

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

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April 25, 2016

TOWN COUNCIL – Special Meeting
Council Chambers – South Windsor Town Hall

1. Call Meeting to Order

Mayor Delnicki called the Special Meeting to order at 7:01 p.m.

2. 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

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

3. Public Participation

Mr. Robert Dickinson, 19 Birch Road came before the Council and suggested that the Town consider doing some of the sidewalk projects on the Capital Projects list. There are sidewalks around Timothy Edwards Middle School that could wait a couple of years with approximately ¼ of the sidewalks needing immediate replacement. Also, there are Town sidewalks that need immediate repair or replacement because they are safety hazards.

Mr. Frank Niederwerfer, 220 Niederwerfer Road explained that his father was a very big advocate of open space throughout Town and in the past a Committee was established that his father was a part of that created the Wildlife Sanctuary. That Committee worked very hard to save land in South Windsor. Mr. Niederwerfer felt that there are other locations in South Windsor where a Solar Farm could be created and opposed the creation of a Solar Farm in the Wildlife Sanctuary.

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3. Public Participation (Continued)

Mr. Ryan Dural, 35 Vintage Lane stated he is opposed of putting any kind of Solar Farm in the area of the Wildlife Sanctuary and is also concerned about what a proposal like this would do to the property values in the area.

Mr. Gary Burstynski, 50 Vintage Lane explained that where the Solar Farm is being proposed is a very rural farm area. A Solar Farm will take away from the home values. Mr. Burstynski opposed this project which will be in the back yard of three homes.

Mr. Todd Faragosa, 466 Barber Hill Road explained that the Solar Farm would be behind his house and he feels it would make his property value go down. Mr. Faragosa stated he moved into this home because the farm field was behind it and would be opposed to the creation of a Solar Farm.

Mr. Gene Keen, 19 Vintage Lane, questioned why there was no notification regarding the creation of a Solar Farm. Mr. Keen felt it is ironic that the Town is going to take open land to put money back into another open land fund. There is plenty of commercial land on Sullivan Avenue and Buckland Road that could be used for the creation of a Solar Farm.

Mr. Jeff Hamm, 577 Barber Hill Road voiced concern about the creation of a Solar Farm in this area and also not being notified. He questioned whether the \$114,000 would increase each year or if it is a fixed rate for 20 years. If it is a fixed rate, it does not make any sense. Mr. Hamm stated he would hope the Town Council would not vote on this tonight in order to have discussions with the residents to get further input.

Mr. John Dzen, 245 Barber Hill Road stated he does not understand the Town taking the largest piece of Town owned agricultural land out of agricultural use and using the money to support farm land and other open space initiatives. The Town did not go out with an RFP, competitive bidding, or did not hold a public hearing. Mr. Dzen said he is in favor of a Solar Farm where the Town can make some money but not at the expense of taking active agricultural land out of agricultural production. This is not the right place for a Solar Farm.

4. Communications

None

ITEM:

5. Special New Business

A. Resolution Approving a Solar Farm Lease with Greenskies Renewable Energy, LLC

BE IT RESOLVED that the South Windsor Town Council hereby directs Town Manager, Matthew B. Galligan to enter into a Lease Agreement with Greenskies Renewable Energy, LLC for property located at Barber Hill Road, South Windsor, Connecticut, to be used as a Solar Farm and that such Lease shall be subject to review and approval by the Town Attorney.

Councilor Riley recused himself from this item.

Was made by Deputy Mayor Mirek
Seconded by Mayor Delnicki

Deputy Mayor Mirek stated she did not realize that neighbors were not alerted that this was an issue that was being pursued.

Mr. Galligan explained that this has been discussed through SWALPAC because they do not have a budget to conserve land. The process was done quickly because the application has to be in by May 1st and this process is very competitive. This lease would allow the project to move forward for approvals to the Planning & Zoning Commission, the Siting Council and PURA where public input would be sought. Approval by the Town Council at this point only informs these agencies that the Town is interested.

Deputy Mayor Mirek said that she agrees that this is a good idea but does not agree with not informing the residents. She also was under the impression that the Solar Farm would be constructed in an area that was remote and she had no idea there were abutters to the property.

Town Attorney Yagaloff informed the Council that it is his understanding that this 44 acres is not part of the preserve. In order for this project to move forward it will have to get approvals from all of the State and Federal agencies. Originally only a Memorandum of Understanding was necessary but then Greenskies Renewable Energy, LLC came back and said they needed a lease in order to make their application. At that point the lease was reviewed and edited based on the Town Council's concerns. If all of the regulatory approvals are not received, the project will not move forward.

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ITEM:

5. A. (Continued)

Mr. Galligan told the Council that Town staff reviewed deeds to determine the boundaries of the Wildlife Sanctuary. Out of the 117 acres, there was only 40 acres available for a Solar Farm project.

Answering questions from the Council Mr. Galligan explained that an application would need to be submitted by May 1st in order to go forward with a Solar Farm project. SWALPAC and Open Space Task Force both have been discussing this for a while and both are in favor. The residents would have been informed during the Planning & Zoning process. The Wildlife Sanctuary is not going to be touched at all which was discussed during a Council meeting regarding the MOU. The reason this project did not go through the Energy Committee is because this is a project that is strictly between the investor and Eversource Energy. Mr. Galligan stated that the Council was informed that both pieces of property that are being reviewed for the Solar Farm project are leased to two different farmers presently. There are pumpkins on the lower portion and hay on the upper portion.

Councilor Anwar stated that although he likes the idea of using renewable energy to generate funds to reduce taxes, he feels the timing, location and process needs to be worked on and therefore he would not be supporting this resolution.

Councilor Maneeley felt she could not support this resolution because she was under the impression that this project would be obscure from public view and would not interfere with other residential properties.

Councilor Carroll voiced concerns regarding the lease agreement and the residents not being informed. The concept makes a lot of sense where the Town will gain revenues, but the project needs to be thought out more thoroughly.

Councilor Pendleton stated that she has never seen a project move so fast and she has concerns with this project. South Windsor is based on agriculture and farming, and although she is in favor of renewable energy, it will be negatively impacting the lives of residents. Councilor Pendleton stated she would not be supporting this resolution tonight.

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5. A. (Continued)

Councilor Snyder stated that although she was previously in favor of this project, she did not realize the impact on the neighborhood. Councilor Snyder stated that she had been in favor of this previously so that funds could be put towards the Priest Property to support an agricultural site with active farming.

Councilor Carroll suggested that a compromise be reviewed where the sledding hill is left alone and the other portion be used for the Solar Farm project.

Town Attorney Yagaloff informed the Council that it would be a policy decision by the Council. Mr. Galligan has stated that if there is going to be a problem with the lease then just forget the deal because he was more concerned about protecting the Town then he was about doing the deal. If the Council wants to discuss the deal with the parcel that is not right behind the residents, that can be done.

Mr. Galligan explained to the Council that this project is a better project for the Town because unlike a Virtual Net Metering projects where you have to worry about selling electricity, the Town would just be getting money from the lease and putting it to good use with SWALPAC. The reason this location was looked at is because it is an attractive location because of its close proximity to the Barbour Hill Substation.

Answering further questions, Mr. Galligan stated that he feels at this point the Town should wait and do a Solar project during the next round.

Councilor Anwar questioned if the Town could do their own due diligence and carve out an area to be ready to go.

Mr. Galligan stated that the Town could do that and then explained that Greenskies does this throughout the United States and is the type of company you want to do a project like this with, otherwise it is a waste of staff time to go through this process. The location being proposed is the best location for a project like this and anywhere you propose a project like this, there will be opposition.

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ITEM:

5. A. (Continued)

Town Attorney Yagaloff explained further that a project like this is better for the municipalities. Municipalities can offer better rates because they own the land. If this project is not built on municipal property it will be built on a private property and then there will not be a mechanism to stop the project.

Councilor Carroll questioned if the project could move forward with just a Memorandum of Understanding like originally discussed? Town Attorney Yagaloff explained that Greenskies Renewable Energy, LLC told the Town that they needed a lease for their application so they are requesting a signed lease. If the Town Council would like to do a MOU on a limited portion like on the pumpkin field but not the sledding field, the Town Council could try to do a MOU there. Another option would be that the Town Council say they are interested in a potential lease on the pumpkin field but not the sledding field to see if Greenskies Renewable Energy, LLC is interested in negotiating a lease under those terms. Those are some of the Town Council's potential options to try to move a deal forward.

Mr. Galligan informed the Council that presently the Town charges \$1,500 per year for use of a farm field.

Councilor Carroll stated that this is a great way for the Town to gain revenue but he still has reservations about signing a lease.

Mr. Galligan explained that this is the State changing their program. It used to be an MOU which was not binding on anyone but they changed the rules.

Councilor Pendleton questioned why the Town would not put solar on the Priest Property so that project could support itself. Mr. Galligan explained that the Priest Property has a lot of wetlands and DEEP will not allow solar in wetlands. Another problem with some of these projects is it is competitive so going in with 8 or 10 acres, that property will not be chosen if there is 35 or 40 acres where a better project could be located.

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

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5. Special New Business

B. Discussion Item: General Government Budget

Mr. Galligan explained that he gave the Tow Council a list of cuts to the budget. There is still a lot of negotiating happening with the Governors Office as to what is going to happen. South Windsor is presently looking at a 2.2% overall tax increase. Mr. Galligan informed the Council that there have been comments regarding the Board of Education savings by doing a high deductible health care plan. This is something that the Town started five years ago and at this time all Town employees are on a high deductible plan. These are savings that were achieved previously by the Town.

Mayor Delnicki requested that the Town Manager provide the Council a list showing how incremental reductions of \$100,000 to the budget would affect the property tax and the overall aggregate. The Council can also discuss any ideas for additional reductions. These discussions should not include items such as garbage collection, leaf collection, etc.

Mr. Galligan stated that he will get the numbers requested by the Council for the May 2nd meeting. On May 16th, the Council can make a decision on the General Government budget.

Councilor Snyder requested that the Town Manager provide the Council the Town of South Windsor Budget Report in order for the Council members to review the surplus. Councilor Snyder also requested that the Council receive an Excel spreadsheet with the Town Manager's Budget Reductions. The page number where the information can be found in the budget book should also be included.

6. Executive Session

None

7. Adjournment

At 8:22 p.m. Councilor Pendleton made a motion to adjourn the Special Meeting. Councilor Maneeley seconded the motion; and it was approved, unanimously.

Respectfully submitted,



Deborah W. Reid
Clerk of the Council