

Town Council

Town of South Windsor

Action Minutes

Monday, November 21, 2022

1. Call Meeting to Order

The Town Council Regular Meeting was called to order at 7:00pm.

2. Pledge of Allegiance

3. Roll Call

Members present

Councilor Evans
Councilor Koboski
Councilor Lopez
Councilor Paterna
Mayor Pendleton
Deputy Mayor King
Councilor Kozikowski
Councilor Lydecker

Others present:

Michael Maniscalco, Town Manager
Scott Roberts, Assistant Town Manager/ CIO/ Emergency Mgmt.
Vanessa Perry, Assistant Town Manager/ HR Director

4. Mayor's Remarks

5. Adoption of Agenda

- Councilor Lydecker

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- Motion was seconded by Deputy Mayor King. Councilor Paterna makes a motion to move item 13 A, discussion of revaluation presented by Mary Huda right after the adoption of the agenda. Councilor Evans seconded the motion to revise the agenda. Councilor Kozikowski makes a motion to adopt the revised agenda, the motion was seconded by Councilor Paterna. **MOTION PASSES.**

6. Communications and Reports from the Town Manager

Emergency Management Presentation

7. Public Input for Items on the Agenda

Public Input shall not exceed thirty (30) minutes. When recognized by the Mayor, the speaker(s) shall approach the lectern, give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item on the agenda. The speaker(s) shall limit their speaking time to five (5) minutes.

8. Adoption of Minutes of Previous Meetings

Councilor Koboski

Approval of November 7, 2022 Town Council Meeting Minutes

BE IT RESOLVED, that the South Windsor Town Council hereby approves the Minutes of the Regular Town Council Meeting of November 7, 2022.

Motion was seconded by Councilor Lydecker the motion passes with unanimous voice vote.
MOTION PASSES.

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

10. Reports from Committees

Public Meetings are the time and place at which the Town Council conducts official business of the Town. The Council reserves the time and invites the public to be heard during **Public Input** of each Public Meeting, as follows:

Item #7: Public Input on Agenda Items Only

In-Person Meetings:

Public Input shall not exceed thirty (30) minutes unless extended by the Mayor with the consent of the majority of the Council present. When recognized by the Mayor, the speaker(s) shall approach the lectern, and give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item on the agenda. The speaker(s) shall limit their speaking time to five (5) minutes. This limit may not be exceeded, except when invoked by any member of the Council with the consent of a majority of the Council present. Town Council members will not respond to any public comments/questions. Emails will only be read into the record if brought forth by a Council member or if the person submitting the email has requested that the email is read into the record. A Council member who brings an email forward will read the email into the record. No email shall be read if the substance of such email, at the discretion of the Mayor or any Council member violates these rules, or if, upon the advice of the Town Attorney, would otherwise be improper. A Council member or the Mayor shall advise the rest of the Council in writing through the Clerk of the Council their objection to the email being read prior to the call of the meeting.

Virtual Meetings:

Public Input shall not exceed thirty (30) minutes unless extended by the Mayor with the consent of the majority of the Council present. When recognized by the Mayor, the speaker(s) shall approach the lectern, and give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item on the agenda. The speaker(s) shall limit their speaking time to five (5) minutes. This limit may not be exceeded, except when invoked by any member of the Council with the consent of a majority of the Council present. Town Council members will not respond to any public comments/questions. Emails sent to TownCouncilComments@southwindsor-ct.gov will only be read into the record. A Council member who brings an email forward will read the email into the record. No email shall be read if the substance of such email, at the discretion of the Mayor or any Council member, violates these rules, or if, upon the advice of the Town Attorney, would otherwise be improper. A Council member or the Mayor shall advise the rest of the Council in writing through the Clerk of the Council their objection to the email being read prior to the call of the meeting.

Item #15: Second Public Input - on any matter over which the Council has Jurisdiction

In-Person Meetings:

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11. Consent Agenda

[All items listed under this section are considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and be considered in its normal sequence on the Agenda.]

A. First Reading

Deputy Mayor King made a motion to approve items 11 A 1- 11 A 12 as a first reading on the consent agenda. The motion was seconded by Councilor Koboski the motion passes with unanimous voice vote. **MOTION PASSES.**

1) Resolution reappointing Stephanie Dexter (R) to the Demolition Delay Committee

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Stephanie Dexter as a member of the Demolition Delay Committee for a term ending December 31, 2024, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

2) Resolution reappointing Tim Shepard (R) as a member of the Demolition Delay Committee

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Tim Shepard (R) as a member of the Demolition Delay Committee for a term ending December 31, 2024, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

3) Resolution reappointing Justin Bordua (R) as a member of the South Windsor Agricultural Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Justin Bordua (R) as a member of the South Windsor Agricultural Commission for a term ending November 30, 2025, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

4) Resolution reappointing James Futtner (R) to the South Windsor Agricultural Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints James Futtner (R) as a member of the South Windsor Agricultural Commission for a term ending November 30, 2025, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

5) Resolution reappointing Frank Niederwerder (R) as a member of the South Windsor Agricultural Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Frank Niederwerder (R) as a member of the South Windsor Agricultural Commission for a term ending November 30, 2025, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

6) Resolution reappointing Tim Shepard (R) as a member of the South Windsor Agricultural Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Tim Shepard (R) as a member of the South Windsor Agricultural Commission for a term ending November 30, 2025, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

7) Resolution reappointing Tad Bistor (R) as a member of the Historic District Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Tad Bistor (R) as a member of the Historic District for a term ending November 30, 2027, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

8) Resolution reappointing Carolyn Carey (R) as a member of the Human Relations Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Carolyn Carey (R) as a member of the Human Relations Commission for a term ending November 30, 2025, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

9) Resolution reappointing Arthur Sladyk (R) as a member of the Patriotic Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Arthur Sladyk (R) as a member of the Patriotic Commission for a term ending December 31, 2025, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

10) Resolution reappointing Natalie O'Brien (U) as a member of the South Windsor Arts Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Natalie O'Brien (U) as a member of the South Windsor Arts Commission for a term ending December 31, 2024, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

11) Resolution reappointing William Keohane (R) as a member of the Redevelopment Agency

BE IT RESOLVED, that the Town of South Windsor hereby reappoints William Keohane (R) as a member of the Redevelopment Agency for a term ending December 31, 2027, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

12) Resolution reappointing Nick Jones (R) to the South Windsor Agricultural Commission

BE IT RESOLVED, that the Town of South Windsor hereby reappoints Nick Jones (R) as a member of the South Windsor Agricultural Commission for a term ending November 30, 2025, and postpones consideration of this motion until the Town Councils next regularly scheduled meeting.

B. Second Reading

Councilor Paterna made a motion to approve items 11.B 1 through 11.B 3 as a second reading on the Consent Agenda. Councilor Lopez seconded the motion, motion passes with unanimous voice vote. **MOTION PASSES.**

1) Resolution appointing David Basile (D) as a member of the Water Pollution Control Authority

BE IT RESOLVED, that the Town of South Windsor hereby appoints David Basile (D) as a member of the Water Pollution Control Authority to fulfill the unexpired term of Carol Fletterick (D) for a term ending November 30, 2025.

2) Resolution appointing Mitchell Marks (D) as a member of the Human Relations Commission

BE IT RESOLVED, that the Town of South Windsor hereby appoints Mitchell Marks (D) as a member of the Human Relations Commission to fulfill the unexpired term of Mary Justine Hockenberry (D) for a term ending November 30, 2024.

3) Resolution appointing William Wollschlager (D) as a member of the Housing Authority

BE IT RESOLVED, that the Town of South Windsor hereby appoints William Wollschlager (D) as a member of the Housing Authority to fulfill the unexpired term of Marion Burke (D).

C. Miscellaneous

None

12. Unfinished Business

13. New Business

A. Discussion item: Re-evaluation Mary Huda to be present

Councilor Kozikowski made a motion for the following resolution:

B. Resolution approving Town Manager, Michael Maniscalco to accept and execute a STEAP Grant from the State of Connecticut for the reconstruction of Kennedy Road

WHEREAS, The Town of South Windsor has been awarded a grant from the State of Connecticut Small Town Economic Assistance Program in the amount of \$478,100 for the reconstruction of Kennedy Road; and

BE IT RESOLVED, that the South Windsor Town Council authorizes Town Manager, Michael Maniscalco on behalf of the Town of South Windsor accept a 2022 Connecticut STEAP Grant in the amount of \$478,100 for the reconstruction of Kennedy Road; and

BE IT FURTHER RESOLVED, that Town Manager, Michael Maniscalco, is hereby authorized to enter into and execute any and all agreements, contracts, and documents necessary to obtain said 2022 STEAP Grant with the State of Connecticut.

Motion was seconded by Councilor Evans the motion passes with unanimous voice vote.
MOTION PASSES.

C. Discussion item: Draft resolution regarding purchasing exemptions

WHEREAS, Conn. Gen. Stat. § 4a-53a allows the Commissioner of Administrative Services (the “Commissioner”) to serve as the contracting agent for a group of three (3) or more municipalities that seek to purchase supplies, materials or equipment, upon the request of the such group, provided that (1) the Commissioner determines that the group will achieve a cost savings through the Commissioner serving as the contracting agent, and (2) such cost savings are greater than the administrative costs to the State; and

WHEREAS, Conn. Gen. Stat. § 7-148v(b) allows the Town of South Windsor (the “Town”) to purchase equipment, supplies, materials or services from the list of eligible entities listed in the statute; and

WHEREAS, The Town is constrained in its ability to purchase equipment, supplies, materials pursuant to the Town Charter Section 714 (“Section 714”); and

WHEREAS, pursuant to Section 714, the Town has a \$5,000 cap on purchases without the Town Manager, Michael Maniscalco inviting sealed bids or proposals or getting the Town Council to waive such bidding process; and

WHEREAS, Section 714 is a constraint on the Town’s ability to achieve cost savings because during the waiver process, supplies disappear, or the opportunity to implement cost savings has changed; and

WHEREAS, the Town Council has determined that requiring sealed bids for purchases greater than \$5,000 is not in the best interest of the Town; and

BE IT RESOLVED, that notwithstanding Section 714, the Town Council authorizes the Town Manager, Michael Maniscalco to participate with the State of Connecticut contracting programs for the purchase of supplies, materials or equipment pursuant to Conn. Gen. Stat. § 4a-53a.

BE IT FURTHER RESOLVED, that notwithstanding Section 714, the Town Council authorizes the Town Manager, Michael Maniscalco to purchase equipment, supplies, materials or services from the list of eligible entities listed in Conn. Gen. Stat. § 7-148v(b).

BE IT FURTHER RESOLVED, that notwithstanding Section 714, the Town Council has determined that the \$5,000 threshold requiring sealed bids for the purchase of equipment, supplies or materials is an impediment to the efficient operations of the Town, and is not in the best interests of the Town, and hereby authorizes the Town Manager, Michael Maniscalco to waive the bidding requirements for the purchase of equipment, supplies or materials for contracts valued at \$25,000 or less for the remainder of the fiscal year.

Deputy Mayor King made a motion for the following resolution:

D. Resolution accepting the resignation of Stephanie Weintraub (R) from the Human Relations Commission effective November 2, 2022

BE IT RESOLVED, that the South Windsor Town Council hereby accepts, with regret the resignation of Stephanie Weintraub (R) from the Human Relations Commission effective November 2, 2022; and

BE IT FURTHER RESOLVED, that the South Windsor Town Council extends its thanks to Stephanie Weintraub (R) for the time she has dedicated to serving her community by her membership on the Human Relations Commission.

Motion was seconded by Councilor Lydecker the motion passes with unanimous voice vote. **MOTION PASSES.**

Councilor Evans made a motion for the following resolution:

E. Resolution Approving of eight (8) refunds, the total of said refunds being \$5,122.26

BE IT RESOLVED, that the South Windsor Town Council hereby approves a refund of property taxes to eight (8) South Windsor Taxpayers, the total of said refunds being \$5,122.26 and as more fully described on attachment exhibit A

Motion was seconded by Councilor Koboski the motion passes with unanimous voice vote. **MOTION PASSES.**

Councilor Lopez made a motion for the following resolution:

F. Resolution approving of eight (8) refunds, the total of said refunds being \$16,231.85

BE IT RESOLVED, that the South Windsor Town Council hereby approves a refund of property taxes to eight (8) South Windsor Taxpayers, the total of said refunds being \$16,231.85 and as more fully described on attachment exhibit B

Motion was seconded by Councilor Paterna, the motion passes with unanimous voice vote. **MOTION PASSES.**

14. Passage of Ordinance

None.

15. Public Input for Any Matter

Public Input for any other matter shall not exceed thirty (30) minutes. When recognized by the Mayor, the speaker(s) shall approach the lectern, give their name and address. Speakers shall avoid personal attacks or impugning or alleging an improper motive to any person. The speaker(s) may address the Council on any item. The speaker(s) shall limit their speaking time to five (5) minutes.

16. Communications from the Council

17. Executive Session

(Please invite Town Manager, Michael Maniscalco, Assistant Town Manager, Mrs. Perry and Assistant Town Manager, Mr. Roberts and any other appropriate personnel deemed necessary).

A) Under CGS 1-200(6)(B) and 1-210(b)(4) for purposes of discussing strategy and negotiations with respect to pending claims or pending litigation related to 460 Miller Road including the following pending cases:

- 1) Town of South Windsor v Kristin Lanata a/k/a Kristin Norton, HHD-CV17-6083374-S; and
- 2) Kristin Norton v Town of South Windsor FIC #2022-0631; and
- 3) Luigi Satori Dir. Of Health Town of South Windsor v. Kristin Norton, a/k/a Kristin Lanata HHD-CV-20-6125402-S; and
- 4) Kristin Norton f/k/a Kristin Lanata v Town of South Windsor USBC Adv. Case No. 19-02011 JJT.

18. Adjournment

Meeting adjourns at 9:15pm.

The motion was made by Councilor Kozikowski the motion was seconded by Deputy Mayor King and passes with unanimous voice vote. **MOTION PASSES.**