

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Action Minutes

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October 4, 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
Councilor Lisa Maneeley
Councilor Janice Snyder

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

5. Adoption of Agenda

Councilor Snyder made a motion to adopt the agenda as presented. Councilor Maneeley seconded the motion.

Deputy Mayor Pendleton made a motion to amend the agenda to go to Item 17. (Executive Session) following Item 6. (Communications and Reports from Town Manager). Councilor Snyder seconded the motion, and it was approved unanimously.

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

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17. Executive Session

At 7:09 p.m., Deputy Mayor Pendleton made a motion to go into Executive Session to discuss potential claims and litigation (Miller Road). Councilor Snyder seconded the motion, and it was approved unanimously.

The following individuals were invited into Executive Session, Mayor Paterna, Deputy Mayor Pendleton, Councilor Evans, Councilor King, Councilor Koboski, Councilor Lopez, Councilor Lydecker, Councilor Maneeley, Councilor Snyder, Assistant Town Manager Perry, Assistant Town Manager Roberts, and Attorney Richard Carella from Updike Kelly & Spellacy.

At 7:15 p.m., the Town Council members came back into the public forum and Deputy Mayor Pendleton made a motion to include Town Manager Maniscalco, who will join Executive Session by phone, to the list of invited individuals to go into Executive Session. Councilor Snyder seconded the motion, and it was approved unanimously.

The Executive Session ended at 7:49 p.m.

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 September 20, 2021.

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

11. Consent Agenda

a. First Reading

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

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ITEM:

11. Consent Agenda

a. First Reading

- A. Resolution Appointing Ashlie Alleyne (D) to the Social Justice and Racial Equity Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Ashlie Alleyne (D) to the Social Justice and Racial Equity Commission for a term ending November 30, 2023 and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- B. Resolution Appointing Renu Krishnan-Cabot (U) to the Social Justice and Racial Equity Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Renu Krishnan-Cabot (U) to the Social Justice and Racial Equity Commission for a term ending November 30, 2023 and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

- C. Resolution Appointing Shelley Solomon (D) to the Social Justice and Racial Equity Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Shelley Solomon (D) to the Social Justice and Racial Equity Commission for a term ending November 30, 2022 and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Consent Agenda Continued on Next Page)

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ITEM:

11. Consent Agenda (Continued)

a. First Reading (Continued)

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

D. Resolution Appointing Daniel Kane (R) to the Economic Development Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting

BE IT RESOLVED that the South Windsor Town Council hereby appoints Daniel Kane (R) to the Economic Development Commission for a term ending November 30, 2023, to fill the unexpired term of Edwina Futtner and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

b. Second Reading

Councilor Snyder requested that Item 11.b.A. be taken off of this Consent Agenda and acted on separately.

Councilor King made a motion to approve Agenda Item 11.b.B. through 11.b.C. as a Second Reading on the Consent Agenda. Councilor Evans seconded the motion, and it was approved unanimously.

B. Resolution Reappointing Craig Zimmerman (D) to the Cable Advisory Board

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Craig Zimmerman (D) to the Cable Advisory Board for a term ending June 30, 2022.

(Consent Agenda Continued on Next Page)

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ITEM:

11. Consent Agenda (Continued)

b. Second Reading (Continued)

C. Resolution Appointing Damian Humphrey (D) to the Blighted Property Appeals Board

BE IT RESOLVED that the South Windsor Town Council hereby appoints Damian Humphrey (D) to the Blighted Property Appeals Board for a term ending November 30, 2024, to fill the unexpired term of Erik Dabrowski (R).

A. Resolution Reappointing Ritu Goel (D) to the Human Relations Commission

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Ritu Goel (D) to the Human Relations Commission for a term ending November 30, 2023.

Was made by Councilor Kings

Seconded by Councilor Evans

The motion passed on a Roll Call vote of 6 to 3 with Councilor Koboski, Maneeley, and Snyder voting in opposition to this reappointment.

Councilor Maneeley made a motion to Approve Agenda Items 11.a.D. through 11.a.E. as a Second Reading on the Consent Agenda. Councilor Snyder seconded the motion, and it was approved unanimously.

D. Resolution Appointing Michael Lyon (R) to the Water Pollution Control Authority

BE IT RESOLVED that the South Windsor Town Council hereby appoints Michael Lyon (R) to the Water Pollution Control Authority for a term ending November 30, 2023, to fill the unexpired term of Ashwatha Naryana.

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ITEM:

11. Consent Agenda (Continued)

b. Second Reading (Continued)

E. Resolution Reappointing Scott Andrusis (U) to the Redevelopment Agency

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Scott Andrusis (U) to the Redevelopment Agency for a term ending December 31, 2024.

13. New Business

A. Resolution Accepting the Final Draft of the Proposed Arts Commission Ordinance

BE IT RESOLVED that the South Windsor Town Council hereby accepts the final draft of the proposed Arts Commission Ordinance as recommended by the Town Attorney, and as shown in **Exhibit A**.

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

B. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on a Proposed Ordinance Establishing an Arts Commission

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, October 18, 2021, at 8:00 p.m.**, in the Council Chambers of the South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut, as the time and place for a Public Hearing to receive citizen input on a proposed Ordinance establishing an Arts Commission, a copy of which is attached as **Exhibit A**, and on file in the Office of the Town Clerk.

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

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13. New Business (Continued)

C. Resolution Accepting the Final Draft of the Proposed Ordinance Governing the Flying of Commemorative or Organizational Flags on Wapping Community House Designated Flagpole

BE IT RESOLVED that the South Windsor Town Council hereby accepts the final draft of the proposed Ordinance Governing the Flying of Commemorative or Organizational Flags on Town Property as presented from the Town Attorney, and as shown in **Exhibit B**.

Was made by Councilor Maneeley
Seconded by Deputy Mayor Pendleton

Deputy Mayor Pendleton made a motion to amend the resolution to remove "Town Property" and replace it with "Wapping Community House Designated Flagpole." Councilor Snyder seconded the amendment, and it was approved unanimously.

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

The Resolution to read as follows:

BE IT RESOLVED that the South Windsor Town Council hereby accepts the final draft of the proposed Ordinance Governing the Flying of Commemorative or Organizational Flags on the Wapping Community House Designated Flagpole as presented from the Town Attorney, and as shown in **Exhibit B**.

D. Resolution Setting a Time and Place for a Public Hearing to Receive Citizen Input on a Proposed Ordinance Governing the Flying of a Commemorative or Organizational Flag on the Wapping Community House Designated Flagpole

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13. D. (Continued)

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, October 18, 2021, at 8:15 p.m.**, in the Council Chambers of the South Windsor Town Hall, 1540 Sullivan Avenue, South Windsor, Connecticut, as the time and place for a Public Hearing to receive citizen input on a proposed Ordinance Governing the Flying of a Commemorative or Organizational Flag on the Wapping Community House Designated Flagpole, a copy of which is attached as **Exhibit B**, and on file in the Office of the Town Clerk.

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

E. Resolution Accepting the Resignation of Robert Burns (R) an Alternate from the Economic Development Commission

BE IT RESOLVED that the South Windsor Town Council hereby accepts with regret the resignation of Robert Burns (R) an Alternate from the Economic Development Commission; and

BE IT FURTHER RESOLVED that the South Windsor Town Council extends its thanks to Robert Burns for the time he has dedicated to serving his community by his membership on the Economic Development Commission.

Was made by Councilor Snyder
Seconded by Deputy Mayor Pendleton

Mayor Paterna thanked Mr. Burns for his service.

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

F. Resolution Approving a Refund of Taxes to Seventy-Five (75) South Windsor Taxpayers

BE IT RESOLVED that the South Windsor Town Council hereby approves a refund of property taxes to seventy-five (75) South Windsor Taxpayers, the total of said refunds being \$23,878.07 and as more fully described on attached **Exhibit C**.

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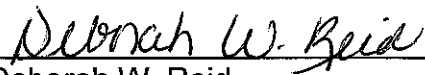
13. F. (Continued)

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

18. Adjournment

At 8:15 p.m., Councilor Maneeley made a motion to adjourn the Regular Meeting.
Deputy Mayor Pendleton seconded the motion, and it was approved
unanimously.

Respectfully submitted,



Deborah W. Reid
Clerk of the Council

Ordinance

South Windsor Arts Commission (SWAC)

1. Purpose

In recognition of the contribution which culture and the arts make to the quality of life of the community, there is hereby established a permanent Town Commission to be known as the "South Windsor Arts Commission," (SWAC).

The purposes shall be to foster and facilitate participation in, development of, and appreciation for a variety of artistic and cultural activities and displays within the Town of South Windsor and to encourage the display and presentation of artistic and cultural art and activities in public, school, and community facilities Town-wide.

The role of SWAC will include, but is not limited to:

1. promote artistic and cultural activities and collaborations for South Windsor's citizens;
2. encourage arts education and appreciation;
3. provide opportunities for artists to produce and present their work;
4. encourage and generate community-wide participation in the development and appreciation for artistic and cultural activities within the Town of South Windsor;
5. advocate for, and support the goals of the greater South Windsor arts community;
6. create and enhance arts opportunities within the Town of South Windsor;
7. create new economic opportunities for the people of South Windsor through the expansion of artistic and cultural programs and events;
8. enhance learning opportunities in the arts for all residents through cooperation and collaboration of the various organizations associated with the arts.

2. Establishment & Composition

SWAC will consist of an 8-member panel of residents of the Town of South Windsor with education, training, or work experience related to the arts or cultural activities, demonstrated practice or other relevant qualifications in the area of arts or cultural activities. All members shall be appointed to the SWAC by the Town Council and shall include, equal, bi-partisan representation with four (4) commissioners (2 Democrat nominated and 2 Republican nominated) each for a two year term and four (4) commissioners (2 Democrat nominated and 2 Republican nominated) will serve a one year term from outset of the SWAC's creation. Each party's nominations must include a minimum of one individual who is unaffiliated or under other minor party affiliation. Thereafter, each commissioner will serve a two-year term upon appointment.

Additional advisors to SWAC shall include representation of recognized arts and cultural organizations within the community related to supporting the art and cultural activities. Nominations for such SWAC advisors shall be forwarded to the Town Council for approval to be reviewed and voted on by the Town Council with a simple majority vote determining advisory non-voting representatives. Once approved, community organization memberships are active for a two-year term beginning on the date of Town Council appointment.

3. Liaisons

There shall be a panel of non-voting liaisons to SWAC as follows: Mayor (or designee), Board of Education Chair (or designee), South Windsor Library Director (or designee), Wood Memorial Library Director (or appointee), and Parks and Recreations Director (or designee). Liaisons shall be invited to each regular and special meeting of the Commission and are encouraged to participate in discussions related to SWAC, but shall not be voting members or count toward the quorum.

4. Organization

At the first meeting on or after December 1 of each year, the Commission shall elect from its appointed membership a chairperson, vice-chairperson, secretary, and other officers as deemed appropriate by the Commission.

The Commission will hold regular monthly meetings according to the schedule determined by appointed members and may hold special meetings as determined by the membership.

The Commission shall establish its own rules and procedures for the conduct of its business. Otherwise it shall follow Robert's Rules of Order, where applicable and not in conflict with its rules and procedures or the Freedom of Information Act.

If a vacancy occurs outside the regular allotted terms as set out above, an individual will be appointed by the Town Council for the unexpired portion of the term based on nomination by party affiliation.

5. Objectives and Duties of SWAC

- a) Highlight the Town's artists, art activities and events, and connect arts and cultural organizations that already exist in town.
- b) Encourage youth to be involved in local arts.
- c) Coordinate art and cultural events with various groups in town.
- d) Coordinate with Town Staff to ensure SWAC website is informative and up-to-date as a digital resource related to the arts and cultural activities and organizations on the Town webpage.
- e) The Commission may consider the development of a foundation to support and fund the Arts in South Windsor.
- f) Organize and hold an annual arts festival. Any necessary Town funding is based on Town Council approval.
- g) Promote, encourage, and recommend display of works of arts on town property for approval of the Town Council based on a simple majority passage of support.
- h) Make an initial survey and maintain an inventory of the artistic and cultural resources of the Town.
- i) Develop, and recommend to the Town Council a formal arts policy to include a vision and mission related to the arts and culture for the Town of South Windsor and including activities in accordance therewith, subject to approval by the Town Council.
- j) Make recommendations to the Town Council and the Town on art-related matters in furtherance of the Commission's vision and mission statement related to arts and culture.
- k) Encourage and assist in the display and presentation of art, artistic performance and cultural activities in Town, school and community facilities Town-wide, as well as encourage and assist in the recognition of Town artists.

- l) Engage in other activities necessary and appropriate to carry out its purposes, objectives, and duties.
- m) Keep records of its meetings and activities and shall file an annual report with the Town Council, the Town Manager and the Town Clerk describing its activities for the previous calendar year.

Effective Date:

PROPOSED ORDINANCE GOVERNING THE FLYING OF COMMEMORATIVE OR
ORGANIZATIONAL FLAGS ON THE WAPPING COMMUNITY HOUSE DESIGNATED
FLAGPOLE

Exhibit B

1. Purpose

- A. The Town of South Windsor establishes the following rules and procedures regarding the display of privately owned Commemorative or Organizational Flags only on the one designated Town flagpole located at Town Center (Wapping Community House) southeast of the American flagpole and situated closest to Ellington Road. No other privately owned Commemorative or Organizational Flags shall be displayed on any other Town-owned or Town-maintained facility. The Town flags found on the Town of South Windsor Flag List are excluded from this ordinance.
- B. In adopting this ordinance, the Town Council declares that flagpoles owned or maintained by the Town of South Windsor are not intended to serve as a forum for free expression by the public, but rather as a non-public forum for the display of Commemorative or Organizational Flags authorized by the Town Council as an expression of the Town Council's official sentiments which shall constitute government speech.

2. Process; Eligible Flags

- A. As expression of the Town's official government speech, the Town Council may authorize the display of a Commemorative or Organizational Flag only on the one designated flagpole located at Town Center (Wapping Community House).
- B. The Town Council shall only consider a request to display a Commemorative or Organizational Flag if the request is made by a member of the South Windsor Town Council at a regular or special Town Council meeting. All requests must be supplied to the Clerk of the Council by the close of the business day (4:30 p.m.) on the day of the Agenda Meeting for that meeting and in accordance with the procedural requirements outlined in Section III.
- C. At a noticed and agendized Town Council meeting, a two thirds plus one (supermajority plus one) of Council members present and voting would need to agree to fly the Commemorative or Organizational Flag. The necessary votes needed depends upon the number of members present, as shown below:

<u>Members Present and Voting</u>	<u>Two Thirds Plus One Vote</u>
9	7
8	7
7	6
6	5
5	5

- D. Each Commemorative or Organizational Flag cannot be flown more than once a year and will be displayed for a period of time that is reasonable or customary for duration of the event or fourteen (14) continuous days. Only one Commemorative or Organizational Flag will be allowed to be displayed during any time period. Commemorative and Organizational Flags must be temporarily donated for the Town's use and be clean, without holes and tears, and be made of an all-weather fabric. Commemorative or Organizational Flags must be the same size or smaller than the United States and Connecticut flags that are flown. The Town will not be responsible for the condition of the Commemorative or Organizational Flag once flown and may dispose of any such flag not picked up within thirty (30) days after it has been flown. The Town will not purchase the Commemorative or Organizational Flags. If any other flag is flown at half-staff, the Commemorative or Organizational Flag will also be flown at half-staff. All flags shall be flown in accordance with the U.S. Flag Code.
- E. A Commemorative or Organizational Flag as defined in this Policy shall mean a flag that is owned by a private individual, group or organization and that identifies with a specific historical event, cause, nation or group of people that the Town Council chooses to honor or commemorate consistent with the Town's mission and priorities. The following are not allowed as Commemorative or Organizational Flags and will not be considered by the Town Council:
- a. Flags of a particular religious movement or creed to avoid the appearance of Town government endorsing religion or a particular religious movement or creed;
 - b. Flags of a political party to avoid the appearance of Town government, endorsing a political party;
 - c. Flags advocating a certain outcome in an election to avoid the appearance of Town government endorsing an electoral outcome;
 - d. Flags of a commercial organization, to avoid the appearance of Town government endorsing any particular business; and
 - e. Flags that enable violence, discrimination, prejudice, or racism, to avoid the appearance of Town government endorsing such actions.

3. Procedure

A. Application Process:

An individual, group or organization who would like Town Council members to request a Commemorative or Organizational Flag be adopted by the Town shall make application through the Town Manager's Office as follows:

- Obtain an application from the Town's website or request an application from the Town Manager's Office.

Exhibit B

- A completed application has to be submitted to the Town Manager's Office no less than 30 days prior to the request of when the flag is to be flown. An application must be completed in its entirety or will not be accepted.
- After the request is reviewed and signed by the Town Manager, the application shall be distributed to all members of the Town Council.

B. Town Council Process:

Any Town Council member can choose in his or her own sole discretion to request that the flying of the proposed flag be adopted by the Town Council as the Town's government speech and that it become a discussion item placed on a regular or special meeting agenda as follows:

- The request must be supplied to the Clerk of the Council by the close of the business day (4:30 p.m.) on the day of the Agenda Meeting.
- Such request will be considered pursuant to Section II and only if a two thirds plus one (supermajority plus one) of the Town Council members present and voting approve of the request, shall the request be placed on the Town Council agenda for its next regular or special meeting as an action item for resolution by the Town Council. The necessary votes are shown in a table above.