

## **FEBRUARY 21, 2006 REGULAR MEETING**

The Wethersfield Town Council held a meeting on February 21, 2006 at 7:00 p.m. in the Auditorium of the Silas Deane Middle School.

Present: Councilors Adil, Cascio, Drake, Forrest, Kirsche, Kotkin, Walsh, Deputy Mayor Fortunato and Chairperson Morin.

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

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

### **PUBLIC COMMENTS**

#### HEARING

#### ORDINANCE AMENDING CHAPTER 105 - NOISE CONTROL

No one wished to speak and the Chairperson declared the Hearing segment closed.

#### GENERAL COMMENTS

Arnold Mason, 644 Prospect Street, asked the Council to consider during budget deliberations the High School's need for funding for the oversized science lab classes, for an additional secretary, and for a position that will oversee the guidance department. Mr. Mason announced that Wethersfield High School will be presenting "Oklahoma" on March 3,4,10 and 11, and he offered each Councilor a certificate to redeem for a ticket to the show. He said that the students have worked very hard on the performance and the proceeds from the play will be put toward the refurbishment of the High School stage. Mr. Mason thanked the Council for all of the time and hard work they put in for the benefit of Wethersfield.

Robert Young, 20 Coppermill Road, commented that Mr. Mason has valid thoughts on improvements to the High School and Mr. Young stated that the Council needs to concentrate during the budget process on how money is properly allocated rather than how it is spent. He said that Wethersfield has already had plenty of tax increases over the past two years, and doesn't need any more. Mr. Young said that he disagrees with Councilor Walsh's comment at the last Council meeting stating that the citizens are provided enough time to make comments at Council meetings. Mr. Young said that he would like to see the five minute comment segment restored to the end of the meeting. Mr. Young commented on the newspaper article regarding inappropriate dancing by students at school functions. He said that there needs to be reinforcement to bring young people into line.

No one else wished to speak and the Chairperson declared the General Comments segment closed.

#### COUNCIL REPORTS & COMMENTS

Councilor Adil reported that he attended the recent Building Committee meeting and said that a report from the Committee on the status of the project's budget will be submitted to the Council next month. He said that the project is moving along nicely. Councilor Adil said that a joint meeting of the Budget & Finance Committees was held earlier this evening and discussion was had on the tax cutting proposal and the debt management policy.

Deputy Mayor Fortunato reported that she attended the recent Budget & Infrastructure Committees' joint meeting where discussion focused on the clean energy program, on which the Committee continues to deliberate. Deputy Mayor Fortunato reported that the Infrastructure Committee met on February 8 where a presentation on the upcoming project referendum in November was provided by representatives from the MDC. She said that a meeting was also held

with the Wethersfield Historical Society to begin formulating a new lease for the Historical Society buildings. Deputy Mayor Fortunato reported that she attended the recent Information & Technology Committee meeting where continued discussion of the proposed CIO position took place and it was announced that a presentation regarding the position will be provided to the Library Board next week.

Councilor Cascio reported that the Parade Committee met recently and it was determined that the speaker will be Doug Shipman from the Wethersfield Historical Society, and Allen W. Wamester was chosen as one of the Parade Marshals. Councilor Cascio said that the Committee will be contacting the Wethersfield Public Schools' Social Studies Department to involve students in the meaning of the Memorial Day Parade. Councilor Cascio reported that he attended the recent Channel 14 meeting at which there was discussion to amend the bylaws concerning the passage of the addition of two Board members for up to nine members. He said that Channel 14 is looking forward to holding an Open House in late Spring after the completion of the new facility. Councilor Cascio said that Channel 14 agreed to reduce their budget by half a few years ago, and they requested that the Council look at this during upcoming budget deliberations.

Councilor Walsh reported that he attended the recent Capital Improvements Advisory Committee meeting at which the proposed projects for the upcoming year were discussed. He said that they will provide a report to the Council next month.

Chairperson Morin reported that he, Deputy Mayor Fortunato, and the Town Manager continue to attend meetings with the MDC to prepare for the November Long-Term Control Plan referendum.

Councilor Adil announced that the Park & Recreation Advisory Committee will meet later this week with the Mill Woods Master Plan Committee to discuss the engineering of the three fields which the Town hopes to develop.

Councilor Cascio discussed his recent Councilor hours which included residents discussing topics such as the Harris property, and he asked the Town Manager to provide an update of this to the Council. Town Manager Bonnie Therrien said that two neighbors have brought forward the suit against the Town, and that the pre-trial scheduled for March 3 has been cancelled and a new date has not yet been set. Councilor Cascio said that another concern raised by a resident dealt with the proposed CIO position and he informed the resident that the Council is working to move this forward. Councilor Cascio said that another resident was pleased to inform him that the Town's website has been modified to include meeting agenda backup material, and management reports. Councilor Cascio said that he spoke recently with the Town Manager regarding the tax abatement program in Rocky Hill which includes Town and Board of Education volunteers. He asked the Town Manager to comment on this. She said that Rocky Hill offers this very small tax abatement to their Board of Education volunteers only who contribute 50+ hours per year. She also said that the abatement is not in ordinance form. Councilor Cascio suggested that this idea be brought before Wethersfield's Board of Education for consideration. Councilor Cascio asked the Town Manager to provide an explanation of the pension plan. Town Manager Bonnie Therrien said that this has to do with the Town's liability on health insurance for retirees and the RFP for actuarial costs has been released. Councilor Cascio requested that the Budget & Finance Committee and the Personnel Committee consider budgeting for the position of a full-time custodian for the Town Hall since it is being so nicely renovated and should be properly maintained; as well as the idea of secretarial job sharing with present staff to cover when departments are short-staffed or very busy.

Deputy Mayor Fortunato requested that the Town Manager provide to the Council information on the various projects at Wethersfield High School and the money raised to-date.

Councilor Kirsche said that the Budget & Finance Committee is still pursuing the consideration of the State Statute pertaining to the allowance of assessment abatements for homeowners who have modified their property to accommodate a disabled individual. He said that the Committee is considering the financial impact this will have on the Town.

Chairperson Morin said that he attended and enjoyed the recent UNICO pasta dinner, and he made a number of upcoming community event announcements. He said that the Town Manager is currently meeting with Department Heads and working on the budget. He said that the Superintendent of Schools has already presented his budget proposal to the Board of Education.

## COUNCIL ACTION

Councilor Adil moved **"TO ACCEPT THE RESIGNATION OF PETER PATEL FROM THE TOURISM COMMISSION"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Cascio moved **"TO APPOINT EDWARD P. ROSANIA TO THE INSURANCE COMMITTEE FOR THE TERM 2-21-06 TO 6-30-11"**, seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO APPOINT GEORGE T. CAMARCO AS AN ALTERNATE TO THE INLAND WETLANDS & WATER COURSES COMMISSION FOR THE TERM 2-21-06 TO 6-30-09; SETH M. ENGLISH TO THE SENIOR CITIZENS ADVISORY COMMITTEE FOR THE TERM 2-21-06 6-30-06; AND GEORGE W. MCKEE TO THE ZONING BOARD OF APPEALS FOR THE TERM 2-21-06 TO 6-30-06"**, seconded by Deputy Mayor Fortunato. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO ACCEPT THE ORDINANCE AMENDING CHAPTER 105 - NOISE CONTROL"**, seconded by Councilor Forrest.

Town Manager Bonnie Therrien explained that this ordinance had been brought to the Council previously and because the noise ordinance has to be approved by the State, the ordinance was sent to the State and they returned it with two amendments having to do with recreational vehicles.

Councilor Adil asked if the monies received from the fines come back to the Town and the Town Manager said that they do.

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

## **UNFINISHED BUSINESS**

None.

## **OTHER BUSINESS**

### Local Law Enforcement Grant - Overtime for Community Policing

Councilor Kotkin moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT A \$2,500 LOCAL LAW ENFORCEMENT BLOCK GRANT FROM THE STATE OFFICE OF POLICY AND MANAGEMENT"**, seconded by Councilor Cascio.

Town Manager Bonnie Therrien explained that this is a yearly grant and will cover overtime costs for programs such as D.A.R.E, Cops in Shops, National Night Out, and the Citizen's Police Academy.

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

### Dial-A-Ride Grant

Deputy Mayor Fortunato moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE DEPARTMENT OF TRANSPORTATION FOR THE EXPANSION OF DIAL-A-RIDE SERVICES AND TO NEGOTIATE AND SIGN A MEMORANDUM OF UNDERSTANDING WITH THE TOWNS OF NEWINGTON AND ROCKY HILL TO PROVIDE A TRI-TOWN MEDICAL TRANSPORTATION SERVICE"**, seconded by Councilor Cascio.

Town Manager Bonnie Therrien explained that she is excited about this opportunity for Wethersfield. She said that Wethersfield has an excellent Dial-A-Ride program; however, it does not provide 100% coverage of the requests of the residents who need the service. She said that she hopes that this regional grant with Rocky Hill and Newington will allow for different types of ridership opportunities.

Councilor Adil asked what Wethersfield's share of the grant will be and the Town Manager said that it will be approximately 40%. Councilor Adil asked if this amount will be in addition to the \$37,470 and the Town Manager said that the \$37,470 is what the Town is eligible to apply for on top of their normally budgeted amount, and the \$95,000 is for the three regional Towns put together in addition to the \$37,470.

Deputy Mayor Fortunato asked if the Town is applying for the maximum amount and Dr. Stilwell answered that the RFP specified the maximum amount for which each Town could apply, and that Wethersfield is applying for the maximum they are allowed. Dr. Stilwell said that it is a formula grant based on the population and square miles of each Town.

Councilor Kotkin asked Dr. Stilwell to provide detail on the expanded services this grant will provide. Dr. Stilwell said that medical transport will be provided five instead of four days per week, and the current service region for medical transport will be expanded to include East Hartford, West Hartford, Farmington, and New Britain.

Councilor Kirsche asked if the requirement of medical transportation only will be strongly enforced. Dr. Stilwell said that runs for other than medical reasons are already currently provided and the expanded service is to provide only for medical transport. She said that if there are trips left over, the purpose of the service can be flexible; however, she does not want to over run the service.

Town Manager Bonnie Therrien said that Dr. Stilwell is working on a volunteer program with the other Towns to provide transportation for other than medical reasons. Dr. Stilwell said that this program would include the expansion of evenings and weekends.

Councilor Cascio said that this is good news and he agrees that the service should not be over run, especially since the Town is very satisfied with the current service provided. Dr. Stilwell said that Wethersfield will be working with Newington and Rocky Hill to make sure that this is carefully monitored.

Councilor Forrest asked if there is a time frame for the approval of the grant. Dr. Stilwell said that she expects to hear around March 31 and hopes to have the funds and begin the expanded service around July 1.

Councilor Drake said that the stipulations for Dial-A-Ride indicate that anyone over sixty years old can participate in the service; however, Dr. Stilwell said that almost everyone who participates is unable to drive.

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

#### Budget Transfer - Overtime - Snow Removal

Councilor Adil moved **"TO TRANSFER \$30,000 FROM THE CONTINGENCY ACCOUNT T1910900 5250 TO: \$23,000 TO PHYSICAL SERVICES OVERTIME ACCOUNT T1550 5002; AND \$7,000 TO VEHICLE MAINTENANCE OVERTIME ACCOUNT T1555 5002"**, seconded by Councilor Forrest.

Town Manager Bonnie Therrien said that the State has informed her that there is a possibility that the Town will receive FEMA reimbursement of 75% for Storm Carson.

Councilor Drake asked the Town Manager why she is requesting this transfer now if there is still money left for the overtime allotment for snow removal. Town Manager Bonnie Therrien said that there is approximately \$1,200 left in the account and an average storm will use that up.

Councilor Kotkin asked the Town Manager to comment on the responses she's received on the Town's plowing services during the last storm. Town Manager Bonnie Therrien said that her office and Physical Services received no

calls and that the Physical Services staff did a fantastic job.

Councilor Forrest asked the Town Manager for a total of the expenditure for snow removal costs for the past three years. Town Manager Bonnie Therrien said that she can average the amount out over the past five years.

Chairperson Morin complimented the Physical Services Department staff on their efforts during the last storm and stated that the roads were in excellent condition.

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

#### Police Grant - Bulletproof Vests

Councilor Walsh moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT FUNDS FROM THE JUSTICE DEPARTMENT THROUGH THE BULLET PROOF VEST PROGRAM FOR THE PURCHASE OF REPLACEMENT VESTS FOR POLICE OFFICERS"**, seconded by Councilor Kotkin.

Town Manager Bonnie Therrien explained that this is for the purchase of twenty-eight vests over a four year time frame and she expects to be reimbursed for 50% or \$8,190; however, the Town may only receive a portion of this.

Councilor Adil said that he recently read in the newspaper that some bullet proof vests have shown to be faulty. Town Manager Bonnie Therrien said that the Town will be sure not to purchase those defective vests.

Deputy Mayor Fortunato asked if the Town has been drawing funds from the Justice grant over the past years and asked if the OPM stipulations with the Town are the same as with the State. Town Manager Bonnie Therrien said that she will find out and provide the information to the Council.

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

#### **BIDS**

##### Dial-A-Ride Bus Bid

Councilor Forrest moved **"TO AWARD A CONTRACT TO LOGISTICARE TO PROVIDE DIAL-A-RIDE TRANSPORTATION AND THERAPEUTIC RECREATION TRANSPORTATION SERVICES IN ACCORDANCE WITH THE BID SPECIFICATIONS AND CONTINGENT UPON APPROPRIATION IN THE FISCAL YEAR 2006-2007 BUDGET"**, seconded by Deputy Mayor Fortunato.

Town Manager Bonnie Therrien explained that she asked Dr. Stilwell to bid this contract out early so as to be prepared for the 2006-2007 budget and the next two years as well. She said that the Town received one bid, is very pleased with the bid amount, and has had a good experience with Logisticare.

Councilor Adil clarified that the bid of \$190,550 is good for three years and Dr. Stilwell said that the bid does not address the extension period; however, she will discuss and verify this with Logisticare representatives.

Chairperson Morin said that he is concerned that the bid does not actually indicate a three year contract and he suggested tabling the motion until clarification is received.

Councilor Cascio moved **"TO TABLE THE MOTION"**, seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

##### Street Sweeping Bid

Councilor Forrest moved **"TO AWARD A CONTRACT TO WETHERSFIELD SWEEPING FOR STREET SWEEPING AND CLEANING OF CATCH BASINS AND STORM SEWERS, AS NEEDED, IN THE AMOUNT NOT TO EXCEED \$95,790"**, seconded by Deputy Mayor Fortunato.

Chairperson Morin said that this State mandated service is contracted out each year rather than having Town staff perform it.

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

## **ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION**

### ORDINANCE AMENDING CHAPTER 160, VEHICLES, INOPERABLE OR ABANDONED

#### Chapter 160, VEHICLES, INOPERABLE OR ABANDONED

[HISTORY: Adopted by the Town Council of the Town of Wethersfield as Secs. 2-6-101 through 2-6-109 of the Code of 1972. Sections 160-8 and 160-9 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. II. Other amendments noted where applicable.]

#### GENERAL REFERENCES

Vehicles and traffic -- See Ch. 157.

#### § 160-1. Declared nuisance.

The parking, indefinitely, of inoperable vehicles, as defined in this chapter, is declared to constitute a nuisance detrimental to the community.

#### § 160-2. Definitions.

For the purpose of this chapter:

**INOPERABLE VEHICLE** -- Any motor vehicle which is currently not capable of being started and safely and properly operated on the highway or which does not bear a valid and current license plate.

#### § 160-3. Permit required; application; contents.

- A. It shall be unlawful for any person, tenant, occupant or the owner of property to park or permit to be parked any inoperable vehicle on any unenclosed property within any ~~residential~~ zone and within two hundred (200) feet of any street line or property line in the Town of Wethersfield without a permit as provided in this chapter.
- B. Application shall be made to the Chief Building Official of the Town of Wethersfield within forty-eight (48) hours after any inoperable vehicle has been parked on any unenclosed property within the town by filing on a form furnished by the Chief Building Official a statement of the following:
  1. The address of the premises where the vehicle is to be parked.
  2. The name and address of the owner or person in control of the premises and a statement attesting to his permission for such vehicle to be parked and the date of such permission.
  3. The name and address of the registered owner of the inoperable vehicle for which the permit is sought; the registration or title shall be presented to the officer issuing the permit.
  4. A description of the inoperable vehicle for which a permit is sought as to make, model, year of manufacture, last license issued and condition which rendered it inoperable.
  5. The estimated length of time, not to exceed sixty (60) days, for which the permit is being requested in order to restore the vehicle to operating condition.
  6. The signature of the applicant.

#### § 160-4. Permit issuance; posting.

The Chief Building Official may issue a permit based on a proper application. Such permit shall be valid for a period not to exceed sixty (60) days from the date of application. A copy of such permit shall be posted inside the vehicle for

which it was issued by affixing to the windshield or window so as to be readily visible at all times. Any permit may be renewed at the discretion of the Chief Building Official for a period not to exceed sixty (60) days by filing a new application. No permit shall be transferable to any other person.

#### § 160-5. Conditions of permit.

Every permit for storage of an inoperable vehicle on private property shall be subject to the conditions that:

- A. No safety hazard shall be created or maintained.
- B. All broken glass or partially detached parts shall be either removed and disposed of as rubbish or secured in a manner to prevent hazard.
- C. The trunk or storage compartment shall be kept locked or otherwise secured adequately to prevent possible entrapment of a child.
- D. The wheels or tires shall not be removed from the vehicle except for repairs.
- E. The last issued license plates, if any, shall be kept on the vehicle.
- F. The vehicle shall not be elevated or blocked in any unsafe manner.
- G. All parts or components removed from the vehicle shall not be stored in the open.
- H. No waste oil or other fluid shall be allowed to flow on the ground or pavement.
- I. The vehicle may be parked only in the rear yard of residential property.
- J. No violation of the zoning ordinance or any other applicable ordinance or statute shall be created.
- K. All information furnished by the applicant as required by § 160-3 is essentially correct, and any false statement will be a violation of this chapter.
- L. The repair of vehicles of others is prohibited.
- M. No more than one (1) inoperable vehicle shall be permitted on any premises.

#### § 160-6. Permit revocation; notice.

Any permit issued under authority of this chapter may be revoked at the discretion of the Chief Building Official when, in his opinion, a violation of this chapter exists. Notice of such revocation shall be delivered to the permittee or posted conspicuously on the vehicle, along with a notice to cease storing said vehicle and to remove it to a proper storage or disposal location. The permittee shall remove the vehicle within ten (10) days after receiving said notice or after the notice is posted.

#### § 160-7. Permit fees.

The Chief Building Official shall collect a fee of ~~five dollars (\$5.)~~ **twenty five dollars (\$25.00)** at the time of issuance of such permit for storage of an inoperable vehicle or renewal thereof.

#### § 160-8. Procedures for removal of vehicles.

- A. Any inspector of the Motor Vehicle Department, any law enforcement officer or any state police officer, upon discovery of any motor vehicle apparently abandoned or a motor vehicle without proper registration, whether situated within or without any highway of this state, shall affix to such motor vehicle a notification sticker in a manner so as to be readily visible. This notification sticker shall contain the following information:
  1. The date and time the notification sticker was affixed to the motor vehicle;
  2. A statement that pursuant to this section, if the motor vehicle is not removed within twenty-four (24) hours of the time the sticker was affixed, it shall be taken into custody and stored at the owner's expense;
  3. The location and telephone number where additional information may be obtained; and
  4. The identity of the affixing officer.
- B. If the motor vehicle is not removed within such twenty-four-hour period, the affixing department shall take such motor vehicle into its custody and cause the same to be stored in a suitable place.
- C. If the motor vehicle has no registration marker plates or invalid registration marker plates and if such inspector or officer makes a determination in good faith that the motor vehicle is apparently abandoned, the market value of such motor vehicle in its current condition is one hundred dollars (\$100.) or less and the motor vehicle is so vandalized, damaged or in disrepair as to be unusable as a motor vehicle, title to such motor vehicle shall, upon

taking custody of such motor vehicle, immediately vest in the Town of Wethersfield. Within forty-eight (48) hours of the time that such motor vehicle is taken into custody, the affixing department shall notify the Commissioner of Motor Vehicles, in writing, of the vehicle identification number and a description of the motor vehicle. Upon sale or other disposition of the motor vehicle, the affixing department shall give written notice by certified mail to the person who was the owner of such motor vehicle at the time of abandonment, if known, which notice shall state that the motor vehicle has been sold or otherwise disposed of. The proceeds of the sale or disposition or the fair market value of the motor vehicle in its current condition, whichever is greater, less the towing and sale or disposal expenses and the amount of any fines due, shall be paid to such person or his representatives, if claimed by him or them within one (1) year from the date of sale. If such balance is not claimed within such period, it shall escheat to the town. If the expenses incurred by the municipality for towing and the sale or disposition of such motor vehicle and any such fines exceed the proceeds of such sale or disposition, such person shall be liable to the town for such excess amount.

#### § 160-9. Penalties for Offenses.

Failure to comply with any of the provisions of this chapter shall constitute a violation. Any person violating this chapter shall be fined \$100. Each act or each day's continuation of a violation shall be considered a separate offense.

#### § 160-10. Enforcement.

This chapter has been specifically designated for enforcement by citations issued by designated municipal officers or employees, and the citation hearing procedure established by Chapter 168 of the Code of the Town of Wethersfield shall be followed.

### MINUTES

Deputy Mayor Fortunato moved "**TO ACCEPT THE MINUTES OF THE SPECIAL MEETING WITH THE BOARD OF EDUCATION OF JANUARY 28, 2006**", seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. Councilor Forrest ABSTAINED. The motion passed 8-0-1.

Councilor Adil moved "**TO ACCEPT THE MINUTES OF THE SPECIAL MEETING WITH THE EDIC OF JANUARY 28, 2006**", seconded by Deputy Mayor Fortunato. Councilor Forrest and Councilor Kirsche ABSTAINED. All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-2.

Councilor Forrest moved "**TO ACCEPT THE MINUTES OF THE SPECIAL MEETING OF FEBRUARY 1, 2006**", seconded by Councilor Kirsche. All Councilors present, including the Chairperson, voted AYE. Councilor Cascio, Councilor Kotkin, and Deputy Mayor Fortunato ABSTAINED. The motion passed 6-0-3.

Councilor Walsh moved "**TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 6, 2006**", seconded by Councilor Adil.

Councilor Walsh amended the minutes to include the vote taken on the Washington-Rochambeau Revolutionary Route Panel on page 13452. The Town Clerk indicated that this will be corrected.

All Councilors present, including the Chairperson, voted AYE. The motion to accept the minutes as amended passed 9-0-0.

### ADJOURNMENT

At 8:00 p.m., Councilor Adil moved "**TO ADJOURN THE MEETING**" seconded by Councilor Walsh.

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

Dolores G. Sassano

## Town Clerk