

JANUARY 18, 2005 REGULAR MEETING

The Wethersfield Town Council held a meeting on January 18, 2005 at 7:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Adil, Cascio, Czernicki, Forrest, Fortunato, Hemmann (7:50), Montinieri, Deputy Mayor Karangekis 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 Fortunato.

Chairperson Morin announced that there will be an Executive Session following the regular meeting to discuss Personnel Matters.

Repinning of Chief William Clark - Fire Department

Chairperson Morin stated that Wethersfield has the best volunteer fire department in the United States and it is the longest continuous serving fire department. He said that Wethersfield is very fortunate to have such dedicated volunteers. Chairperson Morin offered his personal congratulations and those of the Council to Chief Clark.

Town Manager Bonnie Therrien reminded all that the fire department are all unpaid volunteers who give of their time not only fighting fires, but also training for many, many hours. She said that it was discussed with Wethersfield's State delegates earlier in the evening just how important it is to keep volunteer service going strong in the State of Connecticut. She said that efforts are being made to stop the legislation prohibiting paid firefighters from volunteering in other communities. The Town Manager also thanked all of the family members of volunteers who also give unselfishly. Town Manager Bonnie Therrien said that in repining Chief Clark, this will begin his second five years. She said that this upholds a long tradition of volunteer firefighting in the Clark family. Chief Clark said that his Dad served as a volunteer firefighter in the 1940's and the tradition has continued since then.

Chief Clark thanked everyone for their support over the years. He said that one volunteers to get in and volunteers to get out; however, everything in between is mandated and mandatory. Chief Clark said that times are tough in terms of the budget, yet he urged the citizens of Town to be supportive of the Fire Department as they give the Town the best job for the dollar that they can. He said that he considers it an honor to lead the men and women of the Wethersfield Fire Department. Chief Clark said that the job cannot be done alone; the Fire Department is a team and a family who receives wonderful support.

Report from Dr. Patrick Proctor - Redistricting Plan

Chairperson Morin commended Superintendent of Schools, Dr. Patrick Proctor, and the Board of Education for taking on the difficult task of redistricting in order to serve the residents and children of Wethersfield well.

Dr. Proctor briefly presented the highlights of the Redistricting Plan. He said that eight, very well attended meetings with the community were held last Fall. He said that the community was very actively engaged and was a very involved part of the process. Dr. Proctor provided reference documents to the Council for them to review and suggested that they contact him with any questions or comments. He said that the goal always focuses on the education of the Town's children; therefore the goal of the redistricting plan was to enhance the education of the children. He said it is not just a Plan about space, but a Plan about providing more effective programming, services, and environments for the children. Dr. Proctor said that the Board of Education adopted a formal set of criteria on June 8, 2004 to guide the development of the Plan. He said that the criteria allowed for the accommodation of enrollment-growth projections over the five-year period following the opening of Webb School in September, 2005. The criteria also allowed for the preservation of the "neighborhood" character of school attendance areas. The criteria also allowed

for a student population in each school that is representative of the district's diversity. Dr. Proctor reviewed the redistricting maps provided to the Councilors. He also reviewed briefly the detailed data which provided information through 2010 for the Redistricting Plan. Dr. Proctor said that, by the time the process was complete, people were able to make recommendations with respect to the data. He reviewed the Implementation Activities of the Redistricting Plan for January - August, 2005. The items included the following:

1. Send letter of notification and Redistricting plan information to all parents of elementary school students.
2. Decide whether or not to offer a "grandfather provision" for Grade Six students which would allow them to remain in their present schools for 2005-2006.
3. Develop a transportation plan for the elementary schools, to include policy review and revision, as needed; and integrate the plan with the Pk-12 transportation system.
4. Complete all building project, program, staffing, and budget tasks associated with the opening of Webb School in September, 2005.
5. Conduct student and family orientation activities for all children whose school assignments will change under redistricting.
6. Complete space utilization plans for all elementary schools.

Councilor Fortunato asked Dr. Proctor if it is anticipated that the proposed Redistricting Plan will still be in need of future tweaking. Dr. Proctor said that specific software has been purchased to monitor the plan to insure that it will not need to be frequently modified. Councilor Fortunato asked if children coming into the district through the Project Choice program are figured in the redistricting. Dr. Proctor said that they are. Councilor Fortunato asked if the Board will be looking into opportunities to bring additional Project Choice students in. Dr. Proctor said that this is something that the Board will want to look at for the future, since in the past, opportunities for Project Choice students has been limited because of space needs.

PUBLIC COMMENTS

HEARING

May Referendum Question - Lights in Town

Thomas Wraight, 22 Coleman Road, said that he was under the impression that the question before the court was whether or not the Town Council had violated the Charter by failing to bring to referendum the proposed Ordinance. Mr. Wraight read from the Town Attorney's opinion on the matter, which the Council did not follow. Mr. Wraight feels that the Council violated the Charter by not proceeding to referendum once they rejected the proposed Ordinance. He said that the new proposal is different from the original proposal as it ignores the electorate who signed the petition. Mr. Wraight recommended that both proposed Ordinances be on the question in May so that electorates can choose proposal number one or proposal number two.

John Miller, 45 Highland Street, said that he understands the intent of the referendum is to determine whether there will be lights at Cottone Field; however he feels that the manner in which the issue is being pursued may not provide definitive results. He said that voting "yes" that there should not be lights on any municipal property would include heritage trails, school parking lots, nature center walks, reenactment events, concerts, and endless other locations and events that would reasonably require lights. Mr. Miller feels that the Town would not be able to live with such a law. He said that voting "no" to not prohibit lights for any purpose anywhere does not provide a clear road for lights at Cottone Field as the issue still probably has to go to the Zoning Board of Appeals and the Planning & Zoning Commission. Mr. Miller said that the referendum should be straight forward to either approve, or not, the installation of lights at Cottone Field when funds are available. Mr. Miller suggested that the Council consider passing an Ordinance exempting the Town from zoning regulations and this could be included as a question on the May 24 referendum. He said that this combination would eliminate the need for another future referendum, and the expense of such.

Robert Young, 20 Coppermill Road, said that if the Council accepts the proposed Ordinance, there is no need for a referendum; and if they reject it, it will automatically go to referendum. He said that he understands that the cost of the referendum could be approximately \$20,000. He said that the Town has already spent enough money mitigating this

issue and does not need to spend more. Approving the Ordinance would be most cost effective. Mr. Young said that, in the wording of the Ordinance, there should be no problem to the Council regarding legality as the Assistant Town Attorney designed it, wrote it, and helped approve it. Chairperson Morin asked Mr. Young if he was present at the negotiations as he was told that Mr. Young was a part of the negotiations at the courthouse. Mr. Young said that he was in the area that day. Chairperson Morin indicated that he does not appreciate Mr. Young possibly misleading some people by putting a different spin on the situation. Mr. Young said that the Town has recently incurred unexpected costs requiring contingency funds to be used. Councilor Adil called for a point of order that Mr. Young keep his comments to the hearing item. Mr. Young said that his point is that the Town needs to save money, by handling situations as though its' our own household. Chairperson Morin reminded Mr. Young to speak specifically to the subject of the hearing item.

George A. Ruhe, 956 Cloverdale Circle, spoke as Vice-President of the Wethersfield Taxpayers Association, Inc. He said that the Council, since last May, has managed to spend a significant amount of the citizens' money. He said that the Town Manager and staff have spent countless hours on misdirected priorities. He said that if the Council had followed the requirements of the Town Charter and acted upon the item last May, they would have saved the significant cost of a referendum. Mr. Ruhe said that the Council has divided the community and officials have consistently violated the terms of the settlement agreement by discussing the issue outside of the agreed upon joint press release. Mr. Ruhe said that an article in the Hartford Courant erroneously stated that the Town is under "court order" to hold a referendum in May. He said that there was not a "court order", but rather a "settlement" between the taxpayers and the Town. Mr. Ruhe said that Town Manager Bonnie Therrien has stated that "the Charter says we have to have a hearing when there is a proposed referendum introduced". Mr. Ruhe said that an Ordinance, for which a public hearing is required, was introduced by petition, not a referendum. He said that Town Manager Bonnie Therrien also stated that "Even though the court is ordering the referendum, we are going to cover ourselves and still hold a hearing. It really doesn't matter what the people say; it is going to referendum, but at least the people can voice their opinions". Mr. Ruhe said that the Court did not order the referendum, per say, but that the fundamental message is that the Town Council should have followed the requirements of the Charter. He said that no part of the Charter was negated by the settlement and the Town Manager's statement "it really doesn't matter what the people say..." represents the epitome of arrogance of the current Council from the start. Mr. Ruhe said that the settlement reached was the result of hard negotiations between the parties with the encouragement of the Court to reach a settlement. Mr. Ruhe stated that the Ordinance provides that all existing facilities are to be grandfathered. He said that the Council has the opportunity tonight to do it right and they are being given the opportunity to save the citizens of Wethersfield some money. He said that the Wethersfield Taxpayers Association, Inc. urges the Council to vote "yes".

Judy Emmick, 88 Westway, said that it appears that the Town Attorney was mistaken in declaring the petitions invalid and asked if he will be held accountable for this and the \$20,000 expense to the Town for the referendum. Ms. Emmick clarified that lights already installed in Town will be grandfathered into the Ordinance.

Rocco Orsini, 95 Broad Street, spoke on behalf of the Wethersfield Taxpayers Association, Inc. stating that the rules of the Town Charter were strictly followed when the group went out for signature petitions. He said that they were dismayed when Attorney Bradley stated his decision that the petitions should be rejected and the Council agreed with that decision. Mr. Orsini said that the Council forced the Wethersfield Taxpayers Association, Inc. to spend time and money to sue the Town of Wethersfield. He said that the two questions could have appeared on the November, 2004 ballot and already have been voted on. He said that instead the situation turned into a nightmare and hopes that the Council does not do this again as it is dysfunctional and divides the Town. Mr. Orsini said that the referendum is an attempt to preserve the quality of life in Wethersfield. He said that the Association is bothered by the cost of a special referendum, the legal costs to the Town Attorney and Assistant Town Attorney, and finally the cost of the lights and their maintenance. Mr. Orsini recommended that the Council vote to accept the Ordinance and skip the referendum. He also recommended that from this point forward, the Council put the preservation of neighborhoods at the top of their agenda.

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

GENERAL COMMENTS

Mary Dobruck, 689 Folly Brook Boulevard, commented on the significant drainage issue on Folly Brook Boulevard on January 14, 2005. She said that her home and others surrounding hers took in sewage and she understands that there are others in the area who had to deal with the same situation. Mrs. Dobruck said that the laundry room in her basement had three inches of sewage on the floor. Mrs. Dobruck said that outside her home was a manhole bubbling sewage out onto Folly Brook Boulevard. She said that she called the Town Manager's Office and was told that it was not a Town problem, but rather a situation to be dealt with by the MDC. Mrs. Dobruck called the MDC, which sent out a representative in a truck, who spoke to one of her neighbors and then parked the truck at Wintergreen Woods. Mrs. Dobruck approached the MDC worker who assured her that this was a problem extending into Hartford as well. The MDC worker apologized to Mrs. Dobruck stating that there was nothing he could do until the water levels lowered. Mrs. Dobruck said that she and her husband began discussions with the Town and the MDC regarding raw sewage flowing through their home in 1989 and she has documentation of meetings from 1997. She said that she also asked the Council in October, 2003, when the resurfacing of Cottone Field was being discussed, that due diligence be done to install the proper drainage systems so as to alleviate future drainage problems. She said that many Councilors and Engineering Staff dismissed her concerns and she was assured during the May 17, 2004 Council meeting that the contractor was aware of the problems and was obligated to remedy any problems that continued to occur. Mrs. Dobruck said that the drainage problem remains and she asked if the resurfacing of the field exacerbated the problem. She said that the system needs to be designed so that neighborhoods do not have to go through sewage problems again.

Dennis Dobruck, 689 Folly Brook Boulevard, said that he and his wife have been dealing with the drainage problem for seventeen years. He asked if the Cove took any infiltration and was told that it did. Mr. Dobruck said that he believes that the Town uses Nott Street, Church Street, Folly Brook Boulevard, and Robbins Avenue as relief points. He said that he and his wife are very frustrated and wonder where to go from here.

Chairperson Morin said that he received a call from Mrs. Dobruck on Friday. He asked the Town Manager to provide information on the procedure followed for the sewage overflow that day.

Town Manager Bonnie Therrien said that the sewage overflow was actually a weekend issue. She said that the MDC's Long-Term Control Plan for resolving this issue will cost millions, and millions, and millions and will have to go to bond. She said there is a failing system throughout the entire region, including Wethersfield, West Hartford, and Rocky Hill. She said that Friday was a tremendous rain storm along with a previous six inches of snow melting as well. She said that sump pumps and rain leaders also add to the problems and that all rain leaders should be disconnected. The Town Manager said that she will be bringing to the Council an Ordinance to disconnect the rain leaders. She said that the Health Department was on site to deal with the sewage overflow on Friday and that she can provide the numbers on the CSO's into the Cove on that day. The Town Manager said that on Sunday a separate situation occurred involving an old pipeline which exploded. She said that sump pumps also need to be disconnected from emptying into the system. At this time, Mrs. Dobruck commented that the Public Health Department of Connecticut 1913b-103c states that no sewage shall be allowed to discharge or blow into any storm drain.....and if it does, the Public Health Inspector better get it off. She said that a band-aid on the problem will not work. Mrs. Dobruck said that the Town has until February 8, 2005 to inform her what they plan to do. She said that she does not want to sue, but she will. Chairperson Morin said that the Town will do their best to get something going.

Walter Swindell, 46 Oldham Road, said that the Public Health Department has not been doing anything. He said that all property owners at risk should have been advised to install a reverse valve to keep the sewage out. Mr. Swindell said that the State of Connecticut does not have any record from the Health Department pertaining to the Cove, and this is wrong. He said that the Health Department should be addressing the Cove.

Thomas Wraight, 22 Coleman Road, said that in 1967, then Town Manager Dave Bower told the Council that one of the major drainage problems in Wethersfield was domestic systems into storm sewers. Mr. Wraight commented that, besides the Police Department and the Fire Department, the leaf collection is the best service provided to the taxpayers of Wethersfield. He thanked the Town and the workers who perform the collection for doing such a great job. Mr. Wraight congratulated Chief Clark and recognized the tremendous work of Wethersfield's volunteer firefighters. He commended Superintendent of Schools Proctor for the fine job he did of communicating with the people of Town regarding the redistricting.

Rocco Orsini, 95 Broad Street, spoke on behalf of the Wethersfield Taxpayers Association, Inc. He informed the Council that only one inch of rain fell on Friday, although there was melting snow as well. He said that something unique is going on and it would be interesting to know if Cottone Field had any small part in the drainage problem. Mr. Orsini said that the Wethersfield Taxpayers Association, Inc. supported suing the MDC. He said that it took taking the Town to court in order for the Wethersfield Taxpayers Association, Inc. to have their petitions addressed. This is an example of what suing can accomplish and he suggests the same step be taken with the MDC. Mr. Orsini pointed out that Chairperson Morin, Councilor Fortunato, and Councilor Forrest all campaigned on this issue and promised the residents that Wethersfield would sue the MDC. He said that the Town needs to move forward and play hardball to get the MDC's attention. Mr. Orsini said that the Wethersfield Taxpayers Association, Inc. has asked the Town Manager three times for a report on the status of the 800 MHz system.

George A. Ruhe, 956 Cloverdale Circle, commented that when there are high-tech systems involved, stuff happens. He said that he understands a certain degree of confusion relating to the system blackout; however he is concerned that there was nothing in the paper about the incident until two weeks later. Mr. Ruhe suggested that information about issues that may affect the Town significantly be provided candidly to the public. Mr. Ruhe commented on Mrs. Dobruck's problem and how Chairperson Morin was not mature enough to allow her to finish her comments to the Council. He said that he finds this to be irresponsible and despicable conduct.

Judy Emmick, 88 Westway, said that she has asked a number of times for a cost analysis for the possible lighting of Cottone Field and has yet to receive one; therefore she obtained information from a nearby Town who spends approximately \$40-\$50 per hour. She said that she estimates the cost for Wethersfield to be a few thousand dollars per year. She said that she is concerned about where the Town will get this money. She asked the Town Manager to provide any pertinent information on this. Ms. Emmick shared conversations she had with the Board of Education regarding Cottone Field and fund-raising efforts to refurbish the High School auditorium.

Robert Young, 20 Coppermill Road, spoke of his concern over the continuing problems with the 800 MHz radio system and the possibility of another cell tower in Town. Mr. Young addressed the current economic condition of the State and how the Town will deal with the State's shortfall. He urged the Council to consider posting the list of delinquent taxpayers. Mr. Young said that the Town needs to cut back on spending and start saving.

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

COUNCIL REPORTS & COMMENTS

Councilor Adil reported that the Budget and Personnel Committee met recently and discussed the tax abatement for Fire and Ambulance volunteers, and the Social Security alternative plan for part-time employees.

Councilor Fortunato reported that the Infrastructure Committee met prior to tonight's Council meeting to discuss the relocation of Channel 14. She said that the Town Manager will meet with the various stakeholders regarding this and will bring a recommendation back to the Council. Councilor Fortunato reported that the Capital Improvement Advisory Committee met last week and Town Staff provided information on the projects coming before the Committee for consideration. In the coming weeks, Department Heads will be making individual presentations. Councilor Fortunato announced that the Annual Fireside Chat will be held on February 12 at the Stillman Building.

Councilor Cascio announced a number of upcoming Committee meetings including the Senior Citizens Advisory Committee, the Memorial Day Parade Committee, and the Chamber of Commerce.

Chairperson Morin reported on the meeting between the Town (Commissioners Courneen and McAuliffe) and the MDC regarding Wethersfield Cove. Chairperson Morin said that the MDC's federally mandated long-term control plan addresses the storm sewage problems in all of their member Towns. He said that the plan has just been released and, as a result of Wethersfield's continued prodding of the MDC, the plan, costing approximately \$610 million, will include the elimination of the discharge for an 18-year event. Chairperson Morin said that the Council's plan for Phase 1 & 2 tied in with the long-term control plan will add approximately \$30-\$35 million to the cost of the plan. He said that the next step for the MDC is to have a meeting with the Citizens Advisory Committee to obtain concurrence on the plan. Chairperson Morin said that the only way he, personally, will support the long-term plan is if the Cove plan

sent to the MDC by the Town Council is included. He said that he will continue to advocate with the MDC on behalf of the Town of Wethersfield.

Councilor Czernicki asked Chairperson Morin to invite someone from the MDC to come speak to the Council to provide an overview of the time frame of the plan as well as how they plan to address various issues dealing with sewage. Councilor Czernicki asked if the MDC has provided any information on how the \$645 million cost of the plan will affect MDC taxes to each community. Chairperson Morin said that he will try to get MDC representatives to come speak to the Council.

Councilor Cascio requested that the Town Manager write to the MDC and the Town's MDC Commissioners requesting that they address the issue at Folly Brook, Heather and Fairview so that the drainage problems can be resolved.

Councilor Fortunato requested that the Town Manager provide background information to Council members who are not familiar with the situation on Robbins and Folly Brook. She questioned who is responsible for fixing the problem and also what the Town can do in assisting the residents in the process of resolving the problem.

Councilor Cascio congratulated Fire Chief Will Clark on his repinning and thanked a number of Police Officers for coming to the aid of one of his family members. He said that the Town has a wonderful Volunteer Fire Department and a fantastic Police Department. Councilor Cascio reported that he attended and enjoyed the recent Game Club dinner where various game meats were served.

Councilor Fortunato said that a member of the Library Committee phoned her and asked her to convey their thanks to the Council for the allocation of additional funds for the purchase of computers for the Library which have been installed and the process is moving forward very smoothly.

Councilor Czernicki asked the Town Manager if, during the time in December when the radio system was down, the computer aided dispatch and records management system were working during that time. Town Manager Bonnie Therrien said that she will check this and report back.

Councilor Czernicki asked for a full report on the radio system. She said that it behooves the Town to have a system that works correctly and insures the safety of the residents and public safety officials of Town. Councilor Czernicki thanked Police Officers who recently offered their services in sanding select icy areas in Town. Councilor Czernicki asked for the amount of rain that fell last Friday compared to that which fell on September 18 and what "year" the MDC attached to the event. She said that she was one of the Councilors who questioned what might happen to the water table in the area of Cottone Field when renovations were made. She said that, at that time, she was reassured that the installation of the turf on the field could not change the water table in the Wintergreen Woods, Folly Brook area. Councilor Czernicki said that last Memorial Day weekend when there was a heavy rainfall; there was a tremendous washout of the walking path. She would like the Town Manager to verify if the grading of the area and installation of the field had anything to do with the excess amount of water that accumulated in the Wintergreen Woods, Folly Brook area. Councilor Czernicki asked if the Town of Wethersfield considers the Wintergreen Woods area to be a naturally appearing retention area.

Councilor Adil commended Chairperson Morin, Senator Fonfara, and the Citizens Group on bringing the Cove issue to a head. He said that the Citizens Group who is most directly affected by the problem has not recommended a law suit at this time. Councilor Adil also asked the Town Manager to provide an analysis of any impact of the renovation to Cottone Field on the properties on Folly Brook or Robbins. Councilor Adil commented that the Wethersfield Taxpayers Association, Inc. does not want the Town to spend \$20,000 on the referendum question, yet they won't agree to a lesser number of polling places. Councilor Adil said that cutting down on the number of polling places would save the Town money on the referendum.

Councilor Hemmann said that the Tourism Commission is in the process of conducting strategic planning and information sessions regarding tourism. She said that she was called for a survey and found the company conducting the survey to be very professional.

Councilor Montinieri commented that the recent MDC Public Works Committee was very interesting and that a

consultant from CDM provided a PowerPoint presentation outlining the long-term control plan. She said that she was impressed by the magnitude of what is on the MDC's plate. Councilor Montinieri said that Wethersfield is certainly getting the attention of the MDC and Commissioner Courneen kept asking how the plan will impact Wethersfield and the Cove. Councilor Montinieri said that the MDC is proposing a 1-year level of control, except for the Cove which will have an 18-year level of control proposed. She said that she came away from the meeting with an appreciation of the magnitude of the project and the due diligence the MDC is giving to the Wethersfield Cove and also that she is grateful for the time put in by Chairperson Morin, Senator Fonfara, and Mr. Standish.

Chairperson Morin announced a variety of community events occurring in February including the St. Patrick's Day Parade fund raiser, the Safe Graduation Dance, Connecticut Real Choice sponsored workshop, a Valentine's Day Dance, and a Snow Ball for the Keeney Foundation. Chairperson Morin said that a group called "Wethersfield, We Care" has been formed to provide aid to the U.S. troops in Iraq. He encouraged all in Town to become involved in the effort.

COUNCIL ACTION

Councilor Adil moved **"TO APPOINT STEVE COOK TO THE YOUTH ADVISORY BOARD FOR THE TERM OF JANUARY 18, 2005 TO JUNE 30, 2007"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Forrest moved **"TO SET THE REFERENDUM DATE OF MAY 24, 2005, WITH POLLING FROM 6:00 A.M. TO 8:00 P.M., AT ALL TEN DISTRICTS, FOR THE FOLLOWING QUESTION:**

'SHALL SECTION 101 OF THE MUNICIPAL CODE OF WETHERSFIELD BE AMENDED TO INCLUDE THE FOLLOWING ORDINANCE:

SECTION 101-1.1. THE TOWN OF WETHERSFIELD SHALL NOT INSTALL, CONSTRUCT OR CAUSE TO BE INSTALLED OR CONSTRUCTED, ANY PERMANENT OR TEMPORARY FLOODLIGHT, SPOTLIGHT OR OTHER REFLECTOR-TYPE LIGHTING FOR ILLUMINATION OF SPORTING EVENTS OR OTHER ACTIVITIES ON ANY MUNICIPALLY OWNED PROPERTY"

, seconded by Deputy Mayor Karangekis.

Councilor Cascio asked for clarification on the voting and asked if the wording is what was received back from the Town Attorney. Town Manager Bonnie Therrien said that this wording was agreed upon by both sides in the settlement. Councilor Cascio asked what procedure in moving this forward will save \$20,000. The Town Manager said that the Council can vote tonight to amend the Ordinance and, therefore it will not need to go to a referendum.

Councilor Montinieri said that she believes that the point of a referendum is to get input from the public. Town Manager Bonnie Therrien said that this is correct and that this was also agreed upon during the negotiations.

Councilor Adil asked the Town Manager how many polling places are typically open for stand-alone referendum questions. Town Manager Bonnie Therrien said that, since she has been here, they have all been open; except for once when only one location was open. The Town Clerk said that there have been other instances in the past when not all ten polling places have been open.

Councilor Czernicki clarified that the Council could vote tonight to amend the ordinance rather than go to referendum. Town Manager Bonnie Therrien said that she would not recommend this to the Council until she gets an opinion from the Town Attorney, because the Judge accepted in the settlement agreement that the Town will go to a referendum. Councilor Czernicki said that voting tonight to amend the ordinance would take the public out of the picture and she feels that the public needs to weigh in on this. She clarified that all currently existing lighted locations will continue to be lighted under the "grandfathering". Town Manager Bonnie Therrien said that "permanent" lighting will be "grandfathered"; however the word "temporary" was not used.

Deputy Mayor Karangekis asked the Town Manager if the Fire Department were to install temporary lighting relative to a particular issue, if this would be prohibited by the proposed ordinance. Town Manager Bonnie Therrien said that they could do this; however the wording "or other activities" could be misinterpreted. Deputy Mayor Karangekis suggested that there be some type of clarification for emergency lighting needs included in the language.

Councilor Czernicki said that she would view these as public safety issues and asked if they are exempt from the ordinance. Town Manager Bonnie Therrien said that they are not exempt. She said that the lighting issue has to do with publicly owned property and the exemption of public safety issues was never discussed and is not included in the wording. She said that someone could possibly construe public safety issues as "other activities".

Councilor Montinieri said that both parties agreed to the language and that it cannot be changed at this point.

Councilor Forrest said that he does not like the ordinance and doesn't think it is right for Wethersfield; however, this is what was settled upon in the settlement and he will vote "yes" to stand by the settlement.

Councilor Adil said that the Wethersfield Little League is concerned about the referendum question because of the Master Plan at Mill Woods and the proposed lighting of other fields. Councilor Adil asked what will happen if the current "grandfathered" lights need to be moved or changed. Town Manager Bonnie Therrien said that this is a matter that is not addressed in this amendment; therefore it could be challenged.

Councilor Hemmann said that the Town agreed to the settlement and must; therefore, move forward with the question. She said that public safety would supercede any other issues.

Chairperson Morin said that this was negotiated, in good faith, between two parties. He said that he has an issue with some of those actively involved in the negotiations coming forward now to indicate that the settlement is wrong. Chairperson Morin said that he appreciates the work put in and that now the Council must move forward.

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

UNFINISHED BUSINESS

None

OTHER BUSINESS

Transfer of \$50,000 - Fuel for Vehicles

Town Manager Bonnie Therrien explained that, because of the increase in gas prices, it is necessary to transfer funds to get through the rest of the fiscal year.

Deputy Mayor Karangekis moved **"TO TRANSFER \$50,000 FROM THE CONTINGENCY ACCOUNT T1910900 5250 TO THE VEHICLE MAINTENANCE, FUELD AND LUBE ACCOUNT T1555552 5301, FOR UNLEADED GASOLINE AND DIESEL FUEL"**, seconded by Councilor Adil.

Councilor Fortunato asked if this includes the Board of Education vehicles. Town Manager Bonnie Therrien said that it does include some of them. All Councilors present, including the Chairperson, voted AYE.

The motion passed 9-0-0.

Transfer of \$3,639 - Police Department - Boat Repairs

Town Manager Bonnie Therrien said that funds are received each year from the State and this year, Chief Cetran has requested that the funds be transferred into his account in order to make necessary, unbudgeted repairs to the Police boat. She said that she informed the Chief that in the future he should include these funds in his budget.

Councilor Adil moved **"TO TRANSFER \$3,639.80 FROM THE CONTINGENCY ACCOUNT T1910900 5250**

TO THE POLICE DEPARTMENT, ACCOUNT T1423 5420 FOR BOAT REPAIRS", seconded by Councilor Cascio.

Councilor Fortunato said that the Council packet includes both repairs and upgrades. She asked if there are other repairs needed on the boat. Town Manager Bonnie Therrien said that there could be major repairs necessary that \$3,617 will not cover. She said that additional repairs, if needed, will need to be budget for next year.

Councilor Hemmann said that this is not the first time that equipment repairs and maintenance has not been put into the budget. She said that she is concerned that other items may be out there that will show up as a surprise. She suggested that all Departments include this in the line items of their budget.

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

BIDS

Town Manager Bonnie Therrien explained that the lowest CRCOG regional bid lock in amount per gallon of unleaded gasoline is \$1.3195.

Councilor Montinieri Moved **"TO AWARD A CONTRACT TO HARBOR PETROLEUM OF N.E., INC. FOR THE PURCHASE OF UNLEADED GASOLINE, AS NEEDED, AT A COST NOT TO EXCEED \$40,000"**, seconded by Councilor Adil.

Councilor Fortunato asked if the Board of Education is also benefiting from this. Town Manager Bonnie Therrien said that they are. Councilor Fortunato said that, in the past, the Board of Education contracted for fuel through CREC and suggested that the Town look into this to see if the prices are similar.

Councilor Forrest asked how much has been budgeted for this expense. Town Manager Bonnie Therrien said that \$106,000 has been budgeted this year, and \$121,175 was spent the year before. Councilor Forrest asked how the \$40,000 fits into this scheme. Town Manager Bonnie Therrien said that this amount will get the Town through the fiscal year for unleaded gasoline.

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

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

RESOLUTION CONCERNING AN APPLICATION TO THE STATE OF CONNECTICUT TO OBTAIN LOCAL CAPITAL IMPROVEMENT PROGRAM FUNDS TO RECONSTRUCT A PORTION OF WILLOW STREET BETWEEN PROSPECT STREET (SR 287) AND WELLS ROAD (SR 175)

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WETHERSFIELD that BONNIE L. THERRIEN, TOWN MANAGER, is hereby authorized to execute for and on behalf of the TOWN OF WETHERSFIELD, a public entity established under the laws of the State of Connecticut, an application and to file it with the Office of Policy and Management for the purpose of obtaining financial assistance under the Local Capital Improvement Program. Said application shall be made to obtain financial assistance for the reconstruction of a portion of Willow Street, between Prospect Street and Wells Road.

MINUTES

Councilor Fortunato moved **"TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF DECEMBER 20, 2004 AS REVISED"**, seconded by Councilor Forrest.

Councilor Cascio said that the revision referred to his comments on page 15918 regarding the Town taking responsibility from this point on for construction problems that occur from future projects, yet his comments were not revised. Town Manager Bonnie Therrien said that the request was for the Town Clerk's office to clarify her answer to Councilor Cascio's question and did so by recording, verbatim, her answer.

All Councilors present, including the Chairperson, voted AYE. Councilor Cascio, Councilor Czernicki, and Councilor Hemmann voted NAY. The motion passed 6-3-0.

Councilor Adil moved **"TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF JANUARY 4, 2005"**, seconded by Councilor Forrest.

Councilor Czernicki said that Mr. Ruhe informed her that during his General Comments he did not use the words "Cottone Field" when making his comments. Town Clerk Sassano said that Mr. Ruhe read parts of a letter written in response to Cottone Field. Councilor Czernicki said that Mr. Ruhe implied to her that he went out of his way not to mention Cottone Field.

Councilor Forrest asked Councilor Czernicki what she suggests be done about this. Councilor Czernicki said that the Council should either table the motion to accept the minutes until the tape of the January 4 meeting can be reviewed, or accept, reject, or abstain.

Deputy Mayor Karangekis moved **"TO TABLE THE MINUTES OF THE REGULAR MEETING OF JANUARY 4, 2005 UNTIL REVIEWED BY THE TOWN CLERK'S OFFICE"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

ADJOURNMENT

At 9:55 p.m., Councilor Hemmann moved **"TO ENTER INTO EXECUTIVE SESSION"** seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

At 10:04 p.m., Councilor Adil moved **"TO ENTER BACK INTO THE REGULAR MEETING"** seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO ACCEPT THE TERMS OF THE NEW UNION CONTRACT FOR LOCAL #818 AS OUTLINED BY THE TOWN MANAGER"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

At 10:05 p.m., Councilor Adil moved **"TO ADJOURN THE MEETING"** seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano
Town Clerk