



**TOWN COUNCIL  
VIRTUAL MEETING  
OCTOBER 19, 2020  
Regular Town Council Meeting**

**APPROVED MINUTES**

**1) CALL TO ORDER**

Mayor Trinks called the meeting to order at 7:32 p.m.

Present: Mayor Donald Trinks, Deputy Mayor Joe McAuliffe, Councilor Nuchette Black-Burke, Councilor Lisa Rampulla Bress, Councilor James Dobler, Councilor James Govoni, Councilor Donald Jepsen, Councilor Lenworth Walker, and Councilor Kenneth Wilkos

**2) PRAYER OR REFLECTION**

Councilor Rampulla Bress led the group in prayer/reflection focusing on reflecting Windsor citizens who may be facing many challenges such as job losses, access to food, and health problems

**3) PLEDGE OF ALLEGIANCE**

Councilor Rampulla Bress led the group in the Pledge of Allegiance.

**4) PROCLAMATIONS AND AWARDS - None**

**5) PUBLIC COMMUNICATIONS AND PETITIONS**

Eric Weiner, 76 Palisado Avenue, spoke about his role as the Chair on the Citizen Advisory Task Force for Clean & Sustainable Energy. Mr. Weiner stated that he noticed an agenda item on tonight's Town Council agenda that was the bond measure for the repair of the Sage Park roof. Mr. Weiner made an inquiry as to whether the design for the roof includes solar panels, and if it is not already in the plan, could it to be considered during the roof construction phase.

Bob Bowmar, 7 Winthrop Road, read a statement about a concern with a policy for tenant relocation expenses when in a rental property. His concern stemmed from a real-life event that occurred while he was renting a house to tenants who left food unattended on the stove, which created a house fire, leaving the house in unlivable conditions. The Town of Windsor sent a letter to Mr. Bowmar stating that he owed the town a large amount of money to pay for the displaced tenants. Town lawyers are attempting to justify the reimbursement claim by saying that as a landlord, he violated section A-7 of the Connecticut Uniform Relocation Act. Mr. Bowmar stated that he disagrees with the claim and what it says because he did not permit for the building to



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be at a point of condemnation. Mr. Bowmar asked that the town review the current course of action and the potential impact to Windsor's character.

Stacy Sampson, 604 Stone Road, spoke about the Windsor Police Cadets. It would be helpful to receive funding from the town for the entryway of the building at their new location, as it is required to have a coded lock and safety system in place. As of right now, it is the responsibility of the Cadets to pay for this costly project, which is approximately \$3,800. The program will also be responsible for covering the cost of twenty new radios, which can cost as much as \$1,000 per radio. The Cadets provide many services to the town. Without these two major requirements added to the program, it will raise a very big safety concern for these children. Since the new Police Department facility finished under budget, it would seem appropriate to put the leftover budget money toward the new lock and safety system to ensure the safety of the children in the Windsor Police Cadet program.

Coralee Jones, 1171 Matianuck Avenue, commented on accepting money for the mural to be painted in Windsor. Ms. Jones stated that her concern is there should be a policy in place before anyone paints anything in Windsor, because the content of the mural needs to be appropriate. She also believes that there will be people in the future requesting to create other murals for various movements, which leads to her argument of not allowing funds for the mural to be accepted. She wants to know how this will be controlled and moderated. Ms. Jones also has concerns about vandalism, and how that will be handled since there has been a history of vandalism on public displays in Windsor. Ms. Jones stated that it is the responsibility of each council member to take actions that will create equitable policies and a safe environment for all residents in Windsor.

Hayden Pratt stated that he has been a member of the Windsor Police Cadets for three years. He is asking the Town Council to help the Cadet program by considering funding from the town for the necessary safety devices such as the coded lock system and radios. Mr. Pratt stated that since March, when COVID started, all fundraisers that the Cadets had planned have been cancelled. There has not been ample opportunity for the Cadets to raise money for funding that is needed in order to continue to serve the town.

George Slate, 74 Ethan Drive, commented on the mural that will be painted in Windsor. He stated that it is unknown how controversial or insidious the mural will be, which may lead to vandalism. Mr. Slate also stated that he disagrees with a part of the anti-racism activism because there is not a focus on all other races, but rather just the black and brown population. Mr. Slate would like the resolution to declare racism as a public health crisis completed and passed, as it has not yet been established in the community. He is unsure if the next measure will be to name specific people and groups as racist. Mr. Slate stated that he has a process issue with where things are going on the declaration of racism being a public health crisis. This meeting does not have the topic on the agenda, which is a problem and should be up to date with all of the committees. Mr. Slate explained that his orientation is finances and that he sees the racism as a public health crisis costing at least \$100,000 in the first fiscal year and possibly as much as \$500,000. The Council has only begun to state what those costs will be. There was a \$20,000 estimate for a survey on the correlation between racism and health for Windsor residents. Then there was \$20,400 toward the police training. The Board of Education has not been put into this



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training plan yet, which is why Mr. Slate has estimated an expense of \$500,000 for this resolution to cost in the first fiscal year. Mr. Slate believes that these methods are fiscally irresponsible in this process for declaring racism as a public health crisis.

Sharon Plummer, 71 Merriman Road, stated that she is advocating for the Windsor Police Cadets. Ms. Plummer has two children who participate in the Cadets program and has led them to become productive members of society. It is disappointing to see that a program that contributes so much to the Windsor community must still be held responsible for the costs associated with helping to keep children safe. Typically, the program has the opportunity to fundraise, but sadly this year they were unable to do so due to COVID. Ms. Plummer requested that the Council consider offsetting some of the cost for the Windsor Police Cadets.

Sophia Lewison, 382 Old River Street, stated that she has been a part of the Windsor Police Cadet program for almost three years. Ms. Lewison explained that this year it has been hard to hold meetings and fundraisers for the Police Cadets due to COVID. She is worried that the program will suffer and that other kids will not be able to receive the same opportunities that she has been given during her time with the Cadets. Ms. Lewison requested that the Town Council consider funding the Cadet program during this difficult time.

Steve Ernest, 316 Palisado Avenue, addressed the Council to inquire if there had been a change or new business that is the source of increased truck traffic going through the historical part of Windsor. There are large eighteen-wheeler trucks that cause loud rumbling and shaking of windows throughout the area. It is at the rate of two to three vehicles per hour even in the middle of the night. It is having a negative effect on Mr. Ernest's house as well as his neighbors' houses. Mr. Ernest would like a study to be done to understand the source of the traffic and possibility adopting an ordinance to prevent this type of traffic to travel through the historical district.

## 6) COMMUNICATIONS FROM COUNCIL MEMBERS

Councilor Dobler asked that everyone please continue to wear masks and social distance, especially with colder weather approaching and the increasing likelihood of the spread of viruses. Councilor Dobler also reminded everyone to vote in this upcoming election and he hopes that after the conclusion, there will be much more civility no matter the outcome.

Councilor Walker reiterated that it is important to stay safe by wearing masks and practicing social distancing. It is also important to practice good hand hygiene as well as sanitizing public areas in your homes and businesses. As always Councilor Walker reminds everyone to continue to support the local businesses in Windsor.

Councilor Govoni - no comments.

Councilor Black-Burke thanked everyone during the public comment who shared their thoughts and comments regarding their concerns in town. Councilor Black-Burke reminded everyone that in a few weeks there will be a national election taking place. There are registration deadlines for voting. Registering to vote can be done online up until October 27<sup>th</sup>. If you need an absentee ballot, it is also important to get that done as soon as possible. Councilor Black-Burke



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encouraged all young new voters to register and make their voices heard. Also, the Rehoboth Church of God as well as the Mayors of West Hartford, Bloomfield, and Windsor, are conducting a food giveaway every Friday from 10 a.m. to 2 p.m. If you are interested in volunteering, you can reach out to each town or the Rehoboth Church of God directly. On October 24<sup>th</sup> there will be a prescription drug take-back day that will be held at 484 Windsor Avenue. If you have old prescriptions at home, please bring them to CVS on Windsor Avenue from 10 a.m. to 2 p.m. Stay safe and be well.

Councilor Rampulla Bress thanked everyone for participating during the public comment because that is exactly what it is for. Councilor Rampulla Bress stated that the councilors are aware of these issues and that there will be discussion about them and having these issues addressed moving forward.

Councilor Wilkos reiterated what Councilor Rampulla Bress stated.

Councilor Jepsen wished Councilor Wilkos a happy anniversary.

Deputy Mayor McAuliffe thanked everyone for speaking during the public comment and stated that the Council is aware of these issues and are or will be working on addressing them.

Mayor Trinks reminded everyone in the community to vote.

### 7) REPORT OF APPOINTED BOARDS AND COMMISSION

Mayor Trinks stated that the Public Building Commission submitted a written report to the Council and each Councilor has received a copy.

### 8) TOWN MANAGER'S REPORT

#### Hidden in Plain Sight

**Hidden in Plain Sight** is a presentation for adults and parents to raise awareness of signs that may point to risky adolescent behaviors. Join us on Tuesday, October 27<sup>th</sup> at 6:30 PM for this online version of the Mock Bedroom which is completely online using Zoom Video Conferencing. Open to adults only, this virtual program recreates a mock teenager's bedroom that parents can explore to identify hidden drug paraphernalia, and warning signs associated with drug or alcohol abuse by a teen. This presentation is brought to you by the Windsor Locks Wellness Coalition, Windsor Locks Youth Services Bureau, and the Windsor Youth Services Bureau. Registration is required. To register go to

<https://townofwindsorct.com/recreation/programs/hidden-in-plain-sight/>.

#### Night of 1001 Pumpkins - Drive-Thru Trick or Trick event

Join us for the Night of 1001 Pumpkins Drive-Thru event on October 27<sup>th</sup> and or 28<sup>th</sup> starting at 6:00 p.m. Families can register for a spot to participate in our drive-thru event that will include a drive-up pumpkin patch and drive-up trick or treat area. Spots are limited and for Windsor residents only. Please register only one member of your family for this event. Pre-registration is required. Once registered, you will receive communications regarding how to participate in



this exciting drive-thru event. Please dress up and decorate your cars for the drive-thru! Masks must be worn to participate. Max of 50 cars per night. To register go to <https://townofwindsorct.com/recreation/programs/night-of-1001-pumpkins-drive-thru/>.

### **Windsor's 2020 Leaf Collection Program Starts on Monday October 26<sup>th</sup>**

Windsor's 2020 leaf collection program will begin on Monday, October 26<sup>th</sup> and will end on Friday, December 18<sup>th</sup>. During this eight-week period, your leaves will be picked up on the same day as your trash pick-up.

Residents must place their leaves at the curb in 30 to 40 gallon paper leaf bags. Leaves may also be placed in similar-sized containers that are labeled with a "Leaves Only" sticker that can be easily identified by the driver (i.e., the sticker facing the road).

Residents can obtain these stickers at the Town Hall or the Windsor Transfer Station.

If you choose to self-haul your leaves to the transfer station, there is no charge during this period for dropping off clean loads of leaves, (no contaminants or plastic bags). For more information, call 860-285-1833.

### **Flu Clinics**

The Town of Windsor will be sponsoring one more public flu shot clinic this fall. It will be a traditional clinic for those that are 18 years old and older and will be held at the Windsor Town Hall on Thursday, October 22<sup>nd</sup> from 5:30 PM – 7:30 PM. Pre-register OR walk-in.

Please see the town's web-site for registration and additional information at:

<https://townofwindsorct.com/health/announcements/windsor-residents-flu-shot-clinics/>

### **Red Ribbon Week**

During the week of October 23-31<sup>st</sup> 2020, Red Ribbon Week will be celebrated in Windsor. Red Ribbon Week is a national effort in which schools and towns raise awareness in the community about drug abuse. By wearing a red ribbon during the week, you are promoting a healthy drug-free lifestyle. Red Ribbon week is celebrated by over 100,000 schools and organizations nationwide, making it the most successful drug prevention event ever held and Windsor will join in on the celebration.

Councilor Wilkos referred to the different trucks and contractors who are doing the dumping on Pierson Lane. Is there a regulation for citing these people for illegal dumping. Town Manager Souza stated that he will get in touch with the town attorney to help with this concern.

Councilor Govoni wanted confirmation of the Pierson Lane area being surrounded by wetlands and if that has any power of controlling the illegal dumping. Town Manager Souza stated that this is currently being looked at as a factor in enforcement investigation.

Councilor Walker asked for a follow-up on the radar speeding signs that were requested at the last meeting. Councilor Walker also stated that the information brought up about the Police Cadets is new to him. Councilor Walker supports the Police Cadets. Councilor Walker asked Town Manager Souza if he knows what the reimbursement percentages are for septic tank



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cleaning rebates in Windsor. It seems that people who do have septic tanks are discouraged about these rebates and the process is made difficult for the residents. There is a resident who reports on MDC and Councilor Walker is interested in hearing that report. Lastly, Councilor Walker would like to know what the tax collection rates are to date compared to previous years.

Councilor Dobler agreed with Councilor Walker and thanked everyone for discussing the situation with the Cadets. The amount of funds that the Cadets are looking for is something that the town should be able to handle. If it is brought to a vote, Councilor Dobler would also be in favor of helping them.

Councilor Jepsen stated that the Finance Committee will be having a meeting next week, which will include the information on taxes that Councilor Walker requested.

### **9) REPORTS OF STANDING COMMITTEES**

Town Improvements Committee – Councilor Dobler stated that the Town Improvements Committee will be planning to meet within the next two weeks, and hopefully by the next Council meeting there will be something to report.

Special Projects Committee – no report

Health & Safety Committee – Councilor Black-Burke stated the Health and Safety Committee met on October 8<sup>th</sup> and received an update from the Health Department regarding the COVID-19 response. Action items from the resolution to declare racism as a public health crisis were also discussed and the way things will be moving as far as data collection, costs that could be involved, police department training, and traffic enforcement data and trends. The minutes are available from that meeting for reference. Councilor Black-Burke thanked Councilor Govoni and Dobler for taking part in that and every staff member that was a part of the conversation.

Personnel Committee – Councilor Rampulla Bress shared that the Personnel Committee met on October 14<sup>th</sup>. She thanked Councilor Walker and Councilor Black-Burke and Assistant Town Manager Scott Colby as well as all of the people who have assisted the committee in proceeding forward for the new members for the boards and commissions. There is another sizeable group of people for the Council to review for appointments at the next meeting. There are still a few openings left on the Board of Assessment Appeals for democrats, republicans, and unaffiliated individuals. The Commission on Aging and Persons with Disabilities also has some spots open. Everyone is encouraged to apply.

Finance Committee – Deputy Mayor McAuliffe stated the Finance Committee will be meeting on October 26<sup>th</sup> at 6:30 p.m. The agenda will be posted on the town website by the end of the week ending on October 22<sup>nd</sup>.

### **10) ORDINANCES – None**

### **11) UNFINISHED BUSINESS - None**



## 12) NEW BUSINESS

- a) Approve acceptance of a grant from the Hartford Foundation for Public Giving for installation of street mural

MOVED by Councilor Ramplulla Bress, seconded by Deputy Mayor McAuliffe, and amended by Councilor Jepsen to authorize acceptance of a grant from the Hartford Foundation for Public Giving to promote community awareness of racial injustice through an art medium. The Windsor Human Relations Commission is further authorized to spend up to \$3,600 to create the art medium.

Town Manager Souza stated the Hartford Foundation for Public Giving has said the grant would pay for the cost of the artist(s) to design, lay out and paint the mural. Work would occur this fall, weather permitting. The proposed wording in the mural is "*End Racism Now.*" The project is expected to take 4 days to complete. The work would be done by qualified artists that have experience with this type of project.

Staff is continuing to review the overall request and to finalize logistics with artists. At this point the following parameters are contemplated:

- Design and location will be reviewed and approved by Town Manager or designee;
- Proposed paint materials should not create safety hazard for motorists, bicyclists or pedestrians;
- The location is contingent on receiving permission from two nearby property owners to temporarily redirect local access to their properties during mural installation;
- Mural may be covered after one year or at the time of excessive wear and tear;
- Artists' may need liability insurance naming the town as an insured party.

Mayor Trinks wanted to open the topic with conversation before making a motion. His concern is the same as the one mentioned during public comment, which is that there is no policy on public murals and which ones will be allowed in the future. Town Manager Souza confirmed that at this time there is not a policy on public street, driveway, or parking lot murals. Mayor Trinks then requested that Commissioner Desiree Primus and Chair Kevin Washington present how this mural came about and how far into the planning we are.

Chair of the Human Relations Commission, Kevin Washington, gave an overview and started by stating that there is no doubt that yes, black lives do matter, but there is a more potent message to "*End Racism Now*", which is what the mural will represent. This will reflect all people of color in the diverse community of Windsor. Yes, it is indeed a health crisis, but it is also an economic crisis, political crisis, and an educational crisis just to name a few. It becomes more and more apparent just how much this message needs to get out. There are fifteen other towns that have done murals or recognized racism as a public health crisis and it has been concluded that the statement "*End Racism Now*" does reflect all people.

Councilor Rampulla Bress directed her statement to Kevin Washington. She is truly grateful for him bringing this item forward to the Council, especially that the "*End Racism*" model was chosen



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to encompass all people. It is greatly welcomed in the Windsor community that is so beautifully diverse. Councilor Rampulla Bress also stated that she is in support of the idea of the mural but was curious if any other ideas had been explored in terms of an art installation. Councilor Rampulla Bress would also like to know what and/or who would be involved with this installation or if that part is still in the discussion stages. Mr. Washington responded that other avenues have been explored, but due to the lack of space and the challenge of location other options for art installations were nixed. All things were considered including who was going to see it, where it would best be seen, and if it would be approved by Council members. There had been a meeting discussing the many options. The idea of painting it on a building is a little more complicated because there are stipulations on where and how to get that to happen due to ownership issues. Mr. Washington also stated that the topic of vandalism is a topic that should be more directed toward Town Manager Souza and the town attorney on how things would be handled under that circumstance.

Ms. Primus stated that the selection of art as a street mural was decided based on a mural that is currently at the state capitol/Bushnell Park. There were over sixteen different artists who each had a different interpretation, which created a colorful and well received visual. There have been many wonderful aerial shots taken of it as well as many people visiting the street mural daily. It was a state-wide event with many people helping to make this mural happen. Ms. Primus said that the hope is to find artists who will represent all of the different races to paint the "End Racism Now" mural in Windsor. The design that has been decided on would be like a mosaic piece of art. The artists that have been found are ready to make this project happen and begin right after the election, if it is approved.

Mr. Washington added that the mural is not going to change the world, but it will help the community move in a positive direction. Mr. Washington sincerely feels that the mural supports the resolution to recognize racism as a public health crisis.

Deputy Mayor McAuliffe thanked Mr. Washington and Ms. Primus for attending the meeting and for what they have done in planning this mural is incredibly thoughtful and he fully supports whatever form this message comes out in. Deputy Mayor McAuliffe stated that he welcomes more debate on this and that it's important that there be more debate. He also looks forward to more positive feedback from the Council.

Councilor Dobler stated that he is also in favor of the mural or another art installation, but he does have two concerns. One being the concern of vandalism, because it is not a question of "if" but more of "when" and how it would be handled. Secondly, what will happen when the next group comes forward and requests a mural? There needs to be a policy set in place for how a project like this is approved moving forward.

Mayor Trinks asked Mr. Washington if the grant from the Hartford Foundation is specific to a street mural or if another art installment could be considered. Ms. Primus stated that in terms of the Hartford Foundation for Giving, she spoke to Jacquelin Coleman specifically for the street mural. There was no mention of any other type of art installation.



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Councilor Govoni stated that the message and the effort put into this project is fantastic. Councilor Govoni's concerns are similar to Councilor Dobler's concerns relating to not having a policy for this type of procedure and regarding how to decide if it will or will not be approved, the installation of it, location, and maintenance. If the mural deteriorates, how will it be decided whether it gets removed or fixed. Councilor Govoni also wondered how a street mural would affect the pavement surface and if it will deteriorate it. A policy will be ideal because it will ensure that the mural, and future murals, will be appropriately approved, taken care of, and respected. Councilor Govoni also reminded everyone that the real purpose of tonight's agenda item on this topic is to approve a grant.

Councilor Rampulla Bress stated that she respects the other Councilor's concerns about the process and the mural's longevity. She wondered if Town Manager Souza could answer how other towns make these decisions without policies set in place and is it something that is decided by the Council. Town Manager Souza stated that he cannot speak about each of those individual communities and how they approved the murals. However, by accumulating information from media accounts, he knows that at least one of them was approved by the Mayor. Other states have set policies and parameters and delegated the decision to staff as long as those policies and procedures are followed.

Councilor Govoni shared an example from years ago when the ice rink was on the green, but there wasn't very good lighting on it. Someone from utility came and put a spotlight donation up to light the rink. This was a nice gesture but there is a policy on signage and lighting at night and because Scranton Motors wasn't allowed to have similar lighting the spotlight for the rink ended up getting taken down. Councilor Govoni stated that these are the types of situations that concern him because he wants the mural to work and to stay permanently, but these unexpected things happen and then there is not a plan in place to help determine the next set of events.

Mr. Washington stated that the commission is aware that there is a possibility of vandalism. In research, it shows there have been instances of vandalism, but he tends to believe that Windsor residents would not let that stand under these circumstances. The estimation for how long the mural would last from the Hartford Foundation states that it would be about a year. The commission is also aware that there may be weather circumstances that may erode it or erase the paint but that is not something major. Ms. Primus added that there has been absolutely no vandalism of the mural at the state capitol.

Councilor Walker thinks the idea behind the mural is a good one. The message of "End Racism Now" is wonderful. The issue is that there is not a current policy and if there is not a policy then there will be extra work and a lot less planning. The town or the Mayor made the decision to have the painting done on the driveway in front of the town hall in South Windsor and it created a lot of issues. The resolution for that was the mural was painted over and now flag poles have to be added because there are other groups in town that decided if you put messages pertaining certain groups on public roads, then you must also allow every other group to do the same. Councilor Walker agrees with other Councilors in that without a policy in place, the mural should not be approved, no matter how wonderful the message is. Councilor Walker does not think we are ready to make a decision on this grant money at this time.



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Councilor Black-Burke thanked Mr. Washington, Ms. Primus, and the Human Relations Commission for being allies. Councilor Black-Burke considers the Human Relations Commission to be an extension of government in a way, and when something comes from one of the commissions, Councilor Black-Burke listens to it. If a policy is what's needed, then we also need to look at how we allow all commissions and committees to interface when they put forward a recommendation. The policy that is created will need to have a certain level of jurisdiction for any commission that reports back to the Council. Councilor Black-Burke loves the message, "End Racism Now" and that the proposal is to place it right in the center of the town. Right now, it seems that there is a concern about trepidation and what other groups can or are proposing to do. Councilor Black-Burke is in favor of the mural and she will vote yes.

Councilor Wilkos agrees that this is a very thoughtful item that has been put together, but he agrees with Councilor Dobler and Councilor Walker that this mural could be a potential target of unfortunate circumstance. No matter what way it is looked at, the mural is viewed as political in nature. No matter how great the message or intention, some people will view it as inappropriate and disagree with it. There needs to be a policy in place before anything is approved. A way that the money can be used immediately is to manufacture masks with the message on them, which is something that each individual can do and support on their own.

Ms. Primus asked if it would be allowed to have the organizer at the state capitol to speak. Mayor Trinks approved this request. Levey Kardulis, mural artist, stated that he was a former resident of Windsor, and is still very involved with many things affiliated with Windsor. His belief is that it would not only be poetic to start the mural the day after the election, but also to bring the diverse community of Windsor together. The suggested area for the mural is the perfect spot to put something that says, "we're going to end this racism now." It's right at town hall where policy happens. This is a chance for the first town in Connecticut to put something monumental down to make a statement, which could create a beautiful wave throughout the state and maybe even the country.

Councilor Rampulla Bress thanked Mr. Kardulis for speaking about his positive experiences in Windsor. She stated after listening to the other Councilors and their perspectives on this topic, it is important to note they we as council members are the governing body. Even though there is not a policy, there are a lot of boards and commissions with many requests to do things such as holding events, proposals for projects, as well as other ideas and suggestions which the Council votes on. Councilor Rampulla Bress is confused about why a policy is so important at this moment. If this were to happen again in the future, they would still have to bring it to the Council for approval or denial. She is not sure if writing a policy for every board or commission that comes in with a suggestion or a request is efficient and/or necessary. We as the Council have the right to vote on anything and if anything objectionable came through the Town Council in the future, then there would be the opportunity to vote on the merits of that topic or request. Based on the merits of this particular request, Councilor Rampulla Bress fully supports it, even without a policy in place.

Deputy Mayor McAuliffe echoed what Councilor Rampulla Bress said about this being a Council appointed commission requesting a mural and that they are vetted by the Town Council. Being a Council appointed commission of the town could be a stipulation for the policy of approval of



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things such as this. They can set the precedent tonight and then going forward have it be the precedent.

Councilor Jepsen stated that he likes the idea of the mural and does not have a problem with it at all. Councilor Jepsen would like to see a picture or a plan of what it will look like. Councilor Jepsen stated that yes the Council does have the power to approve the mural right now, as Councilor Rampulla Bress suggested, but there is still a danger of opening a floodgate of other groups who may be denied and then will go to the courts. It's equal opportunity of the law and once something is approved, content cannot be regulated. Someone could say "if they can put a sign up, I'm going to put a sign up too." So there needs to be something that sets ground rules that everyone can follow. It is also important to make sure things do not become political. It is important to go forward in a way that protects us in the future.

Councilor Govoni questioned if there is a life to the grant, meaning would there be a certain date it has to be spent by? Ms. Primus confirmed that, at this point, there is not a specific date, but they are excited to move forward, especially because poor weather conditions will be quickly approaching.

Mr. Washington made a statement regarding Councilor Govoni's comment about using the money for masks. He said that the money from the foundation cannot be used for something like masks, its purpose is for a mural. Councilor Govoni explained that while the commission has the money and while the Council gets a policy in place, it would still hold the same message. Councilor Govoni then suggested that we wait to put the mural down in the spring time so the mural will have a longer lifespan. Mr. Kardulis stated that the product that will be used for the mural is the same product that Holyoke, Massachusetts uses for their Irish celebration every year. There is a silicone like sand product to put in so it wouldn't be slippery. The plan is for it to be a pedestrian crosswalk, and it will not be necessary to put any phosphate or salt down in the wintertime, just a light brushing to push the snow away. There are many students and other community members lined up to help with the work as well. Mr. Washington also stated that the forecast for the upcoming winter is that they are predicting that there may not be too much snow this year.

Mayor Trinks stated that to some it is a mural and a beautiful idea, but to others it has first amendment implications. The only reason the Council is looking at it at this time is because the Council is not voting on whether the street is painted, but rather if the money is to be accepted. If there was not a money component tied to it at the moment, the project would not have even been presented to the Council. Even if there were a policy, it would still appear in court, even if it went through one of the commissions. If there was ever another group that wanted to do a mural like this, they would go down the first amendment violation route if it were denied. Especially if there is not a policy, they might take it upon themselves to do so.

Councilor Black-Burke stated that there is not a policy, but there is an appointed commission who has come as they should to the Council and now the Council needs to make a decision. So the options are to set precedence and move forward to then say the Council makes a stand that the boards and commission need to have art work and other physical aspects approved. Councilor Black-Burke believes that the Council is being dismissive to commissions that are



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doing work on behalf of the town in collaboration with our town government. They are an appointed board or commission that has done all of the necessary work to get to this point, so the precedence needs to be set. This is the Human Relations Commission, not a random citizen requesting a mural. The options are to say yes and put some additional parameters in place or say no and let it stay at that.

Councilor Jepsen stated that there is more that is needed to be accepted than just the grant for this agenda item, reminding everyone that no board of commission can spend money without the authorization of the Council. The Human Relations Commission does have money in the town budget, but this project would exceed that, so that should be part of the motion. The mural will also be put on public land which will also require the approval from Council. There have been valid issues brought to our attention and it should be taken care of.

Councilor Walker reiterated what he said earlier about being wise and prudent about this item. Councilor Walker mentioned the issue in South Windsor because it is a prime example of what happened when there was not preparation for approving a mural that was painted at their town hall and it backfired. The debate is whether other groups will present an idea for a mural or monument to the Council or a commission and say they need the same rights as groups approved in the past. If this had come to Council before accepting funds, some of these other issues might have been able to be addressed. In a court of law, there are ramifications and in that case, the Town Council does not supersede the law of the land. Lawsuits in the long run could be a result. There is not a rush to approve this. Councilor Walker believes that the Council is not ready to move forward with this.

Councilor Rampulla Bress suggested an amendment to the motion which speaks to Councilor Jepsen's concerns, which is to specify for the Foundation of Public Giving to promote community awareness of racial injustice through an art installation. That would make the use of the funds more specific.

Councilor Rampulla Bress made a motion with the amendment:

MOVED by Councilor Rampulla Bress, seconded by Deputy Mayor McAuliffe to authorize acceptance of a grant from the Hartford Foundation for Public Giving to promote community awareness of racial injustice through an art medium.

Councilor Rampulla Bress stated that she was moved by one of Councilor Walker's comments which was if everyone has the right to propose an installation, then she is not sure what a policy would actually do for the Council. Any policy that is created would probably not have a legal standing. It is a first amendment right for people to propose to do that. Councilor Rampulla Bress would like to know what kind of policy the other councilors think can be created if they think the first amendment would guarantee anyone a right to propose any type of project.

Councilor Govoni stated that it is different to put a banner or a sign up rather than changing the pavement infrastructure or something more permanent. People will fight anything if it's not a requirement for everyone. Having some form of policy will help a lot in the long-term. A vote can be made tonight, but as councils change and years go on, at least these issues will not be run



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into down the road. Councilor Govoni thinks that the mural is great, but he is concerned about the infrastructure in town.

Councilor Rampulla Bress is looking for someone who can give an example of where policy would help with the first amendment issue. Other towns probably don't have policies because they cannot enforce them. Councilor Rampulla Bress would like to know if this would require someone with a legal opinion. Town Manager Souza stated that there are communities across the country that have policies in place regarding street art. The issue of street murals in this part of the country is relatively new, which is why there are communities in our region that do not have policies. There has not been a request for street art up until this point. The issue with the first amendment is a question that Town Manager Souza is not prepared to answer at this time. A question that has been brought up is what kind of parameters can be put on an art installation such as a street mural.

Deputy Mayor McAuliffe directed his question to the Town Manager asking if there is currently a policy for the banner that goes across Broad Street. Town Manager Souza confirmed that there is not a policy because it is regulated by the State of Connecticut's Department of Transportation. Banners have to be approved by the state and have to get an encroachment permit from the Department of Transportation.

Councilor Jepsen wanted to make a small amendment to the motion by adding, "the Windsor Human Relations Commission is further authorized to spend up to \$3,600 to create the art medium." It is his belief that the Council must authorize board and commissions to spend money.

Motion Passed 5-3-1 as amended (Councilors Govoni, Walker & Wilkos against, Councilor Dobler abstained)

- b) Accept Great Pond Village public infrastructure

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to accept the deed and the Public Improvements associated with Great Pond Village, Phase I for perpetual maintenance.

Bob Jarvis stated the construction of all public improvements on approximately 1000' of Newport Road, 1000' of Lexington Street and approximately 200' of Arlington Road have been completed. These improvements include the paved roadway, a 5-foot concrete sidewalk adjacent to the road, storm drainage, miscellaneous landscaping and street lighting. A 10' wide multi-use path, and traffic signal improvements are also included within the project. The developer has asked the Town to accept public improvements at this time. A maintenance bond will be held by the Town for a period of one year to cover any deficiencies associated with the new improvements, if any. Removal of snow from the sidewalks will be the responsibility of the adjacent property owners as is consistent with the Town Ordinances.

Councilor Govoni asked if they would be mowing their right of way and if there is on-street parking. Mr. Jarvis confirmed they will be mowing and there is on street parking. They will be subject to the on-street parking ban. There have been discussions with the developer and the



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police department about them reiterating to the management company at the Great Pond community that these regulations will be enforced during the winter.

Motion Passed 9-0-0

- c) Approve funding authorization of \$190,000 from the Capital Outlay Fund for L.P. Wilson Lighting Conversion Project

MOVED by Deputy Mayor McAuliffe, seconded by Councilor Jepsen that \$190,000 be appropriated from the Capital Projects Fund Assigned Fund Balance to fund the L.P. Wilson Community Center LED lighting project.

Bob Jarvis, Director of Public Works/Town Engineer, stated the LED upgrade includes all interior and exterior building fixtures and parking lot lighting. A combination of new fixtures, retrofits of existing fixtures and motion sensors will be installed. The retrofitting of fixtures involves replacing the existing fluorescent tubes and ballasts with LED tubes and new drivers. Installation and disposal of old materials and lamps is included.

Projected energy cost savings per year is \$22,500. When the estimated rebates of \$76,200 are considered, the projected payback period is 5 years.

It is estimated that the lighting project will reduce power consumption by approximately 186,000 kWh per year. This energy savings is projected to reduce our carbon emissions by 206,000 pounds per year which is equivalent to saving 10,536 gallons of gasoline, or 99,000 pounds of coal, or reforesting 619 trees a year.

Councilor Rampulla Bress thanked Mr. Jarvis, his staff, and the town staff for continuing to find cost saving measures that include energy savings.

Councilor Wilkos said prior to the meeting, he had the opportunity to talk to Town Manager Souza and Mr. Jarvis about the \$350,000 lighting project that was authorized for Sage Park. There was a sizeable rebate that was used for that project just over \$80,000. With this project there are similar rebates. Councilor Wilkos is wondering if the rebates will be coming back to us. Town Manager Souza stated that the way the program works is the rebates go to the contractor, but there has to be the overall authorization of the \$190,000. In the end \$120,000 will be spent on the project.

Councilor Govoni asked if there was a project done on Welch Park to convert the lighting to LED and, if not, could that be added to this agenda item project. Town Manager Souza stated that the conversion has not been done at Welch Park. There has been an initial review of the facility about a year ago. The initial concerns are that the rebate level or the use of the lights is so minimal in the terms of the time that it's used, and the amount of energy that is used may not be eligible and may result in a very small rebate. The bigger concern is related to the structural nature of the light poles because the LED fixtures tend to be heavier depending on the design. Councilor Govoni wanted confirmation that the little league pays for the bill for the use of those



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lights. Town Manager Souza said he believes that is the case but he could look into the details further.

Councilor Dobler confirmed that little league does pay for the lighting at Welch Park. Councilor Dobler also commended Mr. Jarvis and his team for finding these savings for the town. If there are any other facilities that can be upgraded before the rebates go away, please bring it to the Council for their review.

Motion Passed 9-0-0

- d) Introduce a bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$1,990,000 FOR COSTS IN CONNECTION WITH THE SAGE PARK MIDDLE SCHOOL PARTIAL ROOF REPLACEMENT PROJECT; AND AUTHORIZING THE ISSUE OF \$1,990,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe that the reading into the minutes of the text of the bond ordinance entitled, 'AN ORDINANCE APPROPRIATING \$1,990,000 FOR COSTS IN CONNECTION WITH THE SAGE PARK MIDDLE SCHOOL PARTIAL ROOF REPLACEMENT PROJECT; AND AUTHORIZING THE ISSUE OF \$1,990,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION' is hereby waived, the full text of the ordinance having been distributed to each member of the Council and copies being made available to those persons attending this meeting; and that the full text of the ordinance be recorded with the minutes of this meeting.

Mr. Bob Jarvis, Director of Public Works/Town Engineer, stated this roof is presently a ballasted EPDM rubber membrane roof out of warranty and it has been leaking under and around the mansard roof façade. The plans for this project would make the mansard roof a water tight functioning roof for the areas it is located.

This project will involve the removal of the layers of roofing material, and its installation. The new roof will have tapered insulation, overflow drains, and be a built-up bituminous type with a white vinyl top field layer. The new insulation will reduce the building's energy usage, as well as increase water drainage, and will comply with State of Connecticut requirements for minimum slopes on school facilities.

It is planned that work would begin after school is let out for the summer break, with the project being completed prior to late August or early September 2021.

Motion Passed 9-0-0

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to introduce a bond ordinance entitled, 'AN ORDINANCE APPROPRIATING \$1,990,000 FOR COSTS IN CONNECTION WITH THE SAGE PARK MIDDLE SCHOOL PARTIAL ROOF REPLACEMENT PROJECT; AND AUTHORIZING THE ISSUE OF \$1,990,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.'



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Councilor Walker would like to know if the roof that is being replaced capable of having solar panels. Mr. Jarvis asked the Building & Facilities Manager to respond to this inquiry. Mr. Przech stated that the roof that is being replaced is ballasted by stones and the weight of those per foot is about ten pounds, making this area able to support solar panels. Town Manager Souza added that previously when installing solar arrays, there has been a separate power agreement for a separate entity. Basically, it is leasing roof space. What would need to be considered is the number of rooftop units and how much space can be yielded for solar arrays. If it looks feasible, then there will be a search to purchase power agreements, similar to what is being done for Addison Road.

Motion Passed 9-0-0

- e) Set a Public Hearing for November 2, 2020 at 7:20 PM for a bond ordinance entitled, "AN ORDINANCE APPROPRIATING \$1,990,000 FOR COSTS IN CONNECTION WITH THE SAGE PARK MIDDLE SCHOOL PARTIAL ROOF REPLACEMENT PROJECT; AND AUTHORIZING THE ISSUE OF \$1,990,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe that a Public Hearing be held at the Windsor Town Hall on November 2, 2020 at 7:20 p.m. (prevailing time) on the following ordinance entitled, "AN ORDINANCE APPROPRIATING \$1,990,000 FOR COSTS IN CONNECTION WITH THE SAGE PARK MIDDLE SCHOOL PARTIAL ROOF REPLACEMENT PROJECT; AND AUTHORIZING THE ISSUE OF \$1,990,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

Councilor Jepsen would like to know if public hearing protocols are still in place even with zoom meeting participation. Town Manager Souza confirmed that the protocols are still in place.

Motion Passed 9-0-0

- f) Approve resolution authorizing General Obligation Bond Refinancing

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe that the reading into the minutes of the text of the resolution entitled 'RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR AUTHORIZING THE ISSUANCE OF REFUNDING BONDS FOR PAYMENT OF THE OUTSTANDING PRINCIPAL, INTEREST AND ANY CALL PREMIUM ON CERTAIN OF THE TOWN'S GENERAL OBLIGATION BONDS, AND COSTS RELATED THERETO' is hereby waived, the full text of the resolution having been distributed to each member of the Council and copies being made available to those persons attending this meeting; and that the full text of the resolution be recorded with the minutes of this meeting.

Jim Bourke, Finance Director, stated to authorize a refunding of already approved and issued bonds, the Town Council will need to pass an authorizing resolution. Unlike the procedures with a new bond issue, there are no hearing requirements as the original authorization was already granted by the Town Council.



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Market rates are currently favorable and provide an opportunity to refinance \$14,310,000 in existing debt. Although it is too early to provide a precise dollar figure in terms of savings, we expect to be able to structure a refinancing that could save approximately \$700,000 to \$740,000. These savings would be spread across a number of years to allow the Town Council to achieve the twin goals of continuing to reinvest in the town's capital infrastructure and/or mitigate debt service impacts on the annual operating budget. The refinancing issue will be structured so as not to extend the term of any of the original bond issues being refinanced. It does in fact shorten the average life of the original issues.

If the Council approves this refinancing authorization, it is expected that the refinancing would occur in late November. The market conditions are favorable at this time and the town's advisors anticipate those conditions to remain positive in the near term. If rates happen to turn upward, the town would forego the refinancing.

Motion Passed 9-0-0

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe that the following resolution entitled, 'RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR AUTHORIZING THE ISSUANCE OF REFUNDING BONDS FOR PAYMENT OF THE OUTSTANDING PRINCIPAL, INTEREST AND ANY CALL PREMIUM ON CERTAIN OF THE TOWN'S GENERAL OBLIGATION BONDS, AND COSTS RELATED THERETO' be introduced and approved.

Councilor Wilkos thanked the staff and stated this has been done before and saves the town a significant amount of money. Windsor has one of the best bond ratings in the State of Connecticut and this is where the bond rating is going to make a difference in paying debts.

Councilor Jepsen stated that we are talking about refinancing \$14 million, but the resolution states \$24 million dollars, so he would like to know if that is a moving number. Mr. Bourke stated that it has been put together so if there are other bonds that are refundable and the market moves in our favor, then we have identified this extra amount.

Motion Passed 9-0-0

g) Approve extending FY 20 Open Purchase Orders

MOVED by Deputy Mayor McAuliffe, seconded by Councilor Jepsen that the FY 20 General Fund purchase orders remaining open as of October 19, 2020 and in the total amount of \$219,550 be approved and carried forward until February 2, 2021.

Jim Bourke, Finance Director, stated as of October 19<sup>th</sup>, there are three remaining purchase orders with open amounts totaling \$219,550. The Finance and Human Resources departments have received the software for the first one listed Tyler Technologies but are still in the implementation process. The leadership and supervisory training presented by Bolder Company is expected to be completed by the end of January 2021. Scheduling has been constrained due



to COVID-19 as well as the priority to complete mandated sexual harassment training by October. The Volvo dump truck is expected to be received in January as well.

Motion Passed 9-0-0

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe, to amend tonight's agenda and have 12h and 12i appear after 16c.

- h) Approve collective bargaining agreement with Teamsters Local 67
- i) Consider settlement in Bynum vs. Town of Windsor

Motion Passed 9-0-0

**13) RESIGNATIONS AND APPOINTMENTS – None**

**14) MINUTES OF PRECEDING MEETINGS**

- a) Minutes of the October 5, 2020 Regular Town Council meeting

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to approve the unapproved minutes of the October 5, 2020 Regular Town Council meeting as presented.

Motion Passed 9-0-0

**15) PUBLIC COMMUNICATIONS AND PETITIONS – None**

George Slate, 74 Ethan Drive, made a comment about the mural discussion as being a classic example of a bait and switch. Mr. Slate stated that the Hartford resident helped design the mural and there is a picture that exists. If that is true, then Mr. Slate said it would have been acceptable to share the picture with everyone before the meeting. The motion could have been tabled until the picture of the proposed mural was seen. Mr. Slate also commented on the acceptance of the Great Pond Road improvements.

Adam Gutcheon, 1121 Windsor Station Drive, stated that he has had an interest in public art for some time and that has given him an opportunity to look at public art policies from municipalities that have them. There is a very important distinction in the public art world with respects to the mural. Mr. Gutcheon was confused about that until Councilor Jepsen offered the amendment during the mural discussion. This authorized the Human Relations Commission to expend funds on the mural and definitively establish that this art would be created at the direction of the Human Relations Commission. The discussion made it sound as if the mural would be done privately by members of the public with the town only being involved for the grant, which is where the first amendment problems come in. Mr. Gutcheon believes that Windsor does need a public art policy that would contain standards, design reviews, and practical concerns such as upkeep. We are lucky as a town to have such a vital and active Human Relations Commission by doing the work of building a more welcoming and inclusive town. Mr. Gutcheon believes that the Human



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Relations Commission was given a great disservice tonight, because it was assumed that the mural would cause division and possibly be vandalized.

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to enter Executive Session at 10:03 p.m. for the purpose of:

- a) Strategy and negotiations with respect to pending claims and litigation (Bynum vs. Town of Windsor)
- b) Strategy and negotiations with respect to pending claims and litigation (Teamsters contract)
- c) Discussion including the appointment, employment, performance evaluation, health or dismissal of a public officer or employee (Town Manager evaluation)

Motion Passed 9-0-0

### **16) EXECUTIVE SESSION**

Present: Mayor Donald Trinks, Deputy Mayor Joe McAuliffe, Councilor Nuchette Black-Burke, Councilor Lisa Rampulla Bress, Councilor James Dobler, Councilor James Govoni, Councilor Donald Jepsen, Councilor Lenworth Walker, and Councilor Kenneth Wilkos

Staff: Peter Souza, Town Manager; Scott Colby, Assistant Town Manager, Marty Maynard, Risk Manager; Amelia Bliss, Director of Human Resources

Guests: Cori Lynn Webber, The Law Office of Cori-Lynn S. Webber, LLC

Marty Maynard and Cori Lynn Webber entered Executive Session at 10:12 p.m. and exited Executive Session at 10:18 p.m.

Amelia Bliss entered Executive Session at 10:22 p.m. and exited Executive Session at 10:24 p.m.

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to exit Executive Session at 10:58 p.m. and return to the Regular Town Council session.

Motion Passed 9-0-0

- 12 h) Approve collective bargaining agreement with Teamsters Local 671

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to approve the collective bargaining agreement with Teamsters Local 671 as discussed during Executive Session.

Motion Passed 9-0-0

- 12 i) Consider settlement in Bynum vs. Town of Windsor



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MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to accept the settlement of Bynum vs. Town of Windsor as was discussed during Executive Session.

Motion Passed 9-0-0

**17) ADJOURNMENT**

MOVED by Councilor Jepsen, seconded by Deputy Mayor McAuliffe to adjourn the meeting at 10:59 p.m.

Motion Passed 9-0-0

Respectfully Submitted,

Elizabeth Brisebois  
Clerk of the Town Council