

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

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December 21, 2015

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

1. Call Meeting to Order

Mayor Delnicki called the Regular Meeting to order at 7:03 p.m.

4. Roll Call

Members Present: Mayor Thomas Delnicki
Deputy Mayor Carolyn Mirek (left at 9:20 p.m.)
Councilor William Carroll (arrived at 7:39 p.m.)
Councilor Liz Pendleton
Councilor Matthew Riley
Councilor Janice Snyder

Members Absent: Councilor M. Saud Anwar
Councilor Edward Havens
Councilor Lisa Maneeley

Also Present: Matthew B. Galligan, Town Manager
Keith Yagaloff, Town Attorney

5. Public Input

Mr. Don Gonsalves, 40 Bayberry Trail came forward and requested that when Agenda Item 14. L. is discussed, he would like to be able to come up and speak.

Mr. Robert Dickinson, 19 Birch Road came before the Town Council and requested that while another access into the High School is being considered that the Council also consider a safe bicycle entrance into the High School.

Ms. Kathy Kerrigan, 1838 Main Street came forward to speak in favor of the Town purchasing development rights for securing farmland in Town from current owners of farmland. Ms. Kerrigan encouraged the Council to pursue this option which will help save farmland in the Town of South Windsor.

Mr. Jim Morrison, Ayers Road came before the Council to speak in favor of the Town holding a public hearing regarding an Ordinance for panhandling. The panhandlers are creating a safety concern on the roads and the panhandlers do not belong in the middle of the road on Route 5. This issue needs to be addressed before someone is hurt or killed.

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ITEM:

5. Public Input (Continued)

Mr. Jim Kerrigan, 1838 Main Street stated he is before the Town Council to speak in favor of the Town buying developing rights to preserve open space and farmland.

Mr. David Joy, 100 Bramblebrae came forward and echoed Mr. Morrison's concerns about the safety aspects of the panhandling issue. Mr. Joy then stated he would like to address the Council as the Chairman of the Board of Education and explained that he understands that a legal opinion from the Town Attorney has been received indicating that there is no prohibition in the Town Charter, Town Ordinances, State Statutes or applicable case law for the appointment of a seated Board of Education member to also serve on the Public Building Commission. Mr. Joy stated that having a Board of Education member on a building committee for a school project is best practice for such projects which is widely embraced by other Town's in Connecticut. In Connecticut, the Board of Education is aware of 20 Towns that have at least one Board of Education members on the building committee for their school projects. In Massachusetts there are requirements for the forming of a building committee which includes at least one member of the school committee. Mr. Joy was hopeful that the Council would support two members on a bipartisan basis, but is pleased there will be at least one Board of Education member seated on the Public Building Commission

Mr. Andy Paterna, 301 Strawberry Lane stated that he has spoken about the Connecticut Farmland Trust and would like to share what the American Farmland Trust has to say about the idea of purchasing development rights. They are talking about this as an investment in community infrastructure and economic development. It supports local government and it creates an atmosphere where we can create wealth locally. Agriculture contributes to local economies directly through sales, job creations, support services and businesses. This also can take place by supporting secondary markets such as food processing plants. There could be an important future connection between all local restaurants in Town and the school system for food production. Farmland represents scenic, cultural, and historic landscapes and adds to the quality of life in South Windsor. Mr. Paterna stated he is hoping the Town Council will support a resolution in January and adopt the purchase of development rights as a formal policy for the Town of South Windsor as a valuable tool in our effort to preserve farmland.

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5. Public Input (Continued)

Ms. Henora Futtner, 1629 Main Street came forward to speak about the major components of the purchase of development rights. The Town should purchase development rights in conjunction with another agency that is familiar with the process. Ms. Futtner also discussed the stewardship of the land.

Ms. Jessica Glass, 1837 Main Street said she is in support of the Town purchasing development rights. In the future it would be good to know the property would not be sold to a developer, but would remain farmland.

Mr. David Raymond, 1837 Main Street felt that as the Town goes to pursue its open space goals, this is a very cost effective way to buy development rights rather than buying land outright. Mr. Raymond also stated that he liked the fact that the land will still produce taxes coming into the Town.

Ms. Cherish Lasaye, John Fitch Boulevard came before the Council and stated that the panhandling situation is a safety issue on more than just traffic. Homeowner's safety is also a concern. Ms. Lasaye explained that she does feel bad for the panhandlers but the safety of residents should come first.

6. Environmental Health & Safety Message

None

7. Adoption of Minutes of Previous Meetings

BE IT RESOLVED that the South Windsor Town Council hereby approves the Minutes of the following Town Council Meetings: Regular Meeting Minutes of December 7, 2015.

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

8. Public Petitions

None

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ITEM:

9. Communications from Officers and Boards Directly Responsible to Council

None

10. Reports from Standing Committees

None

11. Reports of Temporary Committees

None

12. Consent Agenda

Councilor Snyder and Councilor Pendleton made a motion to approve Agenda Items 13. A. (*) through 13. III. (*); and 14. B. (*) through 14. D. (*) as the Consent Agenda.

Councilor Riley requested that Item 13. CCC. be removed from the Consent Agenda.

13. Unfinished Business

***A. Resolution Appointing Mike LeBlanc (R) an Alternate to the Planning & Zoning Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Mike LeBlanc (R) an Alternate to the Planning & Zoning Commission for a term ending November 11, 2017 to fill a vacancy.

(Approved by Consent Agenda)

ITEM:

ITEM:

13. Unfinished Business (Continued)

***B. Resolution Reappointing Kevin Greer (R) to the Board of Assessment Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Kevin Greer (R) to the Board of Assessment Appeals for a term ending November 30, 2019.

(Approved by Consent Agenda)

***C. Resolution Reappointing Carolyn Carey (R) an Alternate to the Board of Assessment Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Carolyn Carey (R) an Alternate to the Board of Assessment Appeals for a term ending November 30, 2019.

(Approved by Consent Agenda)

***D. Resolution Reappointing Susan Burnham (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Susan Burnham (R) to the Economic Development Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

***E. Resolution Reappointing Edwina Futtner (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Edwina Futtner (R) to the Economic Development Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business

***F. Resolution Reappointing William Jodice (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints William Jodice (R) to the Economic Development Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

***G. Resolution Reappointing Wayne Kilburn (R) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Wayne Kilburn (R) to the Economic Development Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

***H. Resolution Appointing Cindy Beaulieu (R) an Alternate to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Cindy Beaulieu (R) an Alternate to the Economic Development Commission for a term ending November 30, 2017 to fill a vacancy.

(Approved by Consent Agenda)

***I. Resolution Appointing Katherine Foley (R) a Full Member to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Katherine Foley (R) a full member to the Historic District Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business (Continued)

***J. Resolution Appointing Louise Evans (R) a Full Member to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Louise Evans (R) a full member to the Historic District Commission for a term ending November 30, 2020 to fill an expired term of Wayne McKinney (D).

(Approved by Consent Agenda)

***K. Resolution Appointing Nadine Hassan-Caron (R) an Alternate to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Nadine Hassan-Caron (R) an Alternate to the Historic District Commission for a term ending November 30, 2017 to fill an unexpired term of Katherine Foley.

(Approved by Consent Agenda)

***L. Resolution Appointing Sandy Ramesh (R) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Sandy Ramesh (R) to the Human Relations Commission for a term ending November 30, 2017 to fill a vacancy.

(Approved by Consent Agenda)

***M. Resolution Reappointing Richard Muller (R) to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Richard Muller (R) to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019.

(Approved by Consent Agenda)

ITEM:

13. Unfinished Business (Continued)

***N. Resolution Appointing John Phillips (R) a Full Member to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints John Phillips (R) a full member to the Inland Wetland Agency/Conservation Commission for a term ending June 1, 2017 to fill an unexpired term of Joseph Durette (D).

(Approved by Consent Agenda)

***O. Resolution Appointing Daniel Seypura (R) an Alternate to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Daniel Seypura (R) an Alternate to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019 to fill the expired term of John Phillips.

(Approved by Consent Agenda)

***P. Resolution Reappointing Elizabeth Asplund (R) to the Library Board**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Elizabeth Asplund (R) to the Library Board for a term ending November 30, 2019.

(Approved by Consent Agenda)

***Q. Resolution Reappointing Carol Stroud (R) to the Library Board**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Carol Stroud (R) to the Library Board for a term ending November 30, 2019.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business (Continued)

- *R. Resolution Reappointing Herb Asplund (R) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Herb Asplund (R) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

- *S. Resolution Reappointing Mark Peterson (R) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Mark Peterson (R) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

- *T. Resolution Appointing Cindy Beaulieu (R) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Cindy Beaulieu (R) to the Park & Recreation Commission for a term ending December 31, 2017 to fill the unexpired term of Gary Bazzano.

(Approved by Consent Agenda)

- *U. Resolution Appointing Leigh Lovering (R) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Leigh Lovering (R) to the Patriotic Commission for a term ending December 31, 2016 to fill a vacancy.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business (Continued)

***V. Resolution Appointing Linc Streeter (R) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Linc Streeter (R) to the Patriotic Commission for a term ending December 31, 2017 to fill an unexpired term of William Carroll.

(Approved by Consent Agenda)

***W. Resolution Appointing Kathleen Daugherty (R) to the Personnel Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Kathleen Daugherty (R) to the Personnel Board for a term ending November 30, 2018 to fill the expired term of Elizabeth Kuehnel (D).

(Approved by Consent Agenda)

***X. Resolution Reappointing Carol Kelley (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Carol Kelley (R) to the Public Building Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

***Y. Resolution Appointing Philip Koboski (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Philip Koboski (R) to the Public Building Commission for term ending November 30, 2019 to fill the expired term of Bernard Thomas (D).

(Approved by Consent Agenda)

ITEM:

13. Unfinished Business (Continued)

***Z. Resolution Appointing Matthew Beaulieu (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Matthew Beaulieu (R) to the Public Building Commission for a term ending November 30, 2017 to fill the unexpired term of Howard Fitts.

(Approved by Consent Agenda)

***AA. Resolution Appointing Richard Siedman (R) a Full Member to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Richard Siedman (R) a full member to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of Robert Dickinson.

(Approved by Consent Agenda)

***BB. Resolution Appointing Zaheer Sharaf (R) to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Zaheer Sharaf (R) to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of Edward Havens, Jr. (D).

(Approved by Consent Agenda)

***CC. Resolution Appointing Pat Soucy (R) an Alternate to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Pat Soucy (R) an Alternate to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of Richard Siedman.

(Approved by Consent Agenda)

ITEM:

13. Unfinished Business (Continued)

***DD. Resolution Reappointing Joseph Etter (R) to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Joseph Etter (R) to the Zoning Board of Appeals for a term ending November 30, 2019.

(Approved by Consent Agenda)

***EE. Resolution Reappointing Teri Dickey-Gaignat (R) to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Teri Dickey-Gaignat (R) to the Zoning Board of Appeals for a term ending November 30, 2019.

(Approved by Consent Agenda)

***FF. Resolution Appointing Wayne Kilburn (R) a Full Member to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Wayne Kilburn (R) a full member to the Zoning Board of Appeals for a term ending November 30, 2019 to fill the expired term of Joseph Kennedy, Jr. (D).

(Approved by Consent Agenda)

***GG. Resolution Reappointing Edwina Futtner (R) an Alternate to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Edwina Futtner (R) an Alternate to the Zoning Board of Appeals for a term ending November 30, 2019.

(Approved by Consent Agenda)

ITEM:

13. Unfinished Business (Continued)

***HH. Resolution Appointing Paul Oates (R) an Alternate to the Zoning Board of Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Paul Oates (R) an Alternate to the Zoning Board of Appeals for a term ending November 30, 2019 to fill the expired term of Wayne Kilburn.

(Approved by Consent Agenda)

*** II. Resolution Reappointing Walter Fitzpatrick (R) to the Demolition Delay Committee**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Walter Fitzpatrick (R) to the Demolition Delay Committee for a term ending December 31, 2017.

(Approved by Consent Agenda)

***JJ. Resolution Appointing Charles (Tim) Shepard (R) to the Demolition Delay Committee**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Charles (Tim) Shepard (R) to the Demolition Delay Committee for a term ending December 31, 2016 to fill a vacancy.

(Approved by Consent Agenda)

***KK. Resolution Reappointing Debbie Duarte (D) to the Board of Assessment Appeals**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Debbie Duarte (D) to the Board of Assessment Appeals for a term ending November 30, 2019.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business (Continued)

***LL. Resolution Reappointing Linda Jeski (D) to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Linda Jeski (D) to the Economic Development Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

***MM. Resolution Appointing David Marsh (D) an Alternate to the Economic Development Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints David Marsh (D) an Alternate to the Economic Development Commission for a term ending November 30, 2017 to fill the unexpired term of M. Atif Quraishi.

(Approved by Consent Agenda)

***NN. Resolution Appointing Wayne McKinney (D) an Alternate to the Historic District Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Wayne McKinney (D) an Alternate to the Historic District Commission for a term ending November 30, 2018 to fill the unexpired term of Caroline Taylor.

(Approved by Consent Agenda)

***OO. Resolution Reappointing Karen Wagner (D) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Karen Wagner (D) to the Human Relations Commission for a term ending November 30, 2018.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business (Continued)

***PP. Resolution Reappointing Karen Patterson (D) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Karen Patterson (D) to the Human Relations Commission for a term ending November 30, 2017.

(Approved by Consent Agenda)

***QQ. Resolution Reappointing Charles Margolis (D) to the Human Relations Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Charles Margolis (D) to the Human Relations Commission for a term ending November 30, 2018.

(Approved by Consent Agenda)

***RR. Resolution Reappointing Bryan Jennings (D) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Bryan Jennings (D) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

***SS. Resolution Reappointing James Neary (D) to the Mass Transit and Highway Advisory Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints James Neary (D) to the Mass Transit and Highway Advisory Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business (Continued)

***UU. Resolution Reappointing Marcia Andrus (D) to the Library Board**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Marcia Andrus (D) to the Library Board for a term ending November 30, 2019.

(Approved by Consent Agenda)

***VV. Resolution Reappointing George Caye (D) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints George Caye (D) to the Park & Recreation Commission for a term ending December 31, 2019.

(Approved by Consent Agenda)

***WW. Resolution Reappointing Richard Grigorian (D) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Richard Grigorian (D) to the Park & Recreation Commission for a term ending December 31, 2019.

(Approved by Consent Agenda)

***XX. Resolution Reappointing Dan Rezende (D) to the Park & Recreation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Dan Rezende (D) to the Park & Recreation Commission for a term ending December 31, 2019.

(Approved by Consent Agenda)

ITEM:

13. Unfinished Business (Continued)

***YY. Resolution Reappointing Roger Anderson (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Roger Anderson (D) to the Patriotic Commission for a term ending December 31, 2018.

(Approved by Consent Agenda)

***ZZ. Resolution Reappointing Daria Plummer (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Daria Plummer (D) to the Patriotic Commission for a term ending December 31, 2018.

(Approved by Consent Agenda)

***AAA. Resolution Reappointing Robert Hornish (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Robert Hornish (D) to the Patriotic Commission for a term ending December 31, 2018.

(Approved by Consent Agenda)

***BBB. Resolution Reappointing Peter Anthony, Sr. (D) to the Patriotic Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Peter Anthony, Sr. (D) to the Patriotic Commission for a term ending December 31, 2018.

(Approved by Consent Agenda)

ITEM:

13. Unfinished Business (Continued)

***DDD. Resolution Reappointing Matthew Montana (D) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Matthew Montana (D) to the Public Building Commission for a term ending November 30, 2019.

(Approved by Consent Agenda)

***EEE. Resolution Reappointing Richard Aries (D) to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Richard Aries (D) to the Water Pollution Control Authority for a term ending November 30, 2019.

(Approved by Consent Agenda)

***FFF. Resolution Appointing Edward Havens, Jr. (D) an Alternate to the Water Pollution Control Authority**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Edward Havens, Jr. (D) an Alternate to the Water Pollution Control Authority for a term ending November 30, 2019 to fill the expired term of M. Atif Quraishi.

(Approved by Consent Agenda)

***GGG. Resolution Reappointing Adam Reed (D) to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Adam Reed (D) to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019.

(Approved by Consent Agenda)

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ITEM:

13. Unfinished Business (Continued)

***HHH. Resolution Reappointing Barbara Kelly (D) to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints Barbara Kelly (D) to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2019.

(Approved by Consent Agenda)

*** III. Resolution Appointing Stephen Wagner (D) an Alternate to the Inland Wetland Agency/Conservation Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Stephen Wagner (D) an Alternate to the Inland Wetland Agency/Conservation Commission for a term ending December 1, 2016 to fill a vacancy.

(Approved by Consent Agenda)

***JJJ. Resolution Appointing Philip Koboski (R) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Philip Koboski (R) to the Public Building Commission for a term ending November 30, 2019 to fill the expired term of Bernard Thomas (D).

(Approved by Consent Agenda)

14. New Business

*** B. Resolution Appointing Kevin Greer (R) to the Planning & Zoning 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 Kevin Greer (R) to the Planning & Zoning Commission for a term ending November 13, 2017 to fill the unexpired term of Lavina Wilson and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

ITEM:

14. New Business (Continued)

- * C. Resolution Appointing Teri Parrot (R) an Alternate to the Planning & Zoning Commission and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Winsor Town Council hereby appoints Teri Parrot (R) an Alternate to the Planning & Zoning Commission for a term ending November 13, 2017 to fill a vacancy and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

- * D. Resolution Appointing Sandy Ramesh (R) to the Housing Authority and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Winsor Town Council hereby appoints Sandy Ramesh (R) to the Housing Authority for a term ending November 30, 2020 to fill the expired term of Joan Murphy and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

13. Unfinished Business (Continued)

- CCC. Resolution Reappointing James Neary (D) to the Public Building Commission**

BE IT RESOLVED that the South Windsor Town Council hereby reappoints James Neary (D) to the Public Building Commission for a term ending November 30, 2019.

Was made by Councilor Pendleton
Seconded by Mayor Delnicki

(Resolution Continued on Next Page)

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ITEM:

13. CCC. (Continued)

Councilor Riley stated that it is his understanding that Mr. Neary is employed by a Local Union whose members could benefit from decisions made by the Public Building Commission and questioned if there would be a conflict of interest for him to serve on the Public Building Commission.

Mr. Galligan answered that Mr. Neary works for the Labor Department representing the Unions. If he feels there is a conflict then he could recuse himself from that certain discussion/decision. Advice can be given by the Town Attorney on whether an issue is a conflict of interest.

Councilor Riley stated that an individual could also request an opinion from the Ethics Committee.

Mayor Delnicki stated that he has sought the Town Attorney's opinion numerous times in the past on whether he had a conflict of interest on an issue.

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

JJJ. Resolution Removing from the Table Resolution Item WWW. from the Town Council's Regular Meeting of December 7, 2015 – Resolution Concerning the Issuance of Building Permits which Involve the Use of Concrete

BE IT RESOLVED that the South Windsor Town Council hereby removes from the table, Item WWW. from the Town Council's Regular Meeting of December 7, 2015 – a resolution concerning the issuance of building permits which involve the use of concrete.

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

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ITEM:

13. Unfinished Business (Continued)

KKK. Resolution Concerning the Issuance of Building Permits which Involve the Use of Concrete

WHEREAS, maintaining the value of residential and commercial real properties is of primary importance to the residents and business owners of the Town of South Windsor; and

WHEREAS, a concrete foundation is one of the most important elements of a building, since the foundation supports the weight of the structure; and

WHEREAS, there have been many reports in the Eastern Connecticut area about failing concrete foundations, which can lead to a sudden collapse of the building, and which creates a risk to the lives and property of the occupants; and

WHEREAS, there are many South Windsor residents who have shared their concerns about failing foundations and the risks associated with the foundations, as well as the costs to make repairs, and the effects on their property values; and

WHEREAS, there have been a number of investigations into the issue of failing concrete foundations, and evidence points to a source of defective concrete as a Connecticut based company; and

WHEREAS, the Connecticut Department of Consumer Protection and the Connecticut Attorney General's Office are investigating the issue of defective concrete and failing foundations resulting from the use of defective concrete; and

WHEREAS, these investigations have not been completed, and there are concerns about the cost of repairs, the lack of insurance coverage, the risk of sudden collapse and the need to identify affected buildings and to prevent the continuing use of defective concrete; and

(Resolution Continued on Next Page)

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ITEM:

13.KKK. (Continued)

WHEREAS, new construction, renovations and additions to homes and commercial properties continues in the Town of South Windsor and it is of utmost urgency that permit applicants are able to make informed decisions about their construction projects

NOW, THEREFORE, BE IT RESOLVED that the Town of South Windsor directs the Town Manager, Matthew B. Galligan, to direct Town Staff, that at the time a permit is issued for work that involves the use of concrete, the Building Department will provide the applicant with a notice that reads: "There have been recent reports that the use of defective concrete in foundations and basement walls may lead to the failure of the concrete resulting in costly repairs and risks to the safety of occupants. The source of defective concrete is under investigation by the Connecticut Attorney General's Office and the Connecticut Department of Consumer Protection. The Town of South Windsor advises applicants to be diligent in the purchase and installation of concrete for use in their construction projects.

Was made by Councilor Pendleton
Seconded by Deputy Mayor Mirek

Councilor Pendleton stated that the Council needs to inform the citizens of what is going on and direct them in the right direction so they can be more knowledgeable before they move forward with any development of a house or addition on their property.

Mayor Delnicki informed the public that the Town Manager has placed the Department of Consumer Protection publication on the Town's website as well as a press release.

Mr. Galligan stated that the publication and the press release have also been placed on the table in the foyer at the Town Hall, in the Town Clerk's Office and the Building Department. From a managerial standpoint, Mr. Galligan explained that he is not in a position of power to enforce something here, so that makes it very difficult to act on this. If for some reason someone doesn't get the language that is being suggested to be passed out, the Town Council could be held liable. Most of the people coming in who are building a house are contractors and the contractors are informed about issues. The Building

(Resolution Continued on Next Page)

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ITEM:

13.KKK. (Continued)

Department has certain obligations and duties by State Statutes to follow. Mr. Dougan who is the Building Official is concerned that this is not part of his authority. The local representatives should be contacted in order to put pressure on Lieutenant Governor and Consumer Protection. Another way to handle situations is to have residents contact the agencies that can deal with this issue. The Council could also pass a resolution to the agencies.

Mayor Delnicki thanked Representative Aman who spoke in length regarding this issue. Representative Aman came forward with the brochure and press releases and he is working on this issue to see what can be done. Mayor Delnicki stated he has also spoken to State Representative Jeff Currey regarding this issue and he has a call into the State Senators Office.

Deputy Mayor Mirek explained that she has received forms that anyone who has been affected by this issue can fill out.

Mr. Galligan stated that any information that Council members receive should be forwarded to him and he will have it put on the website.

Councilor Pendleton stated that the Town Manager has stated that he does not support the staff handing out a statement and feels this issue is something that should be handled on the State level. Residents should contact State Representative Bill Aman and Jeff Currey. Councilor Pendleton requested that the Town's State Representative be at a future meeting to give a status on this issue.

Mr. Galligan questioned if the Mayor could do a letter requesting the State Representatives come before the Council? Mayor Delnicki said he could do that.

Mayor Delnicki called for a vote on the motion; it failed on a Roll Call vote of 1 to 5 with Councilor Pendleton voting in favor of the motion; and Mayor Delnicki, Deputy Mayor Mirek, Councilor Carroll, Councilor Riley and Councilor Snyder voting in opposition of this motion.

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ITEM:

14. New Business (Continued)

A. Resolution Accepting the Resignation of Lavina Wilson (R) from the Planning & Zoning Commission

BE IT RESOLVED that the south Windsor Town Council hereby accepts with regret, the resignation of Lavina Wilson (R) from the Planning & Zoning Commission, said resignation to be effective immediately; and

BE IT FURTHER RESOLVED that the South Windsor Town Council extends its thanks to Lavina Wilson for the time she has dedicated to serving her community by her membership on the Planning & Zoning Commission.

Was made by Deputy Mayor Mirek

Seconded by Councilor Snyder

Mayor Delnicki stated that Viney has been a tremendous asset on the Planning & Zoning Commission. She dedicated a lot of time, effort and energy and will be missed. Mayor Delnicki thanked Viney for her years of service.

Councilor Snyder reiterated that Viney has been a valuable asset to the Town and has invested a lot of time as a volunteer to the Town.

Councilor Carroll thanked Viney who he had worked with for six years on the Planning & Zoning Commission. Councilor Carroll explained that Viney was his mentor when he first was seated on the Planning & Zoning Commission. She is very passionate about protecting the Town.

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

E. Resolution Setting a Time and Place for a Public Hearing to Receive citizen Input on an Amendment to Ordinance #195, Chapter 50 – Health and Sanitation, Article IV, Blight and Nuisance Ordinance

BE IT RESOLVED that the South Windsor Town Council hereby sets **Monday, January 4, 2016, 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 an **Amendment to Ordinance #195, Chapter 50 – Health and Sanitation, Article IV, Blight and Nuisance Ordinance**, said Ordinance more fully described in attached Exhibit A, a copy of which is on file in the Office of the Town Clerk.

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ITEM:

14. E. (Continued)

Was made by Councilor Pendleton
Seconded by Councilor Carroll

Mr. Galligan explained that CCM provided sample Ordinances from other Towns. He met with the Zoning Enforcement Officer, Pam Oliva, the Chief Building Official, Chris Dougan, and the Town Attorney to review the Ordinance.

Town Attorney Yagaloff explained that CCM provided about ten different Blight Ordinances from other Towns and Town Attorney Yagaloff said he reviewed approximately six others. Out of all of the Ordinance there are only three or four that allow for remediation of occupied properties. Town Attorney Yagaloff reviewed the other Ordinances and explained that he created a new Ordinance that is based upon the current language that is used by most of the communities adopting some of the provisions that allow for the Town to mitigate against dangerous or consistent blighted conditions when there has been no remediation. The Zoning Enforcement Officer and Chief Building Official voiced concerns that there are not well defined steps to take in the proposed Ordinance as there are in the current Ordinance. This new Ordinance will give the Town the ability to go in and remediate property of blighted property where the owners do not remediate. Mr. Galligan suggested that after 90 days on a blighted property if there is persistent blight that is unmitigated that would be a condition for the Town to enter onto the property but prior to that the Town would not be able to do that. The Council's options are to leave the current Ordinance in place and perhaps build something in for occupied properties if they are significantly blighted or to revise the Ordinance to make it consistent with other communities. The Council will have to decide on which option to go forward with.

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

F. Resolution Approving a Transfer of \$3,000 from the Contingency Account to the Repair Maintenance Facilities Account

BE IT RESOLVED that the South Windsor Town Council hereby approves a transfer of \$3,000 from the Contingency Account to the Repair Maintenance Facilities Account to cover costs associated with installing a new fitness center access system.

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ITEM:

14. F. (Continued)

Was made by Deputy Mayor Mirek
Seconded by Councilor Pendleton

Mr. Galligan explained to the Council that the old access system is a computer that is inside the building and the Police Department is unable to see who goes in and out of this building. This transfer will upgrade the fob system and will be monitored by the Police Department. This item is not in the budget.

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

G. Resolution Authorizing Town Manager, Matthew B. Galligan to Apply for a STEAP Grant for Improvements to the Wapping School to a Full-Time Recreation Center

WHEREAS, the Board of Education has determined that the Wapping School will no longer be necessary due to enrollment; and

WHEREAS, the community has accepted the idea of using the old Wapping School facility for a new Recreation Center; and

WHEREAS, the Town has gone for referendum and plans for a new school called Orchard Hill Elementary School which will accommodate those students; and

WHEREAS, the use of this Recreation Center will allow the existing Community Center to be taken over by Human Services for the increased senior population; and

WHEREAS, the Town Council would like to retrofit this building to meet the needs of the growing Recreation programs in the Town of south Windsor; and

WHEREAS, the building will be transferred to the Town within the next Fiscal Year

(Resolution Continued on Next Meeting)

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ITEM:

14. G. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Matthew B. Galligan to apply for a STEAP Grant in the amount of \$500,000 for improvements to the Wapping School to be transformed into a Recreation Center in the Town of South Windsor in which the Town Council will accept such grant for such purpose; and

BE IT FURTHER RESOLVED that Matthew B. Galligan was appointed Town Manager of the Town of South Windsor on January 5, 1996 and will continue in the future, and as the Town Manger, Matthew B. Galligan serves as Chief Executive Officer of South Windsor and is duly authorized to enter into agreements and contracts on behalf of the Town of South Windsor.

Was made by Councilor Riley
Seconded by Councilor Snyder

Councilor Riley stated that not all of the students at Wapping Elementary School will end up at Orchard Hill Elementary School so he is wondering if the paragraph stating "the Town has gone for referendum and plans for a new school called Orchard Hill Elementary School which will accommodate those students" should be altered. Councilor Riley also wanted to ensure that the transfer of the Wapping Elementary School will transfer to the Town by the next Fiscal Year or if that paragraph should be altered.

Mr. Galligan explained that he does not have a problem with using the next Fiscal Year for the transfer of Wapping Elementary School to the Town. The date is a guideline for the grant which can be modified in a future resolution. The redistricting of the schools is a Board of Education issue.

Councilor Riley made a motion to Amend the third paragraph to eliminate "which will accommodate those students". Councilor Snyder seconded the Amendment; and it was approved, unanimously.

Councilor Riley made another motion to Amend the sixth paragraph to eliminate "within the next Fiscal Year". Councilor Pendleton seconded the Amendment.

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ITEM:

14. G. (Continued)

Deputy Mayor Mirek questioned if the new school is going to be called Orchard Hill Elementary School.

Mr. Galligan explained that he would have to go back and research how the schools were named. The Town Council and the Board of Education should discuss this item in the future.

Mayor Delnicki called for a motion on the Amendment; it was approved, unanimously

Councilor Pendleton asked if there was any official action of the community accepting the use of the old Wapping School facility for a new Recreation Center. Mr. Galligan explained that it happened when the Board of Education decided to have their 10-year plan. There was a discussion regarding the Wapping Elementary School being used as a Recreation Center and the Community Center could be expanded for use by the seniors. A referendum was then approved on the school plan and there was a lot of discussion regarding the Wapping Elementary School then being used for a Recreation purpose. The STEAP grant being sought is to get the mechanical items in that building done. This facility could also be used for high school students for educational purposes.

Councilor Pendleton stated that there has been discussions but nothing has been done officially through the Council to move the Park & Recreation Department over to this building and give the seniors more space at the Community Center. Councilor Pendleton explained that she would like the public to understand that if it is decided to move the Park & Recreation Department over to the Wapping facility, the facility will not just be a Park & Recreation Department building, it is a Recreation Center.

Mr. Galligan informed Councilor Pendleton that all of the programs that the Park & Recreation Department presently have will be moved over to the Wapping facility. There are other educational avenues that could be done at this facility. The Recreation Center will include other uses.

Mayor Delnicki called for a motion on the Amended Resolution; it was approved, unanimously.

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ITEM:

14. G. (Continued)

The amended resolution to read as follow:

WHEREAS, the Board of Education has determined that the Wapping School will no longer be necessary due to enrollment; and

WHEREAS, the community has accepted the idea of using the old Wapping School facility for a new Recreation Center; and

WHEREAS, the Town has gone for referendum and plans for a new school called Orchard Hill Elementary School; and

WHEREAS, the use of this Recreation Center will allow the existing Community Center to be taken over by Human Services for the increased senior population; and

WHEREAS, the Town Council would like to retrofit this building to meet the needs of the growing Recreation programs in the Town of south Windsor; and

WHEREAS, the building will be transferred to the Town

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Matthew B. Galligan to apply for a STEAP Grant in the amount of \$500,000 for improvements to the Wapping School to be transformed into a Recreation Center in the Town of South Windsor in which the Town Council will accept such grant for such purpose; and

BE IT FURTHER RESOLVED that Matthew B. Galligan was appointed Town Manager of the Town of South Windsor on January 5, 1996 and will continue in the future, and as the Town Manger, Matthew B. Galligan serves as Chief Executive Officer of South Windsor and is duly authorized to enter into agreements and contracts on behalf of the Town of South Windsor.

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ITEM:

14. New Business (Continued)

H. 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 refund being \$6,399.96 and as more fully described on attached **Exhibit B**.

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

Deputy Mayor Mirek made a motion to suspend the rules in order to take up Item 14. L. Councilor Snyder seconded the motion; and it was approved, unanimously.

**L. Discussion Item: \$9,500,000.00 Obligation for Post Retirement Benefits
(requested by Town Manager, Matthew B. Galligan)**

Mr. Don Gonsalves, 40 Bayberry Trail came before the Town Council and stated that it has been proven that the public salaries are comparable to the private industry and based on that fringe benefits should be no better or no worse than private industry. The South Windsor pension program for the Defined Pension Contribution is four times better than private industry. South Windsor contributes 12.6% on the defined contribution where the private sector is 3%. It is very rare in private industry for anybody to get the health benefits, post retirement benefits that South Windsor gives. The State of Connecticut is in serious financial trouble with a \$25 million dollar obligation in health benefits for retired State employees. South Windsor has a \$9.5 million dollar obligation and can not afford this benefit. South Windsor is paying too much for pensions.

Mr. Galligan explained that in 2006/2007 the Government Accounting Standard Board decided to review what is called post retirement benefits. There are many Towns that provide full benefits to their employees when they retire to the day they die. Those benefits could be health, dental, insurance benefits, long term care benefits, any type of benefit depending on what the union negotiated. Mr. Galligan stated that when he was hired, the Police Department was the only one that got paid health forever going out the door.

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ITEM:

14. L. (Continued)

Through the years, through negotiations, it has been agreed upon that the Police Department benefits will stop at the age of 65 for anyone hired after 2006. If someone retires and they take a job with another firm and they are provided benefits, they are required to take those benefits and not South Windsor's. Town employees do not get paid benefits out the door. We offer a group rate which they pay 100% of. No one has taken that because AARP is cheaper than the Town's group rate. In 2006 GASB 43 came out and there was a Phase I where the Town was required to report these benefits on the financial statements. The amount in the trust fund is a calculation based on the current active members, even though no employee has taken this benefit because the Town is required to calculate the benefit for the future. Mr. Galligan went on to explain that all new hires are allowed the defined contribution which the Town pays 6%, not defined benefit plan.

Answering questions from the Council, Mr. Galligan explained that the Town is putting funds away for the future for a benefit that the Town does not offer. In 30 years the Town will have to make a decision to end the trust and put the money back in the general fund. There is approximately \$1,700,000 in the trust right now. Mr. Galligan stated he would get the bank name that manages those funds to the Council. A report from the Board of Education will also be distributed regarding all new hires.

Councilor Riley stated that he feels the Town is in a good position, especially compared to other Towns.

I. Discussion Item: Panhandling *(requested by Mayor Delnicki)*

Mayor Delnicki explained that panhandling has become a safety concern in Town and it needs to be addressed. Mayor Delnicki provided for the record two letters in support of the Town Council bringing an Ordinance forward to address concerns regarding panhandling as shown in attached **Exhibit C** and **Exhibit D**.

Deputy Chief Custer came forward and told the Council that panhandling is not a new problem in South Windsor. An Ordinance would be drafted by the Town Attorney with input from the Police Department. Panhandlers are creating hazardous traffic conditions by stopping traffic. There have been a

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14. I. (Continued)

number of complaints received by the Police Department. Some of the areas in Town that has been affected are Route 5, Ellington Road and Buckland Road. An Ordinance will be drafted that is enforceable and allows panhandlers their first amendment rights but allows the Town the ability to enforce the laws to keep people out of the roadway which is creating a safety hazard.

Answering questions from the Council, Deputy Chief Custer explained that people panhandle in South Windsor because there is no Ordinance. Route 5 is a State road but matters such as panhandling are handled by the South Windsor Police and can only be enforced with an Ordinance.

Deputy Mayor Mirek thanked the Police Department for addressing this issue which is a growing concern in Town.

Answering questions from Councilor Pendleton, Town Attorney Yagaloff stated that there was a case, Taylor versus the City of Worcester, where it was declared that the Worcester panhandling laws were unconstitutional and there was a major decision in terms of what is allowed and what is not allowed. South Windsor can create an Ordinance that is lawful. The Town can decide what medians and locations in Town are believed to be highly unsafe where panhandling can not happen.

Mayor Delnicki questioned if CCM could be contacted to help with the creation of a Panhandling Ordinance?

Mr. Galligan said that the Town works with CCM and he would put a request into their legal department to see how other Towns have handled this issue. Mr. Galligan felt that there may be glossary definitions that will need to be part of the Ordinance.

There was unanimous consensus by the Council to move forward with drafting an Ordinance.

Town Attorney Yagaloff stated that he would come back with a draft Ordinance at the second meeting in January.

ITEM:

14. New Business (Continued)

J. Discussion Item: EOC/Town Hall Annex (requested by Councilor Snyder)

Mr. Galligan informed the Council that there will be monthly updates on the Town website regarding the progress on the EOC/Town Hall Annex project. There will be a future meeting to discuss the budget for the equipment. Mr. Galligan then gave an update of the project explaining that the water main pipe, some of the gas and some of the utilities have been connected. The inside has been gutted and they are now going through the mechanicals. Some of the windows have been closed off making the building ready for a Category 3 storm.

Answering questions from the Council, Mr. Galligan explained that the STEAP Grant and lease are being used to do improvements to the building. Funding for the video wall and equipment will be in next year's budget. Additional grants will be sought.

Councilor Riley requested an update of the current uses and the identified sources of funding to date be given at the next meeting.

Mr. Galligan explained further that it is felt that the video wall is the best technology out there. If a t.v. goes out, only that t.v. needs to be replaced.

K. Discussion Item: Proposed New Driveway Entrance at South Windsor High School for Bus Traffic Control (requested by Town Manager Matthew B. Galligan)

Mr. Galligan provided the Council with a map as shown in attached, **Exhibit E**. Mr. Sullivan who is the Principal at South Windsor High School is seeking a way to move some of the buses to another location in the morning in order to alleviate the current congestion during the morning drop off. As shown on the map, there is an area on Collins Crossing where a driveway could be located. The strip of land is owned by Brian Edwards. Mr. Galligan stated that before he approaches Mr. Edwards regarding this strip of land, he would like to get consensus from the Council to move forward.

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ITEM:

14. K. (Continued)

Answering questions, Mr. Galligan explained that the Superintendent of Schools is aware of this plan, but he is not sure if the Board of Education has seen the plan yet. The access will be gated and locked after each morning run because the driveway will not be used in the afternoon. When and if the land is acquired by the Town, a resolution will come back to the Council for approval of this project. When the plan is viewed by the Planning & Zoning Commission, discussions can be held on constructing sidewalks where there is presently a path. Town staff will be asked to review the proposal submitted by Mr. Dickinson for the creation of a bike entrance.

Councilor Carroll and Councilor Riley both stated they are in support of this plan. Presently the parking lot is unsafe and there is too much congestion during the morning drop off. Councilor Riley said he would like to see the bus traffic and vehicle traffic separated. Mr. Galligan explained that presently only preliminary discussions have occurred at this time.

Councilor Snyder stated that although she is in support of this plan, she would like to take recommendations from the Board of Education on this plan.

Mayor Delnicki felt that the Board of Education's input on this issue is necessary.

Chairman Joy came before the Council and stated that Dr. Carter did share with him that she was working with Mr. Galligan. If the Council views this proposal favorably, it will be brought to the Board of Education. Anything that can be done to improve site safety, Chairman Joy felt confident that it would be viewed favorably by the Board of Education.

15. Passage of Ordinance

None

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ITEM:

16. Communications and Reports from Town Manager

Mr. Galligan stated that at the January meeting, the Town's pension plan will be reviewed.

Virtual Net Metering

It will cost approximately \$5,000 to prepare and RFP for Virtual Net Metering. It is being estimated it will take approximately 100 man hours to prepare the RFP and to monitor the RFP. It is a 20 year agreement where the Town is going to have certain credits coming in against the bill. Mr. Galligan voiced concerns regarding the agreement explaining that there needs to be something in the agreement that would allow the Town to get out of the agreement if the State changes the law because new technology comes out and if changes happen by State Legislature.

Audit Committee

The Audit Committee will be opening and viewing the bids that have come in for audit services.

The Town is waiting for the final audit report to come in and it will be distributed to the Council. The Town's bond rating should remain the same. As the Council knows, after reviewing the formula for the Pay as you Go program, the Recreation Fund Balances has been restated. The sewer fund has a fund balance of approximately \$398,000. Mr. Galligan also reviewed the health care, pension and fund balance.

Mr. Galligan informed the Council that CREC is in the process of looking to create a program where 20 Towns will form a 5013C Corporation and regionally buy stop loss insurance. CREC is taking the lead and spending the funds necessary to look into this type of regionalization.

Answering questions from Councilor Riley, Mr. Galligan explained that the total premium for the Board of Education and Town is \$16,000,000. The Town's premiums total approximately \$3,400,000 and the Board of Education's premiums total approximately \$12,600,000.

Mayor Delnicki stated that he would like to have at least 8 members present to make a decision on whether the Town should move forward with a Virtual Net Metering project that will have a 20 year commitment.

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17. Public Input

None

18. Communications and Petitions from Council

Mayor Delnicki congratulated new Eagle Scout Alex Biron. His project was improving one of our parks. Mayor Delnicki also congratulated Mike Russotto on 30 years of service to the Town of South Windsor and on his retirement.

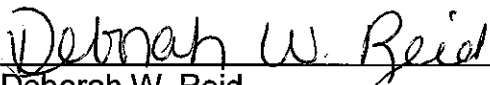
19. Executive Session

None

20. Adjournment

At 9:49 p.m. Councilor Pendleton 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

Ordinance # 195
Anti-Blight Ordinance Proposed Substitution

Town of South Windsor Anti-Blight Ordinance

It is hereby found that within the Town of South Windsor there exists dangerous and blighted properties which adversely affect the health, safety and welfare of the residents of the Town, which constitute a nuisance, and which affect the economic well-being of the Town.

Sec. 1. Definitions

Blighted structure shall mean any building or structure or any part of a building or structure, including, but not limited to, a separate unit attached or connected thereto, in which at least one of the following conditions exist as determined by the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or Chief of Police:

(a) Failure to maintain the structure; factors that may be considered to determine whether a property is being maintained include, but are not limited to, missing or boarded windows or doors; collapsing or missing walls, roof or floor; siding that is seriously damaged or missing; fire damage; a foundation that is structurally faulty; improperly stored garbage, trash, debris or abandoned or junk vehicles located thereon; dilapidation such that the property is deteriorated to the extent that it would not receive a certificate of occupancy if applied for.

(b) Attraction of illegal activity or attractive nuisance.

(c) Fire hazard or fire damage that has not been corrected or repaired for a period of 60 days.

(d) Existence or use that creates a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or of other properties within the neighborhood as documented by neighborhood complaints or by the cancellation of insurance on other properties in the neighborhood.

Vacant and vacant property shall mean real property or a structure in or on which there has not been a person or entity in legal occupancy for a period of 60 days or more.

Dangerous structure shall mean any building or structure or any part of a building or structure, including, but not limited to, a separate unit attached or connected thereto, in which at least one of the following conditions exist as determined by the Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or Chief of Police:

- (a) Conditions that pose a serious or immediate danger to occupants, users or the public that puts their health, safety and welfare at risk.
- (b) Interior or exterior bearing walls or other vertical structural members that list, lean or buckle to such an extent as to weaken the structural support they provide.
- (c) Loads upon the floors or roofs that are improperly distributed or floors or roofs that have insufficient strength for their intended purpose.
- (d) Damage caused by fire, wind or a natural cause to the extent that the structure no longer provides shelter from the elements and is dangerous to the health, safety and welfare of its occupants or users or the public.
- (e) Dilapidated, decayed, unsafe, unsanitary or vermin-infested conditions that are likely to cause sickness or disease or injury to the occupants or users or the public.

Nuisance

- (a) A *blighted structure* as defined herein where there exists any condition that is a danger to the health, safety and welfare of the public;
- (b) A *dangerous structure* as defined herein where there exists any condition that is a danger to the health, safety and welfare of the public; or
- (c) Any other vacant or improved real property where there exists any condition that is a danger to the health, safety and welfare of the public, including, but not limited to:
 - (1) The accumulation, exposure, deposit or burial of any foul, decayed, putrid or offensive substances, including, but not limited to, garbage, litter, sewage, animal carcasses or parts thereof or any other refuse or filth.
 - (2) Any condition that causes an unreasonably offensive odor, which unreasonably offensive odor may be smelled or detected on any property other than that from which the odor emanates.
 - (3) The storage of 10 or more tires outdoors except where such tires are stored incidental to the conduct of a business licensed by the Connecticut Department of Motor Vehicles or one that is lawfully engaged in the sale or recycling of tires on the premises where the tires are kept.

Sec. 2. Prohibitions

- (a) No owner of real property located in the Town of South Windsor shall cause or allow real property to be blighted, dangerous, or a nuisance, as defined herein.

Sec. 3. Blighted Property Appeals Board

There shall be established a Blighted Property Appeals Board which shall consist of three members and two alternates who shall be appointed by the Mayor with the approval of the Town Council and all of whom shall be electors of the town. The first term of the members and alternates of the Board shall end on November 30, 2016. Thereafter, the members and alternates shall serve for four-year terms commencing on December 1 and ending on November 30. Any vacancy in any term of office of a member or alternate shall be filled in accordance with the provisions of the Town Charter.

Sec. 4. Enforcement

(a) Notice of violation. If the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or Chief of Police determines that a nuisance exists, he or she shall issue a notice of violation, the form of which is set forth herein, by mailing said notice of violation to the owner of the subject property by certified mail, return receipt requested, to the address of said owner as recorded in the Tax Collector's office. Service may also be made by in-hand or abode service by a duly authorized Connecticut Sheriff. The notice of violation shall contain sufficient details about the nuisance, to give the owner adequate notice thereof. The notice of violation shall also contain sufficient details about the required repairs to give the owner adequate notice thereof. The owner shall be required to remove or correct the nuisance within 15 days after the receipt of the notice. The owner may demand a hearing before the Blighted Property Appeals Board if, within said fifteen-day period, he or she makes a written demand therefore that is received by the official who issued the notice of violation within said fifteen-day period. Such request shall be mailed to the official who issued the notice of violation by certified mail, return receipt requested, or delivered using an overnight carrier. A hearing, if any, shall be conducted on or before the 30th day after the date of the mailing, publication or service of the notice of violation. The failure of the owner to request a hearing shall constitute a waiver of the right thereto. The receipt of a timely, written request for a hearing will automatically stay any further enforcement of the demand set forth in the notice of violation until a decision of the Blighted Property Appeals Board has been made and served upon the owner. A decision of the Blighted Property Appeals Board shall be deemed to have been served on the date a copy thereof has been mailed to the owner by certified mail, return receipt requested, to the address set forth in the notice of violation or to any other address requested by the owner in writing.

(b) Hearing. At the hearing, the owner may contest the propriety of the issuance of the notice of violation. The Blighted Property Appeals Board shall consider the owner's arguments and shall thereafter render its written decision by a majority of those present and voting having applied the criteria and definitions set forth in this ordinance. The Blighted Property Appeals Board may, but shall not be required to, issue or continue any stay for a period not to exceed 15 days.

(c) Decision. The decision of the Blighted Property Appeals Board shall be final and may be appealed to the Superior Court in accord with the applicable provisions of the Connecticut General Statutes.

Sec. 5. Other grounds for issuance of notice of violation

In addition to any of the other grounds set forth in this article, a notice of violation may be issued if the Building Inspector determines that an occupied structure is damaged, decayed or deteriorated to the extent that it has become dangerous to the occupants thereof; he or she may issue a notice of violation containing an order, inter alia, that the structure be vacated and demolished.

Sec. 6. Penalties for offenses

a) Penalties:

- 1) Each violation of this ordinance shall be considered a separate municipal offense.
- 2) Each day any violation continues shall constitute a separate offense.
- 3) Each separate offense under this ordinance shall be punishable by a fine of one hundred dollars (\$100.00) payable to the Town of South Windsor.

b) Enforcement:

- 1) The Town Manager, Enforcement Officer, or any police officer in the Town of South Windsor is authorized to issue a citation or summons for a violation of this ordinance.
- 2) In addition thereto, the Town Manager or Enforcement Officer is authorized to initiate legal proceedings in the Superior Court for the immediate correction of the violation(s), collection of any penalties, and the recovery of all costs including costs of remedial action, court and the reasonable attorney's fees incurred by the Town of South Windsor to enforce this ordinance.
- 3) All fines, court costs, costs of remedial action, and attorney's fees, as ordered by the court, shall constitute a lien on the subject premises, provided the owner of said premises has been notified of the violations as herein provided.

Sec. 7. Immediate Action

(a) Where the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or the Chief of Police determines that there is a condition that causes an immediate danger to the health, safety or welfare of the users, occupants or owner of property or to health, safety or welfare of the residents of the town or that there is an immediate danger to other property, such officer shall cause the town or its agents or employees to make immediate repairs or to effect whatever other work may be

necessary to eliminate the cause or causes of such danger and place a lien on the subject property for the cost of the repairs or other work.

(b) Where the Town Manager, Building Inspector, Fire Marshal, Zoning Enforcement Officer, Director of Health or the Chief of Police determines that there is a condition that causes an immediate danger to the health, safety or welfare of the users, occupants or owner of property or to health, safety or welfare of the residents of the town or that there is an immediate danger to other property, such officer and his agents shall have the right to enter upon said property for the purpose of evaluating the extent and causes of the danger and for making repairs.

(c) As soon as is practicable under the circumstances, the officer entering property for a purpose set forth above shall take all reasonable efforts to contact the owner of the subject property and give information concerning the need for immediate action.

Sec. 8. Special Consideration

Special consideration may be given to individuals who are elderly or disabled and who demonstrate that the issuance of a notice of violation results from an inability to maintain an owner-occupied residence and no person with that ability resides therein. If the official who issued the notice of violation has reason to believe that these facts exist, he or she shall, as soon as is practicable but in no event more than five business days after the discovery of such alleged facts, convene a meeting of the Blighted Building Appeals Board for the purpose of determining whether to afford special consideration to the property owner. Such special consideration shall be limited to the reduction or elimination of fines and/or an agreement that the town or its agents will perform the necessary work and place a lien on the property for the cost thereof as hereinabove set forth.

TAX REFUNDS

Exhibit B

Ryder Truck Rental Inc. 99 Murphy Road Hartford, CT 06114-2104 (Removed per DMV Tax Town error Plate #48121A) MV14-520286	934.33	Ryder Truck Rental Inc. 99 Murphy Road Hartford, CT 06114-2104 (Removed per DMV Tax Town error Plate #52275A) MV14-520302	934.33
King Colin Z 230 Beelzebub Road South Windsor, CT (Overpayment) MS-851821	95.35	Freedom Mortgage Attn: LaKetia Harris, Escrow Admin. Dept. P.O. Box 489 Mt. Laurel NJ 08054-0489 (Overpayment) RE14-6441	4435.95

Mrs. Bonnie F. Rabin, Collector of Revenue Total Refunds: \$6,399.96 Date: 12/21/2015

To whom it may concern:

I have had concerns for over a year in regards to the panhandlers in our town of South Windsor. I reside on the very active intersection of John Fitch and Sullivan. There is one individual in particular that I am having issues with and he is generally a nuisance for our town. He often holds up traffic to ask for change and has almost caused collisions from cars stopping so abruptly. On top of this he discards his trash everywhere. I can even look out my back window to see his trash scattered throughout the area. I confronted him about this issue, kindly giving him a trash bag to use, which is now lying outside. I have spoken with neighbors and friends in the area and they are very disgruntled and frustrated with the situation. My wife is also very concerned as we often work opposite schedules. A situation occurred a few years ago where a man under the influence of drugs stumbled into our home while I was at work. By the time the police arrived the man had disappeared. She has expressed her nervousness of this individual as he is consistently in front of our residence and knows our schedules. Many individuals have expressed their annoyance and concerns about the panhandlers that are regularly residing in our town and hope to put a stop to this. Many surrounding towns have made ordinances in regards to this issue and I hope we can discuss to do the same for the safety of our residents.

thank you of looking into this for us

Thomas

Jay Kelly www.Americannomadskates.com www.Shamrockcustoms.com

Reid, Deborah

From: vtsdmailer@vt-s.net on behalf of doublek115@netzero.com
Sent: Monday, December 21, 2015 9:18 AM
b: Reid, Deborah
Subject: [Town of South Windsor CT] Panhandling

Hello dreid,

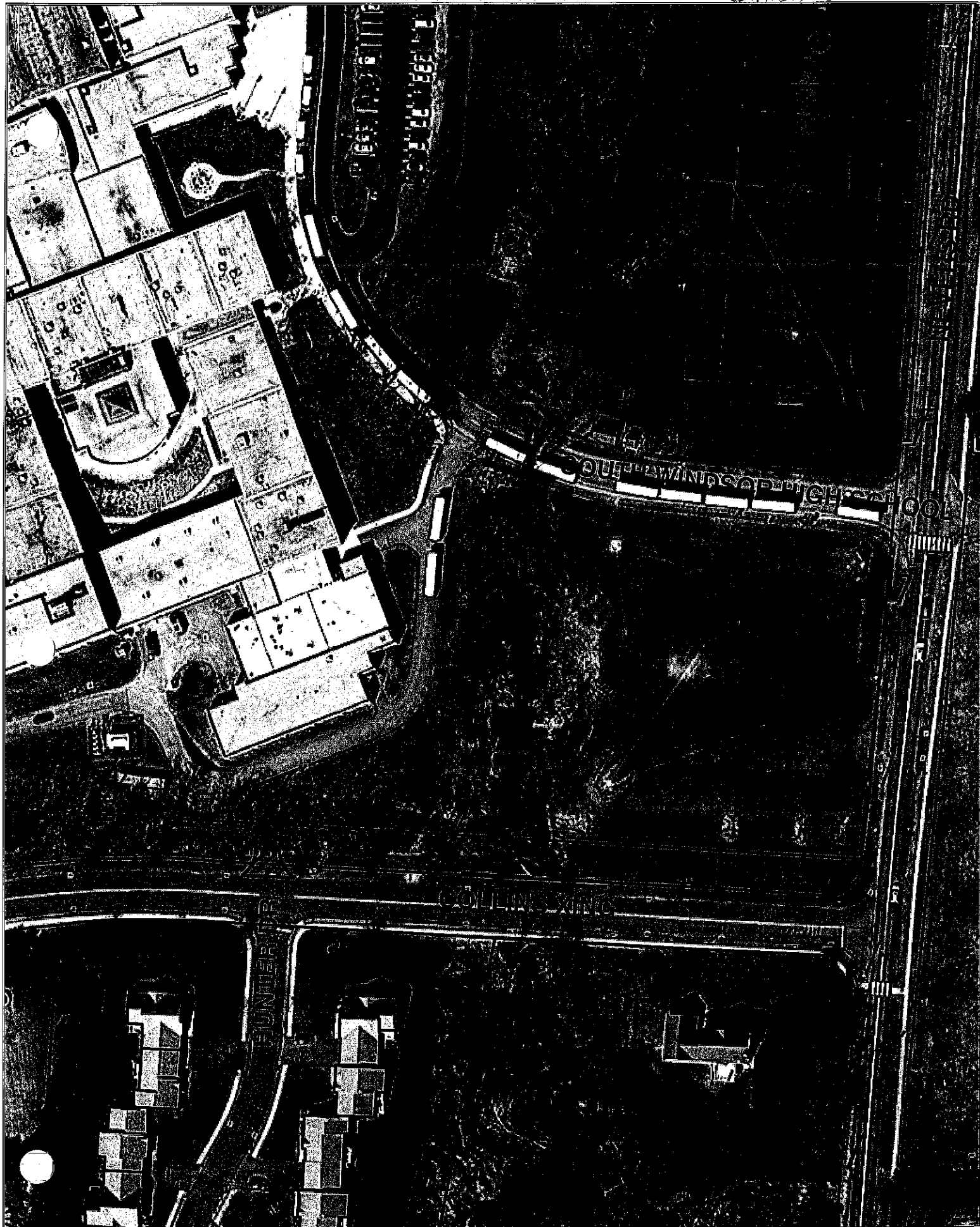
Tim Silver (doublek115@netzero.com) has sent you a message via your contact form (<http://www.southwindsor.org/user/656/contact>) at Town of South Windsor CT..

If you don't want to receive such e-mails, you can change your settings at <http://www.southwindsor.org/user/656/edit>.

Message:

I understand that there will be a discussion on panhandling at tonight's council meeting. I am all for the town drafting some type of ordinance regarding this issue. I do a lot of local driving for my work and don't see this in neighboring towns.

Tim Silver
Murielle Drive



TOWN OF SOUTH WINDSOR
COLLINS CROSSING ENTRY TO HIGH SCHOOL
 1 inch = 100 feet



PROPOSED GATED ACCESS DRIVE
(ENTRANCE ONLY)



GATE

Platimetric data provided by SBC under contract and is based on an aerial flight performed in spring of 2006. Continuous updates completed with Aerial Information and CHOCOG aerial flight performed in spring of 2009. This map is a graphical representation of property information and is subject to change. The Town of South Windsor and SBC assume no legal responsibility for information depicted on this map and is to be used for planning purposes only.

