

**TOWN COUNCIL**  
**TOWN OF SOUTH WINDSOR**

**Minutes**

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**April 11, 2016**

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

**1. Call Meeting to Order**

Mayor Delnicki called the Special Meeting to order at 7:04 p.m.

**2. Roll Call**

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

Members Absent: Councilor William Carroll  
Councilor Edward Havens  
Councilor Lisa Maneeley

Others Present: Matthew B. Galligan, Town Manager

**3. Public Participation**

None

**4. Communications**

None

**5. Special New Business**

**A. Discussion Item: Crumbling Foundations (State Senator Tim Larson, State Representative Bill Aman and State Representative Jeff Currey to be present) (*requested by Councilor Anwar and Mayor Delnicki*)**

State Representative Bill Aman, 878 Strong Road, came before the Council to review Bill #5180 which is coming out of the Planning & Development Committee. This Bill will require documentation of the name of the individual or entity that poured the concrete foundation at a new residential or commercial building and the date upon which the foundation was poured prior to the issuance of a certificate of occupancy.

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#### **ITEM:**

##### **5. A. (Continued)**

Another Bill that is being reviewed is one that will affect Town budgets. A homeowner who has a professional engineers report can request to have their home re-evaluated for tax purposes. The reductions are good for five years or until the repairs are made or replacement is made.

The State Building Official has been requested to investigate methods of repairing or replacing foundations. The Commissioner of Consumer Protection and the Attorney General's Office are being requested to review the rights and obligations of common interest communities such as condominiums if there is a failing foundation problem as to where the responsibility lies.

There have been discussions about the difficulties of not wanting to report foundation issues because of confidentiality. The Bill will increase the time that things are kept confidential from the current 18 months to a period of five years. These reports will not be subject to freedom of information requests. The State will be putting out a concrete standard for all concrete that is sold in Connecticut.

The State will not be able to apply for FEMA funds until there are 582 homes that are documented that they are uninhabitable without repair.

Answering questions from the Council, Representative Aman explained that he will be sending out post cards explaining who may be affected by this, what the homeowner should do, what to avoid, and a summary of what is happening in Hartford. Mayor Delnicki requested that the mailer be put onto the Town's website, as well as the streets that have been identified where this problem could exist. Mr. Galligan informed the Council that the Town may do a mailing as well which will be sent to each household in South Windsor. It will also be put on Twitter and Facebook.

Representative Currey updated the Council on House Bill #5522 concerning homeowner's insurance policies and coverage for the parallel of collapse. The most important message to get to those affected is to report this problem to the Department of Consumer Protection. The department will need this information in order to move forward with their ongoing investigation.

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#### **ITEM:**

##### **5. A. (Continued)**

Answering questions from the Council, Representative Currey stated that any questions or concerns should be directed to your leadership at the State level. Council members discussed the fear that residents have regarding reporting this issue.

Senator Tim Larson, 33 Gorman Place, East Hartford reiterated the importance of reporting this problem through the State. Senator Larson requested that someone illustrate where South Windsor currently is, what is the Town's plan and what has been done to contact individuals.

Mayor Delnicki explained that the Town has formed a Committee. The Town Manager is working with the Town Attorney and the Town Assessor to come up with a methodology to apply the revaluation of a property on an appeals basis to an affected property. Mayor Delnicki felt more residents will report this issue if their information is not covered under FOI and their information will not be shared.

Commissioner Harris from the Department of Consumer Protection came before the Council and explained that there are three basic things happening which are investigate; the creation of short term solutions and long term solutions; and education and outreach. This issue is the department's priority. The goal of this investigation is to determine whether there is any party that the department can assert a claim under the Connecticut Unfair Trade practices in an attempt to recover some money. Through the investigation, it is unlikely that enough money will be recovered to address what appears to be a huge problem. The Governor assigned the Lieutenant Governor to head this investigation. Homes with this problem have been visited and the team has spoken to over 300 people with this issue. It appears that homes built in the early 80's, 90's and into early 2000's could be affected. The department has spoken with the Attorney General's Office and various insurance companies. The more information that is gathered and analyzed, the greater chance there will be to assert a claim and to be able to figure out the scope and causation. A dashboard has been created where all the information will be gathered. A scientific analysis is being done and it is hopeful that the preliminary results will be done by the end of the month. A

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#### ITEM:

##### 5. A. (Continued)

final phase should be in the fall. As of last week, there were approximately 181 complaints. Anonymous complaints are welcomed. Any complaints will not be disclosed through FOI until after the investigation is complete or 18 months. There are efforts to change that. Complaints can be filed online at [dcp.concrete@ct.gov](mailto:dcp.concrete@ct.gov). There is information on the department's website which is [ct.gov\dcp](http://ct.gov/dcp) for individuals to refer to. Also the department has two brochures.

The Council discussed having a public informational session regarding crumbling foundations where residents could come and voice their concerns and ask questions.

Mr. Harris explained to the Council that the Department of Consumer Protection is in the process of creating a list of structural engineers and contractors that could be used to view foundations and give advice. Senator Larson suggested that the Town do an RFP for these types of services. This would expedite a list. The Assessor should go through and identify the age of homes. There has to be a way to identify a resource to get funding.

Mayor Delnicki felt that a public informational session should be held in mid May.

Answering questions from Councilor Anwar, Mr. Harris explained that the Department of Consumer Protection needs to verify the number of houses affected by crumbling foundations. Homeowners should fill out as much of the information on the form as possible because the more information provided to the department, the better. Mr. Harris also explained that the Insurance Department issued a directive months ago that told the insurance companies that they could not cancel a policy or refuse to renew a policy based on the potential of having a crumbling foundation. At this time, a solution needs to be the main topic. Mr. Harris stated that people who are being affected by this problem should call their lawyers and insurance agent to get as much information as possible. The investigation will help find the reason this is happening to some homes and hopefully in turn will help to find a solution.

Councilor Anwar felt that a mechanism needs to be created to identify the scope of this problem in South Windsor.

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#### **ITEM:**

##### **5. A. (Continued)**

Mayor Delnicki requested that the Town be informed of the status of Bills #5522, #5180 and #5516. There will be an informational meeting held the second week in May. Representative Currey informed the public and the Council that the Bills could be tracked through the CGA website.

At 8:43 p.m. Mayor Delnicki called for a five minute recess. The meeting reconvened at 8:53 p.m.

Deputy Mayor Mirek made a motion to suspend the rules in order to go to Items 5. E. and 5. H. Councilor Snyder seconded the motion; and it was approved, unanimously.

##### **E. Budget Presentation: Volunteer Fire Department**

Chief Kevin Cooney came before the Town Council to present the Fire Department's budget. The areas of increase are for member reimbursements, training, pagers and protective clothing.

Answering questions from the Council, Chief Cooney explained that most of the departments building maintenance contracts are through different vendors. Chief Cooney explained that the computer system to run the new building is already out dated.

Deputy Chief Hoffman explained to the Council that S & E Building Systems is one of the vendors working with the department. When the building was constructed, the software was current but upgrades in computer software are now making the software program obsolete. The control panel for the heating system will need to be upgraded. The department has gotten initial quotes of \$20,000.

Mayor Delnicki felt there could be a cost savings if the Fire Department worked with the schools because they are doing the same type of upgrades.

Deputy Chief Hoffman explained further that a brand new control panel will be installed for the heating and air conditioning system. Then there is a separate server that houses the software that interacts with the control panel.

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#### **ITEM:**

##### **5. E. (Continued)**

Councilor Anwar felt it may be a good idea to think about a leasing program rather than purchasing. This would create a long term strategy for the Fire Department.

Councilor Pendleton voiced concern regarding the heating and air conditioning systems depending upon a computer.

Answering further questions, Chief Cooney explained that currently the Fire Department's expense reimbursement plan covers up to 30 years. Many members are exceeding 30 years now and in order to extend the coverage, the plan has to be enhanced. The department would like to extend to 35 years. Deputy Chief Hoffman explained that for every year of service, a volunteer earns \$12.00 per month. After turning 65, that person will receive a monthly benefit which is a lifetime benefit.

##### **H. Budget Presentation: Police Department**

Deputy Chief Scott Custer came before the Town Council to review the Police Departments requests for the 2016/2017 budget. Deputy Chief Custer explained that the major cost drivers are the salary increases, four vehicles and Channel 2. The purchase of Channel 2 would be about \$70,000. This will enhance the department's ability for day to day operations. The body camera program has been going well. To store the files, the Police Department will need to spend approximately \$30,000 per year. The last major driver will be new hires. The department is short four officers and one dispatcher. The State of Connecticut now charges for police officers to go to the Police Academy.

Answering questions from the Council, Deputy Chief Custer explained that forty-three or forty-four police officers would be an appropriate amount needed for the department. Staffing levels is a great concern to the department because there are seven or eight individuals that could choose to retire at any time. The department does not lease the line cars but has found it to be cost effective to lease the unmarked fleet. Those vehicles go out to bid every three years. Deputy Chief Custer explained to the Council the necessary equipment that is needed to be installed in a police cruiser which costs approximately \$4,000. There were two vehicles replaced in last year's budget

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**ITEM:**

**5. H. (Continued)**

and this year's budget the Police Department is playing catch up so that is why four vehicles are being requested. The request is for three police interceptors utilities which looks like a Ford Explorer and the fourth vehicle would be a Tahoe or Expedition. These budget requests do not include any expansion.

Answering further questions, Chief Custer explained that to send an officer to the academy, for the initial six months it costs about \$2,000.

Councilor Anwar felt that hybrid vehicles should be explored. Mr. Galligan stated that hybrid vehicles were looked at in the past but it was found that the vehicles are too light.

Deputy Chief Custer told the Council that the problem with looking to regionalize with surrounding Towns for dispatch services is that communities are not all on the same band width and South Windsor really wants to make sure that we have what is necessary.

**B. Budget Presentation: Building Department**

Mr. Galligan explained that the increases to this department are for temporary wages in the amount of \$43,000 and for a vehicle.

Answering questions from the Council, Mr. Chris Dougan, Chief Building Official explained that the department has not had any temporary help for the last six or seven years. The amount being requested would be for one person who would be temporary help and would not require any benefits. This position would work approximately 20 hours per week.

**C. Budget Presentation: Planning Department**

Mr. Galligan explained that the increases to this budget include salary increases, equipment expenses, professional services, operating materials, increase to longevity and a fee for annual dues.

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#### **ITEM:**

#### **5. Special New Business (Continued)**

##### **D. Budget Presentation: Health Department**

Mr. Galligan explained that the increases to this budget include part time salary in the amount of \$27,000 and to work with Windsor to hire a part time Health Inspector with the required MS degree for the amount of \$20,000.

##### **F. Budget Presentation: Fire Marshal**

Mr. Galligan explained that the increases to this budget include part time salaries, operating, and fees and memberships.

Mr. Walter Summers, Fire Marshal came before the Town Council and explained that the Fire Marshals office is currently inspecting condominiums. The increase to hours of the part time employees would be to 24.5 hours with no benefits. A new code that came out this year is not allowing grills on porches of three family homes and above. Residents will be educated before this code is enforced.

##### **G. Budget Presentation: Emergency Preparedness**

Mr. Galligan explained that the increases to this budget include salary, computer equipment, furniture and fixtures, equipment and vehicle.

Deputy Mayor Mirek requested that a spread sheet be given to the Council showing how the funds were used towards the EOC. Mr. Galligan explained that \$1.9 million dollars is for the building itself. The remainder of the funds is going towards the walkway, driveway, furniture and computers. Council members discussed the different costs for all of the proposed items.

#### **6. Executive Session**

None



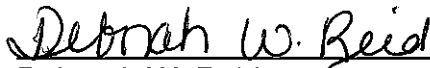
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**ITEM:**

**7. Adjournment**

At 11:05 p.m. Councilor Anwar made a motion to adjourn the Special Meeting. Deputy Mayor Mirek seconded the motion; and it was approved, unanimously.

Respectfully submitted,

  
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Deborah W. Reid  
Clerk of the Council