

## **MAY 16, 2005 REGULAR MEETING**

The Wethersfield Town Council held a meeting on May 16, 2005 at 7:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Adil, Cascio, Czernicki, Forrest, Fortunato (7:05), Hemmann, 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 Montinieri.

### **Presentation of Donation to Social and Youth Services - Mayor Morin**

Chairperson Morin introduced Suzanne Arborio, Heather Grant, Paul Montinieri and Social & Youth Services Director Nancy Stilwell. He said that Heather, Suzanne, and Paul are great volunteers in Wethersfield and helped him tremendously last year with the start of the fund-raiser "Russ's Community Chest" to help send Wethersfield children to camp. Chairperson Morin also said that, partnering with UNICO, holiday presents were provided last year for 39 children from seventeen families.

Heather Grant commended Chairperson Morin for his selfless dedication and commitment to the Tournament and all it does for the Town.

Suzanne Arborio announced that, on behalf of the group, she is pleased to present the Town of Wethersfield with a donation of \$4,000 from monies raised by a community effort in the first Mayor's Community Golf Tournament last August at the Wethersfield Country Club. She said that the donation will allow Wethersfield children who would otherwise not be able to afford it, to attend camp this summer. Ms. Arborio said that monies raised from the Tournament also provided Christmas gifts last year to Wethersfield families in need. She spoke of the efforts, enthusiasm, and time commitment to the Tournament offered by Chairperson Morin and his family. Ms. Arborio said that this year's tournament will be held on June 27.

Social & Youth Services Director Nancy Stilwell thanked Chairperson Morin and the committee members for the donation which represents scholarships up to \$200 for twenty children to attend summer camp. She said that statistically significant improvements in positive identity, leadership skills, social skills, thinking skills, and positive values are found in children who attend summer camps. She said that the donation will make a huge difference in the lives of twenty kids and every penny of the donation goes into the scholarship fund. Dr. Stilwell again thanked Chairperson Morin on behalf of herself, her staff and the kids and families who will benefit from the donation.

Chairperson Morin stated that all donations from individuals and the business community were and are greatly appreciated.

### **Certificate of Appreciation - National Volunteer Fire Council - Bonnie Therrien, Town Manager**

John McAuliffe, representing the National Volunteer Fire Council as Director for the State of Connecticut, stated that the Council represents 800,000 volunteer firefighters in the United States and 25,000 in Connecticut. Mr. McAuliffe stated that a study has shown that the volunteer firefighters save \$37.2 billion annually; however recently, unions and cities are enforcing a clause in their contracts which prohibits career firefighters from volunteering. Mr. McAuliffe said that legislation was introduced a couple years ago to preclude this from happening and Town Manager Bonnie Therrien has been very active at the local, state, and national level in helping to push the legislation along. Mr. McAuliffe said that if Wethersfield is forced to go to a career Fire Department, the cost to the Town will be approximately \$5 million per year. Mr. McAuliffe said that the National Volunteer Fire Council recognizes the efforts

of Town Manager Bonnie Therrien to get the legislation through and help all Towns within Connecticut; therefore he presented the Town Manager with a Certificate of Appreciation from the National Volunteer Fire Council for her strong support of America's Volunteer Fire Service.

Town Manager Bonnie Therrien thanked the Council for the time they've allowed her to keep up the fight for this cause. She said that the proposal is ridiculous to prohibit paid firefighters from volunteering.

Councilor Montinieri moved **"TO ADD ITEM B.5.j TO THE AGENDA INTRODUCING A RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE A PSA WITH THE STATE FOR FINANCIAL ASSISTANCE"**, seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

## **PUBLIC COMMENTS**

### HEARING

ORDINANCE AMENDING CHAPTER 87, FOOD SERVICE ESTABLISHMENTS

ORDINANCE AMENDING CHAPTER 119, POOLS, PUBLIC

ORDINANCE AMENDING CHAPTER 75, ENVIRONMENTAL CODE REGULATIONS OF THE TOWN OF WETHERSFIELD, CONNECTICUT

ORDINANCE AMENDING CHAPTER 130, SEWER REGULATIONS OF THE TOWN OF WETHERSFIELD, CONNECTICUT

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

### GENERAL COMMENTS

Tom Fitzpatrick, 40 Whippoorwill Way, spoke of the second referendum question permitting lights higher than fourteen feet at parks and school sights. He said that he is bothered that the proposed ordinance simplifies the issue too much as there are many more implications involved. Mr. Fitzpatrick said that the proposed ordinance exempts all municipal properties, making them no longer subject to planning & zoning regulations should the ordinance pass, and this bothers him. He said that he has concerns about Goodwin Park, which is municipal property, being exempt from regulations. Mr. Fitzpatrick said that it doesn't make sense to pass an ordinance stating that the Town doesn't have to listen to Planning & Zoning, yet they'll still consider their advice on issues. He said it would be better to just not pass the ordinance in the first place. Mr. Fitzpatrick said that there should always be checks and balances in place with every level of government and the proposed ordinance takes away these checks and balances. He said that it is unfair to require that residents and businesses in Town observe planning & zoning issues, but hold the Town to a whole different standard. Mr. Fitzpatrick urged all residents to think twice about passing question #2 on the referendum.

Lori Littman, 165 Catherine Drive, Rocky Hill, spoke as a member of the Rocky Hill Town Council and the Community Relations Committee. She announced that Rocky Hill is planning a celebration of historical value regarding the Rocky Hill/Glastonbury Ferry. Ms. Littman introduced Peter Maxwell, a member of the Committee planning the event, and she extended an invitation to the Wethersfield Council and residents to be part of the celebration. Mr. Maxwell stated that the ferry, founded in 1655, is actually the Wethersfield ferry connecting the two former boroughs of Glastonbury and Rocky Hill. Mr. Maxwell said that the June 11 date of the Ferry Celebration coincides with the opening of the Wethersfield Nature Center as well as the stateside open house of the Connecticut Commission on Culture and Tourism.

Jim Woodworth, 5 River Road, spoke on behalf of the Great Meadows Conservation Trust, stating that his group is hoping to offer a bicycle ride through the Meadows.

Leigh Standish, 278 Hartford Avenue, said that he supports the Ferry celebration and suggested that the Council pass a

resolution in support and recognition of the event. Mr. Standish commented on the potential abuse of power and politicians, a simple Council majority, making politically motivated decisions about Town property and facilities. Mr. Standish does not want to see this happen stating that there needs to be a willingness to play by the rules and an example set. Mr. Standish spoke of a flyer sent to him with a series of distortions regarding the upcoming referendum. He urged voters to consider whether it is worth it to suspend rules for one short-term goal and in the process throw out the rules for all other plays, by voting "no" to referendum question #2. Mr. Standish announced a website, [www.Q2no.org](http://www.Q2no.org) which explains the question #2 referendum item.

Susan Fennelly, 57 Country Club Road, stated that she explained to her Physics class that the Council has wisely decided to send two issues to referendum to let Town voters decide on them and that it was not the Council who initiated question #2.

Marie Moura, 141 Prospect Street, commented on the cutback in the Senior Lunch program, stating that it is very unfair. She said that she is disappointed and finds it hard to believe that the Town of Wethersfield is so broke that they have to cut back Senior programs. Ms. Moura asked the Council to review their decision and possibly make a change.

Paul Courchaine, 481 Main Street, spoke as Treasurer of the Political Action Committee (PAC) called Citizens for Responsible Government, stating that the group is not in favor of referendum question #2. He said that the question has nothing to do with lights on a football field and nothing to do with being anti-children or anti-sports; however some publicity throughout Town has tried to tie these issues together. Mr. Courchaine said that he believes the proposed ordinance to be an example of very bad government and sends a bad message to business owners in Town as to their responsibility to follow regulations, but exempting the Town.

Ken Sokolowski, 29 Main Street, stated that he is also a member of the Citizens for Responsible Government PAC which has a page on its website dedicated to those in favor of the defeat of referendum question #2. He said that the page states that the long-term consequences of the drastic anti-zoning change are damaging to good government, that checks and balances are necessary to prevent Councils from imposing a politically driven agenda on municipal properties, and urges all to vote "no" to referendum question #2. Mr. Sokolowski read a list of residents who logged onto the site as agreeing with the statement on the website.

Mary Dobruck, 689 Folly Brook Boulevard, apologized to the Council for her outburst at the last meeting stating that it was neither the time nor the place to share her opinion of the actions taken. Ms. Dobruck stated that the action taken at the last meeting regarding the resolution concerning the establishment of a permanent Inflow and Infiltration Study Commission was an example of partisan politics in action. She said that she knew what the outcome would be; however the remarks made were unexpected. Ms. Dobruck quoted the Town website's directive for the Flood & Erosion Control Board which does not appear to include sewers. She said that the Council members actually showed little knowledge of the membership of the Committee, the last time they met, and what they discussed; yet were sure that this is the right Committee to accept the responsibility for an inflow and infiltration study. Ms. Dobruck stated that Councilor Adil sat in her kitchen and promised her that he would be proactive and non-political, and she believed him. She said that she believed Chairperson Morin when she spoke with him and he told her that he would do something. She said that the Council had her fooled into believing that they understood her concerns and the importance of the situation, and would place politics aside. Ms. Dobruck said that she was surprised by Councilor Montinieri's question as to how many homes are affected by the sewage; wondering if it's only a few then there is no issue? Ms. Dobruck said that 2,500 homes are in non-compliance, not only the ten that took on sewage. Ms. Dobruck stated that she spoke with the Town Manager who said that she has no problem with the formation of a new committee. Ms. Dobruck reiterated Councilor Fortunato's comment that she doesn't think the Flood & Erosion Control Board has the expertise to tackle the sewage problem. Ms. Dobruck stated that representatives from the MDC listened to the residents' problems, worked with their engineers, found a solution, and is currently resolving the issue. She said that the intention of the new committee was for the good of Wethersfield and to solve a fifty-year-old issue. Ms. Dobruck said that voting "yes" to referendum question #2 gives any sitting Council the right to make everything political rather than making the right decision with respect to Town property, and she urged the Council to make their decisions based on the right thing to do rather than politics.

George A. Ruhe, 956 Cloverdale Circle, stated that the Council majority has been the driving force and a compliant

partner in the most divisive issue existing in Wethersfield in the forty-three years that he has been a resident. He said that the Council has aided and abetted unfair political tactics, distortions of fact, lies, and has not played by the rules. Mr. Ruhe said that members of the Wethersfield Taxpayers Association, Inc. are interested in the Town to a degree that makes him proud to be a part of the group and lies about the group and the referendum have been circulated throughout Town. Mr. Ruhe said that the Council majority, along with Town Manager Bonnie Therrien, is responsible for distorting the facts in terms of voting against the question of grandfathering existing lights.

John Miller, 45 Highland Street, commented that a good Engineering, Planning and Design firm was chosen for the Silas Deane Highway and he suggested that the plans be provided in 40-scale rather than 80-scale. Mr. Miller said that the Town needs to play by the rules and stated that there is a State Statute allowing the Council to act as the Zoning Board of Appeals when necessary. Mr. Miller said that he feels the Coaches are doing their job in trying to get sports fields updated. He said that the Wethersfield Taxpayers Association, Inc. took the Town to court to try to stop the turf and their not stopping the turf through this action could be described as a loss. Mr. Miller suggested that a volunteer member of the Wethersfield Taxpayers Association, Inc. run for election to the Council in order to do their job. Mr. Miller said that adopting the ordinance in referendum question #2 is the right way to go and it is playing by the rules.

Ron Rodd, 88 Westway, asked to yield his five minute comment time to Mr. George Ruhe. Chairperson Morin did not recognize Mr. Rodd's yield saying that Mr. Ruhe has already had his five minutes to speak; however he can certainly speak for five minutes himself. Mr. Rodd said that a precedent was set in February when Chairperson Morin allowed the yielding of time to Ms. Dobruck to make public comments and he takes exception to the fact that tonight Chairperson Morin is going against this precedent. Mr. Rodd said that he has engaged in a lively debate for the last year and a half about an issue as divisive to the community as any that has ever been seen. He said that a "yes" vote on referendum question #2 will be the equivalent of selling Wethersfield out for the purpose of erecting lights to play night games at Cottone Field. Mr. Rodd urged the voters in Wethersfield to think very hard and vote "no" on referendum question #2.

Barbara Ruhe, 79 Main Street, read from George Ruhe's notes stating that the issue is not the turf and not the lights, but rather democracy. The notes stated that the issue is that a petition was presented to the Council and they chose not to let it go to referendum; the issue is the process, not the lights. The notes stated that the explanatory text should state that the proposed ordinance will not affect any existing lights and that they will be grandfathered and that the referendum costing upwards to \$25,000 could have been avoided. The notes stated that being elected to the Town Council does not give members a blank check and doesn't give the ability to ignore residents as citizens, voters, and taxpayers, but rather the ability to listen and take advice. The notes stated that this is not just a Town, a place of business, it is the citizens' home and there may be referendums over and over again until the Council gets the message.

Robert Young, 20 Coppermill Road, stated that he agrees that the Council does not play by the rules and quoted from the Charter regarding the obligatory referendum on bond issues in excess of \$100,000. Mr. Young questioned and finds disturbing how turf was purchased at a cost of \$1.4 million dollars without going through the process of referendum. He said that he doesn't know why the Council isn't following the rules, since they have a fiduciary obligation to follow the Charter. He said that the Town Manager should act as the police person over the Council. Mr. Young stated that the Town Attorney seems to be representing the Council rather than the Town residents and the position should possibly be eliminated. Mr. Young commented on the recently passed budget and said that the mill rate equates to an approximate 8% -9% tax increase. Mr. Young urged the voters to vote "yes" on question #1 of the referendum and "no" to question #2.

Judy Emmick, 88 Westway, commented that she is tired of the gross information coming out on flyers and television shows regarding referendum question #2. Ms. Emmick stated that the existing lights in Town will be grandfathered in, as stated by the Town Manager; therefore she was disappointed that this was not added to the explanatory text. Ms. Emmick clarified that the Westway/Church Street gate closings were initiated by the neighbors and not by sports people, and because of the closings there has been a significant decline in traffic. Ms. Emmick urged voters to vote "yes" on referendum question #1 and "no" on question #2.

Rocco Orsini, 95 Broad Street, spoke on behalf of the Wethersfield Taxpayers Association, Inc. Mr. Orsini commented that the Association followed the Charter to a tee with regard to their petition and when the Council, by

recommendation of the Town Attorney, voted it down, the Association had no recourse other than to file a lawsuit. Mr. Orsini said that the members of the Association are reasonable people and since the turf was already installed, they could see no reason to include it in the referendum question and have it torn up. Instead it was agreed that the referendum question would pertain to the lights. Mr. Orsini said that the issues all come down to money and the Wethersfield Taxpayers Association, Inc. would rather see money spent on text books rather than lights. He said that it is his opinion that if referendum question #2 passes, the Town will be in a downward spiral and property values will plummet. Mr. Orsini said that the passage of question #2 is not fair, will have a negative impact on economic development, and does not provide for checks and balances. Mr. Orsini commented that with the recent budget adoption, taxes in Wethersfield have increased nearly 28% over two years and that some residents have told him that they don't contact Council members to voice their opinions because they feel that it is a waste of time since no one is listening. Mr. Orsini said that the Council needs to change their focus and make the total Town affordable for all.

Jim Clynych, 903 Ridge Road, stated that he will be voting "no" to question #1 and "yes" to question #2. Mr. Clynych said that the Wethersfield Taxpayers Association, Inc. tried to have him removed from the Strategic Planning Committee because he voiced his opinion against them and he thinks this is immoral and despicable. Mr. Clynych voiced his concerns about lighted flags in Wethersfield and commented that members of the Wethersfield Taxpayers Association, Inc. try to intimidate people who don't agree with their opinions.

Dan O'Connor, 34 Dorchester Road, commented that there has been no misinformation regarding the lights. He said that an e-mail is not binding, but a referendum is. Mr. O'Connor said that Chairperson Morin campaigned on something and has stuck to his guns on the topic. He said that the Council is doing a great job and he hears many residents saying "keep going". Mr. O'Connor urged residents to vote "no" on referendum question #1 and "yes" on question #2.

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

### COUNCIL REPORTS & COMMENTS

Councilor Fortunato reported on the meeting of the Shared Services meeting last week. She said that a joint meeting between the Council and the Board of Education is scheduled for June 13 at the Stillman Building and agenda items include an update on Munis, a technology report, and a presentation on the master facilities maintenance report. Councilor Fortunato reported that the Infrastructure Committee met last week and discussion included the composition of the Flood and Erosion Control Board and the opportunity to bring in additional qualified residents due to current vacancies. She said that communication with the Town Attorney and the MDC was also discussed. Town Manager Bonnie Therrien stated that she spoke with Attorney Bradley who requested a few weeks to develop a full report. She said that she has also been in touch with Mr. Moore from the MDC who will also be providing a report of the MDC's work on inflow and infiltration. The Town Manager said that she has been working with Rocky Hill's Town Manager on an ordinance that will be forwarded to the Health Department dealing with inflow and infiltration disconnections.

Councilor Adil reported that the EDIC met on May 12 and there was a large crowd in attendance. Councilor Adil said that the loan program is ready to go and advertising needs to be developed to notify residents. He said that the Silas Deane Revitalization Committee unanimously endorsed a firm to design a comprehensive landscaping plan and there will be some tightening up of the contract language. Councilor Adil said that the Marketing & Communications group discussed their plans which include a planners meeting on May 25. He said that this meeting will include a tour of Old Wethersfield to showcase what Wethersfield has to offer. Also discussed was the State of the Town meeting and the positive reactions involved, and the Chamber of Commerce annual meeting on May 18.

Councilor Cascio commented that the Annual State of the Town meeting on May 5 was very positive and well attended by State Senators, State Representatives, and Town Council members. He said that the meeting is an opportunity for the Town to be updated and is open to the community at large, especially Town businesses. Councilor Cascio announced that the Chamber of Commerce will hold its annual meeting on May 18 and will be celebrating 40 years as a Chamber recognizing many award recipients. He announced that this year's Town Employee Awards will be presented to Town Manager Bonnie Therrien and Town Planner Peter Gillespie, and the Teacher of the Year Award will be presented to Charles Wright School second grade teacher Barbara Hughes Granato. Councilor Cascio

announced that the Volunteer of the Year Award will be presented to Paul Courchaine, the Public Safety Award will be presented to Lt. Kevin Dillon, the Beautification Award will be presented to D'Esopo's Bereavement/Life Tribute Center, the Business of the Year is Village Pizza, and the Chamber Member of the Year is Jeanne Kelly from the Capitol Region Federal Credit Union. Councilor Cascio welcomed all to attend the event on May 18 at 5:30 at the Wethersfield Country Club. Councilor Cascio reminded everyone that the Memorial Day Parade will take place on May 28 beginning at 9:00 from the DMV.

Councilor Forrest commented that the Council does follow the Town Charter with due diligence to make the most appropriate steps. Councilor Forrest stated that the public needs to be aware of the difference between a special appropriation and a general appropriation to know that the Council clearly followed the Charter. Councilor Forrest stated that he has read and re-read the explanatory text of referendum question #1 and still cannot find where it says that the lights will be grandfathered in. He said that because of this, he felt obligated at the last Council meeting to vote "no" to the explanatory text, and not allow a grandfather clause in the explanatory text. Councilor Forrest said that the current lighting situation takes on a bit of risk in this Town.

Councilor Fortunato commented on Substitute Bill No. 6338 regarding transportation for elders and persons with disabilities, saying that she spent the weekend facilitating a planning process for one of the State's disability organizations and that transportation and this issue came out at the top of their priorities. Councilor Fortunato suggested that the Council send a letter to State Representatives imploring their support on the Bill in order to free up money so that transportation funds are available to Wethersfield and other municipalities. Chairperson Morin stated that there is consensus with the Council that this is a strong idea.

Councilor Czernicki asked the Town Manager to explain the reduction in services in the CRT lunch program. Town Manager Bonnie Therrien explained that the Social Services budget reflects a four-day-per-week program rather than five days and said that she can obtain an amount to include a fifth day. Councilor Czernicki said that she does not recall this reduction being discussed and decided upon during budget deliberations. She said that she would not have approved the cut of one day of meals. Councilor Czernicki said that she has heard that referendum question information went out to children who registered for Richie Soccer League and asked the Town Manager to verify whether the information was produced and/or disseminated by Richie Soccer League. Town Manager Bonnie Therrien said that this is the first she has heard about this and she will check it out. Councilor Czernicki asked if Richie Soccer League receives any funding or in-kind services from the Town and the Town Manager said that she does not know, but will find out. Councilor Czernicki asked if the Town prepares the fields for the League and was told that we do. Councilor Czernicki said that this would be considered an in-kind service and asked if the League is allowed to use rooms at the Community Center or schools at a reduced cost. Town Manager Bonnie Therrien said that they probably do use a room at the Community Center, but she is unsure about the schools. Councilor Czernicki said that this would also be considered an in-kind service. Councilor Czernicki asked if the coaches paid by the Town of Wethersfield prepared and disseminated information having to do with the referendum questions. Town Manager Bonnie Therrien said that she does not know, but will find out. Councilor Czernicki asked the Town Manager if the answer to any of the questions is "yes", to check where the Town stands with the State Elections Committee and if there have been any violations. Town Manager Bonnie Therrien said that she will find out. Councilor Czernicki referred to Ms. Emmick's comments stating that the Town Manager was, at one point, under the impression that the lights that exist would be grandfathered. Councilor Czernicki stated that she is personally distressed that this was not information that the Town Manager provided the Council with at the last meeting. Councilor Czernicki said that she specifically asked that this information be a part of the explanatory text of referendum question #1 and the Town Manager gave examples that years from now, because it wasn't part of the settlement in writing, there could possibly be questions raised. Councilor Czernicki asked the Town Manager when and why she changed her mind about the grandfathering language. Town Manager Bonnie Therrien said that, as a part of the settlement, it was asked to grandfather the lighting, and the Wethersfield Taxpayers Association, Inc. said that they would grandfather, but the wording of the ordinance can be interpreted in a number of ways and could present lighting issues in the future. Councilor Czernicki said that there has been a breakdown in communication, since back in March the Town Manager thought that lights were grandfathered and then suddenly when the explanatory text was written, the grandfathering should not have been included. Councilor Czernicki stated that she does not think that anyone in Town does not want flags to fly and that it would be wonderful to have the flagpole at Nott Street lighted. She asked the Town Manager if the illumination of a flag pole would be disallowed by the proposed ordinance and the Town Manager said that it would be should anyone complain about the

lighting. The Town Manager said that because of the way the ordinance is written, anyone can push the issue and challenge lighting throughout Town, even though the Wethersfield Taxpayers Association, Inc. agreement is that everything is grandfathered. Councilor Czernicki commented on Ms. Fennelly's comments regarding the discussion that ensued in her Physics class, saying that Ms. Fennelly holds a position on a political Town committee and, although she admires her desire to have conversation with school students about Town issues, there is a very fine line when someone is in a position in a specific political party and a classroom forum is used to disseminate information. Councilor Czernicki asked the Town Manager to provide information on how far people can take an issue when they have known political affiliations.

Councilor Montinieri commented that she is extremely proud of the Council's work on the adopted budget. She said that the Manager's proposed budget provided an increase of 8.79% and after many hours and weeks of work, the Council reduced this amount to 7.51%. She said that there are no furloughs or layoffs, and the budget responsibly reflects a commitment to education, infrastructure, capital improvement, and economic development. Councilor Montinieri stated that she does not have a huge investment in the lights at Cottone Field and made the following comments with that in mind. She said that some people are concerned that referendum question #2 exempts all municipal property rather than a specific municipal properties or a specific regulation. Councilor Montinieri read from a report stating that the State Statute does not appear to allow Towns to pick and choose which municipal property to exempt from the zoning regulations, nor does it appear to allow Towns to pick and choose a zoning regulation from which to exempt municipal property. Councilor Montinieri stated that there will still be checks and balances since the exemption under Section 8-2 of the Connecticut State Statutes applies only to the zoning regulations and does not automatically extend to inland wetlands regulations, the building code, and health & safety codes, which will still apply should referendum question #2 pass. Councilor Montinieri listed five Towns in Connecticut who have exempted themselves; however two of the Towns still submit proposed Town projects to the Planning & Zoning Commission for review and comment. Councilor Montinieri stated that the majority on the Council is not the driving force behind this issue. She said that a group in favor of the lights and turf initiated the petition and the Council had the choice to adopt the petition or send the issue to referendum. Councilor Montinieri read Attorney Bradley's opinion which clarifies why the Council did not adopt the Wethersfield Taxpayers Association, Inc. petition. She stated that because the Association, Inc. was purporting to invade the Board of Education's jurisdiction over school property, the Council felt that the petition was invalid.

Chairperson Morin responded to Councilor Czernicki's comments regarding Ms. Fennelly and some coaches, stating that there didn't seem to be a problem a few years ago when the Chairperson of the Republican Town Committee was hired with his firm to represent Wethersfield as Town Attorney. Chairperson Morin said that this same person also serves the Town on the Planning & Zoning Commission and has helped to craft some language on many issues that affect the Town. Chairperson Morin said that Councilors should be careful when making comments such as Councilor Czernicki's. Chairperson Morin proceeded to announce a number of upcoming community events and announced that explanatory text for the May 24 referendum will be mailed to residents within the next few days. Regarding the negotiations on the issue, Chairperson Morin said that the Town did not run to anyone to make a decision, but rather the Judge asked if there could be a settlement and those in attendance know the facts. Chairperson Morin announced that the June 6 meeting will be held at the Stillman Building and subsequent meetings will be held at the Silas Deane Middle School.

## **COUNCIL ACTION**

Councilor Czernicki moved **"TO ACCEPT THE RESIGNATION OF PETER E. GARDOW FROM THE CONSERVATION COMMISSION, RONALD WHITEHEAD FROM THE EMERGENCY MEDICAL COMMITTEE, AND STEVEN F. CLARK FROM THE ZONING BOARD OF APPEALS"**, seconded by Councilor Cascio. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO ACCEPT THE RESIGNATIONS OF SCHALEEN J. CONNELLY, HELGA DUPONT, AND DAVID WELCH FROM THE YOUTH ADVISORY BOARD"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Town Manager Bonnie Therrien explained that the following fee increases were approved by the Health Board and

that the monies collected do not go to the Town, but rather to the Health District.

Councilor Forrest moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 87, FOOD SERVICE ESTABLISHMENTS"**, seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Forrest moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 119, POOLS, PUBLIC"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 75, ENVIRONMENTAL CODE REGULATIONS"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Montinieri moved **"TO APROVE THE ORDINANCE AMENDING CHAPTER 130, SEWER REGULATIONS"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

## **UNFINISHED BUSINESS**

## **OTHER BUSINESS**

### Budget Transfer - \$8,200 - Police Computer Account

Deputy Mayor Karangekis moved **"TO TRANSFER \$8,200 FROM FUND BALANCE TO THE POLICE DEPARTMENT ACCOUNT T1420 5412"**, seconded by Councilor Montinieri.

Town Manager Bonnie Therrien explained that this is money received from the State for the upgrading of the COLLECT computers in the dispatch center. She said that the State money goes into fund balance and the Council needs to transfer it into the correct account.

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

### Budget Transfer - Human Resources - \$7,000

Councilor Montinieri moved **"TO TRANSFER \$7,000 FROM CONTINGENCY ACCOUNT T1910900 5250; \$3,500 TO THE HUMAN SERVICES RECRUITMENT ACCOUNT T1024200 5215 AND \$3,500 TO THE HUMAN SERVICES LABOR RELATIONS ACCOUNT T1024200 5247"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

### Selection of Firm - Engineering, Planning and Design - Silas Deane - STEAP Money

Councilor Adil moved **"TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE AND SIGN A CONTRACT WITH FUSS & O'NEILL, INC. TO PROVIDE ENGINEERING, PLANNING AND DESIGN SERVICES FOR THE SILAS DEANE HIGHWAY UTILIZING STEAP FUNDS AND TO NEGOTIATE AND SIGN A COST SHARING AGREEMENT WITH THE TOWN OF ROCKY HILL"**, seconded by Councilor Forrest.

Town Manager Bonnie Therrien explained that as a part of the STEAP money received, the Town would like to hire a firm to help with planning and design services for the revitalization project. She said that the Silas Deane Highway Advisory Committee and the EDIC have both voted to recommend Fuss & O'Neill. She said that she will be meeting with Rocky Hill's Town Manager to develop a specific contract.

Councilor Adil verified that the cost associated will be split between the two Towns. Town Manager Bonnie Therrien said that Wethersfield has three miles and Rocky Hill has one mile and the split will be made accordingly.

Councilor Czernicki asked if Mr. Miller's comment on the size of the plans needs to be considered for review when developing the contract. Town Manager Bonnie Therrien said that she has made a note of this and the change can be made after the Council accepts the motion this evening. Councilor Czernicki said that the Town has a long history with the Fuss & O'Neill firm and they have served the Town well. She said that she is happy to see that they have been chosen.

Chairperson Morin said that he is happy to see this move forward and it provides a great opportunity for Wethersfield to work with a neighboring community. He said that he appreciates the work of the Silas Deane Highway Advisory Committee and the EDIC.

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

#### Budget Transfer - \$3,010 - Mosquito Larviciding

Deputy Mayor Karangekis moved "**TO TRANSFER \$3,010 FROM CONTINGENCY ACCOUNT T1910900 5250 TO THE PHYSICAL SERVICES ACCOUNT T1550514 5335**", seconded by Councilor Montinieri. All Councilors present, including the Chairperson, voted AYE. Councilor Adil and Councilor Forrest voted NAY. The motion passed 7-2-0.

Budget Transfer - \$3,000 - Explanatory Text for May 24, 2005 Referendum

Councilor Fortunato moved "**TO TRANSFER \$3,000 FROM POLICE CONSULTING FEES ACCOUNT T1420 5220 TO THE TOWN COUNCIL EXTERNAL COPYING ACCOUNT T1010 123 5205**", seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. Councilor Czernicki voted NAY. The motion passed 8-1-0.

## **BIDS**

### Automotive and Truck Parts

Councilor Forrest moved "**TO AWARD THE BID FOR AUTO AND TRUCK PARTS TO THE LOWEST RESPONSIBLE BIDDERS, COLUMBIA FORD, GENUINE AUTO PARTS, ACME AUTO, AND MANNY'S AUTO SUPPLY**", seconded by Councilor Adil.

Town Manager Bonnie Therrien said that the bid award is made to a group because the purchasing depends on the part needed.

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

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

### RESOLUTION FOR USE OF PROGRAM INCOME GENERATED FROM THE SMALL CITIES PROGRAM

**WHEREAS**, The Town of Wethersfield has received funds under the Connecticut Small Cities Community Development Block Grant (CDBG) Program, administered by the State of Connecticut, Department of Housing, pursuant to Title I of the Housing and Community development Act of 1974 as amended; and

**WHEREAS**, The Town of Wethersfield has expended those funds pursuant to Title I of the Housing and Community Development Act of 1974, the Code of Federal Regulations and the Assistance Agreement, and,

**WHEREAS**, Those funds received by the Town of Wethersfield have generated Program Income from the activity.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WETHERSFIELD:**

1. That it is cognizant of the conditions for use of Program Income as prescribed by the Code of Federal Regulations 24 Parts 570.503 (b), 57.506 and 570.512, and Circular No. A-102 Attachment E.
2. That it realizes Program Income is governed by Title One of the Housing and Community Development Act of 1974.
3. That it will use Program Income to fund the same activities which generated the Program Income and that Program Income will carry the same benefit and be used in the same manner as claimed in the original application for CDBG funds in accordance with its Program Income Plan.

ORDINANCE AMENDING CHAPTER 63, BUILDING CONSTRUCTION - SCHEDULE OF FEES, PART A

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 63 is hereby amended as set forth below:

CHAPTER 63  
Building Construction

§ 63-3. Schedule of fees. [Amended 6-7-1993]

A. Fees for permits for construction, alteration, removal, demolition, moving, erection of signs and any other work done in connection with or concurrently with the work contemplated by the building permit shall be ~~twenty-five dollars (\$25.)~~ **thirty dollars (\$30)** for the first one thousand dollars (\$1,000.) or less of estimated value of work for which the permit is issued and ~~fifteen dollars (\$15.)~~ **sixteen dollars (\$16)** for each additional one thousand dollars (\$1,000.) of estimated value of work or any fraction thereof.

ORDINANCE AMENDING CHAPTER 96, INLAND WETLANDS AND WATERCOURSES - PART 2, CITATION PROCEDURES AND FINES FOR VIOLATION, APPENDIX D

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 96 is hereby amended as set forth below:

CHAPTER 96  
Inland Wetlands

APPENDIX D

Town of Wethersfield  
Application Fee Schedule

<b>Application Description</b>	<b>Fee</b>
Declaratory rulings, exemption	No fee
Summary ruling, permit	<del>\$50</del> <b>\$75</b>
Plenary ruling, permit	\$125
IW map or regulation change, permit	\$125
State impact fee	\$10
IW regulations - purchase copy	\$10
IW map - purchase copy	<del>\$5</del> <b>\$7.50</b>

ORDINANCE AMENDING CHAPTER 116, PEDDLING AND SOLICITING - 116-3, APPLICATION FEES, PART B

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 116 is hereby amended as set forth below:

CHAPTER 116

Peddling and Soliciting

B. Fees. The license fees shall be as follows: ~~twenty-five dollars (\$25.)~~ **one hundred dollars (\$100)** per year for each person licensed, ~~provided that he uses a vehicle; otherwise ten dollars (\$10.)~~ per year. Each helper or assistant to the person licensed must himself procure a license. "Year" means the fiscal year ending June 30 of each year or any part thereof. [Amended 6-18-1990]

ORDINANCE AMENDING CHAPTER 139, STREET AND SIDEWALKS, ARTICLE III, EXCAVATIONS 139-18, LICENSING AND INSURANCE PROVISIONS

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 139 is hereby amended as set forth below:

CHAPTER 139

Streets and Sidewalks

D. Before a license is granted, the applicant must file with the Engineering Division a surety bond in the sum of not less than \$10,000 made on a form provided for that purpose. Said surety bond may be cash or written by an indemnity or surety company authorized to transact business in Connecticut and approved by the Town Manager or his agent. Excavator's licenses are not transferable. Before any permit shall be issued to open or excavate any street in the Town, the applicant shall pay to the Town Engineer a permit fee in the amount of ~~\$35~~ **forty dollars (\$40)** to cover the cost of inspection and other incidental services in connection therewith. Any work performed without obtaining the necessary permits and licenses as prescribed in this article shall result in a doubling of the fees as contained in this section. Permits shall be valid for a period of 30 days. If the estimated value of the work exceeds \$10,000 in the opinion of the Town Engineer, he may require the contractor make application for multiple permits for the various components of the work. The Town Engineer or his designated representative may at any time cancel or suspend permits for just cause. [Amended 6-18-1990; 10-15-2001]

ORDINANCE AMENDING CHAPTER 143, SUBDIVISION OF LAND, ARTICLE III, PROCEDURES AND PLAN REQUIREMENTS, 143-21, APPLICATION FEE

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 143 is hereby amended as set forth below:

CHAPTER 143

Subdivision of Land

§ 143-21. Application fee.

The fee for each application shall be ~~fifty dollars (\$50.)~~ **one hundred dollars (\$100)** or ~~ten dollars (\$10.)~~ **fifty dollars (\$50)** per lot, whichever sum is greater.

ORDINANCE AMENDING CHAPTER 160, VEHICLES, INOPERABLE OR ABANDONED, 160-7 PERMIT FEES

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 167 is hereby amended as set forth below:

CHAPTER 160

Vehicles, Inoperable or Abandoned

§ 160-7. Permit fees.

The Chief Building Official shall collect a fee of ~~five dollars (\$5.)~~ **twenty-five dollars (\$25)** at the time of issuance of such permit for storage of an inoperable vehicle or renewal thereof.

ORDINANCE AMENDING CHAPTER 167, ZONING ARTICLE XXXI, 167-138 APPLICATION PROCEDURES

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 167 is hereby amended as set forth below:

CHAPTER 167

Zoning

B. If the commission finds that a proposed activity is significant, the Commission shall hold a public hearing on the application and shall give notice in accordance with § 167-18B. In order to afford proper review of a proposed activity, the applicant shall provide such information as the Commission may require, including but not limited to the following:

(8) A filing fee of ~~one hundred dollars (\$100.)~~ **two hundred dollars (\$200)** for nonresidential projects and twenty-five dollars (\$25.) per dwelling unit for multifamily residential projects, but not to exceed one thousand dollars (\$1,000.). [Amended 3-20-1990]

ORDINANCE AMENDING CHAPTER 167, ZONING ARTICLE XXXI, 167-166 - CERTIFICATE OF OCCUPANCY D

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 167 is hereby amended as set forth below:

CHAPTER 167-166

Zoning

§ 167-166. Certificate of Occupancy

D. A fee of thirty dollars (\$30) shall be charged for each certificate of occupancy issued for a single-family home. A fee of ~~fifty dollars (\$50)~~ **seventy dollars (\$70)** per certificate shall be charged for all other certificates of occupancy issued. [Amended 7-23-1991; 6-7-1993; 7-20-1993]

ORDINANCE AMENDING CHAPTER 167, ZONING ARTICLE XXXI, 167-171 - PROCEDURES; FEES B

**BE IT ORDAINED**, that the Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 167 is hereby amended as set forth below:

CHAPTER 167-171

Zoning

§ 167-171. Procedures; fees.

B. Except as herein provided, a fee of ~~one hundred dollars (\$100.)~~ **one hundred twenty-five dollars (\$125)** shall be charged for each application to the Zoning Board of Appeals and must be paid at the time the application is made at the office of the Chief Building and Zoning Official of the Town of Wethersfield. [Amended 3-20-1990]

RESOLUTION FOR CONNECTICUT SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Economic and Community Development pursuant to Public Law 93-383, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Economic and Community Development is authorized to disburse such Federal monies to local

municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Wethersfield make application to the State for \$400,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL;

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and,
2. That the filing of an application by the Town of Wethersfield in an amount not to exceed \$400,000 is hereby approved, and that the Town Manager is hereby authorized and directed to file such application with the Commissioner of the Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, recessions, and revisions thereto, to implement project activities, if approved, and to act as the authorized representative of the Town.

## MINUTES

Councilor Forrest moved **"TO ACCEPT THE MINUTES OF THE SPECIAL MEETING OF MARCH 29, 2005"**, seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. Deputy Mayor Karangekis ABSTAINED. The motion passed 8-0-1.

Councilor Fortunato moved **"TO ACCEPT THE MINUTES OF THE BUDGET HEARING OF APRIL 11, 2005"**, seconded by Councilor Forrest.

All Councilors present, including the Chairperson, voted AYE. Councilor Hemmann ABSTAINED. The motion passed 8-0-1.

Councilor Forrest moved **"TO ACCEPT THE MINUTES OF THE BUDGET HEARING OF APRIL 26, 2005"**, seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. Councilor Czernicki and Councilor Hemmann ABSTAINED. The motion passed 7-0-2.

Councilor Montinieri moved **"TO ACCEPT THE MINUTES OF THE SPECIAL BUDGET WORKSHOP OF APRIL 27, 2005"**, seconded by Councilor Fortunato. All Councilors present voted AYE. Councilor Hemmann and Chairperson Morin ABSTAINED. The motion passed 7-0-2.

Councilor Adil moved **"TO ACCEPT THE MINUTES OF THE SPECIAL BUDGET WORKSHOP OF APRIL 28, 2005"**, seconded by Councilor Montinieri.

Councilor Hemmann corrected page 17101 to read Mr. "O'Connor" rather than Mr. O'Brien.

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

Councilor Montinieri moved **"TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF MAY 2, 2005"**, seconded by Councilor Fortunato.

Councilor Hemmann corrected her comments on page 17115 to read that "the issue is more widespread than just Wethersfield".

All Councilors present, including the Chairperson, voted AYE. Councilor Cascio ABSTAINED. The motion passed 8-0-1.

Councilor Fortunato moved **"TO ACCEPT THE MINUTES OF THE BUDGET MEETING OF MAY 4, 2005"**,

seconded by Councilor Forrest.

Councilor Montinieri changed her comment on page 17132 to read that a study was "proposed" rather than conducted.

All Councilors present, including the Chairperson, voted AYE. Councilor Cascio ABSTAINED. The motion passed 8-0-1.

## **ADJOURNMENT**

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

Dolores G. Sassano  
Town Clerk

*Approved by vote of Council 6/6/05*