

REVISED MINUTES

TOWN COUNCIL
COUNCIL CHAMBERS
SOUTH WINDSOR TOWN HALL

REGULAR MEETING
Tuesday, February 20, 2024
TIME: 7:00 P.M.

1. Call Meeting to Order

Mayor Delnicki called the meeting to order at 7:00pm.

2. Pledge of Allegiance

3. Roll Call

Members present: Mayor Audrey Delnicki
Deputy Mayor Matthew Siracusa
Councilor Richard Balboni
Councilor Michael Buganski
Councilor Carolyn Carey
Councilor Steven King Jr.
Councilor Toby Lewis
Councilor Elizabeth Pendleton

Others present: Michael Maniscalco, Town Manager
Richard Carella, Town Attorney
Scott Roberts, Assistant Town Manager
Michele Lipe, Director of Planning
Walter Summers, Fire Marshal

4. Mayor's Remarks

Mayor Delnicki introduced Kathy Reed, Prevention Coordinator for the South Windsor High School. She is also the SADD (Students Against Destructive Decisions) Advisor.

Students of the SADD Club in partnership with the Governor's Prevention Partnership gave a presentation about prescription drug misuse stating that a recent survey said that 1 in 10 high school students misused medications and 40% of those students said that they found those medications in their home or at a friend's home.

The following students presented and gave a demonstration for using the Deterra Deactivation Bag: Kevin Joseph, Aidan Walsh, Eve Lagasse, Arushi Sharma, Shruti Shah

This bag can hold up to forty-five pills which when placed in the bag with water, will deactivate the drug and then can be thrown in the trash. This will help to get unnecessary prescription drugs, medications and over the counter medications out of the South Windsor household.

Mayor Delnicki thanked the students for their presentation and a job well done.

5. **Adoption of Agenda**

Councilor Lewis made a **Motion** to adopt the agenda as presented.
Councilor Pendleton **seconded the Motion**.

Deputy Mayor Siracusa made a **Friendly Amendment** to the agenda.

- Item: 5 Adoption of Agenda - Change the date of the approval of minutes to February 5, 2024.
- Item 13B Correct the spelling of the word “contingency”
- Item 11 Consent Agenda – Should read Item 11 B 1 - 11 B 2
- Item 11 Consent Agenda – Should read Item 11 B 3 - 11 B 6

Councilor Lewis **seconded the Motion**, which was approved by unanimous voice vote.
MOTION CARRIES.

6. **Communications and Reports from the Town Manager**

Collins Crossing: The Town Manager gave an update on Collins Crossing stating that there are some problems with the chip sealing. Public Works negotiated with the contractor and the contractor is going to replace the chip sealing.

Budget: The Town Manager has started work on the budget in preparation to present it to the Council. He asked the Council to keep an eye on the budget cap reminding them that last year the budget cap became a challenge with the 2.5% increase. He explained that there is a portion of the budget that cannot increase more than 2.5% or the cost of living or inflation. They do not have those numbers yet but there are penalties for going over. They have not been made aware of what the penalty will be at this time.

Motor Vehicle Tax Cap: The Town will be losing about 1.9 million (11.59%) for the motor vehicle tax cap. This will increase the mill rate from 33.14 to 33.72 in the upcoming budget.

Electric Vehicle Charging Station at the Library: They are looking for some funding to help with their grant application for a match from Council. They have been able to use a current grant to offset the match. There is no action needed from the Council and no taxpayer funds will be used.

Public Works: The Town Manager recognized the Public Works Department for the great job they did with the snow removal from the last storm.

Questions from the Council:

Councilor Lewis asked about Tuesday’s snowstorm and asked why the library employees were asked to come to work. The Town Manager explained that the Town doesn’t close due to snowstorms. We are the last line of defense for the community. The library acts as a warming station for anyone who is stuck. It is also because public works employees and the police are

part of Collective Bargaining Units and if time off is given to other employees, the public works and police staff will also be requesting time off.

Councilor Pendleton asked the status of the salt and snow. The Town Manager said that there are no issues, and the supply is adequate.

Deputy Mayor Siracusa asked about the parking lot at the bottom of Neiderwerfer and asked if it is a parking lot or will it be part of a bike trail. The Town Manager said he is familiar with the lot but unsure what is being done. The Town Manager will find out more information on that.

Councilor Balboni asked about the 2 million dollars that the Town is losing out on from the State and asked if it was directly related to lowering the mill rate. The Town Manager said that the State wanted to make municipalities whole, so they put in a cap of around 32. The Town's mill rate was 38 so the State was giving the difference in that delta. When a Town goes through revaluation, the mill rate is lowered. In the Town's instance, the mill rate was lowered to 33 so the delta between the 32- cap and the 33-mill rate has shrunk significantly which reduces the revenue.

Councilor Balboni asked if the Town could leave the mill rate just a little higher and reduce the evals. The Town Manager explained that the Town doesn't have the authority to change the values of homes through revaluation.

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.

None.

8. Adoption of Minutes of Previous Meeting

Approval of the February 5, 2024, Town Council Meeting Minutes

BE IT RESOLVED, that the South Windsor Town Council hereby approves the minutes of the Regular Town Council meeting of February 5, 2024.

Councilor Carey made a **Motion to Approve** the minutes of February 5, 2024, as presented.

Councilor Pendleton **seconded the Motion**, which was approved by unanimous voice vote.
MOTION CARRIES.

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

Councilor Lewis reported on the WPCA Meeting that was held on February 6th. The Clark Street pump station project was completed on time and within budget. The balance was transferred to the WPCA open ARPA project. The UV disinfection upgrade is underway. They are making great progress on routine maintenance. The odor control project is going very well on Main Street.

Councilor Lewis stated that the Parks and Recreation Department is focusing on their Master Plan.

Councilor Carey reported on the Planning and Zoning meeting that she attended. She stated that Dr. Carter, Superintendent of Schools came and gave a very in-depth discussion on the South Windsor Public Schools current enrollment and the forecasted enrollment. It gives a good idea of what to expect in the next five years. Councilor Carey urges everyone interested to visit the Board of Education website for more information.

Councilor Balboni reported on the Public Building Commission meeting that took place on February 14, 2024. Their focus is on the Parks and Recreation Facility at Old Orchard Hill and the possible use of that building. They are working with Colliers and three other architects. Pleasant Valley has some punch list items to take care of such as drainage issues and plans for planting grass. They are releasing the final retainage next month and plan to work over the February break.

Councilor King wanted to remind everyone that the Social Justice and Racial Equity Commission is hosting their Social Justice Day Community Forum this Saturday, February 24th from 10am to 2pm at the South Windsor Library in the Friends Room.

10. Reports from Committees

None.

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

None

B. Second Reading

Councilor Balboni made a **Motion to Approve 11 B 1 – 11 B 2** as a second reading on the consent agenda.

Councilor Lewis **seconded the Motion**, which was approved by unanimous voice vote.
MOTION CARRIES.

1. Resolution Appointing John Murphy III (R) as an Alternate on the Inland Wetlands Agency/ Conservation Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints John Murphy III (R) as an alternate on the Inland Wetlands Agency/ Conservation Commission, for a term ending December 1, 2027.

2. Resolution Appointing Lauren Chung (R) as a Member of the Personnel Board of Appeals

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Lauren Chung (R) as a member of the Personnel Board of Appeals, to replace the expired term of Elizabeth Kuehnel (D), for a term ending November 30, 2026.

Councilor Pendleton made a **Motion to Approve 11 B 3 – 11 B 6** as a second reading on the consent agenda.

Councilor King **seconded the Motion**, which was approved by unanimous voice vote.
MOTION CARRIES.

3. Resolution Appointing Paul Bernstein (D) as a Member of the Planning & Zoning Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Paul Bernstein (D) as a member of the Planning & Zoning Commission, to fill the unexpired term of Bart Pacekonis (D) for a term end date of November 8, 2027.

4. Resolution Appointing Atif Quraishi (D) as an Alternate on the Planning & Zoning Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Atif Quraishi (D) as an alternate on the Planning & Zoning Commission, to replace the unexpired term of Paul Bernstein (D), for a term ending December 1, 2025.

5. Resolution Reappointing Dwight Johnson (D) as a Member of the Housing Authority

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints Dwight Johnson (D) as a member of the Housing Authority, for a term ending November 30, 2028.

6. Resolution Appointing Megan Macomber (D) as a Member of the Human Relations Commission

BE IT RESOLVED, that the South Windsor Town Council hereby appoints Megan Macomber (D) as a member of the Human Relations Commission, to replace the unexpired term of Anitha Elango (D), for a term ending November 30, 2024.

C. Miscellaneous

None.

12. Unfinished Business

None.

13. New Business

Deputy Mayor Siracusa

A. Discussion Item: South Windsor Business Registry (Michele Lipe, Marc Melanson, Walter Summers)

Michele Lipe and Walter Summers came forward and gave an overview of the Business Registry.

Walter Summers said that this has been discussed for about five years. They are coming to the Council to ask their opinion. They are finding out that they are having businesses opening in town such as a doctor's office that opens another office that are business related, they are not required to get a permit from the Fire Marshal's office. They are not getting notified of a new business opening. This causes problems with the Next Gen Software which is used to create a call list for emergencies. They have done research and there are some towns in CT that do a no-fee business registry where the owner fills out the fields that will allow the data to be used by the Town for notification purposes. This will also be used by the Town Clerk, Planning, Fire, PD, Assessor and Building Department. Mr. Summers referred to the handout that was given in the Councilors packets (**see attached Exhibit D**). There is a draft ordinance if the Council wanted to go that route and there has also been talk of making it a policy and asked for feedback from the Council on how they would like to proceed or not to proceed with the project.

Councilor King asked for clarification regarding why they are not notified of new businesses and why permits are not required. Mr. Maniscalco gave the example of industrial condos where someone opens and auto body shop but then shuts down and another type of business moves

in. If there are no walls or construction being done, then permits are not required so the town would not know if a new business moved in.

Councilor Pendleton asked if the Assessor has access to new businesses. Walter Summers confirmed that they do have that information if they are a registered trademark but are not required to forward that information around. Walter said that this is an issue that they can work on internally but if businesses do not register as a trademark, they have no way of knowing about a new business.

Deputy Mayor Siracusa asked how many other Towns use this program for businesses. Walter Summer said that there are approximately four Towns use the program. If the program goes through, the Economic Development Commission is willing to hand out flyers to businesses to get the word out.

Deputy Mayor Siracusa asked what would happen if there was a change in use. The Town would conduct inspections, but they would be pointed to the online form prior to the Certificate of Occupancy.

Councilor Lewis asked how they would know that there was a business registry. Walter said that they would hold a public information session. The EDC is also willing to help with the project. They could also ask for help from the Eagle Scouts.

Councilor Lewis asked how many properties are in this category. Walter commented that there were approximately 900 businesses.

Councilor Pendleton asked if there would be fees or penalties for not filling out the form. Walter said that would be up to the Town Council to decide.

Councilor Pendleton asked the Town Attorney if it would be better to create an ordinance or would it be advised to do a zoning change. Town Attorney Rich Carella said that it does not matter. There is a lot more discussion and detail that must happen before there is a proposal. If the town decides upon an ordinance, a Public Hearing would need to take place.

Councilor Buganski asked if there was any upfront cost to the Town or tenants for this program. Mr. Summers said that everything will be done online, and they already have a draft of the online form. The start up is already there.

Councilor Buganski

B. Resolution Approving a Transfer of \$40,000 from the Contingency Account to the Feasibility Study for Recreation Building Expenditures

BE IT RESOLVED, that the South Windsor Town Council hereby approves a transfer of \$40,000 from the Contingency Account to go into the Feasibility Study for the Recreation Building. This transfer will cover costs to study the programming needs, and facility needs of the Recreation Department Building (ie Old Orchard Hill School).

Councilor Buganski made a **Motion to Approve** the transfer of \$40,000 from the Contingency Account to the Feasibility Study for Recreation Building expenditures

Councilor Lewis **seconded the Motion**.

Councilor Balboni stated that this was previously presented to Town Council but that they did not ask for as much money previously. Councilor Balboni said that the number needed is **\$59,800** and is broken down as follows:

Architect - \$24,800
Owners Rep - \$15,000
Contingency - \$20,000

Councilor Balboni made a **Friendly Amendment** to increase the transfer amount to **\$59,800**. Councilor Buganski accepted the **Friendly Amendment**.

Deputy Mayor Siracusa asked if the owners rep was asked to do a fit out on the site they are at. He feels that they should see if they can get all of their wants and needs with an already built structure.

Councilor Lewis **seconded the Motion** which was approved by unanimous voice vote. **MOTION CARRIES**.

Councilor Balboni

C. Resolution Reappointing CliftonLarsonAllen as the Town Auditor for the Fiscal Year ending June 30, 2024, at a fee of \$68,250

BE IT RESOLVED, that the South Windsor Town Council hereby reappoints the firm of CliftonLarsonAllen LLP of West Hartford, Connecticut, to audit the books and accounts of the Town of South Windsor, as provided in the General Statutes of the State of Connecticut; and

BE IT FURTHER RESOLVED, that the fee for said auditing services by CliftonLarsonAllen LLP will be \$68,250 for Fiscal Year ending June 30, 2024, for a term expiring December 31, 2024.

Councilor Balboni made a **Motion to Approve** the reappointment of CliftonLarsonAllen as the Town Auditor for the fiscal year ending June 30, 2024, at a fee of \$68,250.

Deputy Mayor Siracusa **seconded the Motion** which was approved by unanimous voice vote. **MOTION CARRIES**.

Councilor King

D. Resolution Accepting the Resignation of Erica Evans (D) from the South Windsor Town Council

BE IT RESOLVED, that the South Windsor Town Council hereby accepts, with regret, the resignation of Erica Evans (D) from the South Windsor Town Council effective February 6, 2024, as more fully described in **Exhibit A**.

BE IT FURTHER RESOLVED, that the South Windsor Town Council extends its thanks to Erica Evans (D) for the time she has dedicated to serving her community by her membership on the South Windsor Town Council.

Councilor King made a **Motion** accepting the resignation of Erica Evans from the South Windsor Town Council.

Councilor Pendleton **seconded the Motion** which was approved by unanimous voice vote. **MOTION CARRIES.**

Town Council members thanked Erica Evans for her time and dedication to the Town Council.

Councilor Carey

E. Resolution Accepting the Resignation of Amanda Poma, Clerk of the Council

BE IT RESOLVED, that the South Windsor Town Council hereby accepts, with regret, the resignation of Amanda Poma, Clerk of the Council effective February 16, 2024, as more fully described in **Exhibit B**.

BE IT FURTHER RESOLVED, that the South Windsor Town Council extends its thanks to Amanda Poma for the time she has dedicated as Clerk of the Council.

Councilor Carey made a **Motion** accepting the resignation of Amanda Poma, Clerk of the Council.

Councilor Pendleton **seconded the Motion** which was approved by unanimous voice vote. **MOTION CARRIES.**

Town Council members thanked Amanda Poma for her time and dedication to the Town Council

Councilor Lewis

F. Resolution Approving of Twenty-four (24) Refunds totaling \$27,100.94

BE IT RESOLVED, that the South Windsor Town Council hereby approves twenty-four (24) refunds, the total of said refunds being \$27,100.94 and as more fully described in **Exhibit C**.

Councilor Lewis made a **Motion to Approve** twenty-four (24) refunds totaling \$27,100.94.

Councilor King **seconded the Motion** which was approved by unanimous voice vote. **MOTION CARRIES**

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.

John Holowczak of 39 Cody Circle- He is a 32-year resident. Gave a history of Governor's Highway dating back to 1985. He stated that back in 1985 they knew that there was going to be a traffic issue on Governor's Highway. The Town Council at the time had promised to fix the problem. He said that he has spent several thousand dollars put in sound blocking windows in the front facing part of his house. He said that the Council would be receiving a petition tonight and asked that the Council take note that the names with stars next to them indicate that they were residents back in 1985-1986. (See attached Exhibit E)

Kathy Young of 1136 Main Street- Spoke about her dissatisfaction with tractor trailer traffic on Governor's Highway. She feels that because it has "highway" after it that people think of it is as that. Ms. Young asked if this is something they could bring forward with the State.

Shunmuga Kumar of 140 Cody Circle- came forward and submitted a petition of signatures (See attached Exhibit F) to call upon the Council to:

1. We call upon the Town Council to fulfill its 1986 promise to Beldon Road and Governors Highway residents, upon its decision to extend Governors Highway to John Fitch Boulevard, to prohibit tractor trailer traffic by directing the town's Local Traffic Authority to file a request with the Connecticut Office of the State Traffic Authority to approve the prohibition on both Governors Highway and Beldon Road, which may make it legally enforceable.
2. Please make the Baker Lane and Governors Highway intersection an all-way stop, both to reduce traffic speeding and address poor sightline issues-which have been noted in multiple planning and zoning meetings including testimony of a South Windsor Police sergeant, as more fully described in **Exhibit G**
3. The name Governors Highway is misleading and encourages traffic speeding. The houses are built close to the road and do not permit a road width appropriate for the word Highway. We request you rename the road to Governors Way.

Tim Wentzell of 630 Governor's Highway- 55-year resident of Governor's Highway. Stated that extensive meetings were had with Town Council when Governor's Highway was completed. When they decided to extend the road, many neighbors met and felt that there was a commitment from the Town that truck traffic would not be allowed. The road is narrow and bumpy and a tremendous amount of noise. Mr. Wentzell also made a comment about the Town Charter, If the Town Council does fund the attorney to defend P & Z rejections, the Town

Council has then taken over the role of Planning and Zoning. This is not what the Charter intended.

Wei Zhang of 125 Cody Circle- He is supporting the neighbors speaking about Governor's Highway. He suggested an all-way stop sign.

Derek Butler of 596 Governors Highway- 31-year resident. As neighbors, they are all concerned about the increasing levels of truck traffic and stated that every month they are getting higher. The Pride truck stop is not helping the truck traffic. He said on an average night, there are 3-5 tractor trailers from Costco that are dropped at 301 Governors Highway. (Photo attached as **Exhibit H**). He said that back in 2022 he submitted a handbook from the California Environmental Protection Agency about air quality and land use (**See attached Exhibit I**). The Handbook was used to identify distribution centers and warehouses that are close to residential areas emit and create diesel PM's. They identified that cases of exposure related to the PM's are associated with asthma, premature mortality, aggravated heart and lung disease especially within 800 feet and below of a distribution center.

Wayne Botha of 720 Governors Highway- Would like an ordinance banning tractor trailers from traveling down Beldon and Governors Highway. The tractor trailers go so fast from Ellington Road that they need to use a jake break to stop at the stop sign on Beldon Road. This is a major safety concern. It is also a health concern to have diesel trucks traveling in residential areas. The proposed reconstruction of Governors Highway does not address speeding. He feels that this is going to make a bad situation worse and urged the Town Council to do a comprehensive traffic study. He asked that the Governors Highway project be put on hold until there is a proposal in place to make sure that the 2-3 million dollars addresses the safety concerns that are brought forward.

There being more residents wishing to speak during Public Input, Mayor Delnicki asked for a Motion to extend the public input past 30 minutes. Councilor King made a **Motion to extend Public Input**. Councilor Pendleton **seconded the Motion. MOTION CARRIES**.

William Jones of 570 Governors Highway- Wanted to reiterate what has been said before him. He said that the road has become the worst road that he has ever been on. Tractor trailers are backing down the street because they are too tall to go under the wiring above. It is a safety concern, and the tractor trailer situation needs to be addressed.

Leigh Lovering of 20 Elizabeth Street- In his personal experience on Governors Highway, he has had to get out of his car to direct a tractor trailer that was trying to make a left turn. He has seen tractor trailers put ruts in the lawns of personal properties on that road. He also feels that the road needs resurfacing due to the bumps in the road.

Chris Edlund of 11 Beldon Road- Resident of 23 years. The Town Council promised the residents that if they did extend the Governors Highway, they would keep the tractor trailers from driving in residential areas. On June 2, 1986, (Record No. 007788) the Town Council gave MDC the water line easement because MDC was concerned, they would lose the water rights because they thought the Town was going to stop using the road. MDC Will not give up the water right before the Town Council approves a warehouse to be built over the water rights.

He urges the Town Council to do something to stop the tractor trailer trucks from going through Governors Highway.

Ken Young of – He has a concern coming down Buckland Road at Sullivan Ave, there is a green arrow there. He does not feel there should be a green arrow there. He also said that the center tracks of railroad tracks that are on Ellington Road are broken. He also asked for the videos that he spoke about in a previous meeting to be viewed.

16. Communications from the Council

Mayor Delnicki reported on two events that are taking place. The Max Challenge is hosting a Family Fun Day in collaboration with the South Windsor Parks and Recreation, the South Windsor Community Center and the South Windsor Food and Fuel Bank. This event will be held on Saturday, March 16, 2024, from 10am to 3pm at the South Windsor High School Annex. They are having East Hartford Canine demos, cooking demos, Touch a Truck and an ambulance house and much more.

Mayor Delnicki also reported on the Special Olympics South Windsor Athletes that are participating in bowling on Saturdays in March at 10am at the Hall of Fame Silver Lanes in East Hartford. They are also participating in Track and Field starting in April through June on Saturdays at 10am. If anyone is interested, they can reach out to Coach Gene Johnkoski at GJohnkoski@gmail.com.

Councilor King wanted to let the students of South Windsor High School Bobcat Prowl, which is the high school newsletter. He said it is phenomenal and commended the editors for doing a great job keeping everyone informed.

17. Executive Session

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

Deputy Mayor Siracusa invited Town Manager, Michael Maniscalco and Assistant Town Manager, Scott Roberts to Executive Session. He also stated that the Regular Town Council meeting will adjourn from Executive Session.

Executive Session began at 8:49pm

Those in attendance include Councilor Buganski, Councilor Lewis, Councilor Balboni, Councilor Carey, Mayor Delnicki, Deputy Mayor Siracusa, Councilor King, and Councilor Pendleton, Michael Maniscalco – Town Manager, Scott Roberts – Assistant Town Manager

- a) Potential purchase of property located at 36 Graham Road**
- b) Potential sale of property located at 785 Sullivan Avenue**

Executive Session concluded at 9:11pm.

18. **Adjournment**

Deputy Mayor Siracusa made a **Motion** to adjourn the meeting at 9:12pm.

Councilor Lewis **seconded the Motion** which was approved by unanimous voice vote.
MOTION CARRIES.

Respectfully submitted,

Katherine J. Senerth

Katherine J. Senerth
Executive Assistant