

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

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June 6, 2016

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

1. Call Meeting to Order

Mayor Delnicki called the Regular Meeting to order at 7:00 p.m.

4. Roll Call

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

Members Absent: Councilor Edward Havens

Also Present: Keith Yagaloff, Town Attorney

After roll call was complete, Mr. Roger Anderson from the Patriotic Commission along with Mayor Anwar presented certificates to the winners of the Essay Contest. They were as follows:

Kindergarten through 2nd Grade

- 1st Place: Taniya Arya, Second Grade, Wapping Elementary School
- 2nd Place: Mia Ruiz, Second Grade, Wapping Elementary School
- 3rd Place: Janhavi Tyagi, Kindergarten, Pleasant Valley Elementary School

3rd Grade through 5th Grade

- 1st Place: Christianna Macchi, Third Grade, Orchard Hill Elementary School
- 2nd Place: Iniya Raja, Fifth Grade, Orchard Hill Elementary School
- 3rd Place: Ryan Duong, Fourth Grade, Wapping Elementary School

6th Grade through 8th Grade

- 1st Place: Van Ahn Thi Tran, Eighth Grade, Timothy Edward Middle School
- 2nd Place: Cora Brownbill, Sixth Grade, Timothy Edwards Middle School
- 3rd Place: Harish Prasad, Seventh Grade, Timothy Edwards Middle School

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ITEM:

Patriotic Commission Essay Contest Winners (Continued)

9th Grade through 12th Grade

1st Place: Vivian Ngo, Tenth Grade, Academy of Aerospace and Engineering

2nd Place: Anna Morson, Tenth Grade, East Catholic High School

3rd Place: Berk Alpay, Eleventh Grade, South Windsor High School

5. Public Input

Mr. Jessica Vogelgesang from Wood Memorial Library announced that the Wood Memorial Library would be having an Open House Day on Saturday, June 11, 2016. This event is a statewide event sponsored by the Department of Tourism. The event will begin at 10:00 a.m. and close at 3:00 p.m. The event is free of charge.

Mayor Delnicki welcomed Chief James Kenny from the Vernon Police Department who is here for the public hearing regarding the Non-Emergency Interagency Agreement between the Towns of South Windsor, Manchester and Vernon.

6. Environmental Health & Safety Message

Councilor Anwar informed the Council and the public that June is National Safety Month. The number one cause of a preventable death in children ages 1-4 is drowning. For teenagers, the number one cause of a preventable death are car accidents. For elderly, falls are the number one cause of preventable deaths. There are approximately 52 people die every day with relation to pain prescriptions.

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 May 16, 2016.

Was made by Councilor Maneeley
Seconded by Councilor Anwar

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ITEM:

7. Adoption of Minutes of Previous Meetings (Continued)

Mayor Delnicki explained that there were verbatim minutes requested for the May 16, 2016; and therefore the approval of these minutes should be withdrawn. Councilor Maneeley withdrew her motion; and Councilor Anwar withdrew his second. The minutes will be acted on at a later meeting.

8. Public Petition

None

9. Communications from Officers and Boards Directly Responsible to Council

None

10. Reports from Standing Committees

None

11. Reports of Temporary Committees

Mayor Delnicki stated that the Crumbling Foundation Committee held a public meeting on June 1, 2016 with the Insurance Commissioner, Consumer Protection Commissioner, Representative Aman, Representative Currey and Senator Larson.

12. Consent Agenda

None

13. Unfinished Business

A. Resolution Appointing Bernard Thomas (D) to the Public Building Commission

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

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ITEM:

13. Unfinished Business (Continued)

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

B. Resolution Appointing a Rate Maker for Fiscal Year 2016/2017

BE IT RESOLVED that the South Windsor Town Council hereby appoints Matthew B. Galligan, Town Manager, as Rate Maker for Fiscal Year 2016/2017.

Was made by Councilor Carroll
Seconded by Councilor Maneeley
The motion was approved, unanimously

14. New Business

A. Resolution Accepting the Resignation of Richard Siedman (R) from the Water Pollution Control Authority

BE IT RESOLVED that the South Windsor Town Council hereby accepts with regret, the resignation of Richard Siedman (R) from the Water Pollution Control Authority, said resignation to be effective immediately; and

BE IT FURTHER RESOLVED that the South Windsor Town Council extends its thanks to Richard Siedman for the time he has dedicated to serving his community by his membership on the Water Pollution Control Authority.

Was made by Councilor Riley
Seconded by Mayor Delnicki
The motion was approved, unanimously

B. Resolution Concerning Building Permit Fee Waiver for Building Permits to Repair or Replace Defective Foundations

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ITEM:

14. B. (Continued)

WHEREAS, the Town of South Windsor has recognized the serious issue of defective foundations (also known as crumbling foundations); and

WHEREAS, the Town understands the enormous financial hardship being experienced by property owners facing costly repairs to defective foundations; and

WHEREAS, the Town wishes to waive permit fees related to the repair or replacement of defective foundations; and

WHEREAS, the issuance of building permits and the collection of permit fees by the Town of South Windsor is regulated by state statute; and

WHEREAS, the Town building official is appointed pursuant to C.G.S. Sec. 29-260, and such official is authorized to enforce the state building code pursuant to Regs. Connecticut State Agencies Sec. 29-252-1d; and

WHEREAS, the state building code specifically authorizes municipalities to establish a schedule of building fees (Regs. Connecticut State Agencies Sec. 29-252-1d)

NOW, THEREFORE, BE IT RESOLVED that the Town's schedule of building permit fees shall include a waiver for permits submitted for the repair or replacement of defective concrete foundations, including basement walls, footings, and floors, and further, that in order to obtain such waiver, the applicant shall submit to the building official at the time of the permit application, evidence of the defective concrete, to the satisfaction of the building officials.

Was made by Councilor Anwar
Seconded by Mayor Delnicki

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ITEM:

14. B. (Continued)

Councilor Anwar stated that there have been discussions during the Committee meetings about the challenges that affected residents have. The Town would like to identify ways to help those affected. Councilor Anwar thanked Mayor Delnicki for bringing this forward and stated that it is important for the Council to partner with the community on this issue.

Mayor Delnicki added that it is key to have the Committee working together to come up with ways to address this issue. What ever is done has to meet the requirements of the Town Charter. This is the first piece of legislation that the Committee could bring forward that can actually help individuals.

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

C. Resolution Waiving Competitive Bidding for the Purchase of Technology Equipment for the Emergency Operations Center

WHEREAS, the Town completed the IT equipment review and selection process as directed by the Town Manager; and

WHEREAS, in reviewing various state and national contracts that are available, it was found that the Town would receive the best pricing by using the National Association of State Procurement Officials (NASPO) contract for purchasing the specified technology equipment; and

WHEREAS, there is substantial lead time to receive the equipment; and

WHEREAS, the Town desires to have the Emergency Operations Center operational; and

WHEREAS, in order to proceed, the Town has been informed by the Town Attorney that approval by the Town Council is necessary to waive competitive bidding

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ITEM:

14. C. (Continued)

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby approves the waiving of competitive bidding for the purchase of technology equipment for the Emergency Operations Center.

Was made by Councilor Snyder
Seconded by Councilor Anwar

Councilor Snyder pointed out that while this resolution says we are waiving competitive bidding, utilizing any state or federal contract that is already in place saves the time and money and it is not necessary for the Town to go out to bid because it has been done through the state or federal government.

Answering questions from the Council, Town Attorney Yagaloff explained that the waiving of competitive bidding will be for specialized equipment at the EOC such as the video wall, it is not for computers or software. Town Attorney Yagaloff also suggested that in the last paragraph the following be added, "because such waiver is in the Town's best interest".

Councilor Anwar made an amendment in the second paragraph to add "or leasing" after purchasing. Councilor Carroll seconded the motion; and it was approved, unanimously.

Councilor Carroll made an amendment in the last paragraph to add, "because such waiver is in the Town's best interest". Councilor Anwar seconded the motion; and it was approved, unanimously.

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

The resolution to read as follows:

WHEREAS, the Town completed the IT equipment review and selection process as directed by the Town Manager; and

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ITEM:

14. C. (Continued)

WHEREAS, in reviewing various state and national contracts that are available, it was found that the Town would receive the best pricing by using the National Association of State Procurement Officials (NASPO) contract for purchasing **or leasing** the specified technology equipment; and

WHEREAS, there is substantial lead time to receive the equipment; and

WHEREAS, the Town desires to have the Emergency Operations Center operational; and

WHEREAS, in order to proceed, the Town has been informed by the Town Attorney that approval by the Town Council is necessary to waive competitive bidding

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council hereby approves the waiving of competitive bidding for the purchase of technology equipment for the Emergency Operations Center, **because such waiver is in the best interest of the Town.**

D. Resolution Approving a Refund of Taxes to Sixteen (16) South Windsor Taxpayers

BE IT RERSOLVED that the South Windsor Town Council hereby approves a refund of property taxes to sixteen (16) South Windsor Taxpayers, the total of said refund being \$1,837.69 and as more fully described on attached **Exhibit A.**

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

15. Passage of Ordinance

A. Resolution Adopting a Local Preference Bid Ordinance

BE IT RESOLVED that the South Windsor Town Council hereby adopts a Local Preference Bid Ordinance, as shown in attached **Exhibit B.**

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ITEM:

15. A. (Continued)

Was made by Mayor Delnicki
Seconded by Councilor Snyder

Mayor Delnicki stated that under this ordinance, South Windsor would be allowing Town businesses that bid on services to match the lowest bidder if they are within 3% of the lowest bid. There are a lot of other communities throughout Connecticut that are also doing this. Mayor Delnicki read an email from Town Manager Matthew Galligan who is in support of the establishment of this ordinance.

Councilor Anwar informed the public that there are protections in place in this ordinance and stated that this is a well written ordinance which he would be supporting.

Town Attorney Yagaloff told the Council that he reviewed Local Bid Preference Ordinances from other communities and used what the Council was looking for to draft the proposed ordinance.

Councilor Carroll questioned if a South Windsor resident would qualify to receive preference if they had a business in another local Town? Town Attorney Yagaloff explained that other communities do not do it that way. Preference is given to businesses that are paying taxes in Town and making a financial commitment in Town.

Mayor Delnicki said he would like to empower this ordinance as written and get some experience with this ordinance prior to expanding it.

Councilor Riley made an amendment to the ordinance as follows:

- Paragraph 1a – eliminate “which has submitted the lowest bid” and replaces with “whose original bid was the lowest”. Deputy Mayor Mirek seconded the motion.

Councilor Riley stated that this amendment is a mechanism for breaking a tie if there are multiple South Windsor bidders that are within 3%.

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ITEM:

15. A. (Continued)

Answering questions from the Council, Town Attorney Yagaloff answered that this proposed amendment would not warrant an additional public hearing and the language change does not hurt the ordinance but clarifies it.

Mayor Delnicki called for a vote on the amendment to the resolution; it passed; unanimously.

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

16. Communications and Reports from Town Manager

None

17. Public Input

None

At 8:00 p.m. the Regular Meeting was recessed in order to hold a public Hearing. The Regular Meeting reconvened at 8:07 p.m.

17. Public Input

Ms. Siera Gibson, 23 J Amato Drive came before the Council and stated that she feels the roads in South Windsor should be focused on because of the potholes are hard on the vehicles.

18. Communications and Petitions from Council

Councilor Anwar informed the Council and the public that there is a Retirement part scheduled on Friday, June 17, 2016 for Deputy Chief Jay Knipple who is retiring from the Volunteer Fire Department after 45 years. Tickets can be purchase from the Volunteer Fire Department.

(Discussion Item Continued on Next Page)

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ITEM:

18. Communications and Petitions from Council (Continued)

Mayor Delnicki informed the Council and public that he attended the South Windsor High School Scholarship and Award night. South Windsor has two appointees, Justine Karmin and Brian Savidge, in the Class of 2016 that will be going to Westpoint. A Ribbon Cutting for Drive ship Move on Saturday, June 4, 2016. Mayor Delnicki recognized everyone involved in the Memorial Day celebration at Veterans Memorial Park as well as the dedication of the Memorial Wall. Mr. Anthony was present to see his dream come true. Councilor Anwar and Mayor Delnicki attended Rabbi Glickman's 20th Anniversary.

Councilor Carroll stated that there is a young man who is becoming an Eagle Scout and for his project he has scheduled South Windsor Cares Day where volunteers will go to individual homes in South Windsor to help with yard work or anything else that is needed. The program is scheduled for June 18th from 8:00 a.m. to 12:00 p.m. Participants are asked to meet at the South Windsor Community Center. The program South Windsor Cares Day where volunteers will go to individual homes in South Windsor to help with their yard work, or anything else they would like to do.

At 8:15 p.m. the Regular Meeting was recessed in order to hold a public Hearing. The Regular Meeting reconvened at 9:12 p.m.

Mayor Delnicki announced that the on Saturday, June 18, 2016 the Farmers Market will be open at 10:00 a.m. at the South Windsor Community Center.

19. Executive Session

None

20. Adjournment

At 9:12 p.m. Councilor Pendleton made a motion to adjourn the Regular Meeting. Councilor Anwar seconded the motion; and it was approved, unanimously.

Respectfully submitted,

Deborah W. Reid, Clerk of the Council

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ITEM:

18. Communications and Petitions from Council (Continued)

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At 8:15 p.m. the Regular Meeting was recessed. The Regular Meeting reconvened at 8:47 p.m.

19. Executive Session

None

Councilor Anwar made a motion to suspend the rules in order to add agenda item 14. E. – discussion on proposed Interagency Agreement between the Town of South Windsor, Manchester and Vernon and to also allow public input. Councilor Pendleton seconded the motion; and it failed on a Roll Call vote of 4 to 4 with Mayor Delnicki, Deputy Mayor Mirek, Councilor Anwar and Councilor Pendleton voting in favor of adding an agenda item; and Councilor Carroll, Councilor Maneeley, Councilor Riley and Councilor Snyder voting in opposition to adding an agenda item.

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At 8:50 p.m. the Regular Meeting was recessed in order to hold a Public Hearing at 9:00 p.m. The Regular Meeting reconvened at 9:12 p.m.

Mayor Delnicki announced that the on Saturday, June 18, 2016 the Farmers Market will be open at 10:00 a.m. at the South Windsor Community Center.

20. Adjournment

At 9:12 p.m. Councilor Pendleton made a motion to adjourn the Regular Meeting. Councilor Anwar seconded the motion; and it was approved, unanimously.

Respectfully submitted,


Deborah W. Reid, Clerk of the Council

TAX REFUNDS

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Exhibit A

Dickstein, Denise D 124 Cliffwood Drive South Windsor, CT 06074-1878 (Replaced 6/15) MV14-506023	187.09	Vincent Dube 42 Gail Lane South Windsor, CT (Out of state registration NH 2011) 2011-506365	74.16
Vincent Dube 42 Gail Lane South Windsor, CT (Out of state registration NH 9/13) 13-506542	75.28	Evans, Bernard E Jr 23 Rugby Lane South Windsor, CT 06074-4268 (Replaced 2/15) MV14-507272	158.95
Hornat, John Vincent & Arlene 566 Ellington Road South Windsor, CT (Sold 8/15) 14-510720	8.41	Hornish, Robert R and Joan K 79 Benedict Drive South Windsor, CT 06074 (Replaced 4/15) MV14-510725	48.60
Malaspina, Margaret A 4 Shadbush Lane South Windsor, CT 06074-2608 (Out of state registration MA 7/15) MV14-514490	45.31	Perkins, Peter P and Lucille A 514 Felt Road South Windsor, CT 06074 (Replaced 1/15) MV14-518142	151.27
Power, Jason R 43 Meadowlark Road Enfield, CT 06082 (Vehicle repo 5/2014) 14-518727	509.11	Raymo, Kenneth J or Barbara J 37 Warren Street Taunton, MA 02780-1627 (Out of state registration MA 8/15) MV14-519213	68.33
Sapowadia, Ketan V or Rekha K 104 Gilbert Lane South Windsor, CT 06074-3754 (Sold 7/15) MV14-520642	18.27	Simmons, Claudia R 203 Bourbon Street South Windsor, CT 06074-2117 (Out of state registration FL 7/15) MV14-521417	108.52
Vanderjagt, Johanna C or Marinus 506 Chapel Road South Windsor, CT 06074-4107 (Sold 7/15) MV14-523788	23.75	Wheels LT 666 Garland Place Des Plaines, IL 60016-4725 (Out of state registration, NY 7/15) MV14-524665	72.71
Wheels LT 666 Garland Place Des Plaines, IL 60016-4725 (Out of state registration, NY 7/15) MV14-524668	88.79	Wheels LT 666 Garland Place Des Plaines, IL 60016-4725 (Sold 5/15) MV14-524680	199.14

Mrs. Bonnie F. Rabin, Collector of Revenue Total Refunds: \$1,837.69 Date: 6/6/2016

Town of South Windsor Local Preference Bid Ordinance

Pursuant to the Town of South Windsor Charter Sections 714 and 715, the Town hereby establishes a local bid preference ordinance for expenditures of \$5,000 or more, as follows:

1. The Town Manager shall determine the lowest responsible bidder in the following order:
 - (a) Any South Windsor based business responsible bidder which has submitted a bid not more than 3% higher than the low bid from a responsible bidder that is not South Windsor based (such low bid hereinafter the "Lowest Bid"), provided that the South Windsor based responsible bidder agrees to accept the award of the bid at the amount of the Lowest Bid. The acceptance shall be submitted in writing to the Town Manager within two business days following the opening of the bids. If more than one South Windsor based business responsible bidder has submitted bids not more than 3% higher than the Lowest Bid and has agreed to accept the award of the bid at the amount of the Lowest Bid, the lowest responsible bidder shall be that one of the South Windsor based business responsible bidders whose original bid was the lowest.
 - (b) The lowest responsible bidder.
2. For the purpose of this ordinance, "South Windsor based business" shall mean a business with its principal place of business located within the boundaries of the Town of South Windsor. A business shall not be considered a "South Windsor based business" unless evidence satisfactory to the Town Manager has been submitted with each bid by said business to establish that it has a bona fide principal place of business in the Town of South Windsor. Such evidence may include evidence of ownership of, or a long-term lease of, the real estate from which the principal place of business is operated or payment of property taxes on the personal property of the business.
3. The local bid preference in section (a) above shall not apply in those instances where the bid requested involves a cooperative purchasing arrangement between the Town of South Windsor and other municipalities, the State of Connecticut, or municipal organizations such as the Connecticut Conference of Municipalities.
4. The local bid preference in section (a) above shall not apply in any situation where the preference created by said section would violate state or federal law or any existing contracts with the Town of South Windsor.
5. Nothing in this ordinance shall be deemed to contravene any provision set forth in the Town Charter concerning bidding for expenditures of \$5,000 or more.