

AUGUST 7, 2006 SPECIAL MEETING

The Wethersfield Town Council held a special meeting on August 7, 2006 at 6:30 p.m. in the Town Manager's Conference Room at the Town Hall.

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

Also present: Bonnie Therrien, Town Manager, Library Director Laurel Lynch, Town Engineer Mike Turner, Assistant Director of Physical Services Jim McDonald, and Dolores G. Sassano, Town Clerk.

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

Chairperson Morin announced that there will be an Executive Session to discuss pending litigation at the end of the meeting.

COUNCIL ACTION

Award of Bid - Library Shelving

Deputy Mayor Fortunato moved **"TO AWARD A BID TO TUCKER LIBRARY INTERIORS IN THE AMOUNT OF \$46,202 TO FURNISH AND INSTALL SHELVING IN THE LIBRARY IN ACCORDANCE WITH TOWN SPECIFICATIONS"**, seconded by Councilor Adil.

Town Manager Bonnie Therrien explained that this bid is for library shelving due to the renovations. She said that the bid specs were sent to four vendors and two bids were received; however, a bid proposal from one vendor whose product met specifications was late due to a delivery problem with UPS. The Town Manager said that the low bid did not meet specifications and she is recommending that Tucker, who did meet the specs be awarded the bid.

Chairperson Morin asked the Town Manager if the price is reasonable, and she deferred the question to Library Director Laurel Goodgion.

Ms. Goodgion stated that the price is close to what the shelving consultant was expecting.

Councilor Drake asked why the other bidder had not met the specs. Ms. Goodgion answered that the bid specified JM shelving with a powder coat finish and in a specific color. She said that the vendor that did not meet the specs of the bid did not provide any of this specific information in their bid. Councilor Drake stated that shelving is an easy commodity to come by and he finds it hard to believe that there weren't more bidders. He said that with such a difference in the bids, he's surprised that no one called the lower bidder to verify the bid specs with them. Ms. Goodgion said that she doesn't know anything about the lower bid vendor at all. Councilor Drake said that that doesn't matter; and that someone should have called them. Ms. Goodgion said that she is very concerned about having shelving that can mix with current shelving and is interchangeable. The Town Manager said that the shelving consultant informed her that there were a lot of specifications that the lower bidder did not respond to or address. Councilor Drake stated that it does not appear that the Town received competitive bids. Ms. Goodgion listed a number of other municipalities for whom Tucker has provided shelving, stating that it is very good shelving.

Councilor Drake asked if the Town can use the State bidders list and Ms. Goodgion answered that they have always been on the State bid list and it was an oversight that they were not currently on there.

Deputy Mayor Fortunato stated that it is incumbent on the bidder to meet the specs in their proposal and if a particular vendor were contacted regarding their proposal, this would provide for an unfair advantage over other bidders. Deputy

Mayor Fortunato verified with Ms. Goodgion that this shelving is coming from Phase I funding and that there is additional funding that will be used for furniture. Ms. Goodgion said that there is only \$50,000 in the Phase I budget for Library furnishings and this will use up what is left of it. She said that the rest of the funding will come from the \$300,000 earmarked for furnishings in the Phase II budget. She said that this current bid for shelving is for the Children's Department in the Library, which is the highest priority.

Councilor Adil asked if this has gone through the Building Committee and Ms. Goodgion answered that the purchase of shelving has actually been recommended to the Council by the Building Committee. Councilor Adil stated that, in that case, he is comfortable with the purchase.

Councilor Cascio stated that shelving is an important part of any Library and asked if a warranty is provided on the shelving. He asked if it has ever been the past practice of the Town to phone bidders for additional information. Town Manager Bonnie Therrien said that she is unsure; however, the bid specifically stated that if the vendor does not meet the request of the bid, they must outline how they will meet the requests. She said that she is not aware of vendors being contacted for additional information, since it is their responsibility to read the instructions and specifications of the bid. Councilor Cascio said that he does not disagree with this, but rather just wants to verify that calling vendors for additional information is not the Town's practice.

Councilor Forrest stated that the rules exist for the protection of the Town and if it is in the best interest of the Town to contact a vendor, this would seem appropriate. He asked how time-sensitive the purchase of the shelving is, and Ms. Goodgion explained that currently the turnaround time is ten weeks and the longer the purchase is put off, the longer the turnaround time will be. The Town Manager said that she is shooting for early September for the move. Councilor Forrest asked if a delay to obtain more bids will affect the move, and Ms. Goodgion answered that it definitely would. Councilor Forrest asked how long a re-bid would take and the Town Manager answered two to three weeks; however, the date of September 18 has been set to close the Library for moving.

Councilor Kotkin asked Ms. Goodgion if the shelving is needed for that time in order to relocate materials. Ms. Goodgion answered that the shelving is needed otherwise the books will need to be put into storage until the shelving is obtained; and this will cost extra. Councilor Kotkin referred to correspondence between the Town Manager and Attorney Bradley and asked for an explanation of the Town Manager's comment that the "low bidder is unresponsive". Town Manager Bonnie Therrien explained that the vendor did not explain how the equipment in their proposal would meet the specs of the bid. Ms. Goodgion stated that the low bidder simply did not follow the instructions of the bid.

Councilor Drake stated that he has no doubt that the specs of the bid were written too tight and this upsets him. He said that there are millions of shelving vendors and he referred back to the recent bid for the Jeep where there was only one bidder, as well as the Silas Deane Highway engineering work where there were no bidders. He said that it's apparent that the designer wrote the bid specs around this specific shelving vendor. He said that he'll vote to move ahead with the shelving; however, it's just shelving, not space shuttle equipment, and the specs of the bid are too tight. Town Manager Bonnie Therrien read the specs of the bid. Councilor Drake stated that the Town needs to be careful because they are setting an alarming pattern for bidding.

Councilor Adil stated that the bid is so specific because the Town hired a consultant to draw up the specifications for shelving specific to libraries.

In response to Councilor Cascio's previous inquiry, the Town Manager said that she doesn't see anything about a warranty; however, she will look into this.

Councilor Kotkin asked if this shelving is for the entire Library, and Ms. Goodgion answered that the shelving being discussed this evening is only for the Children's Department. Goodgion stated that the Council can approve the bid with the understanding that a warranty will be provided.

Councilor Drake asked if more of this shelving will need to be purchased in the future and Ms. Goodgion answered that it will. Councilor Drake then suggested that all the shelving be purchased now rather than some now and some later. Ms. Goodgion stated that the specs for the later purchase have not been prepared yet. Councilor Drake stated that if the shelving is to match, it would appear that the Town would have to utilize the same vendor for future shelving

purchases. Ms. Goodgion said that the Town is not limited to the same vendor; however, she would like to stay with the same shelving manufacturer, since this shelving is interchangeable with the Library's present shelving to be retained.

Councilor Adil said that he doesn't want to give Nutmeg any excuse to delay the project, as it appears that anytime they're given an excuse, they delay for months. He said that he'd like to see the Council move forward with this bid tonight.

Councilor Cascio verified with Ms. Goodgion that the vendor will set up the shelving and that it is not the Town's responsibility to do this. Ms. Goodgion stated that this is so. Councilor Cascio said that he is concerned about the warranty, stating that the Council needs to be aware if there is one or not.

Deputy Mayor Fortunato questioned what will be done if there is no warranty. She asked Councilor Cascio if he is suggesting that the Town not purchase shelving in that case. Councilor Cascio said that this is not what he is suggesting at all, but rather that the Council needs to have this information. Deputy Mayor Fortunato stated that Town Staff has already indicated that there will be at least a warranty of at least one year. Town Manager Bonnie Therrien said that this is what was asked for in the bid. Councilor Cascio said that the Town has to protect themselves down the road.

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

Award of Bid - Dog Park Fencing

Councilor Adil moved "**TO AWARD A BID IN THE AMOUNT OF \$20,111 TO GATEWAY FENCE TO SUPPLY AND INSTALL FENCING FOR THE DOG PARK IN ACCORDANCE WITH TOWN SPECIFICATIONS**", seconded by Councilor Forrest.

Town Manager Bonnie Therrien explained that the committee has raised just over \$29,000 for the Dog Park and that one of the first tasks is to install the perimeter fencing for the Dog Park area.

Councilor Cascio asked if the \$29,000 funding raised by the committee is in addition to the \$20,111, and the Town Manager answered that the \$20,111 is part of the \$29,000. She said that the committee continues to raise additional funding. Councilor Cascio asked if this was budgeted in the Mill Woods Plan, and the Town Manager said that this is all additional money raised by volunteers that has nothing to do with General Fund or Town money at all.

Councilor Walsh asked if approval from the committee has to be obtained before the Council can approve the bid. Town Manager Bonnie Therrien said that the committee is very pleased with the bid, and that they understand that rules and regulations of the Town must be followed regarding bidding for any Town project.

Councilor Kotkin asked what other items are required in addition to fencing. Mr. Turner said that there will be walkways, a patio area, some benches, and a handicap accessible pathway.

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

Award of Bid - Jeep for Physical Services

Councilor Walsh moved "**TO AWARD THE BID FOR A 2006 JEEP WRANGLER TO TOWN AND COUNTRY OF MIDDLETOWN IN THE AMOUNT OF \$27,120**", seconded by Councilor Kotkin.

Town Manager Bonnie Therrien explained that the Council asked that this item be re-bid since there was previously only one bid received which was an overbid. She said that vendors were called and asked why they weren't responding to the Town's bid, and it appears that Jeep's, and equivalents, are currently extremely popular, and vendors don't care to sell to municipalities since they can make more money selling to others instead.

Councilor Drake asked again if a smaller Ford Pickup would have accomplished the same thing. Mr. McDonald answered that the pickup is longer and a Jeep is requested since its wheelbase is shorter and tighter.

Councilor Cascio asked what color the Jeep will be and Mr. McDonald answered that it will be green.

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

Award of Bid - Two Rod Highway Sidewalk Projects

Councilor Adil moved "**TO AWARD A CONTRACT FOR SIDEWALK CONSTRUCTION ON TWO ROD HIGHWAY IN ACCORDANCE WITH TOWN SPECIFICATIONS, TO WESPRO, LTD. IN THE AMOUNT OF \$84,962.50**", seconded by Deputy Mayor Fortunato.

Town Manager Bonnie Therrien explained that bond funding is available to install sidewalks along Two Rod Highway and that this should be done as soon as possible. She said that the Town has worked with low bidder Wespro in the past and they have done a good job.

Councilor Cascio asked if the Town has yet found out who pulled up the surveying stakes along Two Rod Highway. The Town Manager said that the Police Department has investigated this to no avail. Councilor Cascio asked the Town Manager if she is concerned that the wet concrete will be manipulated once it is poured. The Town Manager said that she is very nervous about the situation regarding the concrete as well as the equipment that will be left in the area during the project. She said that the Police Department will be patrolling the area more frequently during the project time frame, and that the contractor will be instructed to contact them or her if there is any incident whatsoever.

Councilor Kirsche asked if there is any particular reason why Wespro seemed to come in so much lower with their bid. Mr. Turner answered that Wespro is a local vendor who is aware of the Town's specifications and requirements since they have worked with the Town previously.

Councilor Adil asked how long the work will take, and if it will be completed before school begins. Mr. Turner said that the contractor has been given thirty days to complete the project and he is prepared to start just after Labor Day.

Chairperson Morin stated that this is a very volatile project and he is not sure what the Town Manager and the Police Department can do to insure that there isn't any vandalism, but that something definitely needs to be done to provide protection.

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

Award of Bid - Miscellaneous Sidewalks

Councilor Walsh moved "**TO AWARD A CONTRACT FOR SIDEWALK CONSTRUCTION AND REPAIR TO WESPRO, LTD IN THE AMOUNT OF \$65,425**", seconded by .

Town Manager Bonnie Therrien explained that this bid is for all of the Town's miscellaneous sidewalk repairs, concentrating on the areas of Copper Mill Road, Fox Hill Road, Highcrest Road, and Ridge Road.

Councilor Adil commented that he's seen a number of sidewalk markings along Ridge Road, and asked if the homeowner has the opportunity to have the work done themselves. Mr. Turner explained that Ridge Road is different from other areas in that the residents along Ridge Road will be sent notices and will have to contract out on their own.

Councilor Drake asked why then Ridge Road is one of the areas of concentration.

Chairperson Morin asked for clarification of why the residents on Ridge Road are not being allowed to tie into the bid. Town Manager Bonnie Therrien explained that they can call Wespro directly.

Councilor Forrest asked why \$65,425 is being allocated if the homeowner is financially responsible for the sidewalk repairs. Mr. Turner answered that this allocation is for sidewalk repairs not on private properties.

Councilor Kotkin asked if there is a separate line in the budget for reimbursement for sidewalk repairs. The Town Manager said that she will have to check on this, and that it is probably on the revenue side. Councilor Kotkin stated that he is pleased with the bid amount since it came in below the \$72,000 budgeted for sidewalk repairs. Councilor Kotkin asked what happens if all homeowners were to decide to go with a contractor other than Wespro, and he was told that the \$65,425 would be used in other parts of Town. Town Manager Bonnie Therrien said that most homeowners go with the vendor recommended by the Town.

Councilor Cascio verified that the sidewalk ordinance reads that unless there is an exclusion, any new sidewalk installation costs will be split 50/50 between the homeowner and the Town. The Town Manager clarified that the ordinance states "up to" 50% for new sidewalk installation.

Councilor Walsh asked if the homeowners are notified by mail. Town Manager Bonnie Therrien asked Mr. Turner to explain the procedure. Mr. Turner explained that the Town is divided up into five geographical areas and the Town's Sidewalk Inspector would inspect each area each year, making for a five-year cycle. Mr. Turner said that since the sidewalks all throughout Town are aging, there are many more defects and the return cycle is more like 12-years now. He explained that Ridge Road is different because so many defects were found during the recent paving project along that road. He said that once the Town is made aware of the defects, something has to be done. He said that the repairs along Ridge Road are still the homeowner's responsibility; however, the Town is stepping back and having them obtain their own contractor for the repairs. Councilor Walsh asked what the standard procedure is. Mr. Turner answered that normally, the homeowner is sent a notice giving them the option to hire their own contractor or go with the Town's contractor to do the work and be billed for this by the Town.

Deputy Mayor Fortunato left the meeting at this time (7:20 p.m.).

Councilor Forrest asked why the Town needs to allocate funding if the homeowners are responsible for payment. He asked why the Town doesn't allocate \$200,000 if that's what's needed and the funding comes back to the Town anyway. Mr. Turner answered that this shows up as an expense in the operating budget and has to be accounted for. Councilor Forrest said that this doesn't make sense since the expense is offset by the revenue received by the homeowners. He was told that not all of the repairs are paid for by property owners, since some of the sidewalk repairs are the responsibility of the Town. Councilor Forrest said that if the dollar amount for the budget is arbitrarily chosen, a higher number should be chosen in the future in order to do the work properly, since the revenue will come back to the Town anyway. Mr. Turner stated that this can be looked at in the same vein that very little could be allocated as well.

All Councilors present, including the Chairperson, voted AYE. The motion passed 8-0-0.

Transfer of \$1,820 from Capital Surplus - Standish House Roof

Councilor Walsh moved "**TO TRANSFER \$1,820 FROM THE CAPITAL IMPROVEMENT SURPLUS ACCOUNT 407-5770 TO THE STANDISH HOUSE ROOF PROJECT ACCOUNT 303-5435-13587**", seconded by Councilor Cascio.

Town Manager Bonnie Therrien explained that work on the Standish House roof replacement began on July 17, and that she has authorized a change order of \$2,600 to replace the plywood decking, which is \$600 more than the \$2,000 built into the bid. She said that Building Official Brian O'Connor has recommended the installation of a cedar breather layer between the decking and the shingles to extend the life of the roof by approximately five years at a cost of \$1,220. The Town Manager said that she is therefore requesting a transfer of \$1,820 from the Capital Improvement surplus account for these two items.

Councilor Walsh asked if there was any type of breathing system under the pre-existing cedar roof shingles. Mr.

Turner answered that there was not. Councilor Walsh said that he has heard positive feedback regarding the breathing system and the life extension of a roof due to it being installed. Mr. Turner commented that this roofing contractor is possibly one of the best the Town has ever hired in terms of their ability, their attendance, and their attention to safety.

Councilor Kotkin asked what number of years the five year extension is added to. Mr. Turner said that typically a roof has a minimum life expectancy of twenty years.

All Councilors present, including the Chairperson, voted AYE. The motion passed 8-0-0.

Federal Homeland Security Funds for 2006

Councilor Adil moved "**TO APPROVE THE DESIGNATION OF THE CAPITAL REGION COUNCIL OF GOVERNMENTS AS THE ADMINISTRATOR OF THE 2006 U.S. DEPARTMENT OF HOMELAND SECURITY, OFFICE OF DOMESTIC PREPAREDNESS HOMELAND SECURITY GRANT FOR THE TOWN OF WETHERSFIELD**", seconded by Councilor Walsh.

Deputy Mayor Fortunato returned to the meeting at this time (7:25 p.m.).

Town Manager Bonnie Therrien explained that each municipality in the State is eligible to receive funds in accordance with a formula established by the Homeland Security Working Group, and Wethersfield's entitlement is \$19,818.06. She said that after this upcoming year, the funding will always be provided regionally instead, and she is recommending to the Council that the Town opt to have the Town's funds administered by CRCOG again this year as they did for FY 2004 and FY 2005.

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

ADJOURNMENT

At 7:25 p.m., Councilor Kirsche moved "**TO ENTER INTO EXECUTIVE SESSION**" seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

At 8:20 p.m., Councilor Adil moved "**TO ENTER BACK INTO THE REGULAR MEETING**" seconded by Councilor Kirsche. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

At 8:23 p.m., Councilor Cascio 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

Approved by vote of Council September 5, 2006