discussed at the next Town Council meeting.

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ITEM:

13. G. (Continued)

Mayor Paterna stated that the sale is not going to start until 2022 and as Councilor Koboski pointed out, Enfield Town Council went ahead, not the Planning & Zoning Commission, and approved banning the establishment of dispensaries in their Town. Town Manager Maniscalco cautioned the Council on comparing South Windsor with other communities because sometimes roles are different in each community. Additionally, Town Manager Maniscalco explained that presently South Windsor has a medical dispensary in Town, and we do not want to impact them negatively.

Councilor King stated that if something does move forward, he would like to make sure it is an equitable process.

14. Passage of Ordinance

None

15. Public Input

None

16. Communications from Council

Councilor Maneeley thanked the Town Manager for Tweeting his Transparency Chart.

17. Executive Session

At 10:37 p.m., Deputy Mayor Pendleton made a motion to go into Executive Session to discuss the possible purchase of real estate for the Town pursuant to Connecticut General Statutes §1-210 (b)(7) (Sullivan Avenue), and to discuss potential litigation (CIRMA Claim). Councilor Snyder seconded the motion, and it was approved unanimously.

The following individuals went into Executive Session: Mayor Paterna, Deputy Mayor Pendleton, Councilor Evans, Councilor King, Councilor Koboski, Councilor Lopez, Councilor Lydecker, Councilor Maneeley, Councilor Snyder, Town Manager Maniscalco, and Assistant Town Manager Vanessa Perry, and Assistant Town Manager Scott Roberts.

The Executive Session adjourned at 11:10 p.m.

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ITEM:

18. Adjournment

At 11:10 p.m., Councilor Maneeley made a motion to adjourn the Regular Meeting. Councilor Snyder seconded the motion, and it was approved unanimously.

Respectfully submitted,



Deborah W. Reid
Clerk of the Council

MEMO

DATE: July 13, 2021
FROM: Michael Maniscalco
TO: Town Council
SUBJECT: Transparency Report
CC: Scott Roberts & Vanessa Perry

Item Num	Action Item	Ranking	Notes
1	Digital Audio and Video made available to the public through web and app	Complete	All meetings are recorded digitally either in video or audio and then posted on the Town website.
2	Agendas and minutes Updated on Website	On-going	All major Boards and Commissions are up to date. There are a couple of minor Boards whose minutes are not up to date by 2 meetings or have not met during the pandemic.
3	Advertise and Use Connect SW App	Complete	The application has been updated to work with the latest iOS version for iPhone. We receive daily DPW work requests thru the system. We have posted about the upgrade on social media (FB) as well.
4	Increase Social Media Presence	Complete	The Town currently operates a Facebook page and Twitter account. Additionally, the Health Department, Parks and Recreation, Fire Marshal, Public Works, Youth & Family Services, Senior Center, Food and Fuel Bank, SWAN Parenting, Teen Center, Police Department, and Emergency Management all have and operate a Facebook pages. The Police Department, Public Work and Recreation also operate Instagram account. The Town and Recreation Department have YouTube Channels.
5	Monthly Email Blast Subscription	On-going	Monthly the Town Managers office sends out an email blast through thr reverse 911 system that is a boiled down version of the Town Managers report that is sent to the Town Council.
6	Town Billboard	In Progress	The DPW is currently working on installing electronic signs.
7	Staff and Board Chair Email Access	Complete	All staff have email access. The entire Town Council has email and laptops. Any Board Chairs that have asked for email have been granted. Some have opted out based on the FOI presentation.
8	Opportunities to involve Unaffiliated Voters	Not Started	Not sure who responsibility this is but it seems to be the responsibility of the Town Council.
9	Instructional video to explain how residents can get involved	Not Started	GMedia is willing to create videos is someone has ideas.
10	Make website and app more user friendly	Complete	Website and SW Connect was updated recently.
KEY:			
		Not Started	
		In Progress	
		On-going	
		Complete	

My name is Anthony J. Dennis. I currently reside at 47 Breezy Hill Road and wish these comments to be read and entered into the record as part of the Public Input portion of the Town Council's July 19th meeting. I respectfully but strenuously oppose certain of the proposed revisions to the Town Council Rules & Procedures to be discussed tonight under Agenda Item 12 D entitled "Unfinished Business."

Specifically, I urge the Council not to place additional limits and restrictions on the ability of citizens to exercise their First Amendment rights to address the Council in the "Public Input" or "Public Comments" portion of Town Council meetings. Pages 7 and 8 of the redline draft of the Town Council Rules & Procedures which was shared at the last Council meeting and which is appended to the Agenda of the July 19th Town Council meeting clearly shows that the Council is contemplating further restrictions on the ability of residents to provide comments at both in-person and virtual meetings. The Council already has reasonable rules in place governing public input which have served the Town and the Council well enough over the years.

I believe that certain important topics of debate will arise again this fall through next year - including but not limited to the attempted implementation of "equity" (not equality), "social justice" (which often comes at the expense of individual justice) and Critical Race Theory in our schools, throughout Town government and across our Town generally - which make it imperative that citizens have the right to speak and not have their First Amendment rights further restricted and abridged by Rules and Procedures changes implemented by the Council. It is an inopportune time, to say the least, to propose further free speech restrictions at Council Meetings in advance of what promises to be a lively debate on these and other topics. The "Public Input" portion of Council meetings is a crucial part of our functioning democracy and is doubly important at this time of cultural and political discussion and debate. To further limit, restrict and abridge citizens' rights to speak at the podium provided for that purpose at Council meetings would be a grave injustice and mistake. This is not the time to cap, curtail or limit discussion, expression or debate.

I perceive absolutely no compelling governmental interest or reason why these additional restrictions on free speech and the ability of residents to publicly comment should be implemented at this time. In a public forum such as a Town Council meeting, citizens have a right to speak and express their views publicly to Council Members. These free speech rights, which

are grounded in both our state and federal constitutions and other founding documents, are the essence of our representative democracy. They can be regulated by the government only to a certain, limited extent, and I believe you have already previously done so. There is no compelling governmental reason for these additional proposed speech restrictions, nor can they possibly outweigh the First Amendment rights of citizens to speak in this kind of designated public forum. I believe that for reasons of public policy and the public interest that these particular language revisions should also be promptly abandoned.

To date, you have publicly stated no reason other than the convenience of Town Council members and certain Town staff, for the Town Council to suddenly introduce a rule limiting all Public Input at in-person meetings to a total of 30 minutes and all Public Input at virtual meetings to a total of 50 minutes and reduce speaking times to 3 minutes. At your last meeting, Councilor Maneeley asked about the reasons for these new restrictions on Public Input and essentially was told that it took a long time to read comments into the record and that basically having a longer Public Input period at the in-person and virtual meetings was inconvenient. Please view the recording of your last meeting in which these proposed redline changes were raised and discussed by Councilor Maneeley and others.

These particular Rule changes represent quite a departure from past practice and quite an abrupt change in governing philosophy from no time limits to a strict 30 minute and 50 minute cap in total Public Input time. These changes beg the question. What kind of speech do you wish to limit, cap or exclude going forward? Are you anticipating a flood of speakers in the near future on any particular subject who you wish to muzzle, shut down or avoid? Why these proposed changes at this particular time?

There must be a motivating factor other than that the Council wishes to wrap up meetings early or on time instead of hearing from residents for a longer period of time, or that reading public input into the record is an inconvenience and takes too long. As elected officials who voluntarily chose to run for public office, don't you have more than 30 minutes or 50 minutes to spare so you can hear the perspectives or concerns of Town residents? I realize that Public Input extends the duration of meetings but you chose to run for office and were not forced to do so.

If a subject or topic is of sufficient concern that it actually motivates enough Town residents to come to a meeting to speak in person or to attend and speak virtually, wouldn't you want to hear from them even if the 30 minute or 50 minute mark found in the proposed revisions has already been exceeded? Wouldn't you want to encourage rather than discourage more citizen participation in government? I would think so, but please explain if you disagree.

Whether, as a matter of law, you can further limit public speech at a Town Council meeting or not, there is the issue of whether you ought to limit it. I can think of several meeting topics and Council debates from years past which ended up motivating a lot of residents to show up and speak at Council meetings well past the 30 minute or 50 minute mark. I believe that the Council benefited from hearing those extensive public remarks from residents at the time, and that the Council made more informed decisions as a result. Had the Council not allowed everyone to speak during past controversies which were the subject of past Council meetings, such a decision to end Public Input would have only increased the ire of Town residents, alienated voters from their elected officials and led to less informed Council decision making.

The Public Input portion of the meeting also serves as an important "early warning detection system" for the Council that a topic is percolating in the community and may be of significant concern in Town. The Council can then proactively take those comments or concerns into its own voting and decision making process going forward. Why further limit or turn off the "spigot" of Public Input when your own future deliberations and vote casting may benefit as a result?

Additionally, the current Rules governing Public Input enable residents to feel that they have a voice in our representative form of government. The current Rules in this regard also foster a sense of tolerance for different viewpoints and promote good will between voters and elected officials. Why change now?

I recommend you delete the proposed 30 minute and 50 minute total time limit rule limiting the free speech rights of residents during the Public Input portion of your meetings. Time restrictions are unnecessary and in any case, these two proposed time restrictions are exceedingly and unjustifiably short.

If you have to implement a total or aggregate time limit, then I ask you to please articulate at the meeting 1) your compelling governmental reasons for doing so, 2) how and why those governmental reasons and interests outweigh the important governmental and public policy interest in ensuring that all citizens are heard who wish to exercise their First Amendment rights to speak at these public meetings and 3) why you chose the time limits and restrictions you did (hopefully they will be much longer than merely 30 or 50 minutes!).

I recognize that the Council may extend the Public Input period at its pleasure, as further described in the redline draft of your Rules on pages 7 and 8, but no citizen should rest easy or be satisfied knowing that their right to free speech hinges upon the whims or inclinations of another. What if the matter being discussed is an embarrassment to the entire Council or the topic is one in which residents are critical of the Mayor and members of the Council? In that situation, it is highly likely that the Mayor would NOT move to extend the time limit allowed for Public Input and such a motion, even if made, would be unlikely to secure "the consent of the majority of the Council present." Yet, I think that everyone would agree that the public interest would be best served by allowing Public Input to continue beyond the allotted time if there was a matter or controversy of extreme importance to residents which was highly critical of the sitting Mayor at the time. The Mayor should not have the power to gavel to a close Public Input calling into question his fitness for office or competence to lead. These are just hypothetical examples.

With regard to the change from 5 minutes to a 3 minute limitation on individual speakers, I think there is no compelling governmental reason for making this change that would outweigh the public interest in allowing speakers to speak without rushing through their comments. Some topics are more complex than others, and thus warrant more time. And some speakers speak at a slower cadence or take longer to call their thoughts to mind. We should be accepting of these differences and allow people a little wiggle room in this regard, especially if some of our speakers are older, disabled or simply speak at a slower tempo or cadence. I can't think that any public official would begrudge someone the extra two minutes but I could be wrong as I read this proposed revision reducing speaking time from 5 to 3 minutes per speaker. If you get rid of the 30 minute and 50 minute rule, you will not have to worry about giving more speakers the right to speak as you will not have such an exceedingly short total time cap in place.

I urge you to delete the following proposed changes referenced on pages 7 and 8: the 30 and 50 minute aggregate caps, and the proposed change from the long-established 5 minute rule per speaker to the proposed 3 minute rule. Public policy, the public interest, individual free speech rights, Constitutional considerations and legal considerations all argue in favor of rejecting these particular proposed redline changes that are found on pages 7 and 8 of your draft Rules & Procedures. I urge you to do so, accordingly.

On a final but no less important note, I also think your existing language found in your Rules & Procedures banning speech which involves “personalities” or “impugning improper motive to any person” is legally problematic and could be subject to Constitutional challenge because your current bans appear to be unconstitutionally vague and overbroad. I urge you to revisit these two phrases as I think they may unconstitutionally “chill” residents from fully exercising their First Amendment rights for fear of running afoul of these two limitations. I can foresee any one of a number of hypothetical scenarios where a citizen might want to raise a concern which, in particular, might be construed as “impugning improper motive to any person.” Virtually any controversy, if viewed in a certain way, can be viewed as violating these prohibitions, especially the latter. If I had to choose among the two phrases which one to delete, I would urge you to delete the second prohibition concerning “impugning improper motive to any person” as I think that language is Constitutionally overbroad, more problematic both legally and as a practical matter, and can lead you into legal difficulties. I only mention this since you are presently in the midst of drafting changes to the Rules & Procedures so I thought you might benefit from my thoughts on these passages as well.

Respectfully yours,

Anthony J. Dennis, Esq.

Juvenile Car Crimes

Understanding the issue and solutions

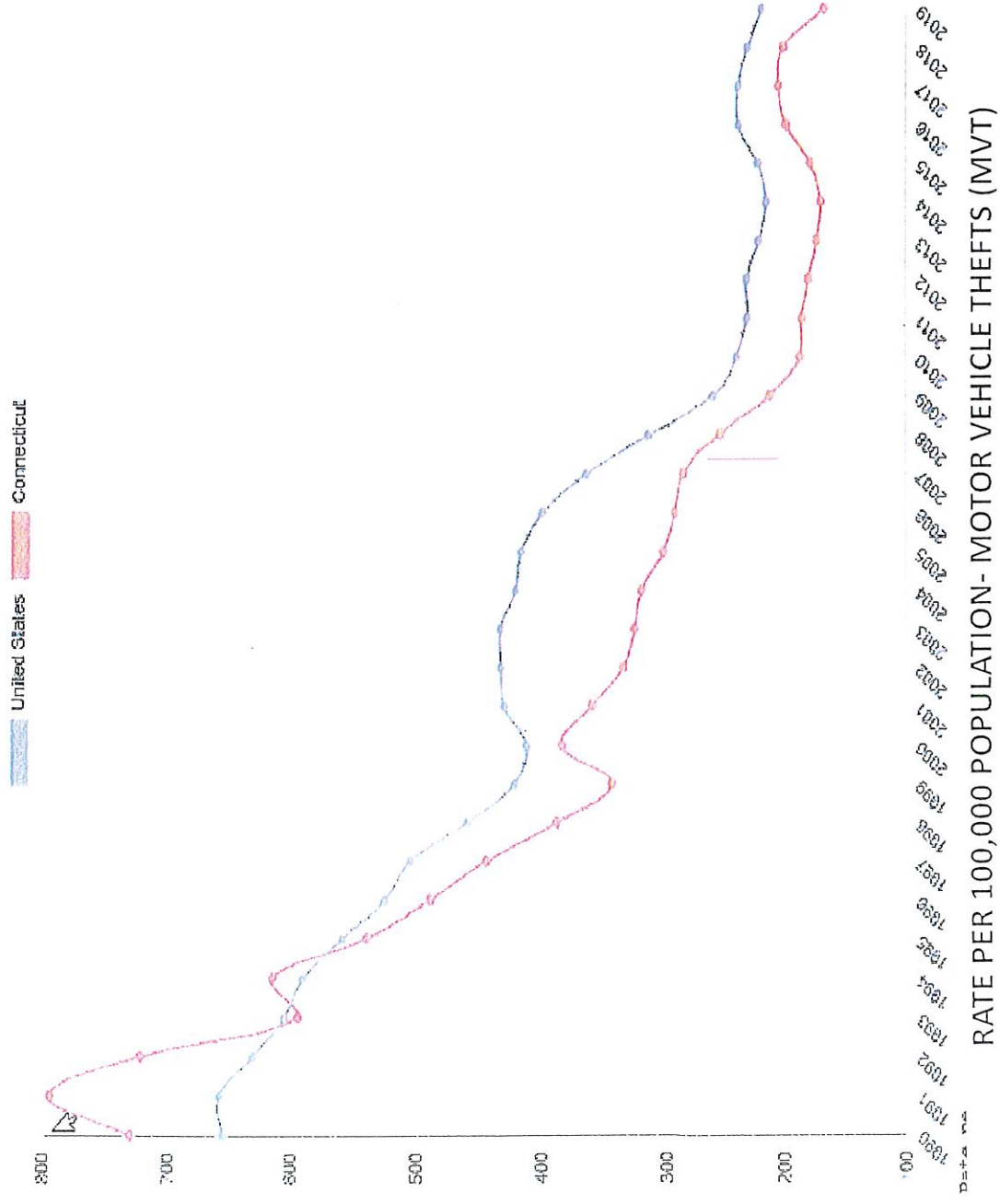
July 2021

Senator Saud Anwar

CAR CRIMES

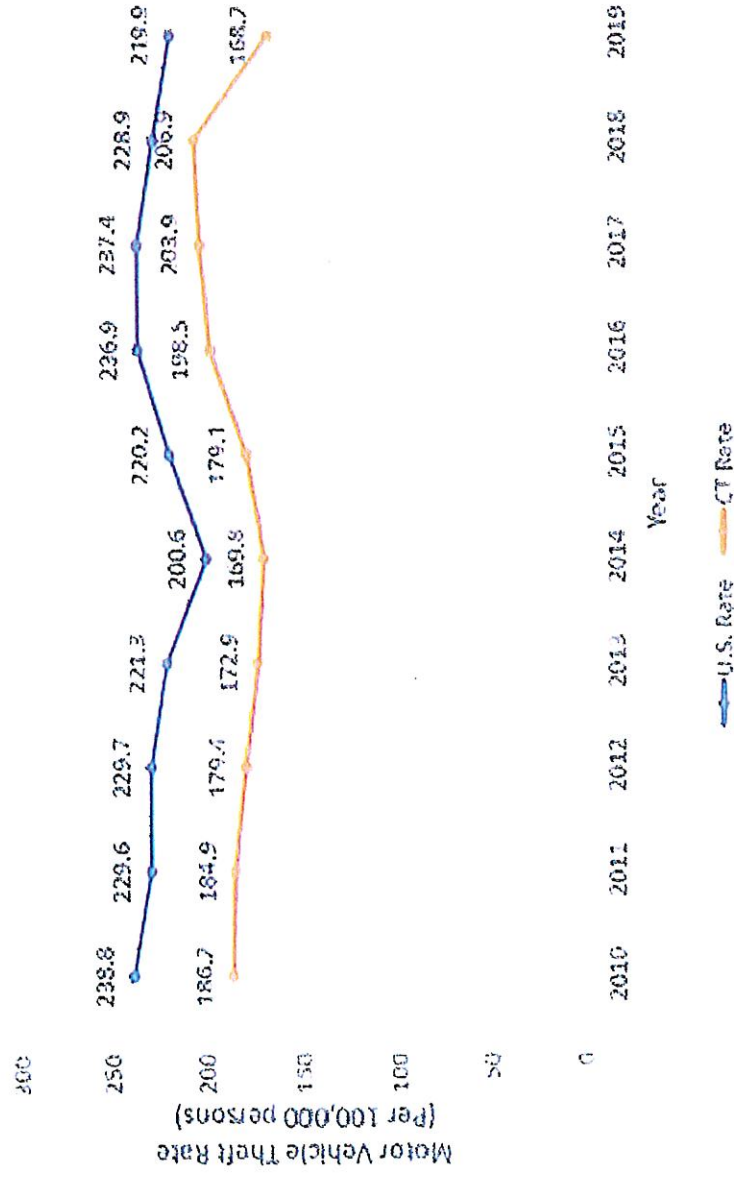
- A: Theft from cars
- B: Theft of cars
- C: Using cars for other crimes

Exhibit C



CT Examiner April 2021
FBI Uniform Crime Report.
courtesy of John DeCarlo.

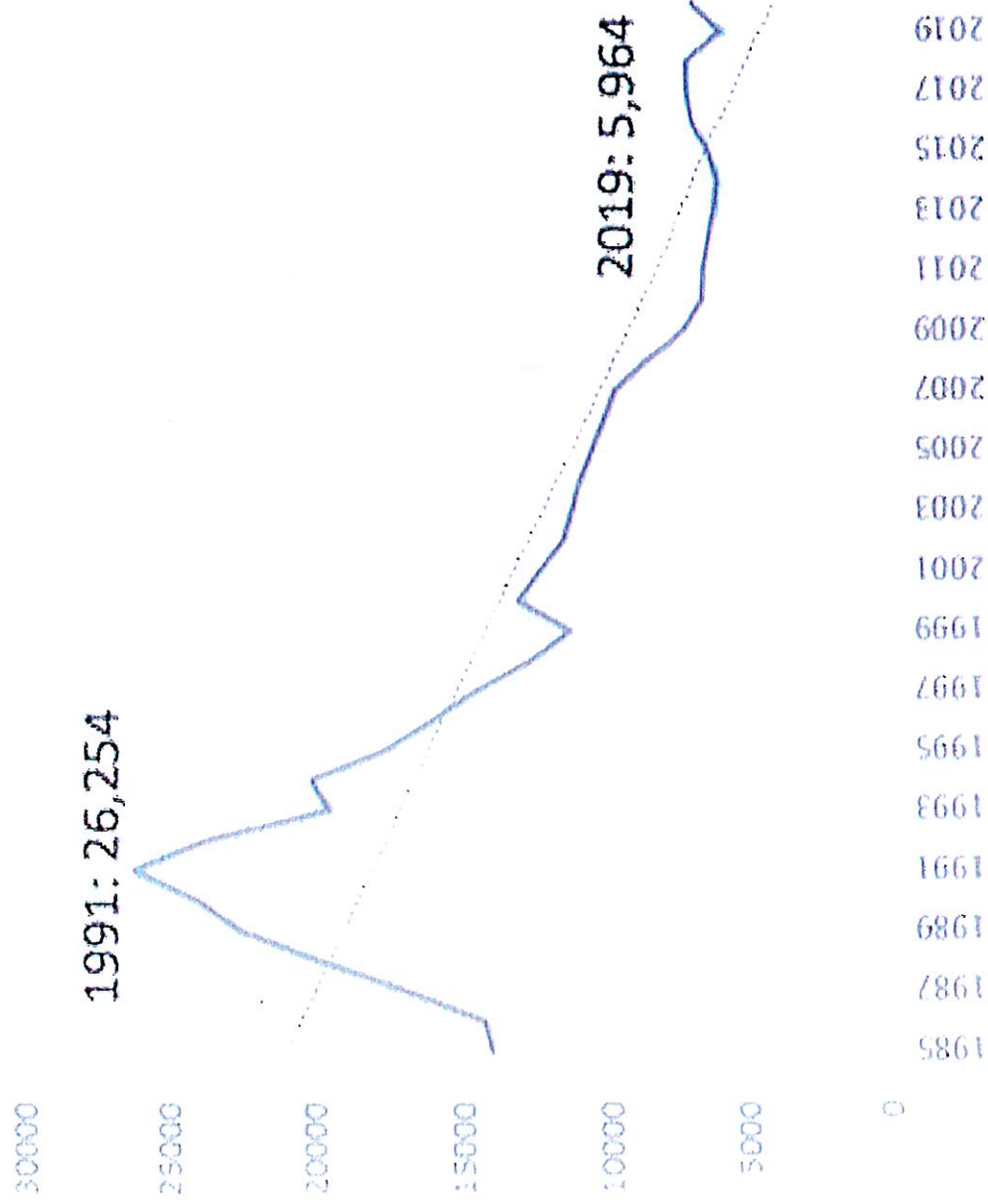
In the past decade, Connecticut MVT rate has remained below the national average and it has dropped by a larger percentage over the last decade.



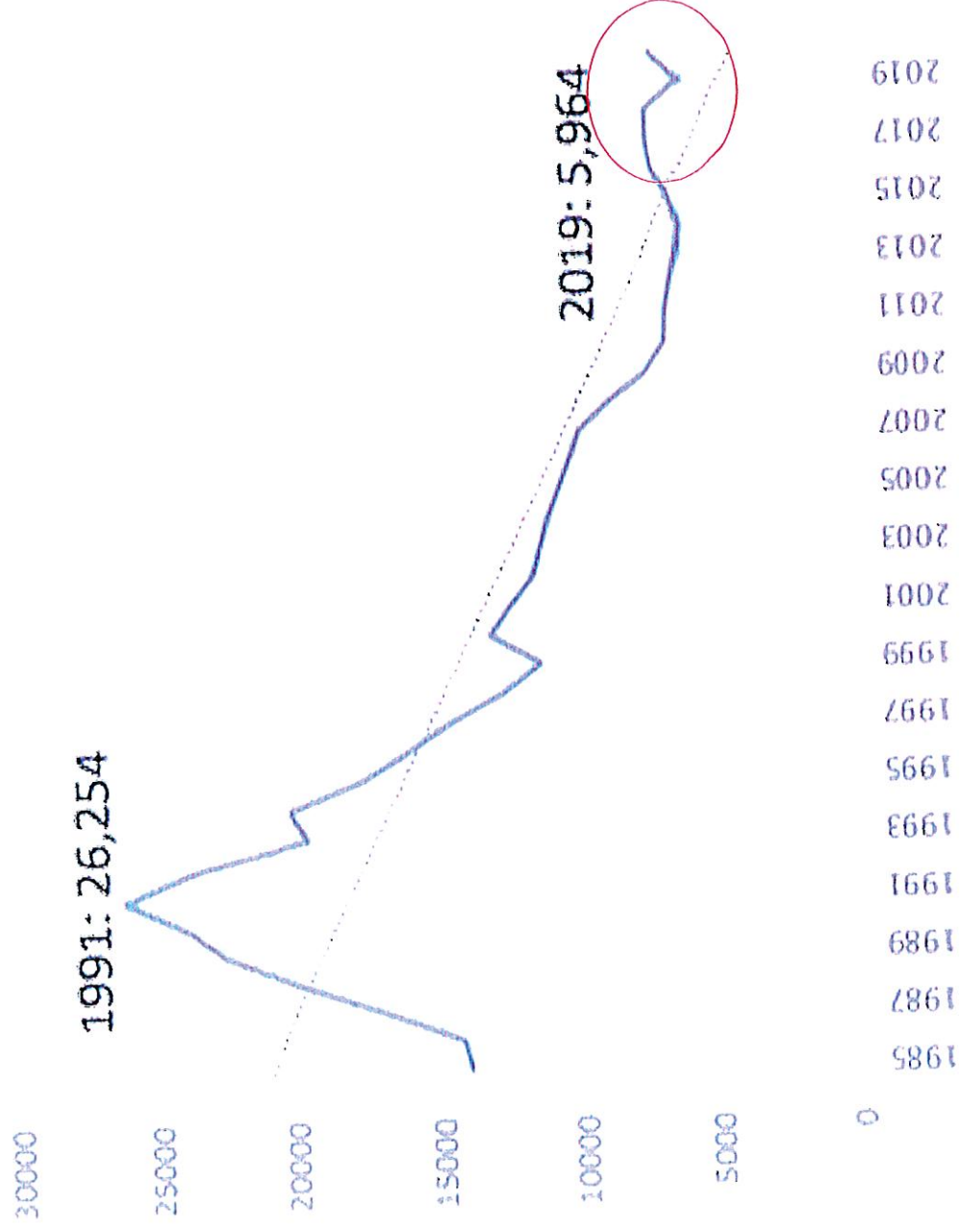
Source: Office of Crime in Connecticut data.

- Connecticut's MVT rate dropped by a larger percentage than the national average between 2010 and 2019.
 - CT- 21% decrease in MVT
 - US- 15% decrease in MVT
- Connecticut's MVT rate dropped by a significantly larger percentage between 2018 and 2019 than the national average.
 - CT- 17% decrease in MVT
 - US- 4% decrease in MVT
- 2020 preliminary MVT rate is up from 2019, but still 3% lower from 2018.
 - This change is more in-line with the national trend and makes 2019 an outlier

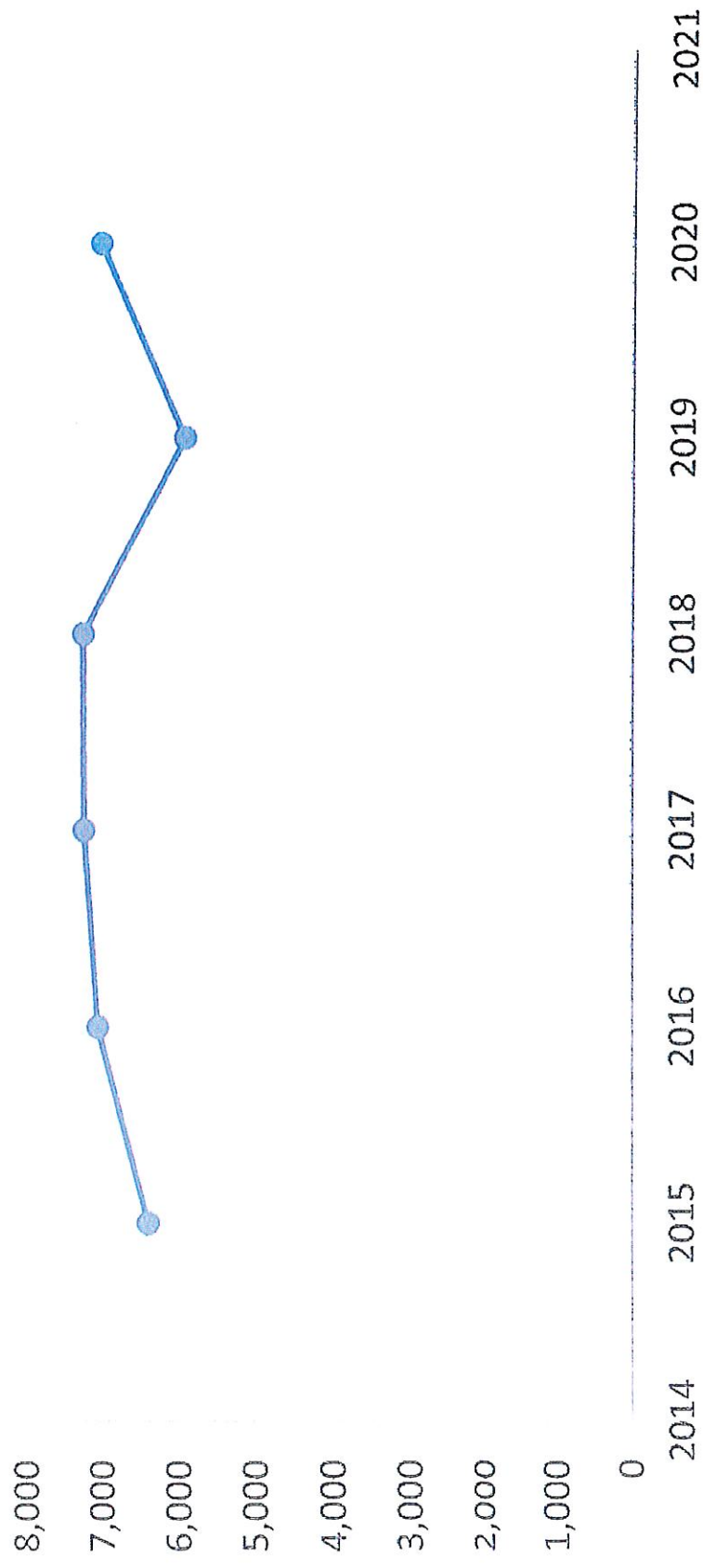
Institute for Municipal and Regional Policy



Institute for Municipal and Regional Policy

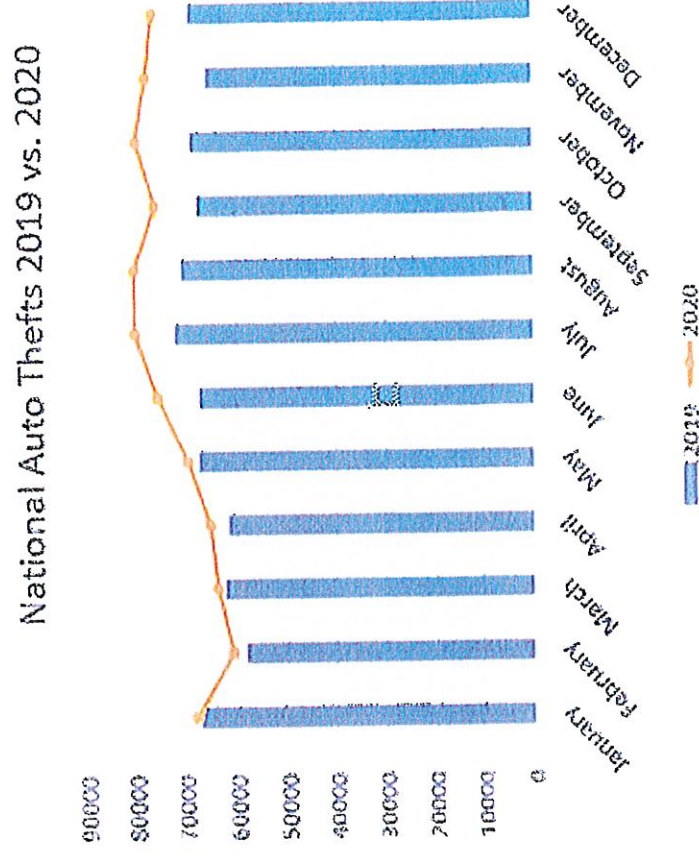


Number of motor vehicle thefts in Connecticut, 2015-2020



The National Insurance Crime Bureau reports that auto theft took a dramatic leap upward in 2020 compared to 2019.

- According to the NICB initial study, MVT increased by 9.2% nationally between 2019 and 2020.
- Although not definitive, the NICB's report indicates that, "considerations such as pandemic, economic downturn, loss of juvenile outreach programs, and public safety budgetary and resource limitations are likely contributing factors."



Sources: National Insurance Crime Bureau, "Auto Theft Surge in 2020 According to New NICB Report," <https://www.nicb.org/news-releases/auto-thefts-surge-2020-according-new-nicb-report>, Insurance Journal, "Auto Theft Jumped in 2020," <https://www.insurancejournal.com/news/national/2021/01/27/598895.htm>.

The increase in MVT continues to be driven by an increase in communities with a population less than 50,000 people.

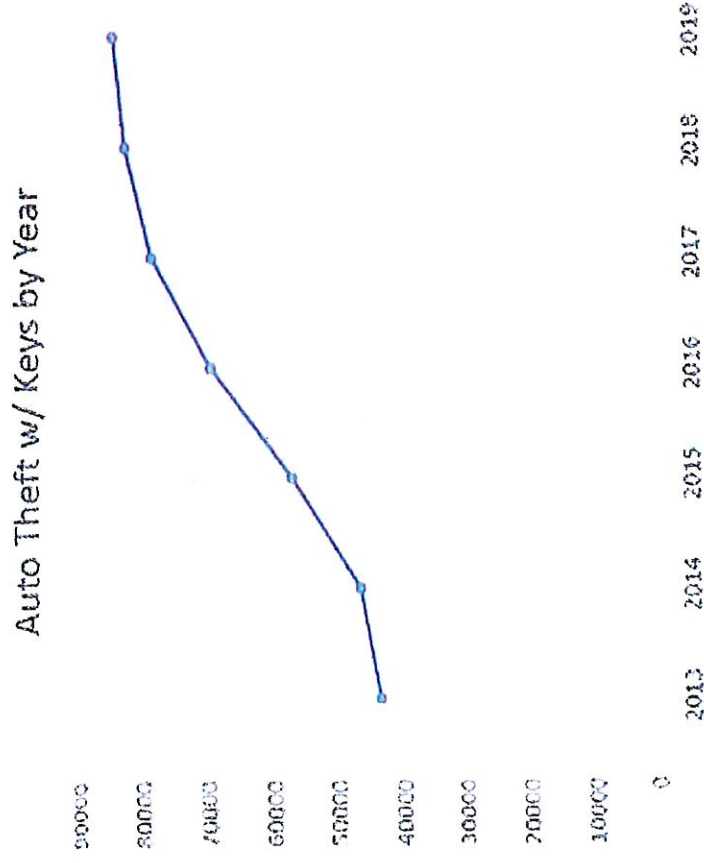
- Preliminary 2020 data indicates that this trend continues. 2011 MVT compared to 2020 MVT:

- 53% increase in towns less and 25,000
- 44% increase in towns between 25,000 and 50,000
- 14% increase in towns between 50,000 and 100,000
- 36% decrease in towns over 100,000

Population	# of Dept.	2010 Thefts	2019 Thefts	% Change
Less than 25,000	50	536	671	+25.0%
25,000 to 50,000	25	939	981	+4.5%
50,000 to 100,000	13	1,573	1,458	-7.3%
Over 100,000	5	3,285	2,575	-21.6%
Total	93	6,333	5,685	-10.0%

Exhibit C

There has been an 93% increase in Motor Vehicle Theft with keys left inside since 2013.



- The total of vehicles stolen with keys each month rises during cooler temperatures.
- Top 10 theft dates between 2017 and 2019 occurred in November, December, January, or February.

Source: Catali, Joshua. *NIRP Forecast Report: 2017-2019 Theft with Keys Analysis*, 7 July 2020, www.nirp.org/sites/ffiles/7020-09/2017-2019%20Theft%20with%20Keys%20Forecast.pdf

Exhibit C

Municipalities with a three-year MVT rate larger than 100 per 100,000 residents (2010-2012)

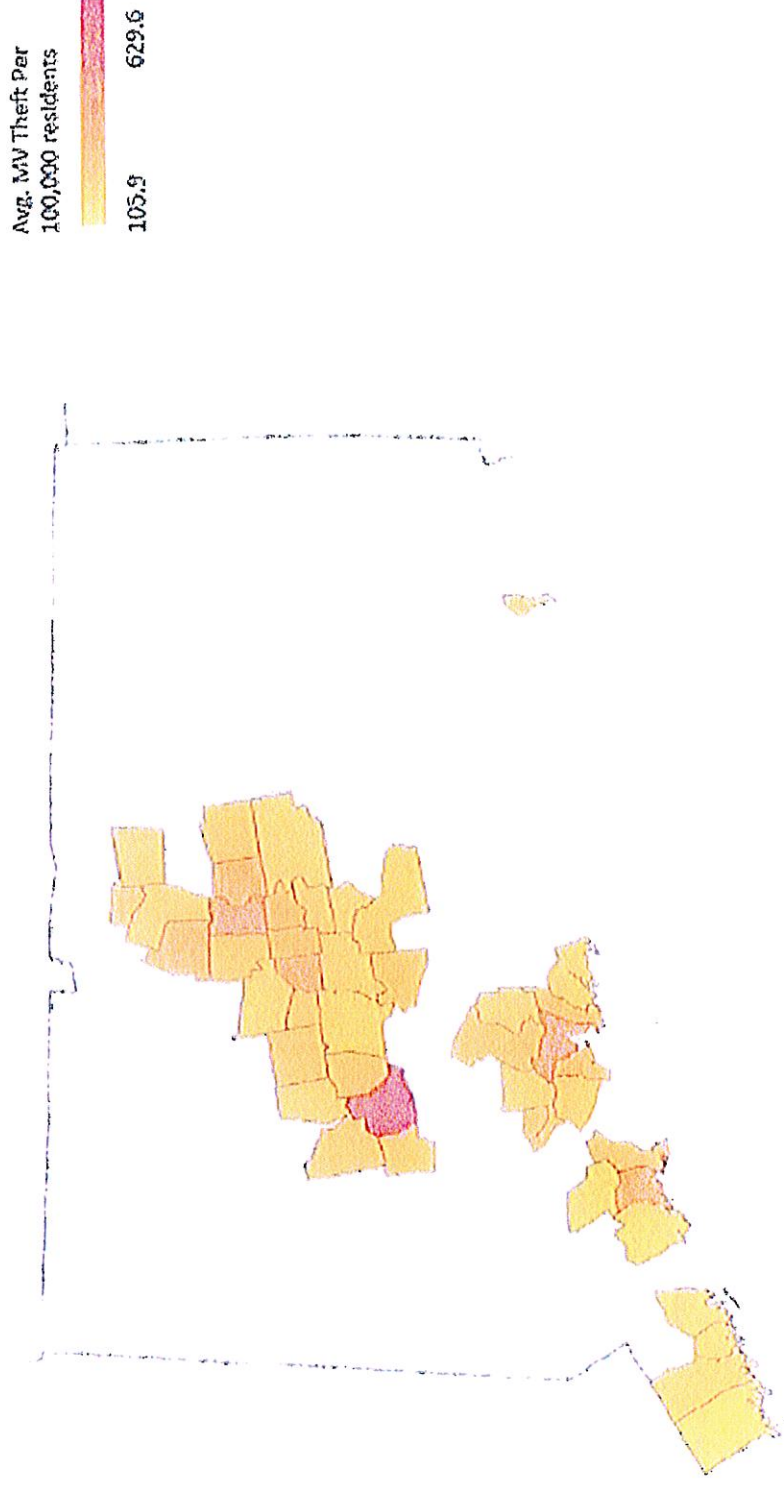


Source:

State of Vermont, Vermont State Police, 2012. February 6. Preliminary Analysis of Motor Vehicle Theft Data (PowerPoint slides).

Map data in Connecticut data. Resident state trooper towns were excluded because 2010 data had not been obtained at the time this presentation was completed.

Municipalities with a three-year MVT rate larger than 100 per 100,000 residents (2017-2019)



Source: M. Baccari, K. Nagay, K. Wanta, P. (2021, February 8). *Preliminary Analysis of Motor Vehicle Theft Data from Police Departments*.
Office of Crime in Connecticut data. Resident state trooper towns were excluded because 2019 data had not been obtained at the time this preparation was completed.

Exhibit C

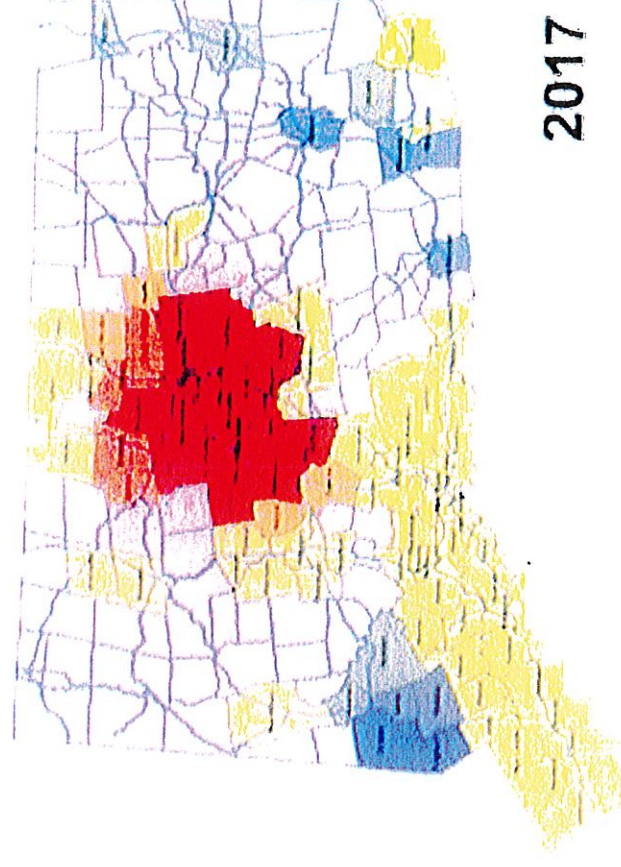
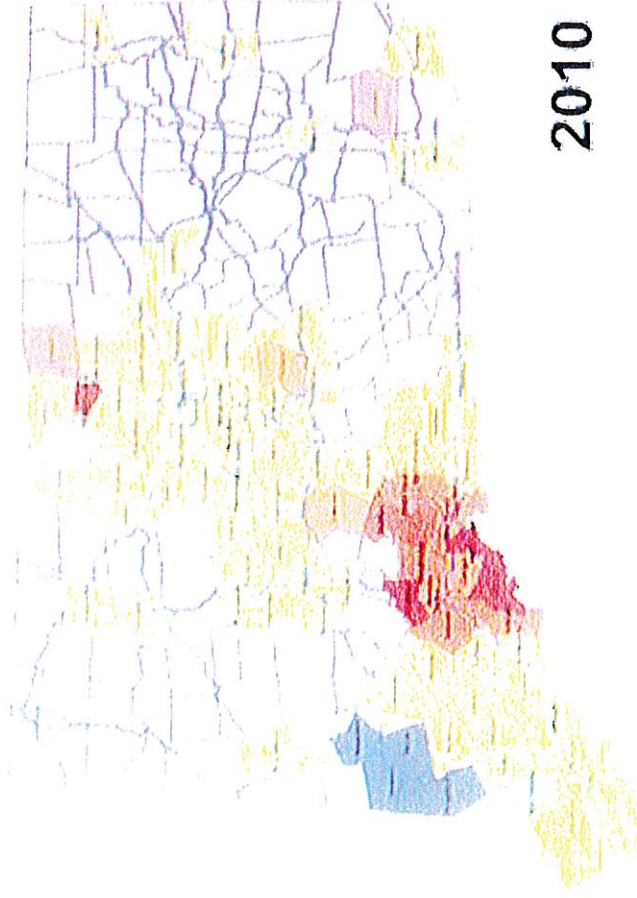
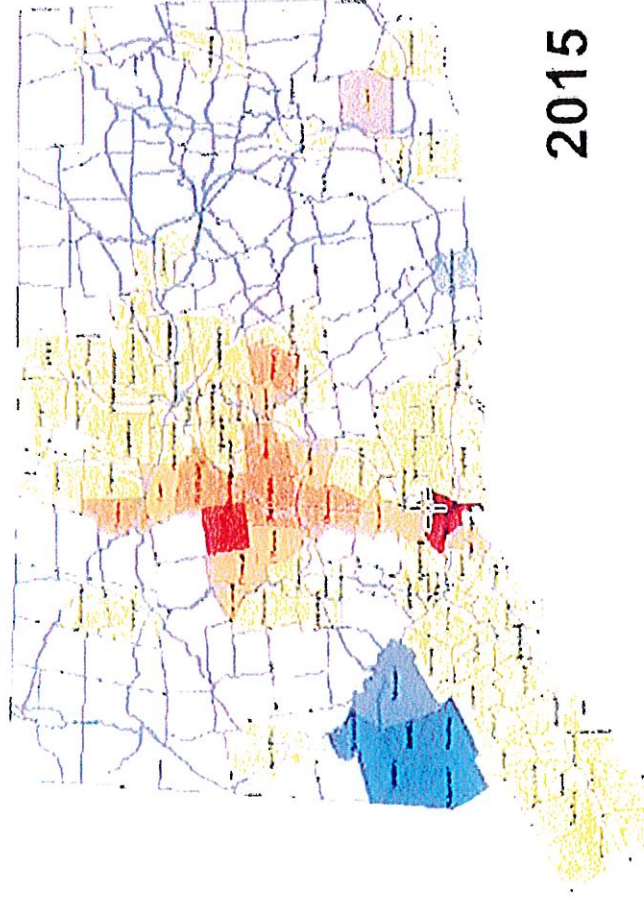
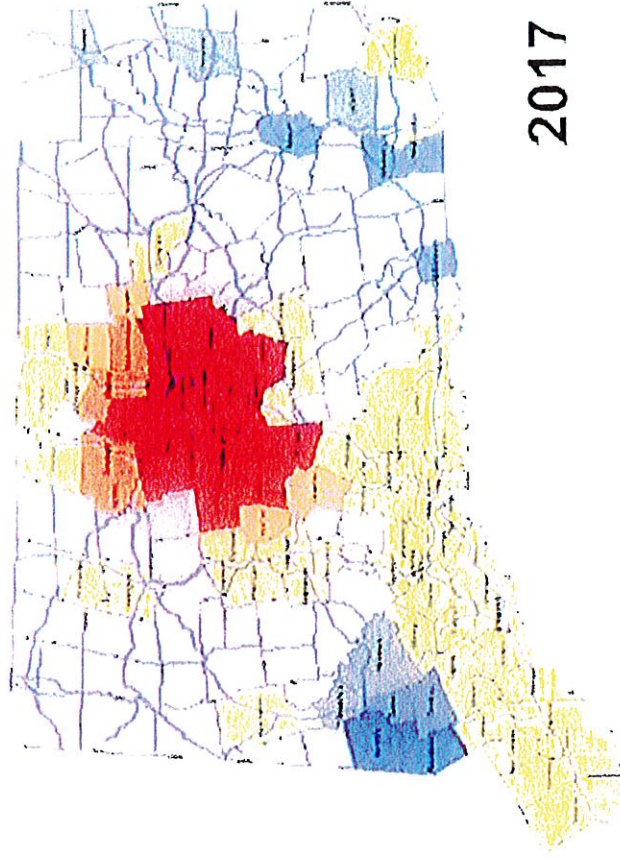


Exhibit C

Hot spot concentration maps show changes in rates of stolen motor vehicles (2010-2017) cont.

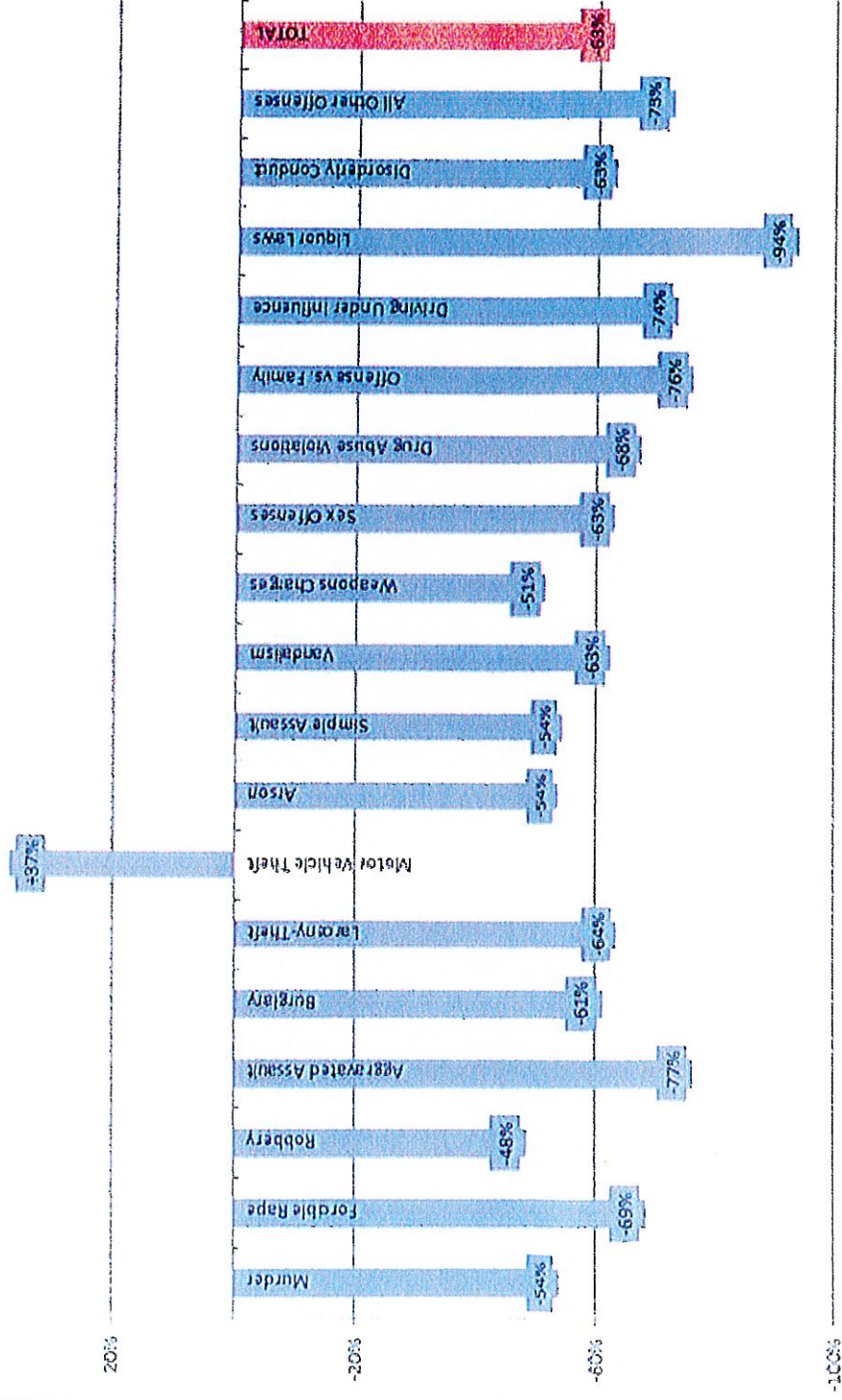


2015



2017

Connecticut Arrests: Change Since 2007 People under 18



2007-2017
The Sentencing Project, a nonprofit based in Washington, D.C., that tracks national crime trends, provided this graph illustrating juvenile arrest rates in Connecticut over the past decade. (Provided by the Sentencing Project)


A small group of individuals
are responsible for large
number of crimes.

Did Connecticut's "Raise the Age" Increase Motor Vehicle Thefts?

Giovanni Circo , Alexander Scranton

First Published December 11, 2019 Research Article

<https://doi.org/10.1177/0887403419892045>

Article Information 

Abstract

In 2010, Connecticut followed the pattern of most other U.S. states by raising the age of juvenile jurisdiction from 15 to 16. This was further raised from 16 to 17 years, 2 years later in July 2012. This sweeping change meant youth were no longer automatically prosecuted as adults in the criminal justice system. Following the change, crimes in Connecticut steadily decreased in line with nationwide trends—However, a subsequent increase in motor vehicle thefts prompted concern among critics of the “raise the age” (RTA) legislation. This study examines the change in Uniform Crime Reports (UCR) county-level index crimes before and after Connecticut changed the maximum age of juvenile jurisdiction from 16 to 17 in 2012, focusing specifically on motor vehicle thefts. Using a weighted difference-in-differences design, we estimate that RTA played a minimal role on the increase in Connecticut auto thefts between 2012 and 2017.

Keywords

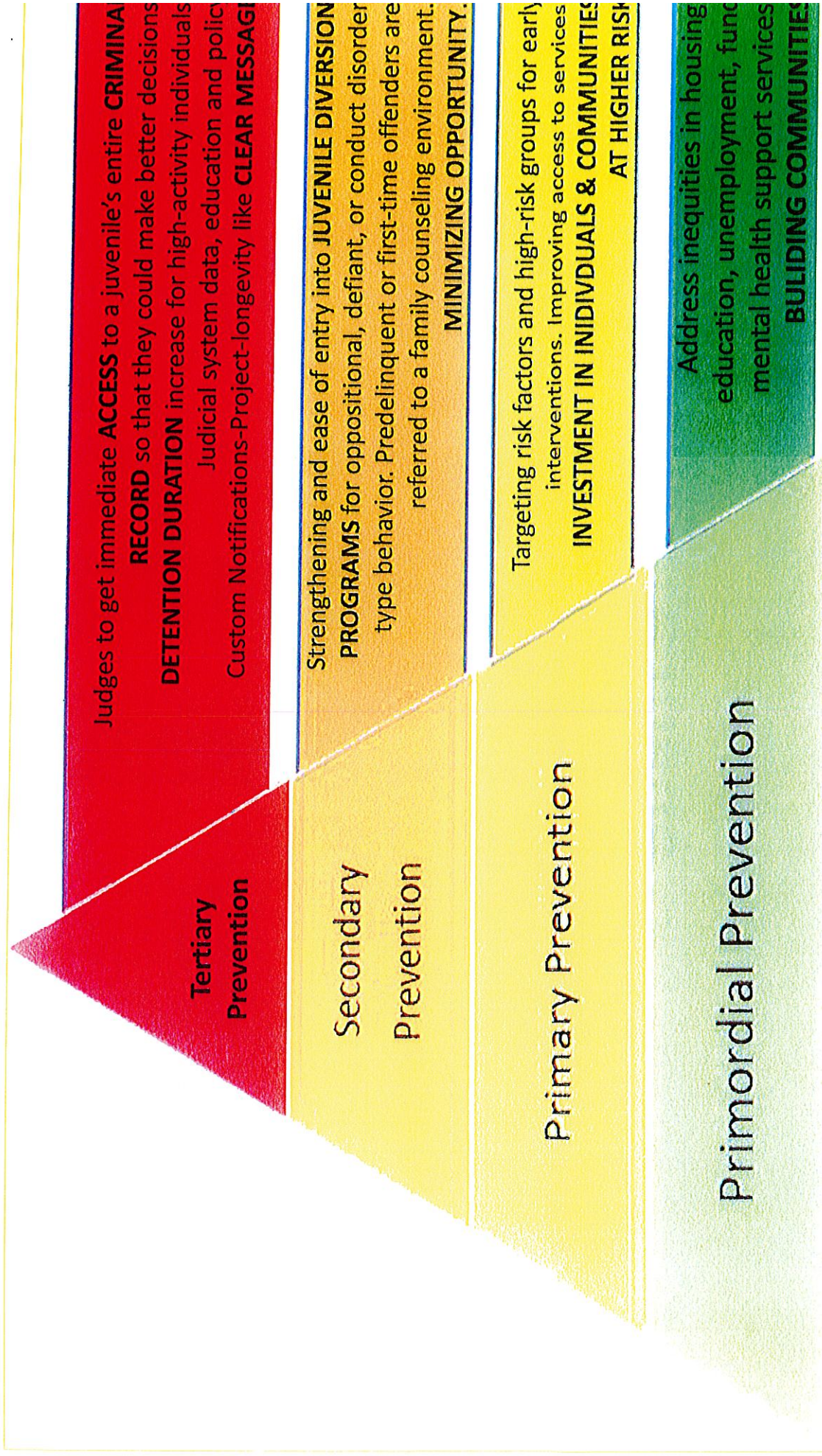
criminal justice policy, juvenile justice, juvenile waivers, program evaluation, juvenile justice reform

- According to a 2019 study by Circo and Scranton, both violent and property crimes consistently decreased during a 10-year period which includes years prior to RTA and after RTA (2008 to 2017).
 - In particular, property crimes such as burglary and larceny were down approximately 42% and 26% respectively.
 - CT's MVT rate decreased until it began to reverse in 2014, but the 2017 rate was still 19% lower than its 2008 rate.

- Recent increase in cases (last 1 year)
- Movement towards suburban and smaller towns.
- Social program and prevention and rehabilitation programs have helped.
- The pandemic and the impact has made things worse as all support systems stopped.
- Raising the age has not increased crime in CT.
- Reducing opportunities in communities (locking cars etc.) reduces the thefts.

- We cannot arrest our way out of this.
- The existing policies can improve.
- Comprehensive strategies are needed.
- Some immediate steps are needed.
- Disaster is waiting to happen if no interventions are made

Exhibit C



REDUCING OPPORTUNITY

- Keep Cars locked
- Do NOT leave keys inside
- No visible valuables
- Never leave your car running and unattended
- Anti-Theft Devices prevent crime. Visible ones better.
- Park in well lit areas.
- Title: Do not leave your vehicle title in the car. Too often a car thief is pulled over and gets away from the police because he or she can produce the auto registration. (If multiple drivers use the vehicle, the best suggestion would be to hide the registration in a secret location in the car that only the owners know.