

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

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June 5, 2017

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

1. Call Meeting to Order

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

4. Roll Call

Members Present: Mayor Carolyn Mirek
Deputy Mayor Janice Snyder
Councilor M. Saud Anwar
Councilor Cindy Beaulieu
Councilor William Carroll
Councilor Lisa Maneeley
Councilor Liz Pendleton
Councilor Matthew Riley

Members Absent: Councilor Edward Havens

Others Present: Matthew B. Galligan, Town Manager
Morris Borea, Town Attorney (arrived at 7:11 p.m.)

5. Communications and Reports from Town Manager

Mr. Galligan reported on the following:

- Mrs. Bonnie Rabin who was the Collector of Revenue retired effective June 1, 2017. She did a fantastic job and the Town wishes her well. The job posting has been advertised.
- Eversource will be going for Siting Council approval for a sound wall at Barber Hill Substation. All of the neighbors have been notified and it is hopeful that by the fall of 2018 this project will be complete. Another study will be done after the wall is complete to ensure that this project meets all guidelines of the State.
- Mr. Allen Friedland who is the Pension Attorney from Jackson Lewis will be in Executive Session to discuss the RHS Plan before a vote is taken on it.
- PURA ruled that municipalities need to be contacted by cell phone providers prior to putting anything on the poles to enhance communications.
- The fence at the high school has been completed in accordance with the plan. The fence goes 60 feet past the Burgess property.

(Communications and Reports from Town Manager Continued)

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ITEM:

5. Communications and Reports from Town Manager *(Continued)*

- The Town has received the MERSA payment from the State.
- Channel 3 did an interview with me which did go on the air regarding the Governor's budget and the effect on local municipalities.
- The Studio project is moving forward. An environmental study needs to be done which will cost about \$3,000 and will come out of grant funds. After the study is complete, financing will begin.
- The DCK project is on hold at this time. This project has a fuel cell which will be used to pay for some of the infrastructure improvements on I-291. Once the study is complete and construction of the fuel cell begins, infrastructure improvements can be determined..
- There is another project that is being worked on with a company that is presently in the State of Washington.

Councilor Anwar requested that the Town Manager meet with the neighbors near the Barber Hill Substation and Eversource to review the design of a sound wall before going to the Siting Council. He also requested that the Town Manager meet with the neighbors near the high school to make sure they are all happy with the fence.

Councilor Anwar questioned why the Council would have to go into Executive Session to discuss the RHS Plan. Mr. Galligan explained that there are some IRS rules that need to be discussed as well as violations. The discussion has nothing to do with the employees.

6. Public Input (Items Not on the Agenda)

Mr. Robert Dickinson, 19 Birch Road came forward and stated that South Windsor has taken many actions to lower energy consumption and increase the use of renewable energy. The Town should pledge to continue to meet the goals of the Paris Agreement on climate change.

Mr. Mike Pare, 56 Quarry Brook Drive informed the Council and public that the South Windsor Alliance for Progress will be holding the 4th Annual Coffee and Conversation on June 15, 2017 at 7:00 p.m. at the South Windsor Public Library in the Friends Room and will be regarding LGBTQ Rights and building a more inclusive community.

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ITEM:

6. Public Input (Items Not on the Agenda) (*Continued*)

Mr. Don Gonsalves, 40 Bayberry Trail stated that the public is not aware of what happened to the budget and he is opposed to the budgets that were passed for the Board of Education and General Government. The budgets were supposed to share the sacrifices. The school budget was cut \$500,000 and laid off 19 people. The Town budget increased by \$200,000. The Town will need to raise taxes further or cut services after the State budget is approved. The General Government budget took \$1,000,000 out of fund balance and \$2,000,000 out of health benefits. Mr. Gonsalves said he is in agreement of \$1,000,000 but not \$2,000,000. There was a Council member who had said no money should be taken from the fund balance.

Ms. Cynthia Chaplin who is the President of the South Windsor Community Band came forward to invite the public and Council to their Spring Concert on Friday, June 9, 2017 at 7:00 p.m. at Timothy Edwards Middle School. Admission is free and a reception will follow after the concert.

Mr. Andy Paterna, 301 Strawberry Lane came forward to announce that the Farmers Market will open on June 17, 2017 at 10:00 a.m. at the Community Center.

Ms. Jessica Vogelgesang who is the Director of Marketing and Administration at Wood Memorial Library came before the Town Council. Ms. Vogelgesang informed the Council and Public that Images of America: South Windsor has been published. Anyone interested can get the book at Wood Memorial Library, Barnes and Noble, on-line, etc. at the cost of \$23.00. Wood Memorial Library is putting together a summer of history for this book. The first event will be a book signing by Claire Lobdell on Saturday, June 10, 2017. There will be second Saturday events held starting with "Past Meets Present on July 8th and Historic Main Street on August 12th. There will be several other book signing events held in July and August. All events are free and these events will be well publicized.

Mr. Toby Lewis, 32 Linda Lane stated that at this time the Governor's budget has cut State funding to the Town of South Windsor in the amount of \$12,000,000 and it appears that there will not be a State budget by the end of the session on June

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ITEM:

6. Public Input (Items Not on the Agenda) (*Continued*)

7th. In order to maintain services in the Town of South Windsor, our Town Council should be demanding that each and every department be as cost efficient as possible. The Council should establish a temporary committee to look at every aspect, financial and safety, to come up with a plan for the voting in schools.

Mayor Mirek explained to Mr. Lewis that this item is on the agenda and he could finish speaking later in the meeting because he is speaking on an item that is on the agenda..

Mrs. Mary Justine Hockenberry, 16 Foxglove Lane and a member of the Board of Education came before the Town Council and reported on the closing of Wapping School on May 22, 2017. Mrs. Hockenberry thanked the staff and all those who participated in the event.

8. Public Petitions

None

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

Councilor Carroll reported that Armed Forces Day was held on May 20th and on May 29th the Memorial Day Ceremony was held at VMP. The parade was cancelled due to weather.

Deputy Mayor Snyder delivered a message from Mary Etter who is the Director of the South Windsor Public Library. The South Windsor Public Library, Board of Directors is inviting the Council and public to a Casual Luncheon to celebrate 20 years of service in the expanded Library on Wednesday, June 7 from 12:00 p.m. to 2:00 p.m.

Mayor Mirek informed the Council that the Mass Transit and Highway Advisory Commission is presenting two informational events about bus transportation. The first event will be held on June 22, 2017 at 10:00 a.m. at the South Windsor Community Center and the second event will be on June 27, 2017 at 7:00 p.m. at the South Windsor Public Library. There will be information regarding these events on the Town website, or Chairperson Karen Wagner can be contacted at kewagner@aol.com.

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10. Reports from Standing Committees

None

11. Reports of Temporary Committees

None

12. Public Participation (Items on the Agenda)

Ms. Marcia Banach, 80 Mountain Spring Road, Tolland, CT who is the retired Director of Planning explained to the Council that after seeing the Council's executive session on the agenda, she called the FOI to question the legality of that topic as listed and was told that it is ineligible as an executive session as written. Ms. Banach then went on to discuss the RHS plan and stated that there are so many unanswered questions. Ms. Banach stated that the RHS plan is performing as intended and requested that the Council not dissolve this plan.

Mrs. Kathleen Miller, 105 Greenfield Drive came before the Council to speak in opposition to the resolution of the Council forming a temporary committee to review possible changes in voting districts and polling locations. Schools could be closed any time voting happens when normally children would be attending school.

Mrs. Jamie Krejeski, a former South Windsor employee came forward to speak in favor of the dissolution of the RHS plan. Approximately nine years ago the RHS plan was forced upon the employees in the management group. This money will not go to anyone if something happens to my husband and do not have any dependents. Mrs. Krejeski urged the Council to vote in favor of the dissolution of this plan and disperse the money that belongs to the people who invested.

Mr. Don Gonsalves, 40 Bayberry Trail requested that when the discussion regarding sick leave is discussed tonight he would like to know the policy on sick leave as to whether or not employees are allowed to accumulate sick leave.

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ITEM:

12. Public Participation (Items on the Agenda) (*Continued*)

Mr. Mike Pare, 56 Quarry Brook Drive came forward to speak in opposition to a resolution forming a temporary committee to review possible changes in voting districts and polling locations. Changing and reducing polling locations impacts voter turnout. Mr. Pare reviewed charts which showed reduced voter turnout after changing polling locations.

Mayor Mirek called for a Point of Order explaining that the discussion item is not about voter turnout, it is about forming a temporary committee. Mr. Pare stated that it is about forming a committee to change, redistrict and reduce polling locations. Mayor Mirek explained that it is to form a committee to evaluate.

Councilor Anwar called for a Point of Order stating that the public is speaking and should be allowed to do so. Mayor Mirek explained Public Participation is for items on the agenda.

Mr. Pare continued stating that this committee is being formed to reduce voting locations and the result of changing the voting locations is a reduction in voter turnout.

Deputy Mayor Snyder called for a Point of Order explained that the topic is about forming a temporary committee. Deputy Mayor Snyder requested that the Mayor determine whether this is off topic. Not here to discuss the merits of it, that is what the committee would be required to do. This topic could be brought to the committee's attention if it is formed.

Councilor Anwar called for a Point of Order stating that the public has the right to speak. Mayor Mirek stated that it should be for items on the agenda. Councilor Anwar felt that this item is in the agenda and the public has the right to speak.

Councilor Beaulieu called for a Point of Order asking the Mayor to remind everyone in the audience to conduct themselves with decorum and when it is someone's time to be at the microphone, they should be the only person speaking. Mayor Mirek requested that the public be respectful.

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ITEM:

12. Public Participation (Items on the Agenda) (*Continued*)

Mr. Toby Lewis, 32 Linda Lane felt that there is enough evidence showing that there should be a committee formed to review possible changes in voting districts and polling locations. If there is a savings to the Town and increase safety, that would be an added benefit to the Town.

Mrs. Joan Walsh came forward and stated that she was on the committee when the polling locations were changed from seven to five and requested that she be put on the this committee if it is formed.

At 8:00 p.m. Mayor Mirek recessed the Regular Meeting in order to call the Public Hearing to order. The Regular Meeting reconvened at 8:05 p.m.

A town employee came before the Town Council and stated that she is opposed to contributing to the RHS plan. She does not have children and is not married and is important to her not to contribute to this plan.

Mr. Mike Gantick, Director of Public Works stated that the cost of health insurance is an issue that has not been solved on the national level. Currently the \$48,000 that he has saved will last him three years after retiring. Health care costs are always rising and this plan helps offset some of those costs. This plan should be fixed to work for everyone.

Ms. Lauren Bent from the Park & Recreation Department came forward to speak in favor of the dissolution of the RHS plan. If anything were to happen to me before retirement, the money will go back to the Town because she is not married and does not have any dependents. Ms. Bent feels it is her responsibility and decision where and how she wants to invest her money.

Mr. Andy Paterna, 301 Strawberry Lane came forward to speak in opposition of the resolution to form a committee to review possible changes in voting districts and polling locations. This committee should not include Council members or Chairs of the Democratic Party or the Republican Party. If voting districts are changed there will be a savings to the Town in the amount of approximately \$2,000 if the Town goes from five polling locations to three, but because of State law \$6,900 will be spent.

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ITEM:

12. Public Participation (Items on the Agenda) (*Continued*)

A resident from Sandstone Drive came before the Council to speak in opposition to forming a temporary committee to review possible changes in voting districts and polling locations.

Mrs. Elizabeth McGuire, 89 Heritage Drive stated that forming a committee to review polling locations is unnecessary. There are much larger issues of importance such as residents who are using the Town's food pantry, crumbling foundations, drainage issues on Ridge Road and Deming Street, and the High Tech Park which remains in limbo as does the fuel cell project. The only time children are in school when voting is taking place is during the primaries which happens only once every four years. Money will not be saved by changing polling locations. Changing polling locations will only impact voter turn-out, impact voter participation and waste taxpayers money. Council members should do what they were elected to do which is govern.

Mrs. Kathy Hale, 54 Orchard Hill Drive explained to the Council that she has worked in almost every election for the past decade. Voters do not like it when you change their voting locations. There is not a convenient place in Town to put the number of voting booths which the Town is required to have. There has never been a problem with safety concerns and requested that the Council abandon this plan.

Mayor Mirek stated that Public Participation is now closed. Councilor Anwar called for a Point of Order stating that the public has the right to speak and also stated that the Council requires a consensus at this point to continue with the agenda. Town Attorney explained that the Mayor has the right to rule on this.

Councilor Pendleton called for a Point of Order stated that there are many rules that have been broken tonight at the convenience of the majority party and Councilor Pendleton said she would not limit the time for those who want to speak. Mayor Mirek continued on with the agenda.

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ITEM:

14. Unfinished Business

- A. Resolution Removing from the Table Item 15. H. of the Town Council's Regular Meeting of May 15, 2017 – Resolution Authorizing the Town Manager to Dissolve the ICMA Retirement Corporation's VantageCare Retirement Health Savings Plan**

BE IT RESOLVED that the South Windsor Town Council hereby removes from the table, Item 15. H. of the Town Council's Regular Meeting of May 15, 2017 – Resolution Authorizing the Town Manager to Dissolve the ICMA Retirement Corporation's VantageCare Retirement Health Savings Plan.

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

At 8:28 p.m. Deputy Mayor Snyder made a motion to suspend the rules in order to go to Item 19. Executive Session. Councilor Maneeley seconded the motion; and it was approved, unanimously.

19. Executive Session

At 8:28 p.m. Deputy Mayor Snyder made a motion to go into Executive Session and referenced Connecticut General Statutes 1-210 (b) (10) regarding tax returns, reports and statements and attorney client privilege communications. Councilor Maneeley seconded the motion.

Councilor Anwar questioned if this item is only on a specific issue around the Town's perspective. Mr. Galligan explained that the discussion is on the plan itself.

Town Attorney Boreau explained that as part of the motion, Section 1-200 which defines Executive Session should be referenced prior to Section 1-210 (b) (10).

Deputy Mayor Snyder amended the motion to reference Connecticut General Statutes 1-200 and 1-210 (b) (10) regarding tax returns, reports and statements and attorney client privilege communications. Councilor Maneeley seconded the amendment and it was approved, unanimously.

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ITEM:

19. Executive Session (Continued)

The following individuals went into Executive Session:

Mayor Mirek, Deputy Mayor Snyder, Councilor Anwar, Councilor Beaulieu, Councilor Carroll, Councilor Maneeley, Councilor Pendleton, Councilor Riley, Town Manager Matthew B. Galligan, Town Attorney Morris Borea, Attorney Allen Friedland, Director of Human Resources Vanessa Perry and Director of Finance Patricia Perry.

At 9:29 p.m. Deputy Mayor Snyder made a motion to adjourn the Executive Session. Councilor Carroll seconded the motion; and it was approved, unanimously.

14. Unfinished Business (Continued)

B. Resolution Authorizing the Town Manager to Dissolve the ICMA Retirement Corporation's VantageCare Retirement Health Savings Plan

WHEREAS, on March 1, 2004 the South Windsor Town Council had adopted an ICMA Retirement Corporation's VantageCare Retirement Health Savings Plan (hereinafter referred to as "RHS Plan") for the benefit of its non-bargaining unit member employees; and

WHEREAS, the Town Council has been made aware of the IRS Regulations that restrict the ability for employees to designate a beneficiary on their RHS Plan; and

WHEREAS, the Town Council has determined that it is in the best interest of the Town and its employees to dissolve the RHS Plan and distribute all funds back to each employee, former employee, and retiree; and

WHEREAS, the dissolution of the RHS Plan will require the current Non-Bargaining Unit Member Fringe Benefit Description to be updated by removing the reference of the employees' sick leave payout to be paid into the employee's Retirement Health Savings Account and adding that the payout will be put into the employee's 457 account and also removing the requirement for employees to enroll into the RHS Plan

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ITEM:

14. B. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes the Town Manager, and/or any other official designated by him, to execute the above referenced dissolution of the current RHS Plan; and

BE IT FURTHER RESOLVED that the Town Council hereby approves the revisions to the Fringe Benefit Description for Non-Bargaining Unit Members for Fiscal Year 2016/2017 through 2018/2019.

Was made by Deputy Mayor Snyder
Seconded by Councilor Maneeley

Deputy Mayor Snyder made a motion to amend the resolution to read as follows:

WHEREAS, on March 1, 2004 the South Windsor Town Council had adopted an ICMA Retirement Corporation's VantageCare Retirement Health Savings Plan (hereinafter referred to as "RHS Plan") for the benefit of its non-bargaining unit member employees, and a related ICMA "Integral Trust" (hereinafter referred to as "Plan Trust") for the purpose of setting aside funds to assist the Town of South Windsor with the payment of RHS Plan benefits; and

WHEREAS, the Town Council has been made aware of the strict requirements imposed on employer-sponsored medical reimbursement plans such as the RHS Plan under the Internal Revenue Code, and applicable IRS rulings and regulations in order that the RHS Plan benefits paid remain nontaxable to employees, former employees and retirees; and

WHEREAS, the RHS Plan and the Plan Trust maintained for the RHS Plan unconditionally reserve to the Town of South Windsor the exclusive right to amend, modify and terminate the RHS Plan and the Plan Trust; and

WHEREAS, the Town Council has determined that it is necessary and appropriate to terminate the RHS Plan effective July 3, 2017, and to dissolve the Plan Trust by distributing to each employee, former employee, and retiree with a remaining RHS Plan account a single lump sum from the Plan Trust equal to their then remaining RHS Plan account value, subject to withholding of all applicable taxes; and

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ITEM:

14. B. (Continued)

WHEREAS, the dissolution of the RHS Plan will require the current Non-Bargaining Unit Member Fringe Benefit Description to be updated by removing the reference of the employees' sick leave payout to be paid into the employee's Retirement Health Savings Account, and also removing the requirement for employees to enroll into the RHS Plan

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby terminates the RHS Plan effective July 3, 2017, and directs the Town Manager, and/or any other official designated by him, to adopt and execute any and all amendments to the RHS Plan, and the Plan Trust as the Town Manager shall determine necessary and appropriate to complete the termination of the RHS Plan and dissolution of the Plan Trust; and

BE IT FURTHER RESOLVED that all assets of the Plan Trust remaining after the completion of all payments to employees, former employees, and retirees upon termination of the RHS Plan shall revert back to the Town; and

BE IT FURTHER RESOLVED that the Town Manager, and/or any other official designated by him be and each of them are hereby authorized, empowered, and directed to adopt such administrative rules and procedures for terminating the RHS Plan and dissolving the Plan Trust as they shall determine necessary and appropriate; and

BE IT FURTHER RESOLVED that the Town Council hereby approves the revisions to the Fringe Benefit Description for Non-Bargaining Unit Members for Fiscal Year 2016/2017 through 2018/2019 as proposed in the premises to these Paragraph H. resolutions.

Councilor Carroll seconded the amended resolution; and the motion passed 7 to 0 with Councilor Anwar abstaining.

13. Consent Agenda

Councilor Carroll made a motion to approve Agenda Items 15. A (*) through 15. D. (*) as the Consent Agenda. Councilor Riley seconded the motion; and it was approved, unanimously.

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ITEM:

15. New Business

- * A. Resolution Appointing Nadine Hassan-Caron (R) to the Historic District 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 Nadine Hassan-Caron (R) to the Historic District Commission for a term ending November 30, 2021 to fill the expired term of Walter Fitzpatrick and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

- * B. Resolution Appointing Renee Powell (R) to the Park & Recreation 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 Renee Powell (R) to the Park & Recreation Commission for a term ending December 31, 2017 to fill the unexpired term of Cindy Beaulieu and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

- * C. Resolution Appointing Edward Gawlinski (R) an Alternate to the Patriotic 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 Edward Gawlinski (R) an Alternate to the Patriotic Commission for a term ending December 31, 2017 to fill the unexpired term of Teri Dickey-Gagnat and postpones consideration of this motion until the Town Council's next regularly scheduled meeting.

(Approved by Consent Agenda)

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ITEM:

15. New Business (Continued)

- * D. Resolution Appointing Roy Normen (R) to the Personnel Board of Appeals and Postponing Consideration of this Motion until the Town Council's Next Regularly Scheduled Meeting**

BE IT RESOLVED that the South Windsor Town Council hereby appoints Roy Normen (R) to the Personnel Board of Appeals for a term ending November 30, 2017 to fill the unexpired term of Teri Dickey-Gagnat and postpones consideration of this motion until the Town council's next regularly scheduled meeting.

(Approved by Consent Agenda)

- E. Resolution Authorizing the South Windsor Town Council to Remove Daniel Van Horn (R) from the Park & Recreation Commission**

WHEREAS, under the Town Charter, Chapter 5, Section 502 (b), the South Windsor Town Council has the authority to remove any member of a Board, Commission, or Committee appointed by it if such member has absented himself/herself from all meetings of his/her Board, Commission, or Committee for a period of three consecutive months; and

WHEREAS, Mr. Daniel Van Horn (R) a Member of the Park & Recreation Commission has been absent from the Commission meetings for more than a period of three consecutive months

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 502 (b) of the Charter, the South Windsor Town Council hereby removes Mr. Daniel Van Horn as a member of the Park & Recreation Commission effective immediately.

Councilor Beaulieu explained that the Council will not be reading this resolution or acting on this resolution.

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ITEM:

15. New Business (Continued)

F. Resolution Authorizing Town Manager to Sign an Extension of the Refuse Disposal and the Curbside Collection of Refuse and Recyclables Contracts

WHEREAS, the Town's current contract with Murphy Road Recycling for refuse disposal services expires on November 12, 2017; and

WHEREAS, the Town has received pricing proposals from MIRA (formally CRRRA) and Murphy Road Recycling for refuse disposal services; and

WHEREAS, the proposal submitted by Murphy Road Recycling provides the greatest flexibility and will guarantee the net MSW cost less recyclable rebate that will not exceed MIRA's Tier 1 MSW cost

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Matthew B. Galligan to sign an extension of the Refuse Disposal and the Curbside Collection of Refuse and Recyclable Contracts through June 30, 2020.

Was made by Councilor Anwar
Seconded by Councilor Pendleton

Mr. Galligan explained to the Council that since CRRRA dissolved this has been a huge nightmare and suggested renewing the contract with Murphy Road Recycling because he feels the contract is in the best interest of the taxpayers of South Windsor.

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

G. Discussion Item: Textile Recycling (requested by Mayor Mirek) (Tony Manfre, Superintendent of Pollution Control; and Joe Cea, Baystate Textile to be present)

Mr. Tony Manfre, Superintendent of Pollution Control came before the Town Council and explained that Baystate has been working with the Town to try to

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ITEM:

15. G. (Continued)

roll out a textile recycling program. The textiles that can be recycled are clothing, foot wear and linens which all can be recycled. The more we pull out of the trash waste stream, the less our tipping fees will be. Baystate will pay the Town \$100 per ton for these recyclables. There is an environmental benefit to recycling textiles also.

Mr. Joe Cea, Baystate Textile came forward and explained that Baystate Textiles is a recycling textile company. Baystate Textiles has been in business for approximately 20 years. Baystate does textiles recycling for approximately 250 municipalities in Massachusetts and for over 600 schools. In Connecticut there are recycling boxes in 65 Towns. The average recycling of textiles is about 15% for the country. Baystate Textiles recycles up to 95% of what is collected. Each place that has a box receives \$100 per ton, which can bring in about \$2,000 per year. At schools Baystate will hold sessions to teach students about recycling textiles. Baystate Textiles is also located in Puerto Rico. If a box is overflowing, Baystate Textiles will come out and make sure those items are cleaned up. Each box is customized depending on the Town or school where the box is located. There are three levels of this type of recycling. The first level is clothing that is resold in small stores, the second level is clothing that is made into rags, and the third level is the textiles are ground into things such as padding for seats, trex, insulation and other products. This program is good for the environment the Town is making money and it costs nothing to the Town. More information is provided on the website at baystatetextiles.com.

Answering questions from the Council, Mr. Cea explained that South Windsor will be receiving two boxes. One will be placed near the Community Center and the second box will be located at Wapping School after the Park & Recreation Department moves to that building. More containers can be added around Town after seeing how the program runs. At some point, the Superintendent of Schools can be approached after the summer to see if this is something that the Board of Education would like to do.

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ITEM:

15. G. (Continued)

Answering further questions from Councilor Anwar, Mr. Cea explained that there is no cost to the Town. The Town would receive \$100 per ton. A report is produced every month to show the Town what was collected. The box can hold between 400 to 500 pounds.

Councilor Anwar felt that Route 5 would be a good area to place a box. Mr. Manfre explained to the Council that if there are items left outside of the containers he will be notified and then he will contact the company to come pick up those items. The public will be made aware of this program through a press release, pamphlets and flyers. Mr. Cea stated that the company would go to an event to educate the public as well. Councilor Anwar felt that having an educational component would be helpful. Do not want resources taken away from not for profits.

Answering questions from Councilor Pendleton, Mr. Manfre stated that the metal box is 4 x 4 and is 6 feet tall.

Mr. Manfre informed the Council that Mr. Favreau has suggested putting an advertisement in the Recreation Magazine.

H. Resolution Designating the South Windsor Board of Education as the Building Committee for the Pleasant Valley Oil Tank Removal Project

WHEREAS, the South Windsor Town Council approved the Pleasant Valley Oil Tank Removal Project as part of the Capital Projects Budget at its May 22, 2017 meeting

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby designates the South Windsor Board of Education as the Building Committee for the Pleasant Valley Oil Tank Removal Project; and

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ITEM:

15. H. (Continued)

BE IT FURTHER RESOLVED that the South Windsor Town Council authorizes the Board of Education to proceed with preparation of the necessary schematic drawings and outline specifications for the project; and authorizes South Windsor's Superintendent of Schools to file application for a School Construction Project Grant.

Was made by Councilor Maneeley
Seconded by Councilor Carroll

Councilor Pendleton made a friendly amendment to include "school" after Pleasant Valley. Councilor Maneeley and Councilor Carroll accepted the friendly amendment.

Answering questions from the Council, Mr. Galligan explained that this project will be done over the summer. The Fire Marshal has to review this and the Town will make sure everything is done correctly. Every year the Town tests the tanks for leaks but after twenty years you need to take them out. There will be a gas line installed and the furnaces will be replaced. Mr. Galligan explained that the Capital Projects budget will be used to pay for these conversions.

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

The amended resolution to read as follows:

WHEREAS, the South Windsor Town Council approved the Pleasant Valley **School** Oil Tank Removal Project as part of the Capital Projects Budget at its May 22, 2017 meeting

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby designates the South Windsor Board of Education as the Building Committee for the Pleasant Valley **School** Oil Tank Removal Project; and

(Resolution Continued on Next Page)

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ITEM:

15. H. (Continued)

BE IT FURTHER RESOLVED that the South Windsor Town Council authorizes the Board of Education to proceed with preparation of the necessary schematic drawings and outline specifications for the project; and authorizes South Windsor's Superintendent of Schools to file application for a School Construction Project Grant.

Mayor Mirek called for a vote on the amended resolution; it was approved, unanimously.

I. Resolution Designating the South Windsor Board of Education as the Building Committee for the Timothy Edwards Oil Tank Removal Project

WHEREAS, the South Windsor Town Council approved the Timothy Edwards Oil Tank Removal Project as part of the Capital Projects Budget at its May 22, 2017 meeting

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby designates the South Windsor Board of Education as the Building Committee for the Timothy Edwards Oil Tank Removal Project; and

BE IT FURTHER RESOLVED that the South Windsor Town Council authorizes the Board of Education to proceed with preparation of the necessary schematic drawings and outline specifications for the project; and authorizes South Windsor's Superintendent of Schools to file application for a School Construction Project Grant.

Was made by Councilor Pendleton
Seconded by Councilor Carroll

Deputy Mayor Snyder made a friendly amendment to include "Middle School" after Timothy Edwards. Councilor Pendleton and Councilor Carroll accepted the friendly amendment.

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ITEM:

15. I. *(Continued)*

The amended resolution to read as follows:

WHEREAS, the South Windsor Town Council approved the Timothy Edwards **Middle School** Oil Tank Removal Project as part of the Capital Projects Budget at its May 22, 2017 meeting

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby designates the South Windsor Board of Education as the Building Committee for the Timothy Edwards **Middle School** Oil Tank Removal Project; and

BE IT FURTHER RESOLVED that the South Windsor Town Council authorizes the Board of Education to proceed with preparation of the necessary schematic drawings and outline specifications for the project; and authorizes South Windsor's Superintendent of Schools to file application for a School Construction Project Grant.

Mayor Mirek called for a vote on the amended resolution; it was approved, unanimously.

J. Resolution Designating the South Windsor Board of Education as the Building Committee for the Wapping School Oil Tank Removal Project

WHEREAS, the South Windsor Town Council approved the Wapping School Oil Tank Removal Project as part of the Capital Projects Budget at its May 22, 2017 meeting

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby designates the South Windsor Board of Education as the Building Committee for the Wapping School Oil Tank Removal Project; and

BE IT FURTHER RESOLVED that the South Windsor Town Council authorizes the Board of Education to proceed with preparation of the necessary schematic drawings and outline specifications for the project; and authorizes South Windsor's Superintendent of Schools to file application for a School Construction Project Grant.

(Resolution Continued on Next Page)

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ITEM:

15. J. (Continued)

Was made by Councilor Riley
Seconded by Councilor Carroll

Answering questions from the Council, Mr. Galligan explained that the Board of Education will hold onto the school until these projects are completed or the reimbursement will not be received. The Town will have full use of the property and is hopeful to begin moving over in September and completing the move in January or February.

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

K. Resolution Authorizing the Town Manager to Negotiate and Execute a Purchase and Sale Agreement for the Purchase of Open Space on the Corner of Sand Hill Road and Nevers Road (Collins Sledding Hill)

WHEREAS, the Town of South Windsor has undertaken negotiations for the purchase of approximately 18.1 acres of open space on the corner of Sand Hill Road and Nevers Road (Collins Sledding Hill) for a purchase price of \$600,000; and

WHEREAS, the purchase of this open space has been endorsed by the Open Space Task Force and through an 8-24 referral by the Planning & Zoning Commission; and

WHEREAS, the Town Council believes that said purchase is in the long-term best interest of the Town of South Windsor

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby authorizes Town Manager, Matthew B. Galligan, to execute a purchase and sale agreement for the purchase of approximately 18.1 acres of open space on the corner of Sand Hill Road and Nevers Road; and

BE IT FURTHER RESOLVED that the South Windsor Town Council hereby authorizes the Town Manager to execute all documents necessary to implement said purchase

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ITEM:

15. K. (Continued)

Was made by Councilor Carroll
Seconded by Councilor Maneeley

Councilor Carroll stated that he is in favor of this purchase and felt that the purchase of this property is for the betterment of the Town. In the future, the Town will find more uses for this property.

Councilor Anwar voiced concern with the purchase price stating that the Town is paying more for the property than what the property was appraised at. Mr. Galligan explained that if this property was subdivided into four lots, if each lot was sold, the price would be around \$600,000. This cost will be covered by open space funds. In the future the access will be reviewed more. Town Attorney Borea explained that if the property is used as open space, the Town will have immunity for recreational property, but if the Town charges the public to use this property then there may be liability issues.

Councilor Anwar stated he does not want to pay more taxpayers money for this property. Town Attorney Borea then explained that appraisals do not always show the price of the property. Mr. Galligan explained further that someone could buy that property and construct something there that the Town does not want so there is a value to this. The purchase of this property helps to keep the Town at a certain balance concerning open space. The property could be used for a picnic area and trails could be established.

Mayor Mirek explained that she supports this purchase because the taxpayers of South Windsor approved a referendum to use funds towards open space and the Open Space Task Force recommended to purchase this property.

Councilor Carroll made a motion to move the vote
The motion passed on a roll call vote of 7 to 1 with Councilor Anwar voting in opposition.

Deputy Mayor Snyder made a motion to suspend the rules in order to go to Item 15. M.
The motion was seconded by Councilor Carroll and passed on a roll call vote of 6 to 2 with Councilor Anwar and Councilor Pendleton voting in opposition.

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ITEM:

15. New Business (Continued)

M. Resolution Forming a Temporary Committee to Review Possible Changes in Voting Districts and Polling Locations

WHEREAS, all polling locations are currently in our schools, involving hours before, during and after the school day; and

WHEREAS, the locations and hours of operation potentially create safety issues; and

WHEREAS, voting location changes will be necessary as Eli Terry and Philip R. Smith Elementary schools are demolished and rebuilt; and

WHEREAS, the cost of providing necessary personnel for the operation of five polling places, including police officer and poll workers, is substantial and potentially inefficient; and

WHEREAS, the Town Manager has begun to work with town staff and the Democratic and Republican Registrars to review possible alternatives to all current voting locations as well as any necessary redistricting; and

WHEREAS, the Town Manager, during the Town Council Meeting of April 17, 2017, recommended a Temporary Committee of the Council be formed for the purpose of considering redistricting and relocating polling places; and

WHEREAS, the Town Manager has recommended membership include the Democratic and Republican Registrars, Democratic and Republican Town Committee Chairs, the Town Manager and three members of the Town Council (to be appointed by the Mayor)

NOW, THEREFORE, BE IT RESOLVED that a Temporary Committee be formed to research the feasibility of redistricting and relocating polling places, with membership as described above, and shall work immediately following the formation of the committee and be terminated upon its recommendation to the Town Council, unless otherwise extended by the Town Council.

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ITEM:

15. M. (Continued)

Was made by Councilor Beaulieu
Seconded by Councilor Riley

Councilor Beaulieu stated that there has been a lot of discussion regarding this issue which began a few years ago. There have been issues that have been brought to the Town's attention and it was felt that it would be necessary to form a committee to look at this issue to determine if there is a better, smarter, more efficient, and less expensive way to conduct voting in our Town. This resolution is not to discuss the merits if we should change polling locations, or if changing polling locations suppress voting turnout. The Registrars do not agree on this issue so the Council has the right to take up this discussion. There is no reason not to move forward on this issue. There may be better opportunities to vote in different locations which is going to be reviewed.

Town Attorney Borea stated for the record that our opinion was with regard to redistricting that was up to Council and they have the authority to do that. In our view whether or not the Registrars agree on the polling locations has nothing to do with our opinion. The Town Charter and State Statutes allow the Council to redistrict. If the Council wants to form a committee because of all of the issues that have been discussed then the Council has the power to do that. Town Attorney Borea stated that he has been asked to write a resolution for tonight's meeting.

Answering questions from the Council, Town Attorney Borea explained that the Council has the ability to redistrict and then if the Registrars cannot agree on polling locations, the Council could be involved in that issue.

Councilor Pendleton called for a Point of Order and requested that Council members put their cell phones away.

Answering further questions, Town Attorney Borea answered that he receives \$165.00 per hour and was asked by the Mayor and Councilor Beaulieu to write the resolution for tonight's meeting.

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ITEM:

15. M. (Continued)

Councilor Pendleton stated that she has a problem with the way the resolution is written because the Council does not have the authority to determine the polling locations. Town Attorney Morris explained that the Registrar of Voters would decide on that in the first instance if they could agree.

Councilor Carroll called for a Point of Order requesting that Councilor Pendleton has had her ten minutes and would like to hear from another Councilor.

Answering questions from Councilor Anwar, Town Attorney Borea explained that the committee will not make any determinations, they will make recommendations that will be brought back to the Council.

Mr. Galligan stated that the Eli Terry will not be demolished and went on to state that he does not want to be part of the committee but would prefer to be the person who gives the committee any information that they need. This is a political process and Mr. Galligan said he does not feel he should be a part of this process. There were meetings in the past where the Superintendent felt that security could be addressed and then there was discussion about traffic concerns

Councilor Riley made a motion to extend the meeting past 11:00 p.m. for ten minutes. Councilor Maneeley seconded the motion. The motion failed and the meeting ended at 11:00 p.m.

Respectfully submitted,

Deborah W. Reid
Clerk of the Council