

REGULAR MEETING JANUARY 22, 2008

The Wethersfield Town Council held a meeting on Monday, January 22, 2008 at 7:30 p.m. in the Banquet Room of the Community Center.

Present: Councilors Cascio, Console, Forrest, Hemmann, Kotkin, Roberts, Walsh, Deputy Mayor Montinieri, and Chairperson Adil.

Also present: Bonnie Therrien, Town Manager and Dolores G. Sassano, Town Clerk.

Chairperson Adil said that a very gracious man, Dick Dobmeier passed away this week. He was the Chairperson of the Park and Recreation Board and served on other Boards and Commission in Town. A moment of silence was observed.

All stood for the pledge of allegiance to the flag which was led by Councilor Console.

PUBLIC COMMENTS

HEARING

None

GENERAL COMMENTS

Daniel Andrews, 21 Stonegate Drive, said that his property abuts the subdivision of the property on Highland Street. He said that he is watching them tear this lot apart every day. They are starting to grade it. It is a mess. They put a real estate listing out for the property on Stonegate Drive which is in violation of zoning regulations since the house is sitting on both lots. When this passed zoning, the developer was to tear down the house before they could sell the lots.

Chairperson Adil asked that the Town Manager look into what is happening at this site.

Bonnie Therrien, Town Manager, said that Mr. and Mrs. Andrews have expressed concerns and Town staff has tried to respond as quickly as possible. She said that she will make sure that each issue receives follow through.

COUNCIL REPORTS & COMMENTS

Councilor Kotkin said that he attended the Mill Woods Building Committee meeting. The Committee is making good progress. Applications will be sent to the Inland Wetlands and Watercourses Commission and the Planning and Zoning Commission in February. The Committee would like to be able to go out to bid in the spring. The Committee will bid it out with several alternates. After it receives the bids back, the Committee will look at the amount of money it has and move forward accordingly. The Committee would like to do the Little League Field and irrigation system. There may be a request to the Town Council to fill a gap so that the Little League Field can get done. The Insurance Committee did not meet last week because Committee members were waiting for some information. The Committee did receive some information concerning health insurance increases. From March through August, the insurance monthly costs were way above budget. Fortunately, it seems to have abated and October, November, and December were below budget. Hopefully, the healthcare account won't be way above budget. The trend finally looks good.

Councilor Cascio said that:

- The Chamber of Commerce is gearing up for the Shadow Program. A high school student is matched with a

career person in the community. On Tuesday, January 29th the students will be paired up. There is always a wonderful turnout. It is always a great collaboration with the Chamber of Commerce and the Board of Education.

- Channel 14 met last week and elected new officers. Rick Garrey is President, Ed Zambroni is Vice President, John Babel is Treasurer, and MaryBeth Maluccio is Secretary. They are looking for volunteers. They have new programs underway. They are wrestling with the recently passed Public Act 07253 which deals with cable use and company video service providers. The user groups of Wethersfield, Rocky Hill, and Newington will not be guaranteed funding through Cox Cable any longer. They currently receive \$13,000. Funding for the remaining years is in limbo. The Committee is drafting a letter to the Town's Legislators telling them how disturbed they are with the passage of this Public Act. This will put the burden on each community to fund the television channel. He hoped the Town Council could support Channel 14 in this cause by notifying the elected representatives from Wethersfield and letting them know that this was not a good Public Act for Channel 14.
- The Memorial Day Parade Committee will meet on January 28th. At the last meeting, the Committee was charged with getting a new look for the parade. He is pleased to announce that there will be a dove flight at the ceremony in Village Cemetery. The Committee is also working with the Board of Education to coordinate an 8th Grade essay contest. An individual would be chosen to read his or her essay about what Memorial Day means to them at the cemetery. The Committee is working to branch out and have more involvement with the Parade.

Councilor Hemmann said that next Wednesday she will be attending the Connecticut Conference of Municipalities seminar on Ethics and Conflict of Interest in New Britain.

Councilor Cascio said this past Saturday he had the opportunity to be a judge at the Dancing with the Teachers' First Annual Event at the Wethersfield High School. It was sponsored by the Wethersfield High School Dance Team. It is an event that will catch on. It was very entertaining. Everyone did a great job putting the event together.

Councilor Roberts said that Saturday night was the fundraiser for the St. Patrick's Day Parade. The Committee honored Larry and Mary Spellacy. There were about 300 people there. It was a great success and a fun evening.

Chairperson Adil said that:

- There were a few changes to the Liaison positions. Councilor Cascio will be the liaison to the Library Board, Deputy Mayor Montinieri will attend Library Board meetings as a liaison to the Building Committee, Councilor Roberts will be liaison to the Senior Citizens Advisory Committee.
- The Penguin Plunge to benefit Special Olympics will take place on Saturday, February 23rd in Middletown.
- He attended the Senior Citizens Advisory Committee's Transportation Forum. It seemed liked there were no complaints with Dial-A-Ride service.
- The Annual UNICO Macaroni Dinner will be held on Sunday, February 10th at the Community Center.
- The Keane Foundation Snow Ball will be held on Saturday, March 8th at the Community Center.
- There is a Northeast Sustainable Energy Association meeting sponsoring a trade show for renewable energy and green building professionals on March 11-13 in Boston. He said if anyone on Council is interested in attending, please let him know.
- There will be a Fireside Chat with the Town Council and Board of Education on Emergency Management Training at 5:30 p.m. on Wednesday, January 30th at the Community Center.
- He asked that the Town Council and Board of Education meet again in February or early March to discuss the upcoming goals and objectives for the budget.
- The Tax Collector has informed the Town Council that two large tax payoffs were received. Changes in the collection policy came from the Budget and Finance Committee. These changes will create a very positive increase to the budget going forward.
- January 31st is the cutoff date for registering to vote to be eligible to vote in the Presidential Primary on February 5th.

Councilor Roberts said that she attended the opening of the Library last week. It was a fabulous program. The layout is great. There is some great new technology available, too. The school district has started to showcase one school in

Town a month. This month Charles Wright is showcased. There is a television show on channel 14 on Charles Wright School that is really delightful.

COUNCIL ACTION

Deputy Mayor Montinieri moved **"TO APPOINT ANTHONY J. HOMICKI TO THE TOURISM COMMISSION IN THE EDIC SLOT FOR A TERM EXPIRING JUNE 30, 2008"** seconded by Councilor Forrest.

All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Bonnie Therrien, Town Manager, said that per the Charter, the Town Attorney should be appointed every two years or until a successor is appointed. Last time, the Town Council made the appointment with the term expiring December 2007. The Town Clerk's records need to be updated. Attached to the proposed motion given to the Town Council, is the present letter of agreement with Attorney Bradley. She recommended that the Town move forward with that. She said that Attorney Bradley is in attendance to answer any questions.

Councilor Kotkin moved for discussion purposes **"TO APPOINT THE FIRM OF ROME MCGUIGAN PC WITH JOHN W. BRADLEY, JR. AS THE PRINCIPAL AS THE TOWN ATTORNEY AT A RATE OF \$160 AN HOUR FOR ALL MATTERS EXCEPT LITIGATION WHICH IS CHARGED AT \$175 AN HOUR, ASSOCIATES RATES AT \$135 AN HOUR, AND PARALEGAL RATES AT \$95 AN HOUR UNTIL DECEMBER 2009"** seconded by Councilor Walsh.

Chairperson Adil said that this item had been added to the agenda and some on Council may not have had a chance to look at it. He asked if making an appointment in this manner is in violation of the Town Charter.

Bonnie Therrien, Town Manager, said that she asked Steven Nassau, the Town Attorney of Newington and he had responded via e-mail that it would not be in violation because of the words "or until a successor is appointed"

Councilor Hemmann said that she has a copy of the Town Charter and she disagrees with this opinion. She read "The Town Attorney position shall be filled in accordance with criteria established by a Request for Proposal (RFP) procedure."

Bonnie Therrien, Town Manager, said that she could ask the Newington Town Attorney to attend the next Town Council meeting. He was unable to attend tonight's meeting. She said she will also request a formal response from him.

Chairperson Adil said that the Town went to the RFP process a few years ago and there have been no expressions of dissatisfaction with the Attorney's work. He said he would like to receive an assessment to find out why the Town Council would want to reappoint this firm or why it wouldn't want to and would therefore need to go through the RFP process.

Councilor Console said that he thinks the Town Council should follow the rules of the Charter. If the Charter states a RFP, then the Town Council should abide by those rules. At the March 2, 2004 meeting, the Town Council unanimously voted to have that Charter revision made and to go out to an RFP for the Town Attorney. That should be upheld this time, too.

Councilor Roberts moved **"TO TABLE THE APPOINT OF THE FIRM OF ROME MCGUIGAN, PC WITH JOHN W. BRADLEY, JR. AS THE PRINCIPAL AS THE TOWN ATTORNEY"** seconded by Councilor Forrest.

All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

UNFINISHED BUSINESS

BUILDING COMMITTEES - HIGH SCHOOL AND HANMER RENOVATIONS

OTHER BUSINESS

Councilor Walsh moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT IF AWARDED, THREE PROJECT REQUESTS FOR FEDERAL FUNDING; \$1,000,000 FOR SILAS DEANE HIGHWAY IMPROVEMENTS, \$500,000 FOR THE 9/11 MEMORIAL SPORTS CENTER/COMMUNITY CENTER RENOVATIONS, AND \$500,000 FOR VARIOUS DRAINAGE IMPROVEMENTS"** seconded by Councilor Hemmann.

Bonnie Therrien, Town Manager, said that the Town received an e-mail from House Representative John Larson saying that there was the opportunity for Wethersfield to compete for a \$500,000 grant. After speaking with his aide, it was determined that there may be the opportunity to apply for more grant money. Any infrastructure item regarding traffic issues can go up to \$1,000,000. In looking at the Capital list currently in front of the Capital Improvement Advisory Committee, she recommends that the Town give them three different grant proposals: one for \$1,000,000 for the improvements on the Silas Deane Highway, one for \$500,000 to continue the work of the Keane Foundation for the 9/11 Sports Center, and \$500,000 for drainage improvements in regard to the Goff Brook study. Congressman Larson's office has accepted all three proposals. The Town Council needs to authorize her to accept and sign the paperwork for one or more of the proposals if approved.

Chairperson Adil said that this came to the Town as a surprise. He was happy to see it move along quickly. He asked about the timing of these funds.

Bonnie Therrien, Town Manager, said that the Town needs to provide more detailed information by February 4th. She said that she didn't think the Town Council would know anything about the grant awards during the Town budget process.

Chairperson Adil asked if the Town Council appropriated money for one of these projects and then received this grant, can the money be used for something else.

Bonnie Therrien, Town Manager, said that if something changed and the Town receives the Federal money, the intent of the Town funds could be changed by the Town Council.

Chairperson Adil said that the Keane Foundation 9/11 Sports Center is a priority of his.

All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

BIDS

Councilor Roberts moved **"TO AWARD THE CONTRACT TO PROVIDE HORSE AND CARRIAGE RIDES IN OLD WETHERSFIELD TO ALLEGRA FARM"** seconded by Councilor Walsh.

Bonnie Therrien, Town Manager, said that the Town received a \$25,000 grant from the State for Horse and Buggy Rides during the holiday season. The Town went out to bid several times. There was an insurance issue with Allegra Farms that was rectified. Since the Town wanted to have the rides during the holidays, it allowed Allegra Farms to give the rides. She would like to request that the Town continue with them during special weekends for the rest of the winter. The Town will have to go out to bid again in the spring. She said that she handed out numbers on ridership. She said it has been very good.

Councilor Roberts said that the rides would continue through Valentine's Day weekend.

Bonnie Therrien, Town Manager, said that the Town should try to receive a formal bid in the spring. If it does not receive any bids, then the Town could stay with Allegra Farms.

Councilor Roberts asked if the rides will be continuing through Valentine's Day.

Bonnie Therrien, Town Manager, said yes.

Councilor Hemmann asked if there would be money available in the current grant.

Bonnie Therrien, Town Manager, said yes. The Town is asking for an extension because the Town won't use all the funding by June 30th.

Councilor Cascio asked if there were any traffic issues. He asked if the Police have any concerns.

Bonnie Therrien, Town Manager, said that she has not heard of any traffic issues. She received only one complaint right after the rides began concerning cleaning up after the horses. Safety has not been a concern.

Chairperson Adil said that when he spoke to the driver, he was pleased to hear that people don't seem to be bothered by driving behind the buggies. He was amazed by how happy everyone seems to be with the rides.

Councilor Forrest said that these horse rides add a charm to Old Wethersfield. The ridership was very good with about 120 to 130 people a day. On December 2nd almost 200 people took a horse and buggy ride. This is a successful program through a successful grant.

Chairperson Adil asked if there was any information on where the people came from for the rides.

Bonnie Therrien, Town Manager, said that she doesn't have any formal information but has heard that people are from all over the State.

Councilors present, including the Chairperson voted AYE. Councilors Casio, Console and Hemmann voted NAY. The motion passed 6-3-0.

Councilor Kotkin moved "**TO AWARD THE CONTRACT FOR ROOF CONSULTING TO TREMCO INC. IN AN AMOUNT NOT TO EXCEED \$34,520**" seconded by Councilor Roberts.

Bonnie Therrien, Town Manager, said that last year during the budget process, the Capital Improvement Advisory Committee had recommended to Council, which the Town Council then approved, that the Town hire a roofing consultant to take an actual roof inventory and analysis and prepare a roof database of all the roofs that are under Town ownership. In 2006, the Town Council awarded the bid to Tremco. Councilor Kotkin requested information on what Tremco has been able to accomplish. They have inspected the roofs of all 28 Town owned buildings. They cleared them all of debris and fixed any minor problems. They have gathered together all warranties, too. The Director of Public Works feels Tremco should be awarded the bid. The money is available. She said it is an excellent program, one that she would like to see continued.

Councilor Console asked if this firm was part of the work being done on the Ambulance Facility.

Bonnie Therrien, Town Manager, said yes.

Councilor Roberts asked if the firm received \$34,520 for the year or if it billed the Town for the work it performed up to the \$34,520.

Bonnie Therrien, Town Manager, said that it is a flat rate that covers everything, including minor repairs.

Deputy Mayor Montinieri said that according to the report, it looks like the 28 Town facilities have been inspected. He asked if the Town Manager had any feel for what portion of that funding was devoted to the inspection in comparison to repairs.

Bonnie Therrien, Town Manager, said that she could find out.

Deputy Mayor Montinieri said that if the Town is duplicating the amount of funding for the second year and the inspections have been completed, he assumes that the firm will not inspect the buildings again.

Bonnie Therrien, Town Manager, said that she believes the original amount was higher. She will check that, too.

Deputy Mayor Montinieri said that he would assume that the \$34,520 would be devoted to maintenance and not inspection. He said he would feel more comfortable knowing that is the case.

Councilor Hemmann said that she would like to find out in a priority fashion how the roofs are. If the firm did the inspection and completed a database, she would like a printout related to that. If the Town is paying \$34,000 for minor repairs, the Town may not need this level of dedication from the consultant. The Town may be able to use it on an as needed basis for these repairs. If the report clearly says that many roofs are at risk, that is a different story. The information is in the database already.

Councilor Roberts said that the Town spent that much money last year and may not need the same service this year. That is the concern.

Councilor Forrest asked if the Town Council could get a feel as to whether this is a recurring expense. He asked how often the Capital Improvement Advisory Committee thinks roofs need inspection.

Bonnie Therrien, Town Manager, said that the Capital Improvement Advisory Committee is meeting tomorrow night. She said she would ask the Committee.

Deputy Mayor Montinieri said that in light of the fact that 75 percent of the roofs were deemed well maintained or better according to the database, he would like to have this item tabled until more information is received.

Deputy Mayor Montinieri moved **"TO TABLE THE BID FOR ROOF CONSULTING TO TREMCO INC. IN AN AMOUNT NOT TO EXCEED \$34,520"** seconded by Councilor Hemmann.

All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

ORDINANCE REPEALING ARTICLE XV - CITIZEN'S ENERGY CONSERVATION ADVISORY COMMITTEE OF THE TOWN OF WETHERSFIELD, CONNECTICUT

BE IT ORDAINED THAT Part I Administrative Legislation of the Municipal Code of the Town of Wethersfield, Connecticut is hereby amended by repealing Article XV - Citizen's Energy Conservation Advisory Committee.

THE TOWN OF WETHERSFIELD ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD.

Be it ordained and enacted by the Town Council of the Town of Wethersfield that the following Section of the Code of the Town of Wethersfield, Connecticut under Article XV, Sections 10-35 and 10-36 "Energy Improvement District and Energy Improvement District Board" shall be adopted as follows:

Sec. 10-35.1 Purpose and Intent.

In accordance with Public Act 07-242, the Town of Wethersfield hereby establishes the Wethersfield Energy Improvement District within and for the area more particularly defined as the municipal boundaries of the Town of Wethersfield to be created and operated according to the procedures set forth in Public Act 07-242.

The purpose of this Ordinance is to promote the planning, development, funding, acquisition, purchase, construction, reconstruction, improvement, extension or operation of one or more energy improvement district with a view to the increase and efficiency, reliability and the furtherance of commerce and industry in the energy improvement district. It

is further to coordinate district activities with regard to such resources with relevant state, regional and federal agencies.

Sec. 10 - 35.2. Definitions.

In the interpretation hereof the following words and terms shall be taken to include the following meanings when context shall require or permit:

- a. The term "Board" shall mean the Energy Improvement District Board created by this ordinance and as more particularly Connecticut Public Act -7-242;
- b. The term "District" shall mean the Energy Improvement District which shall be the municipal boundaries of the Town of Wethersfield;
- c. The term "Energy Improvement District Distributed Resources" shall mean one or more of the following:
 1. Grid-side distributed resources, as defined in said Section 16-1;
 2. Combined heat and power systems, as defined in said Section 16-1;
 3. Class III renewable energy sources, as defined in Section 16-1 and;
 4. Microgrids, as defined in (h) below.
- d. The term "Connecticut General Statutes" shall mean the revision of 1958, as revised and amended;
- e. The term "Ex Officio" shall mean non-voting member;
- f. The term "State Agency" shall mean the State of Connecticut, any department of, or corporation agency, or instrumentality thereof, heretofore, of or hereafter created, designated, or established by the State of Connecticut.
- g. The term "Federal Agency" shall mean the United States of America, and any department of or corporation, agency, or instrumentality thereof, or hereafter created, designated or established by the United States of America.
- h. The term "Microgrid" shall mean small, locally controlled electric systems interconnected with electric distribution company facilities;
- i. The term "Project" shall mean the acquisition, purchase, construction, reconstruction, improvement or extension of one or more energy improvement district distributed resources.

Sec. 10 - 36.1. Board.

The Board of the District shall consist of five (5) voting members. The voting members shall be electors or representatives of businesses located in the district, who shall be nominated by the Mayor and approved by the Town Council for a one (1) year term. The terms of the five (5) designated members shall expire on June 30, 2009. Any vacancy shall be filled in the same manner as the original appointment. The Mayor shall be an ex-officio member of the Board. The Board members shall serve without compensation, except for reasonable and necessary expenses.

Sec. 10 - 36.2. Powers and Duties of the Board.

The Energy Improvement District and Energy Improvement District Board shall have all the powers and duties conferred or imposed on it by the Connecticut General Statutes.

Sec. 10 - 36.3. Bonding.

In addition to the powers set forth above the Board shall have the power, subject to the approval of the Town Council, to issue and secure Bonds in accordance with Public Act 07-242. This is consistent with Sec. 24 of PA 07-242 which requires that any bonding be approved by the legislative body of the Town.

Sec.10-36.4. District Properties.

The properties included in the District shall be bounded by the municipal boundaries of the Town of Wethersfield.

Sec. 10- 36.5. Regulations by the Board.

The Board may make and enforce any reasonable regulation which it may determine to be necessary relating to the

facilities owned or leased by any individual or corporation, limited liability company, partnership, etc. within the District consistent with the laws of the State of Connecticut and the Charter and the Code of the Town of Wethersfield.

Chairperson Adil said that the next Town Council meeting, February 4, 2007, will be held at the Silas Deane Middle School Auditorium at 7:30 p.m.

MINUTES

Councilor Kotkin moved **"THAT THE SPECIAL MEETING MINUTES OF DECEMBER 17TH REFLECT THAT HE LEFT THE ROOM DURING A PORTION OF EXECUTIVE SESSION BECAUSE OF A POTENTIAL CONFLICT OF INTEREST"** seconded by Deputy Mayor Montinieri.

All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Deputy Mayor Montinieri moved **"TO APPROVE THE REGULAR MEETING MINUTES OF JANUARY 7, 2008"** seconded by Councilor Forrest.

Councilors present, including the Chairperson voted AYE. Councilors Cascio and Kotkin abstained. The motion passed 7-0-2.

Councilor Roberts moved **"TO APPROVE THE SPECIAL MEETING MINUTES OF JANUARY 7, 2008"** seconded by Councilor Forrest.

Councilors present, including the Chairperson voted AYE. Councilors Cascio and Kotkin abstained. The motion passed 7-0-2.

ADJOURNMENT

At 8:20 p.m., Deputy Mayor Montinieri moved **"TO ADJOURN THE MEETING"** seconded by Councilor Cascio. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano
Town Clerk

Approved by vote of Council February 4, 2008