

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

Page 1

July 27, 2020

**TOWN COUNCIL – SPECIAL MEETING
VIRTUAL MEETING**

1. Call Meeting to Order

Mayor Paterna called the Special Meeting to order at 7:05 p.m.

3. Roll Call

Members Present: Mayor Andrew Paterna
Deputy Mayor Liz Pendleton
Councilor Audrey Delnicki
Councilor Erica Evans
Councilor Mary Justine Hockenberry
Councilor Cesar Lopez
Councilor Karen Lydecker
Councilor Lisa Maneeley
Councilor Janice Snyder

Others Present: Michael Maniscalco, Town Manager
Drew Guild, Systems Administrator/Project Leader

3. Mayor's Remarks

Mayor Paterna informed the Council that State Representative Jeff Currey is experiencing kidney failure, and his only option at this time is to receive a kidney transplant. There is a five-year waiting list for an individual to receive a kidney transplant, and the only way to shorten that process is to have a kidney transplant through a living donor. Hartford Hospital has a program for living donors, and if anyone would like to explore the idea of becoming a kidney donor, they should contact Hartford Hospital.

4. Communications and Reports from the Town Manager

Mr. Maniscalco reported on the following:

- The Town has received a quote of \$2,259 for three flag poles.
- The Town has gone out for pricing on lighting but felt it is too high and will be going out to get more pricing.
- The Town will need to go to the Planning & Zoning Commission for approval to put the flag poles up.

(Communications and Reports from the Town Manager Continued on Next Page)

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

Page 2

July 27, 2020

ITEM:

4. Communications and Reports from the Town Manager (Continued)

- Reviewed work being done on side roads off of Beelzebub Road. The Town has also been looking at the re-paving of Buckland Road and the traffic lights on Buckland Road.
- South Windsor Public Library is being used as a cooling center. The Community Center will be opened if the demand increases to a number of individuals that the Library cannot handle.

Answering questions from the Council, Mr. Maniscalco explained that the price of \$2,259 includes the cost of the poles and shipping. The plan is to have the American Flag on one pole, the Connecticut Flag on the second pole, and the Town Flag will be placed on the third pole. The approved organizational flags will be placed on the flag pole that the Town Flag is on. The Town will make sure that the American Flag stands taller than the others. The lighting on the flags will be in accordance with the flag policy.

Councilor Delnicki stated that the Council had stated at a previous meeting that in September, the Council would discuss the financing of the flag poles. The Republican Town Committee and Mr. Shepard have offered donations towards the purchase of three flag poles. Mr. Maniscalco felt that from a procedural standpoint, the project could be completed in August, and the Council could approve the donations and funding for the project in September. Councilor Delnicki explained that she would like to make sure that no Town funds are expended for this project.

Deputy Mayor Pendleton called for a Point of Order explaining that the item being discussed is supposed to be discussed in September. In September, the Council will have all of the finalized numbers. Mayor Paterna explained that what is being discussed at this time is whether the work should be completed in August.

At 7:16 p.m., the Regular Meeting was recessed in order to hold a Public Hearing. The Regular Meeting reconvened at 7:19 p.m.

Deputy Mayor Pendleton made a motion to suspend the rules in order to move Item 8. A. right after Item 7. C. Councilor Maneeley seconded the motion, and it was approved unanimously.

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

Page 3

July 27, 2020

ITEM:

4. Communications and Reports from the Town Manager (Continued)

Mayor Paterna, Deputy Mayor Pendleton, Councilor Evans, Councilor Hockenberry, Councilor Lopez, Councilor Lydecker, Councilor Maneeley, and Councilor Snyder all gave consensus to have the project done in August and in September, the Council would allocate the donations to the project. Councilor Delnicki stated that she is in opposition to this and would prefer to know the amount of money that is being donated towards this project instead of having the Town cover the cost to complete this project and then figure out reimbursement in September.

5. Public Input

John Maciaga (**Exhibit A**)
Christopher Bernard (**Exhibit B**)
Letter to the Editor (**Exhibit C**)
Christopher Bernard (**Exhibit D**)

6. Communications

None

7. Special Business

A. Resolution Accepting the Resignation of Alan Larson (D) from the Park & Recreation Commission

BE IT RESOLVED that the South Windsor Town Council hereby accepts, with regret, the resignation of Alan Larson (D) from the Park & Recreation Commission; and

BE IT FURTHER RESOLVED that the South Windsor Town Council extends its thanks to Alan Larson for the time he has dedicated to serving his community by his membership on the Park & Recreation Commission.

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

Page 4

July 27, 2020

ITEM:

7. A. (Continued)

Was made by Councilor Evans
Seconded by Deputy Mayor Pendleton

Mayor Paterna thanked Mr. Larson for the many years he has worked with the Park & Recreation Commission and his dedication to all of the projects the Commission has put together over the years.

Councilor Evans also thanked Mr. Larson for his many years of dedication to the Park & Recreation Commission.

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

B. Resolution Authorizing the Transfer of 2.24 Acres of Real Property to Scannell Properties #419 LLC

WHEREAS, Scannell Properties #419 LLC is interested in acquiring all rights to a certain 2.24-acre parcel of property that is currently subject to a right of reverter of the Town; and

WHEREAS, Scannell Properties #419 LLC is interested in acquiring the parcel in conjunction with its anticipated development of 240 Ellington Road; and

WHEREAS, pursuant to Public Act 09-4, the transfer of the parcel is required to be used for economic development purposes; and

WHEREAS, the Quit Claim will provide for a transfer of the Town's rights in and to the 2.24-acre parcel with a right of reverter to the Town if a Certificate of Occupancy is not issued for the development at 240 Ellington Road within five (5) years thereof; and

WHEREAS, the transfer of the parcel was the subject of a public hearing of the Town Council on July 27, 2020; and

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

Page 5

July 27, 2020

ITEM:

7. B. (Continued)

WHEREAS, on November 12, 2019, the South Windsor Planning & Zoning Commission approved an economic development project which included the transfer of rights to said parcel in conjunction with the development of 240 Ellington Road; and

WHEREAS, the Town desires to transfer its rights to the parcel to Scannell Properties #419 LLC in accordance herewith.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town that:

1. The transfer of the Parcel to Scannell Properties #419 LLC, for the consideration stated herein, is hereby approved and the Town Manager is authorized to execute and deliver a Quit-Claim Deed and any other documents necessary or desirable to accomplish such transfer in accordance with this Resolution; and
2. This Resolution shall become effective immediately upon its approval.

Was made by Deputy Mayor Pendleton
Seconded by Councilor Maneeley

Deputy Mayor Pendleton stated that she is in favor of this property being quit claimed to Scannell Properties and is glad to see development happening on this property.

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

C. Resolution Approving Offer of a Tax Assessment Agreement with Scannell Properties #419 LLC

(Resolution Continued on Next Page)

TOWN COUNCIL
TOWN OF SOUTH WINDSOR

Minutes

Page 6

July 27, 2020

ITEM:

7. C. (Continued)

WHEREAS, the Town of South Windsor's Tax Partnership Program, established pursuant to Connecticut General Statutes Section 12-65b, is intended to encourage the development and expansion of quality businesses in Town through tax and other economic incentives, and is designed to retain and attract businesses that will generate substantial additional tax revenues and employment opportunities for the Town while providing quality goods and services; and

WHEREAS, the South Windsor Economic Development Commission recommends, pursuant to said program, that a tax assessment agreement be offered to Scannell Properties #419 LLC as an incentive to develop the property known as 240 Ellington Road with a multi-tenant commercial building in a commercial zone consisting of 182,000 square feet (the "Real Property").

NOW, THEREFORE, BE IT RESOLVED that the South Windsor Town Council is pleased to offer a tax assessment agreement between the Town and Scannell Properties #419 LLC reducing the amount of the estimated \$8,700,000 real property assessment of the Real Property by 30% for a period of five (5) years. The estimated tax benefit reduction for the multi-tenant building will be approximately \$337,500 annually, commencing with the Grand List following the date the Certificate of Occupancy is issued; provided, however, that if such assessment is changed by any future Town evaluation, the new assessed value of the Real Property shall be reduced by the percentage applicable to the year within the five (5) year period such assessment is changed; and

(Resolution Continued on Next Page)

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

Page 7

July 27, 2020

ITEM:

7. C. (Continued)

BE IT FURTHER RESOLVED that the South Windsor Town Council's offer to Scannell Properties #419 LLC is conditioned upon Scannell Properties #419 LLC (1) meeting the estimated \$12,400,000 construction cost figures for the building and agreeing to the estimated assessment figure of \$8,700,000; and (2) continuing to pay the real estate taxes on the Real Property for a minimum of ten (10) years from the date the Certificate of Occupancy is issued; if Scannell Properties #419 LLC fails to meet either of these conditions, Scannell Properties #419 LLC shall be liable and shall pay the Town of South Windsor for all of the tax benefit reductions it has received pursuant hereto; and

BE IT FURTHER RESOLVED that the South Windsor Town Council's offer is contingent upon Scannell Properties #419 LLC execution of a written agreement reflecting the terms set forth in the Resolution and such other terms as the Town may require.

Was made by Councilor Maneeley
Seconded by Deputy Mayor Pendleton

Mr. Maniscalco explained to the Council that the Town has been receiving approximately \$12,000 per year in taxes for this property. Once construction is complete, the Town will receive about \$41,000 in the first year. During the five-years of the abatement, the Town will receive \$760,869. Mr. Maniscalco also explained that the project is employing local contractors.

Town Attorney Olson stated that this strip of land is beneficial to the development of 240 Ellington Road, and if the Town were to keep this property, the Town would have to maintain the area, which has a cost related to it.

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

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

Page 8

July 27, 2020

ITEM:

8. Executive Session

At 7:50 p.m. Deputy Mayor Pendleton made a motion to go into Executive Session to discuss personnel issues (Evaluation for Michael Maniscalco, Town Manager; and Deborah Reid, Clerk of the Council.) Councilor Maneeley seconded the motion, and it was approved unanimously.

The following individuals went into Executive Session: Mayor Paterna, Deputy Mayor Pendleton, Councilor Delnicki, Councilor Evans, Councilor Hockenberry, Councilor Lopez, Councilor Lydecker, Councilor Maneeley, Councilor Snyder, Town Manager Michael Maniscalco, and Clerk of the Council Deborah Reid.

The Regular Meeting reconvened at 10:30 p.m.

7. Special Business (Continued)

D. Resolution Approving an Annual Salary for Town Manager Michael Maniscalco for Fiscal Year 2020/2021

BE IT RESOLVED that the South Windsor Town Council hereby approves an annual salary increase of 2.5% for Fiscal Year 2020/2021 for Town Manager Michael Maniscalco, said annual salary rate increase to be retroactive from July 1, 2020.

Was made by Councilor Hockenberry

Seconded by Deputy Mayor Pendleton

The motion passed on a roll call vote of 8 to 1 with Councilor Delnicki voting in opposition.

E. Resolution Approving an Annual Salary for Deborah W. Reid, Clerk of the Council for Fiscal Year 2020/2021

BE IT RESOLVED that the South Windsor Town Council hereby approves an annual salary increase of 2.5% for Fiscal Year 2020/2021 for Deborah W. Reid, Clerk of the Council, said annual salary rate increase to be retroactive from July 1, 2020.

Was made by Councilor Snyder

Seconded by Deputy Mayor Pendleton

The motion was approved unanimously

**TOWN COUNCIL
TOWN OF SOUTH WINDSOR**

Minutes

Page 9

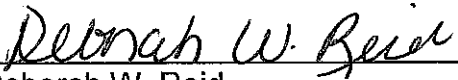
July 27, 2020

ITEM:

9. Adjournment

At 10:36 p.m., Councilor Snyder made a motion to adjourn the Regular Meeting. Councilor Maneeley seconded the motion, and it was approved unanimously.

Respectfully submitted,



Deborah W. Reid
Clerk of the Council

Public Input for 7/27/2020 Town Council Meeting

John Maciaga [eastoriver@att.net]

Sent: Monday, July 27, 2020 11:30 AM

To: TownCouncilComments,

Attachments: Town Council Meeting July~1.docx (14 KB)

see attached

Town Council Meeting 7/27/2020

TO: Town Council Members and Town Manager DATE: 7/27/2020
(Also, to be read at 7/27/20 meeting during Public Input) Time: 11:30 AM

I. Introduction

I was reading the agenda for the July 20 meeting (the week prior to this week). Included at the very end of the agenda document was an attachment which discusses the topic of SIGNS, and defines what qualifies as a SIGN. This attachment is part of zoning regulations.

II. Just Being Logical

Section 6.5.2 (Definitions) discusses signs from a) a physicality perspective, and b) content (message, symbols, etc) perspective.

From a physicality perspective, there are 9 possibilities mentioned, with the last two being very broad:

1. Device
2. Fixture
3. Placard
4. Structure
5. Flag
6. Banner
7. Streamer
8. Any rigid material
9. Any flexible material

In the case of the large message in front of our (?) town hall, the rigid material that the message is on, is rigid asphalt material.

Therefore POINT A: The large yellow writing/message in front of the town hall meets the physical definition of a SIGN.

POINT B: The size of the message is 1,500 square feet or more. That is clearly much, much, much larger than allowed for any type of sign as defined in Section 6.5 (SIGNS). Therefore the large yellow message sign is non-compliant.

POINT C: Section 6.5.4.D reads: Excluding public safety signs and other municipal informational signs, no SIGN shall be erected within, or overhang, public rights-of-way. Therefore the large yellow message sign is non-compliant again, because it is on a public driveway.

POINT D: In Section 6.5.4.C it is essentially indicated that no SIGNS shall be permitted except as noted/allowed in this regulation (6.5). The large yellow sign violates at least 2 specific regulations (size, location), and therefore it follows that this large yellow sign is not permitted.

POINT E: Section 6.5.3.B.4 indicates that one of the effects of Regulation 6.5 overall is to prohibit all signs that are not expressly permitted in Regulation 6.5. A SIGN over 1,500 square feet located on a public rights-of-way is NOT permitted ANYWHERE in the Regulation. Therefore, once again it follows that the large yellow sign is not permitted.

III. Conclusion

In conclusion, it's as simple as (points) A-B-C-D-E: The large yellow sign in front of the town hall is (per regulation) not permitted. Therefore it follows that it should be removed.

IV. Next Step

So what will our town government do? Logically the town government should abide by the town's regulation and remove the large yellow sign (as the logic above indicates).

Or, will the town government show favoritism and come up with some gimmick so that the large yellow sign will be considered in compliance.

If it's the latter it will be clear to the residents in town that rather than trying to be a town that supports **equality for all**, South Windsor will be a town that espouses **favoritism for some**.

Letter to the Town

Christopher Bernard [cbernard8344@outlook.com]

Sent: Thursday, July 23, 2020 11:15 AM

To: TownCouncilComments,

Attachments: Letter to the Editor.docx (18 KB)

Does anybody confirm receipt of these emails, or do you just ignore me

Christopher J Bernard LLC

(860) 424-6056

Letter to the Editor

Petition to South Windsor residents calling all who do not sign BLM petition are "racists"

I received the following petition from Change.Org which was sent out to South Windsor residents:

South Windsor for BLM started this petition to The Mayor

On June 12th, 2020, a group of young former and current students of South Windsor schools spent close to 3 hours painting "Black Lives Matter" in front of the Town Hall. It was powerful and important for a small suburban town to be involved in a national movement. Prior to doing this, we had permission from the Mayor, and he was able to support us throughout the entire process.

Unfortunately, many residents have expressed that they are vehemently against this movement, and therefore are racist. They are very upset that the Town Hall has been "defaced" and claiming that all lives matter. They are blaming our Mayor for speaking for the town (which is his responsibility), and they believe that the paint should be removed. Town Hall, for reference, is not in a residential area and has recently been closed due to COVID. Residents have only recently been coming to the building in order to obtain dog licenses.

We will clearly have to prove to our residents and surrounding towns that South Windsor does not stand for the racism that exists in our community. Please consider signing this petition, as we want our paint to exist on this property for as long as possible.

Please note the following paragraph: "Unfortunately, many residents have expressed that they are vehemently against this movement, and therefore are racist."

The author of this petition seems to have forgotten the Constitution, which does not surprise me as the author is a teen. Though I am glad a teen has removed their nose from their phone for a few minutes to actually write something and not take a selfie or ignore the world around them (I write this as a parent of a child who sent and received 10,000 texts in one month got all F's and D's on her report card and feigned surprise when we explained to her that she was actually texting every 30 seconds while either not in school or sleeping, and I write this as an employer of younger generations who attempt to rake lawns with one hand while texting when I am not looking...enough said on that...although it proves a point that there are a few bad apples in every bunch but not everyone is the same (such as a few bad cops but not all of law enforcement is killing blacks))

I come from a family of lesbian and inter racial relationships and impending marriage, a sister that runs a large domestic abuse agency in NJ, a family that was taught at an early age of gender equality, no judging of color of one's skin, to respect, to listen regarding other's beliefs, to respect law enforcement and first responders.

And although I believe in the BLM cause, I make it clear I do not respect "peaceful protests" that involve looting, burning down stores, cars, property, defacing of property, businesses, homes, public and private property, the injuring

and killing of first responders, law enforcement officers and volunteers, the tearing down of private fencing in private gated communities, the creation of police less areas that in time become a hot bed of drugs and killings...should I go on or do you all understand my point.

So just as we have some bad cops, we have some bad protestors or leaders of BLM, which they will NOT acknowledge.

I have sent emails to the mayor and to the town council regarding the wording of this petition and have also asked SWPD for help as I do not want to be singled out and have damage or injury caused to me or family because I did not want to sign a petition that accuses me of racism, especially one written by a 15 year old who has no idea of the real world as of yet and who does not know me or anyone else's beliefs or values. Imagine the surprise of a veteran of foreign wars, upon reading this petition and being accused of racism when he or she has fought side by side with all colors and races for a common goal, I and you, should cringe at the thought of those who have given their lives so we all can walk out our doors each day with no fear of bullets or bombs.

My life, my families and friends lives matter also...

Exhibit C

[Journal Inquirer] SW officials would add 3 flagpoles at community house

Christopher Bernard [cbernard8344@outlook.com]

Sent: Friday, July 24, 2020 12:05 PM

To: TownCouncilComments;; Maniscalco, Michael

Cc: Sen. Anwar, Saud [Saud.Anwar@cga.ct.gov]

I would like to fly a landscapers lives matter flag, who do I see to get permission, seems we all are getting flags why not landscapers, our lives matter....when will the Japanese flag fly, Japanese were imprisoned in the USA, the Indian Flag, we took their land, anyone with disabilities flag, the flag of Dementia should be flown, if they remember to put it up every day...flags are needed everywhere in South Windsor, they will match the gross yellow paint at town hall, which should have white paint stating White or All lives Matter, where do I get permission for that, oh yeah, I don't according to our Mayor...we just do it.....no permission needed or town council vote...WTF

https://www.journalinquirer.com/towns/south_windsor/sw-officials-would-add-3-flagpoles-at-community-house/article_bo8eb8a4-cdc2-11ea-81a3-1385f4dc56b4.html?utm_medium=social&utm_source=email&utm_campaign=user-share