

## **APRIL 4, 2005 REGULAR MEETING**

The Wethersfield Town Council held a meeting on April 4, 2005 at 7:15 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Adil, Cascio, Czernicki, Forrest, Fortunato, Hemmann, Montinieri, Deputy Mayor Karangekis and Chairperson Morin.

Also present: Rae Ann Palmer, Assistant Town Manager, and Dolores G. Sassano, Town Clerk.

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

### Economic Development Report

Town Planner Peter Gillespie gave a presentation of the March, 2005 Economic Development Report which included the following:

- 1295 Silas Deane Highway - Grand Opening of Office Depot on March 10
- 1090 Silas Deane Highway - Ribbon Cutting Ceremony on March 18
- 271 Main Street - Main Street Creamery reopened in new location
- 1825 Berlin Turnpike - Bob's Fruit Stand reopened in new location
- 1420 Berlin Turnpike - A.J. Wright expansion
- 1206 Silas Deane Highway - Lasik Plus Vision Center - building permits issued
- 1202 Silas Deane Highway - Beazley Realty approved for office
- 1303 Silas Deane Highway - Baby Boom - new retail tenant
- 217 Main Street - Hallmark's Homemade Ice Cream Shoppe - floor plan approved
- 1260 Silas Deane Highway - Jefferson X-Ray expansion
- 912 Silas Deane Highway - Yellow Book - new office tenant

Mr. Gillespie reported that the Silas Deane Highway Revitalization Committee has narrowed the field of qualified firms interested in assisting the Town with the development of the streetscape plan to two and follow up interviews were held last week. He said that it is anticipated that a recommendation for the selection of the firm will follow by the end of this week. Mr. Gillespie announced a number of Chamber of Commerce community events and stated that the Tourism Commission will be promoting Historic Wethersfield in the May, June, and July issues of Connecticut Magazine. He said that the Tourism Commission will be meeting with the principals of the Hartford Convention Center in early May to determine the types of links Wethersfield can have with the Convention Center.

Councilor Adil commented that the listing of the meeting schedule in the Economic Development Update is a good idea. Councilor Adil asked if the Council has seen the Available Property List before. Mr. Gillespie said that they have and that the real estate community has asked that the EDIC update and make this listing available each quarter. He said that the listing is in his office for review and is also posted on the website.

Councilor Montinieri commented on how nice the Creamery on Main Street looks as well as the improvement to Bob's Fruit Stand on the Turnpike.

### PUBLIC COMMENTS

### HEARING

RESOLUTION CONCERNING THE HISTORIC DOCUMENTS PRESERVATION GRANT

RESOLUTION FOR PUBLIC HEARING ON THE PETITION - EXEMPTION OF TOWN FROM P&Z REGULATIONS

Chairperson Morin reminded all that five minutes is allowed for speaking on the hearings and once the hearing is closed, general comments will be allowed. He said that one of the hearing issues has apparently drawn a large crowd and there is likely to be much passion on both sides. Chairperson Morin asked the public to treat each other with respect to provide for a productive hearing.

Steve Wells, 336 Hartford Avenue, commented that he has a great fear of government exempting itself from the rules that the rest of the population has to follow.

Tom Wraight, 22 Coleman Road, commented on his concern over the proposed exemption ordinance and considers it an intrusion on the Town Charter which states clearly the provisions of protection of citizens regarding zoning matters. Mr. Wraight said that it is improper to exempt the Town from its own regulations and that the current Charter was unanimously adopted without there being any suggestion that the Town should be exempt from its own regulations. He said that the Planning & Zoning Commission reviewed their regulations last year, and it wasn't until the very last moment on the night of the adoption of the regulations, was the question of the exemption of the Town raised. Mr. Wraight urged the Council to reject the Ordinance, requiring a referendum.

Matt DeAngelo, 16 Dennison Ridge, commented that the implications of the Ordinance go beyond the lighting at Cottone Field. He said that there is a clearly established process, zoning rules and regulations, and an appeals process that allows for those requiring relief from the regulations the opportunity to state their case and obtain relief if there is undue hardship. Mr. DeAngelo questioned why the Town didn't go before the Zoning Board of Appeals and follow the process already established in the Charter. Mr. DeAngelo commented that the lights at Cottone don't affect him; however the empowerment of the Town to regulate use of private property will affect him.

Leigh Standish, 278 Hartford Avenue, spoke in opposition to the proposed exemption and commented on the long-term ramifications of the anti-zoning Town exemption ordinance. He said that there is a process of checks and balances currently in place and this process must supercede any immediate desire to move forward with a single issue. Mr. Standish stated that the last thing Wethersfield needs is politically motivated spot zoning.

John Miller, 45 Highland Street, spoke in favor of the proposed exemption ordinance, calling it a necessity. Mr. Miller stated that some of the current zoning regulations for residential zones cannot reasonably apply to Town properties, specifically the limitations of outdoor lighting. He said that there are not regulations that are appropriate for both parks and residential zones. Mr. Miller said that the issue before the Council is whether they support their own control of Town property or should they close the door on future evening activities at parks and schools in Town. Mr. Miller urged the Council to approve the ordinance as their support is vital.

Buzz Willard, 141 Main Street, commented that he doesn't feel strongly about Cottone Field one way or the other; however, he served on the Planning & Zoning Commission for five years and was impressed by the nonpartisanship of the Commission. Mr. Willard stated that he has also come before the Planning & Zoning Commission to voice his opinions on the new regulations and he found the Commission to be very attentive. Mr. Willard commented that the Planning & Zoning Commission has the best interest of the Town's land use at heart. Without even considering Cottone Field, Mr. Willard questions why the Town should be exempt from the Planning and Zoning regulations. He feels that the restrictions should be no different than those adhered to by the general public of the Town. Mr. Willard stated that now that he realizes that the ordinance has to do with Cottone Field, he wouldn't want to see an ordinance that allows lights at Cottone Field and not in residential zones. He suggested that the Town present this to the Zoning Board of Appeals and let them vote.

Rick Mahoney, 46 Hayrake Drive, spoke in favor of the exemption ordinance as he has observed that nothing is Wethersfield really changes. He said that Wethersfield has no lighted athletic field and such a facility needs to be available. Mr. Mahoney said that the Council is charged with planning and looking ahead for Wethersfield and doing what is best to suit the needs of the Town. Mr. Mahoney believes that this is an issue of trust in the Council.

Claire Carney, 18 Stillwold Drive, spoke as a private citizen in her concern over any action the Council may take to adopt the exemption ordinance. She said that action tonight will raise a serious ethical question in her mind. Ms. Carney said that efforts are continually made to correct loopholes in laws affecting those entrusted with the public

good. Ms. Carney agrees that the Town needs to change; however this ordinance may not be the right thing to do at this time. She said that the government needs to maintain its checks and balances and she urged the Council not to adopt the ordinance.

Doug Buck, 411 Hartford Avenue, commented that he has found the Zoning Board of Appeals to be very helpful and realistic in their evaluations any of the times he has appeared before them. Mr. Buck said that he can't understand why the proposal doesn't go through the regular process.

Mary Dobruck, 689 Folly Brook Boulevard, spoke in opposition to the proposed ordinance change as she believes that issues requiring resolution should follow the process already set in place. She suggested that changes in Town be made to affect more of the population of kids.

Demitrius Triantafylidis, 39 Robbins Drive, commented that the petition for the proposed ordinance change was passed around at a recent basketball game and he was pleased to see fans of all ages following the team. Mr. Triantafylidis said that he supports lights at Cottone Field, but is unsure if he supports the proposed ordinance change or not. He said that he would rather the Council make the decision rather than a select few members of the Zoning Board.

Jim Woodworth, 5 River Road, as President of the Great Meadows Conservation Trust, commented that that group had to appear before several boards and commissions to erect a sign on a parcel of land and did so because this is the process and it prevents others from erecting unsightly signs at will. He said that the Conservation Trust group also followed proper procedure by appearing before the Inland Wetlands Commission to obtain permission to cut down trees in order to maintain the meadow habitat. Mr. Woodworth said that he does not support exempting the Town from any such process.

Matthew Cholewa, 90 Ox Yoke Drive, commented that he is an attorney experienced in land use matters, has been a member of the Wethersfield Planning & Zoning Commission, and is a currently a member of the Zoning Board of Appeals. Mr. Cholewa stated that he does not support the proposed exemption ordinance as he feels that it is about a lot more than just Town lights. He said that the proposed ordinance will take away an important check and balance and will do great harm to property rights and due process.

Peter Maxwell, 117 Maple Street, said that Wethersfield needs to consider how it is making Town planning decisions and needs to follow the normal approval process of hearings, commission approvals and bond referendum as required by the Charter. Mr. Maxwell said that Wethersfield's current decision making process shows symptoms of being broken and it is time to fix the problem.

Rick Garrey, 35 Harding Street, requested that the Council send the proposed ordinance to referendum to let the voters decide. He said that anyone living near Town-owned property could be affected by the proposed ordinance. Mr. Garrey said that he does not support the proposed ordinance as it is about changing rules and checks and balances which are critical for Wethersfield.

Peter O'Keefe, 7 Clove Hill, commented that there are two sides to every issue and the Council is bound to upset one side or the other with every decision it makes. Mr. O'Keefe thanked the Council for the decision they made last Fall with regard to Cottone Field. He urged the Council to pass the proposed exemption ordinance stating that the ultimate check and balance are the voters who elect the Council to serve and make decisions in the Town's best interest.

Dan O'Connor, 34 Dorchester Road, commented that there are many Towns throughout the State that are looking at Wethersfield as a model with regard to artificial turf. Mr. O'Connor spoke in support of the proposed exemption ordinance stating that the question should be "who do we want to run our Town?". Mr. O'Connor expressed feelings of disapproval for the Wethersfield Taxpayers Association, Inc. Mr. O'Connor stated that he holds his Town leaders accountable and he has the right to choose not to reelect them again if he is not satisfied with them.

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

## GENERAL COMMENTS

Woodrow Warren, 9 Nutmeg Circle, complimented Town Manager Bonnie Therrien in her efforts to recognize individuals and various their concerns. Mr. Warren commented that it is demeaning for the Town to solicit charitable contributions as it lowers the dignity and integrity of the Town. Mr. Warren made disapproving comments referring to the tax assessment of the Wethersfield Country Club and the taxing of the senior population of Wethersfield.

Jim Woodworth, 5 River Road, spoke as President of the Great Meadows Conservation Trust, inviting the public to a forum on April 6 in the Council Chambers at 7:00 p.m. to discuss the possibility of a wildlife refuge in Wethersfield. Mr. Woodworth said that the benefits of a wildlife refuge to the community will be discussed.

Mary Dobruck, 689 Folly Brook Boulevard, reported that dye tests were performed on March 30 and there were no drains or underdrains from Cottone Field discharging into the Folly Brook sewer; however the laterals feeding from the High School are exacerbating the problem. These laterals include that from the concession stand feeding into the Folly Brook sewer and from the clay pipe from the High School feeding into manhole #3 which discharges water into the Folly Brook interceptor. Ms. Dobruck reported that the MDC has developed a solution for her and her neighbors' homes and a written agreement is being worked on. She said that she and her neighbors will still be left with a problem however, and that she will appear at every Council meeting until work on the problem commences and a solution is found. Ms. Dobruck commented on a compressor on the refrigeration unit at the High School cafeteria and suggested that a new, updated system be considered. She, again, requested that the Council create a task force to address inflow and infiltration issues in Wethersfield.

Peter Gardow, 60 Griswold Road, commented that there are vacancies on the Flood and Erosion Control Board and possibly these could be filled and this Board could address Ms. Dobruck's request. Mr. Gardow spoke in opposition to the proposed exemption ordinance. Mr. Gardow, as Chairperson of the Strategic Planning Committee, provided an update of the work of the committee.

George A. Ruhe, 956 Cloverdale Circle, commented on the discussion at the last Council meeting of \$500 additional dollars out of a \$60 million budget being transferred to the Parks and Recreation Department for Memorial Day expenses. He said that he was insensed by the time taken by the Council to discuss the issue and he hopes that all the Veterans in Town observed the obvious lack of respect displayed. Mr. Ruhe commented on an anonymous letter he, Councilor Czernicki, Chairperson Morin, and the Town Manager received this past week.

Robert Young, 20 Coppermill Road, commented that he'd like to see the Council put the issue of the proposed exemption ordinance out to the voters to decide on. Mr. Young commented on the usage of Wethersfield Country Club being classified as a farm. He said that there are certain regulations that must be met with the assessor and information must be provided such as what is being produced on the farm. Mr. Young said that he does not understand how the business of golf can be classified as agriculture and he feels that reports of revenue and expenditures should be made available for public review. He said that the Town should be getting a fair tax out of the property for the fair market value that it actually carries.

Harry Lichtenbaum, 16 Town House Lane, apologized to the Council for his remarks at the last Council meeting when another member of the public was speaking. Mr. Lichtenbaum also commented on statements made by Councilor Czernicki at the last Council meeting. He said that he hopes that all nine Council members have the best interest of Wethersfield as each sees it at heart and vote their conscience without political motivation. Mr. Lichtenbaum said that it is an election year and that campaigning must be left outside of the Council Chambers.

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 Finance Committee met earlier this evening to discuss the possible change to the Blight Ordinance regarding inoperable vehicles. He said that Rae Ann Palmer and Brian O'Connor will be reviewing any of the Committee's questions and the Committee will meet again in a few weeks.

Councilor Cascio reported that the Memorial Day Parade Committee met recently and well underway in obtaining the speaker and Parade Marshal. He announced that the speaker will be Commissioner of Veteran Affairs Linda Schwartz

and of the three Marshals invited, two have responded thus far; those two being Shirley Alderman and Thomas Wraight, both of whom are World War II Veterans. Councilor Cascio said that the theme of the parade is "Honoring Our World War II Vets". He stated that the additional funding granted by the Council at the last meeting will be used to acquire two additional bands costing between \$500 and \$700 each. Councilor Cascio announced that the next meeting is April 25 and the parade date is May 28.

Councilor Hemmann said that she attended the recent Tourism Commission meeting and reported that they continue working hard on applying for matching grant funds and looking at different collaborative projects for these funds. She said that they met with the EDIC regarding marketing assistance and they have yet to designate someone as Chairperson of their Marketing Subcommittee; however they have advertised and some interest has been shown.

Councilor Fortunato reported on the recent meeting of the Shared Services Committee. She said that they reviewed the Board of Education's portion of the audit and the Superintendent gave an update report on redistricting. Councilor Fortunato said that she attended the Library Board meeting and reported that they are in the process of reviewing and bringing forth their budget. She recognized the Library Board's newly established Fund Raising Committee which will meet with local businesses to encourage them to sponsor various Library programs and with several foundations to discuss possible technology funding.

Councilor Montinieri announced that the High School Dance Team competed recently and did extremely well. She reported that the Historical Society continues to work with their consultant on their long-range planning process and they are holding a fund-raising event on April 9. Councilor Montinieri reported that she and Councilor Adil attended the Town Manager's meeting of all the Land Use Committees and an interesting update was provided by the Silas Deane Highway Revitalization Committee. She said that the Council held a special meeting with the Building Committee last week and the Council approved the windows on the east side (Willow Street) of the Webb building.

Councilor Czernicki announced that Wethersfield resident, former Mayor, and former Councilor Tom Wraight was recognized on the Channel 61 News one night last week as their "Special Person". She said that Mr. Wraight was identified as a man of faith and that he delivers meals-on-wheels once per month while he undergoes dialysis three times per week. Councilor Czernicki said that Executive Square House was also featured in the piece.

Councilor Fortunato commented that the Memorial Day Parade issue is a very emotional one and she clarified that the motion made at the last meeting was a recommendation from the Town Manager of \$500 to cover police expenses at the parade, not for additional bands or expenses. She said that she is pleased to hear that the money is being used for additional bands; however that was not the motion made at the last meeting. Councilor Fortunato agreed that \$500 is a small amount of money to raise and she not only has made a donation herself, but has requested others in the community to do the same as she feels that it is important for those who support Veterans to make a donation to the parade. Councilor Fortunato said that in the ten years that she will have served the Wethersfield community, she has attended every Memorial Day Parade and every service at the gravesite and stated that her faith in those who gave for our country should never be questioned or judged.

Councilor Cascio stated that he is happy to see that a speed monitor has finally been set up at the corner of Willow Street and Wells Road and he observed the speeds to be between 40 and 55 mph in this 25 mph school zone. Councilor Cascio stated that the speed limit in this area needs to be enforced by ticketing the speeders on both Wells Road and Prospect Street. Councilor Cascio suggested that the Traffic individual be notified of the problem, especially with the school opening up.

Deputy Mayor Karangekis stated that, although this is a State road, the responsibility of speed limit control falls on the local Police Department. He said that the data in the monitor is printed out and evaluated by the appropriate staff of the Police Department.

Councilor Czernicki asked a technical question about the last Council meeting's motions made, amended and withdrawn regarding the Memorial Day Parade funding request. She asked if an amendment can stand on its own. Town Clerk Dolores Sassano stated that she is not the parliamentarian and that it is the Chairperson's meeting. She said that if it is not called at that time, it can stand on its own since it was amended and a Councilor withdrew his original motion. Councilor Czernicki said that she just wants to make sure that the money gets to the proper place. Town Clerk

Sassano said that since the Councilor withdrew his motion there did not need to be a vote on the amendment and the original motion. Chairperson Morin said that the Council voted to transfer \$1,000 which makes the motion to transfer \$500 moot and as far as he is aware, the Committee can begin to use the \$1,000. Councilor Czernicki asked Chairperson Morin to verify this and he said he will.

Chairperson Morin announced a number of upcoming community events.

### COUNCIL ACTION

Councilor Fortunato moved **"TO APPROVE THE RESOLUTION CONCERNING THE HISTORIC DOCUMENTS PRESERVATION GRANT"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Montinieri moved **"TO SEND THE FOLLOWING QUESTION TO REFERENDUM ON TUESDAY, MAY 24, 2005:**

**'SHALL THE FOLLOWING ORDINANCE BE ADOPTED BY THE TOWN OF WETHERSFIELD?: PURSUANT TO CT GENERAL STATUTES 8-2, MUNICIPAL PROPERTY SHALL BE EXEMPT FROM REGULATIONS PRESCRIBED BY THE PLANNING AND ZONING COMMISSION. NOTWITHSTANDING THIS EXEMPTION, THE TOWN SHALL VOLUNTARILY ADHERE TO REGULATIONS OF THE PLANNING AND ZONING COMMISSION UNLESS THE TOWN COUNCIL DETERMINES, AFTER A PUBLIC HEARING, THAT IT IS IN THE BEST INTEREST OF THE TOWN FOR A SPECIFIC PURPOSE NOT TO ADHERE TO A REGULATION THAT CONFLICTS WITH THAT PURPOSE'"**

, seconded by Councilor Adil.

Councilor Adil said that he is conflicted in that he fully supports the aim of the petition, which he sees as the allowance of lighting on Cottone Field; however, he also sees the opposite side of the question. He said that he'd like to see this pass, yet he does not want to see future Councils abuse the privileges with which they've been entrusted by the community. He said that if abuse should occur, the Council can be voted out or another referendum could come forward to rescind this current action. Councilor Adil stated that it is necessary to bring this to the voters for them to decide.

Councilor Czernicki posted a map in front of her seat and commented that she is pleased to see the proposed ordinance go to referendum as an item of this much importance should be part of the public's domain. She said that although the Council has been elected to represent the people on policy matters, those appointed to bodies generally sit there because they have expertise in a certain field. Councilor Czernicki indicated that the map in front of her indicates parcels of open space and farmland in Wethersfield which numerous Council's have asked about as possibly being land for the Town to acquire and keep as open space. She cautioned that the exemption of municipal property from the set rules and policies says that the Town doesn't have to follow these rules and policies and that the spaces indicated on her map will be exempt from planning and zoning regulations. Councilor Czernicki commented that she strongly feels that this proposed ordinance is an attempt to allow lighting on Cottone Field and she is worried that it indicates a willingness to skirt policies and processes that have been in place for years and have served the Town well. Councilor Czernicki stated that she is concerned about the number of people who spoke this evening doubting the legal system in America. Councilor Czernicki voiced her disappointment that the Town Attorney could not be available at the meeting tonight because of a spending freeze and she questioned how a non-registered voter could be allowed to collect signatures. She asked that the Town Attorney verify what age is appropriate to testify to the validity of signatures on a petition, since a number of high school children circulated the petition. Councilor Czernicki stated that the Town Attorney at one time informed the Council that all decisions for Cottone Field come under the statutory authority of the Board of Education; therefore, Councilor Czernicki asked if the voters exempt the Town from P&Z regulations, does the Board of Education have the final say on lights going up at Cottone Field or does this fall by the wayside.

Councilor Hemmann stated that there were a lot of interesting comments made tonight and she does not support the ordinance and believes it needs to move forward to the citizens for their vote. She said that this creates the potential to

delete other commissions and eliminates the need to move forward to Planning & Zoning which does not afford checks and balances for the Town. She said that the Town needs to be obligated to seek the same permits and permissions as residents in Town are required to do.

Councilor Montinieri stated that good arguments have been heard from both sides and she thinks that it is right to send the ordinance to referendum. She commented on Councilor Czernicki's concern about skirting policies and procedures by saying that Cottone Field has gone through a legal process and that is clearly the will of the community to build the field. Councilor Montinieri quoted the Town Attorney's comments regarding non-voters circulating a petition and the Board of Education's powers. She said that should the referendum pass, she cannot imagine that the State Statutes would change regarding the Board of Education's powers. Councilor Montinieri read from a memo concerning what approval a Town must receive and from whom if it is exempt. The memo states that the Town cannot exempt itself from wetland regulations, the building code, or public safety codes; therefore the Town cannot do whatever it wants with no checks and balances left in place.

Councilor Fortunato commented that Attorney Bradley has addressed the question of the circulators of the petition and that it is more important that those who have signed are registered voters. She said that she supports sending this to the voters as it is important to see what the will of the community is.

Councilor Cascio said that he is glad to see the motion to send this to referendum and he is a firm believer that the Town needs to lead by example by following the rules and processes set forth by the charter. He said that he is a supporter of lights, but he is also a strong supporter of leading by example. Councilor Cascio referred to the warning on the petition and the attestation of the circulator at the bottom of the page which he said relates to Councilor Czernicki's concern about the age of the circulator.

Councilor Czernicki asked who does the attesting on a petition with only one signature when the circulator and the signee are the same person. The Town Clerk said that it is accepted practice to accept the signee and the attestee as the same person. Councilor Czernicki said that she would just like to see these petitions scrutinized as they should be.

Deputy Mayor Karangekis stated that he supports the motion and said that there are similar situations in other Towns which seem to work. He said that individuals may not care for some of the decisions of the Town Council, but the decisions are always made in the best interest of the Town.

Chairperson Morin said that he supports the lights at Cottone Field and stated that when a decision is made there will always be some who like it and some who don't; however, he always does what is in the best interest of the community. Chairperson Morin said that the Council could simply enact the ordinance; however he feels that it is the right of the voters to make the decision. He said that it is convenient that this can be added onto the other referendum question so that there is no added cost to the electorate.

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

#### UNFINISHED BUSINESS

None.

#### OTHER BUSINESS

##### Budget Transfer - Snow Removal

Councilor Adil moved **"TO TRANSFER \$47,058 FROM THE CONTINGENCY ACCOUNT T1910900 5250 TO THE FOLLOWING ACCOUNTS:**

**\$12,058 TO PHYSICAL SERVICES SAND AND SALT ACCOUNT, T1550559 5340**

**\$13,000 TO VEHICLE MAINTENANCE OVERTIME ACCOUNT, T1555 5002; AND**

**\$23,000 TO PHYSICAL SERVICES OVERTIME ACCOUNT, T1550 5002"**

, seconded by Councilor Forrest.

Councilor Czernicki left the meeting at this time (9:30 p.m.).

Councilor Cascio asked for the balance in the contingency fund. Chairperson Morin said that this transfer leaves a balance of \$46,626. Ms. Palmer said that there is currently a liability with diesel fuel as a direct result of snow storms and Physical Services is looking for savings in their own accounts to cover this before any additional money is taken from the contingency fund.

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

Councilor Czernicki returned to the meeting at this time (9:32 p.m.).

Budget Transfer - Registrars of Voters

**Councilor Fortunato moved "TO TRANSFER FROM:**

**FIRE SUPPRESSION ACCOUNT T1430 5225 - \$3,000**  
**FIRE SUPPRESSION ACCOUNT T1430 5270 - \$2,000**  
**TOWN WIDE RADIO SYSTEM ACCOUNT T1068 5270 - \$2,000**  
**TOWN WIDE RADIO SYSTEM ACCOUNT T10685212 - \$370**  
**POLICE ACCOUNT T1420 5420 - \$5,000**

**TO:**

**REGISTRAR OF VOTERS ACCOUNT T1050 5001 - \$10,670**  
**REGISTRAR OF VOTERS ACCOUNT T1050 5225 - \$1,500**  
**REGISTRAR OF VOTERS ACCOUNT T1050 5205 - \$200"**

, seconded by Councilor Montinieri.

Councilor Hemmann asked if the needs of any of the areas from which money is being transferred are impacted by the deduction. Ms. Palmer said that they are not. She said the appropriate Department Heads acknowledged that they have funding left over because of the current Town-wide budget freeze in place.

Councilor Czernicki asked if the anticipated receipt of \$57,000 from FEMA is a firm number and is the funding is definitely coming. Ms. Palmer said that it is an estimated number; however the Town has been reassured of reimbursement for the storm.

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

Management Change for the Town's Pension Fund

**Councilor Adil moved "TO APPROVE THE LIQUIDATION OF THE TOWN'S INVESTMENT IN BLACKROCK AURORA AND TO RE-DEPLOY THE ASSETS TO THE PACIFIC CAPITAL SMALLCAP FUND"**, seconded by Councilor Forrest.

Chairperson Morin introduced the Town's Pension Investment Advisor from Wachovia Securities Tim Sullivan who made himself available for Councilor questions.

Mr. Sullivan explained that this fund was recommended to the Pension Committee in 2000 and \$2.3 was put into the State Street Aurora Fund. He said that the fund has grown over 50% since then bringing the account balance to close to \$3.6 million. He said that earlier this year the State Street organization sold the fund to an organization named Black Rock which has a totally new management group. Mr. Sullivan said that Wachovia does not find the new management group to be very competent and it has been stated that current shareholders and new investors would be better served elsewhere. He said that he approached Wachovia's Mutual Fund Research Department and asked them to advise him as to the best alternative, which is when the Department suggested the Pacific Capital Smallcap account. Mr. Sullivan pointed out that there is no cost incurred in making this transition.

Councilor Adil asked if there are any backend sales loads. Mr. Sullivan said that there is contingent deferred sales

charge which applies if the fund is sold within eighteen months and there is no intention of this happening. He stated that the Town has never paid a sales charge up front nor a back end fee coming out of any mutual fund recommended by Wachovia.

Councilor Cascio asked Mr. Sullivan if Wachovia Securities follows Federal mandates, State mandates, or both. Mr. Sullivan said that Wachovia Securities is the third largest brokerage firm in the country and he is unsure of what Councilor Cascio is asking. Councilor Cascio asked what department the investment will fall under. Mr. Sullivan explained that Wachovia Securities falls under the jurisdiction of the FCC, the NASD, the New York Stock Exchange, and the State Department of Banking, as a highly regulated industry. Councilor Cascio asked if all of the Town's investments are protected. Mr. Sullivan said that they are not protected against loss. He explained that the Town has a current \$58 million portfolio which contains a wide range of securities for diversification purposes and that the compound rate of return since Wachovia took over the fund in 1990 has been approximately 9% which can only be obtained when willing to take certain types of risks. Councilor Cascio asked Mr. Sullivan what the checks and balances are between Wachovia Securities and the Town of Wethersfield. Mr. Sullivan stated that he meets with the Pension Committee four times per year to present a detailed report of the performance of the fund.

All Councilors present, including the Chairperson, voted AYE. Deputy Mayor Karangekis abstained because he is a retiree. The motion passed 8-0-1.

#### Federal Homeland Security Funds for 2005

Deputy Mayor Karangekis moved **"TO APPROVE THE DESIGNATION OF THE CAPITAL REGION COUNCIL OF GOVERNMENTS AS THE ADMINISTRATOR OF THE 2005 U.S. DEPARTMENT OF HOMELAND SECURITY, OFFICE OF DOMESTIC PREPAREDNESS HOMELAND SECURITY GRANT FOR THE TOWN OF WETHERSFIELD AND TO AUTHORIZE THE TOWN MANAGER TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH THE STATE DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY"**, seconded by Councilor Montinieri.

Councilor Hemmann asked if, at the time of the grant application, this was already discussed and authorized to be administered through the Office of Emergency Preparedness. She asked if this motion is to formalize this. Ms. Palmer said that the previous discussion was for 2004 and that this approval is required for 2005.

Deputy Mayor Karangekis said that CRCOG, who maintains the administration of this money, has been used for many years for items dealing with public safety and they do a great job.

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

#### Griswold Road Pavement Rehab Project

Councilor Fortunato moved **"TO AUTHORIZE THE TOWN MANAGER TO REQUEST AUTHORIZATION FROM THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION TO COMPLETE THE FINAL DESIGN FOR THE PAVEMENT REHABILITATION OF GRISWOLD ROAD"**, seconded by Councilor Montinieri.

Chairperson Morin said that a public hearing was held on this issue and that he received one letter in opposition to this project.

Councilor Montinieri said that Dick Lasher has asked in a letter about widening of the Firehouse #2 driveway and she announced that the plans do include this.

Councilor Czernicki asked if there will be any attempt to include the Highland Street to Maple Street area, which is currently in horrendous condition. Ms. Palmer said that the final road list has not yet been completed and she will ask about this area and get back to the Council.

Councilor Montinieri said that she spoke with Town Engineer Mike Turner who plans to recommend extending the

rehabilitation further around the bend of Griswold Road.

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

#### Assistance to Firefighters' Grant

Deputy Mayor Karangekis moved "**TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT, IF AWARDED, A U.S. DEPARTMENT OF HOMELAND SECURITY, OFFICE FOR DOMESTIC PREPAREDNESS, ASSISTANCE TO FIREFIGHTERS GRANT**", seconded by Councilor Hemmann. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

#### BIDS

None.

#### ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

##### RESOLUTION CONCERNING THE ESTABLISHMENT OF A PERMANENT INFLOW AND INFILTRATION STUDY COMMISSION

WHEREAS, there is ample evidence that the issue of inflow and infiltration of water into the public sanitary sewer systems is a significant health and safety problem in the Town of Wethersfield; and

WHEREAS, the public and private oversight of this important issue has been woefully lacking, to the detriment of the quality of life of many of our citizens and to the condition of the town's infrastructure; and

WHEREAS, the ultimate resolution of the issue of inflow and infiltration into the sanitary and storm systems within the Town of Wethersfield is integral to the quality of life of our residents, the desirability of the town for business, and the financial well-being of the town in general; and

WHEREAS, the Town Council acknowledges the importance of this issue and does hereby establish a permanent inflow and infiltration study commission and commits to provide the resources necessary for it to accomplish its goals.

BE IT RESOLVED, that the Town Council does hereby establish an Inflow and Infiltration Study Commission to consist of seven members from the general public - two from the area of each of the three MDC sewer trunk lines and one from the Citizens Advisory Committee for the MDC's Long Term Control Plan. The term of each of these members shall be for a period of three (3) years. In addition, the following three members shall be ex-officio members of such committee, with no right to vote and with indefinite terms - an employee of the Metropolitan District Commission, selected by the MDC, who need not be a resident of the Town of Wethersfield, but shall be familiar with the sanitary and storm sewer systems within the Town; an employee of the Town of Wethersfield in the engineering or public works department, selected by the Town Manager, who need not be a resident of the Town of Wethersfield, but shall be familiar with the sanitary and storm sewer systems within the Town; and a member of the Town Council who shall be appointed by the Mayor to serve as liaison.

BE IT FURTHER RESOLVED, that said Inflow and Infiltration Study Commission shall be established and shall create its own rules and elect its own officers within thirty (30) days of its creation.

BE IT FURTHER RESOLVED, that said Inflow and Infiltration Study Committee shall report on its progress to the Town Council no less often than quarterly and shall provide a written annual report regarding its activities.

BE IT FURTHER RESOLVED, that the Town Council does hereby convey the sense of the Council that it recognizes the importance of the issue of inflow and infiltration and does hereby direct the Town Manager to include in her budget sufficient sums of money for such committee to perform its duties in an efficient and effective manner.

#### MINUTES

Councilor Forrest moved "**TO ACCEPT THE MINUTES OF THE SPECIAL MEETING OF MARCH 21, 2005**", seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. Deputy Mayor Karangekis ABSTAINED. The motion passed 8-0-1.

Councilor Adil moved "**TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF MARCH 21, 2005**", seconded by Councilor Fortunato.

Councilor Cascio amended the minutes to include the complete comments made by Brendan Flynn as recorded on page 17005. Town Clerk Sassano said that the additional comments that he supports going to referendum with the question will be added.

Councilor Czernicki amended the same comments to include Mr. Flynn stating that he also supports the funding of \$1,000 for the Memorial Day Parade.

Chairperson Morin said that he will allow the corrections as noted; however he reminded the Council that the minutes are not recorded verbatim.

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

## **ADJOURNMENT**

At 9:55 p.m., Councilor Adil moved "**TO ADJOURN THE MEETING**" seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano  
Town Clerk