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## **REGULAR MEETING MAY 5, 2003**

The Wethersfield Town Council held a meeting on May 5, 2003 at 7:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Cascio, Fitzpatrick, Flynn, Gardow, Hemmann, Morin, Sassano (8:35), Deputy Mayor O'Connor and Chairperson Czernicki.

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 Cascio.

**PROCLAMATION:** Salute to Seniors

Chairperson Czernicki read the proclamation stating that Salute to Seniors week will be celebrated in Wethersfield during the week of May 5. The five top essay writing students from the Silas Deane Middle School 7th Grade were in attendance to read their essays about a special senior citizen who has made a difference in their lives. Maryanne Shinn, Home School Liaison at the Silas Deane Middle School, explained that this is an opportunity to build bridges of understanding between students and seniors. It is also a time to show honor and appreciation to seniors for their wisdom and contributions to their families and to our Town. Intergenerational chairperson Joanne Huffman introduced the students and congratulated them for their wonderfully written essays. The students who read their essays were Emily Davis, Kalika Depreaux, Robbie Durgin, Taylor Lanzafama, and John Ball.

**PRESENTATION:** St. Patrick's Day Parade Awards

Four senior members of the Wethersfield High School Band accepted a trophy for the Small Town High School Band presented by former Fire Chief John McAuliffe. The band members present were Dan Cloonan, drum major; Sally Hayes, flute section leader; Tyler Horan, trumpet section leader; and Nick Cappellini, drum section leader. A second trophy was presented to Chairperson Czernicki and it represents all the participants from the Town who took part in the parade.

Councilor Cascio moved "**TO REMOVE ITEM C.2.j FROM THE TABLE**", seconded by Councilor Morin. All Councilors present, including the Chairperson, voted AYE. The motion passed 8-0-0.

### PUBLIC COMMENTS

### HEARINGS

Resolution Establishing A Charter Revision Commission

Ordinance Amending Chapter 139 Streets and Sidewalks Regulations of the Town of Wethersfield, Connecticut

Resolution Authorizing the Town Manager to Enter into a Lease Agreement with Wethersfield Community Television, Inc.

Ordinance Amending Chapter 122 Property Maintenance Code of the Town of Wethersfield

Ordinance Amending Chapter 75, Environmental Code

Ordinance Amending Chapter 87, Food Service Establishments

Ordinance Amending Chapter 119, Pool, Public

Ordinance Amending Chapter 130, Sewers

Edward Kardas, 850 Cloverdale Circle, addressed the Charter Revision Commission Resolution. The current Charter says that the Charter Commission will be no fewer than five and no more than fifteen electors with not more than 1/3 holding any other public office and not more than a bare majority shall be a member of any political party. He suggests that rather than a minimum of five that we go with the maximum of fifteen. Also, he'd like to include a non-voting member to help enhance the process. This would provide a cross-sectional representation with a variety of perspectives that fifteen, rather than five, is likely to bring. It will allow us to tie together gender, age, occupation and political affiliation. We may even want to hire someone who would provide guidance and enhance the process and get the community involved.

Matt Forrest, 202 Clearfield Road, supports the resolution creating a Charter Revision Commission. He referred to section 909 of the Wethersfield Charter which states that we must appoint a Charter Revision Commission every ten years. This ten year date will occur on July 12, 2003. This gives us six weeks to develop such a committee. This Charter is very important to our democracy.

Richard Garrey, 35 Harding Street, President of Wethersfield Television, spoke on behalf of the Board of Directors. He said that Wethersfield TV appreciates the Town allowing them to use the Olsen House as their headquarters. The lease will help to solidify the relationship between Wethersfield TV and the Town. Mr. Garry understands that the resolution may be tabled due to beetle infestation at the current Wethersfield TV site detected by Mr. Hart, Physical Services Director. The infestation at the building is inactive. The Olsen House is a great, old, historic building and Mr. Garrey would like to see resident, expert renovators take a look at the building and offer their suggestions. He would like to see the Council approve the resolution for the lease agreement.

John Miller, 375 Pine Lane, warned the Council to be careful with this ordinance. The language of the ordinance looks like an Attorney writing a hold-harmless agreement by putting the burden on the property owners. If there is to be litigation, Mr. Miller believes that the property owners should be held harmless and let the Town be sued. Before this ordinance is adopted, the Council needs to find out if the Town's insurance premium drops, and does the property owner's insurance premium increase. Mr. Miller commented that he often got calls that junk was dumped on his property and had to clean it up. The limits of the ordinance are far excessive of what is necessary. Five feet off the street or five feet off the property line is fine. Also many subdivisions have been put in and the sewer laterals would not apply.

Robbins Barstow, 190 Stillwold Drive, supports the resolution for the lease agreement with Wethersfield Community Television. This will formalize the relationship between Wethersfield TV and the Town. The leadership of Wethersfield TV has never been in better hands than it is today with Rick Garrey, Ed Zambrello, and Mary Beth Maluccio. They are being honored this week by the Chamber of Commerce as volunteers of the year. Wethersfield TV is a model of what public access television in a community of this size should be.

Arthur Knacht, 374 Main Street, said that two years ago a group of Wethersfield residents met and said that the current property maintenance code is not effectively managing and curing blighted properties. The number of blighted properties is increasing at that time. The group included Mr. Knacht, Paul Courchaine, Jack Logan, Leigh Kuckro, Andy Adil, and Paul Meade. Mr. Knacht thanked Councilor Morin, Councilor Cascio, and Deputy Mayor O'Connor for introducing and endorsing this ordinance to improve the property maintenance code. He also thanked Town Attorney Richard Roberts and his predecessor Jack Bradley as well as Paul Hutcheon, Town Health Department Director for pulling all of this together. This ordinance is an important step toward a better looking Town.

Andy Adil, 944 Ridge Road, added to Mr. Knacht's comments. He said that former Councilor John O'Brien started the talk about this ordinance and it has evolved into what we see before us tonight. It is a very worthwhile and overdue change to the maintenance code and it brings us in line with the towns around us.

Robert Young, 20 Coppermill Road, said that he is in favor of seeing a commission created for Charter revision. He agrees with Mr. Kardas' idea of a broad-ranged group. Mr. Young also supports the formal agreement lease with Wethersfield TV. He thinks that the Town should maintain its current status and carry the liability on sidewalks. If the Town didn't require sidewalks, the landowner would not have to deal with people walking on them and people would be walking in the streets. In the event of a law suit, the Town is more "tuned in" to the situation than a land owner is.

Jim Derrico, 63 Middletown Avenue, is opposed to the sidewalk ordinance. Directing the liability away from the Town and toward the homeowner will have drastic results when it comes to premiums for homeowners insurance. The Town is better able to handle claims than the homeowner.

Rocco Orsini, 95 Broad Street, spoke on behalf of the Wethersfield Taxpayers Association, Inc. He thanked Council for introducing the ordinances. He also thanked Town Manager Bonnie Therrien for providing information explaining the ordinances. The Wethersfield Taxpayers Association, Inc. supports the blight ordinance. It spurs economic development and attracts new families and businesses to Town. The Wethersfield Taxpayers Association, Inc. wonders why farms are excluded. Farms should be addressed as well. The Wethersfield Taxpayers Association, Inc. does not understand the sidewalk ordinance. The wording is very complex. He suggests that Council looks hard at this ordinance and check if there is a cost increase to the homeowner or a cost savings to the Town. The Town should not put any more pressure on the homeowner. Mr. Orsini said that it is time for a Charter Revision Commission. The Wethersfield Taxpayers Association, Inc. recommends that the time of the public hearing be changed to 7:00 p.m. and also to come up with a contract summary once each year. The Wethersfield Taxpayers Association, Inc. would like to see some new faces on the committee, not political appointments. They want a well balanced team including business owners. We need this Charter Revision Commission to bring this Town into the 21st century. The Wethersfield Taxpayers Association, Inc. would like to see productivity, speed to completion, simple processes and more delegation of authority.

George Ruhe, 956 Cloverdale Circle, supports the Charter Revision Commission resolution and also the property maintenance ordinance. He agrees with the comments of Robbins Barstow and Rich Garrey regarding the Wethersfield TV lease agreement. He suggests that great attention be paid to the lease details.

#### GENERAL COMMENTS

John Miller, 375 Pine Lane, commented on the drainage at Springdale Road. He understands that the lots were sold because the building of Detention Basin 5 would not have any effect on the drainage problems. We have an idea now of what would be done as an alternative. We need to get a survey of what is in this area. We shouldn't be guessing numbers.

Richard Benfield, 27 Warner Place, commented on the construction at Middletown Avenue. Plans for the construction were drawn up in 2001. Work began in the Fall of 2002 and much of the work has been delayed because of the early onset of Winter. Most of the work has been done in the Spring of 2003. Trees and shrubbery have been cleared and the whole area has been devastated. Mr. Benfield is shocked because the plans shown during the Inland Wetlands procedures have not been followed. He is upset because there is a large amount of granite rubble being poured where there is to be turf. He is unsure how to proceed from here and suggests that Council speak to the Inlands Wetlands Commission to address the following:

- Why the original plan was not followed? - why was turf not established?
- Have the conditions of wetland remediation been met? - will the granite retain moisture as well as grass will?
- Council talks about fiscal responsibility and \$25,000 of rip-rap has been put in
- The environmental effects of the work - there are no arboreal species planted and what fauna are expected to return to this area?
- Aesthetic considerations
- What remediation measure may be taken now?

Chairperson Czernicki informed Mr. Benfield that the Army Corps of Engineers and the State Department of Environmental Protection also approved the original plans. Reports will need to come from these two bodies as well.

Councilor Sassano arrived at the meeting at this time (8:35).

Carol Atwood, 24 Warner Place, said that she is the third generation in her house and because of the construction in the area she would actually like to move. She said she can't open her windows and now there are no trees secluding them from the Silas Deane Highway. She hopes the town does something about this situation.

Jim Derrico, 63 Middletown Avenue, is impacted by the construction as well. He suggests that Council members take a ride to the area and look at what has been done. He describes the area as sterile and institutional; like a moonscape. It is a mess. The plans changed considerably from their origin. The area is an eyesore and is not representative of the beautiful Town of Wethersfield.

Councilor Morin said that the first thing that needs to be considered before confronting the DEP and Army Corps of Engineers is if there have been any change orders issued. The Inland Wetlands Commission would have immediate jurisdiction over the project. Wetlands officers should be working with the Town staff. If the plans aren't being followed, the officers should be able to give a report of why the changes have been made.

Town Manager Bonnie Therrien will make sure to get a full report to each Council member. She needs to be informed of what plans were approved. She will provide the Council with information.

Deputy Mayor O'Connor asked Ms. Therrien to check into the fence along Spring Street. The proposed plan called for a wood fence and the fence installed is metal. How was this changed?

Mr. Benfield said that the residents have noticed changes during the process.

Greg Curtain, 115 Center Street, spoke on behalf of the Wethersfield Public Library Board of Directors. He distributed the new Library brochures which will give patrons information on what's new in the Library and how to use library resources. He explained that our Library does its best to get the most for their money. The Wethersfield Library's budget averages out to approximately \$41 per resident. This provides residents with access to all best sellers, 150 magazines and over 4,000 videos and DVD's. Also, the Library has a tremendous response to public internet computers. "Libraries will get you through times of no money better than money will get you through times of no libraries".

Paul Courchaine, 482 Main Street, commented on the visual appearances of the entrances into Wethersfield. At Exit 26, the granite does not look attractive. A beautiful, grassy slope is much nicer. The Town controls this and needs to do something about this issue.

Arthur Nacht, 374 Main Street, regrets not being able to attend the April 28 budget hearing at Wethersfield High School. He is in favor of the practical suggestions proposed by the Wethersfield Taxpayers Association, Inc. which include the consolidation of overlapping services. We need to focus on the grand list and its compound annual growth rate of 1% over the last ten years. He suggests that the Council adopt a tax abatement program for new construction and that it take the form of a tax holiday. This means that when a person buys an existing building and wants to tear it down and build new, they have to pay the taxes as if the old building were standing. The tax holiday is granted for a period of years provided the business stays in Town. This could provide incentive for some of the outdated buildings in Town to be torn down and replaced with new buildings. Secondly, Mr. Nacht suggests moving the Post Office to the Silas Deane Highway. A good looking, nicely landscaped Post Office on the Highway could improve the image of the Town, contribute to the sense of a Town center, and it might encourage commercial development on neighboring properties. Next, Mr. Nacht hopes that the Council will adopt the blight ordinance. This would certainly help economic development by improving the visual appearance of the Town. Mr. Nacht requests that the Council call members of the Planning & Zoning Commission and ask them when they are finally going to pass a meaningful design review ordinance for our Town so that we have better looking buildings on the Highway. He also asks the Council to start burying utilities along the Highway. It will add to the attractiveness of the Highway. He recommends that the Town appropriate money to plant trees along the entire length of the Silas Deane Highway. This could be done at a relatively low cost to improve the appearance of the Highway. The Town Planner position should be filled as soon as possible. The Town Planner must be dedicated to economic development. To send a meaningful message to property commercial developers about the quality of this Town, don't send him to the prior Town Planners office. The office is

an embarrassment. The office needs to be and has to be updated. Mr. Nacht said that the Town Planner and Town Manager need to identify properties on the Highway that might be attractive to a top-quality hotel. Lastly, Mr. Nacht said that top quality schools are the most important thing that Wethersfield can make. It is more than 50% of the Town's budget. It is the factor by which most people base their decision to move to this Town. "Good enough" is not good enough. We cannot keep cutting the Board of Education Budget. We must increase the Budget if we are to have quality schools that attract people to our Town.

Julie Montinieri, 43 Amato Circle, addressed the Board of Education Budget. She reminded Council that despite the bleak economic outlook we are facing, the students in our schools are not going away. Enrollment is increasing and we have an obligation to meet the academic needs of every child in Wethersfield. She urged the Council to leave the Education Budget at \$34.8 million with its 6% increase over last year. Teachers, technology and textbooks are three important issues that need to be kept as-is in the budget.

Rita Dikegoros, 16 Bay Roc Road, urged the Council to support the proposed Education Budget as it stands. We should strive to be the best. We can't just try to be "good enough".

Robert Young, 20 Coppermill Road, spoke of the condition of Wethersfield's grand list. The Town needs to get its costs under control. Consolidation is key to controlling and saving money. Dial-A-Ride is out of control and economic development in Wethersfield is dead. We need to further investigate vouchers for schools. Binding arbitration laws have caused a lot of problems and needs to be looked at.

Patti Silva, 24 Hillcrest Avenue, stated that she does not want the Education Budget to be decreased in any way. There is no fat left in the budget. We cannot cut basic services for the children.

Richard Garrey, 35 Harding Street, spoke about ripraps. The riprap slows water down and also the erosion into the woods. The granite stops the water rush. He does not understand why we need ripraps near the Olson House. Ripraps collect a lot of garbage and you cannot mow near it. This becomes a safety hazard. If there is any engineering way to replace these ripraps, Mr. Garrey recommends it.

Rocco Orsini, 95 Broad Street, spoke on behalf of the Wethersfield Taxpayers Association, Inc. He said that the Wethersfield Taxpayers Association, Inc.'s plan is to follow the 3 1/2% roadmap. If this roadmap is followed, there would be a 1% increase next year. Mr. Orsini said that the Wethersfield Taxpayers Association, Inc. does not support summer hours. We need to have consistent Town facility hours. Mr. Orsini read from a memo from John Williams stating that the summer hours have worked extremely well in the past for both the Town and the men. Mr. Orsini would like to know the benefits to both the Town and the men. The summer hours run too long. Regarding the Greater Hartford Transit District bus service, Mr. Orsini suggests that the Town Manager go out for an RFP. He suggests that the Director of Finance be in charge of a study of the benefits, drawbacks and costs of the service. He needs to look at what our competitors are doing. A recommendation needs to be brought to Council as to what we should do based on this study.

George Ruhe, 956 Cloverdale Circle, spoke of the problem of flooding on Springdale. He urged Council to very carefully compare the costs of the project. Also, Mr. Ruhe spoke of the per-pupil cost and how it relates to the Budget. He thinks the number represents total costs divided by total students. He suggests that we look at the actual direct labor student-related costs divided by the total students.

## COUNCIL ACTION

### ORDINANCES, RESOLUTIONS AND APPOINTMENTS FOR ACTION

Councilor Flynn moved "**TO APPROVE THE RESOLUTION ESTABLISHING A CHARTER REVISION COMMISSION**", seconded by Councilor Morin.

Deputy Mayor O'Connor supports Charter revision but has a problem with the process with which the resolution was introduced. This was introduced with a press release to the Hartford Courant. The Town Manager was not consulted, nor was the Town Attorney or the Council. Charter reform affects everyone in this Town and you don't just stuff it

down people's throats. Town Manager Bonnie Therrien should have been consulted. This resolution smells of politics and is disrespectful to the current Council members. Deputy Mayor O'Connor is not comfortable with moving forward with this resolution. We need to follow the correct process.

Deputy Mayor O'Connor moved **"TO TABLE THE RESOLUTION ESTABLISHING A CHARTER REVISION COMMISSION"**, seconded by Councilor Gardow. Councilors Cascio, Fitzpatrick, Gardow, Hemmann, O'Connor and Chairperson Czernicki voted AYE. Councilors Flynn, Morin and Sassano voted NAY. The motion passed 6-3-0.

Councilor Fitzpatrick moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 139 STREETS AND SIDEWALKS REGULATIONS OF THE TOWN OF WETHERSFIELD, CONNECTICUT"**, seconded by Councilor Gardow.

Councilor Cascio stated that Town Manager Bonnie Therrien has suggested that the ordinance be referred to the Public Safety Committee and/or the Traffic/Transportation Committee. He asked that the Town Manager share her thoughts with the Council.

Town Manager Bonnie Therrien said that it would also be a good idea to have the Town Attorney review this ordinance and offer his input.

Councilor Flynn opposes referral of this ordinance to any committee. This ordinance is a bad idea. It transfers the cost of liability defense from the Town to home owners. It increases the risks that home owners' insurance policies must cover. It is difficult to build sidewalks in Wethersfield and this ordinance would erect yet another barrier to sidewalk construction.

Councilor Morin suspects that this ordinance is not a good idea. Members of the public have brought forward to him many concerns. Mainly, this ordinance can affect the homeowners' insurance premiums. If it needs to be sent to committee, this is fine if it is to clarify information in the ordinance. As it stands, Councilor Morin does not support the ordinance.

Deputy Mayor O'Connor agrees with both Councilor Flynn and Councilor Morin and he would also like some clarification on the ordinance.

Deputy Mayor O'Connor moved **"TO REFER THE ORDINANCE AMENDING CHAPTER 139 STREETS AND SIDEWALKS REGULATIONS OF THE TOWN OF WETHERSFIELD, CONNECTICUT TO THE TRAFFIC & TRANSPORTATION COMMITTEE"**, seconded by Councilor Cascio.

Councilor Sassano supports sending the ordinance to Traffic & Transportation but does not believe that it will do much good or change anything. What is being proposed is changing the liability as it currently stands from the Town and places it squarely on the backs of the taxpayers. Wethersfield does not have many lawsuits concerning incidents on the sidewalks. We already require taxpayers to pay for installation and maintenance of sidewalks; we do not need to add this burden to them as well.

Chairperson Czernicki asked Town Manager Bonnie Therrien if she is familiar with the background of the ordinance.

Town Manager Bonnie Therrien said that the Town Attorney has recommended that the Council take a hard look at changing this ordinance. There have been a number of lawsuits with substantial payments.

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

Councilor Gardow moved **"TO APPROVE THE RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A LEASE AGREEMENT WITH WETHERSFIELD COMMUNITY TELEVISION, INC."**, seconded by Councilor Cascio.

Councilor Sassano said that Town Manager Bonnie Therrien has suggested tabling this resolution until she can provide further information to the Council. There is apparently some sort of insect infestation and the Town Manager is

recommending that a structural engineer inspect the building to be sure that it is sound before we sign a lease with Wethersfield Community Television, Inc.

Councilor Gardow said that he is the liaison to Channel 14 and has seen that the building needs work. He agrees with Mr. Garrey that information from an expert who deals with old buildings is very important.

Councilor Cascio asked if the information required could be available for the next meeting of May 19. Town Manager Bonnie Therrien said that it would be available by then.

Councilor Sassano moved **"TO TABLE THE RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A LEASE AGREEMENT WITH WETHERSFIELD COMMUNITY TELEVISION, INC. UNTIL FURTHER INFORMATION IS PROVIDED AT THE MAY 19 COUNCIL MEETING"**, seconded by Councilor Morin. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Deputy Mayor O'Connor moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 122 PROPERTY MAINTENANCE CODE OF THE TOWN OF WETHERSFIELD"**, seconded by Councilor Cascio.

Deputy Mayor O'Connor thanked all members of the Committee who took part in the bi-partisan decision to amend the Property Maintenance Code.

Councilor Morin said that this is not an ordinance that will have everything for everyone. The process of amending the Code was not simple and was a good effort by the Committee. The Committee went with what would be legally binding. He thanked all who worked on the process.

Councilor Hemmann thanked the Committee and members of the public and Town staff who work hard on the ordinance.

Councilor Cascio said that the ordinance is a great step forward for the Town of Wethersfield. It should not be viewed as a threat to property owners who have minor defects in their homes and properties; however it allows Town Officials to force owners of abandoned and derelict properties to bring them into compliance and become accountable as homeowners or commercial vendors in Town.

Councilor Sassano recalled that from the beginning, this was a very controversial topic. He is happy to see that a consensus has been reached and that we have a Maintenance Code that gives us the forcible authority to make things right. He recommends strongly that this be publicized. A brochure should be created that contains the wording of the new Code. Property owners would then know the wording and can comply.

Councilor Cascio said that these concerns have been brought forward and as liaison to the Wethersfield Chamber of Commerce he said that they are willing to be a part of the instrumentation of communication of this ordinance. Another vehicle would be to contact local realtors to provide brochures when property is sold or rented.

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

Councilor Cascio moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 75, ENVIRONMENTAL CODE"**, seconded by Councilor Morin.

Councilor Flynn left the meeting at this time (9:45 p.m.)

Councilor Sassano asked Mr. Hutcheon if these are necessary housekeeping updates of the environmental regulations or if they are something more. Paul Hutcheon, Director of Health, said that the proposed amendments to the ordinances are primarily to reflect an increase in the fees.

Councilor Gardow asked Mr. Hutcheon how we compare with other municipalities by raising these fees. Mr. Hutcheon conducted a survey with other municipal health departments and we are on par with them. Many are higher than the fees that we are proposing.

Deputy Mayor O'Connor left the meeting at this time (9:47 p.m.).

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilor Hemmann moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 87, FOOD SERVICE ESTABLISHMENTS"**, seconded by Councilor Fitzpatrick.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilor Sassano moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 119, POOL PUBLIC"**, seconded by Councilor Fitzpatrick.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilor Hemmann moved **"TO APPROVE THE ORDINANCE AMENDING CHAPTER 130, SEWERS"**, seconded by Councilor Cascio.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilor Sassano moved **"TO APPROVE THE APPOINTMENT OF ANDREW PARKER TO THE CAPITAL REGION WORKFORCE DEVELOPMENT BOARD"**, seconded by Councilor Cascio.

Town Manager Bonnie Therrien explained that Mr. Andrew Parker has been Wethersfield's representative to the Capital Region Workforce Development Board. The Board is adding additional communities onto the Workforce Board and would like the Wethersfield Council to either put Mr. Parker back on the Board or make another appointment.

Councilor Cascio asked Town Manager Bonnie Therrien to invite Mr. Parker to a Council meeting at some point so that Council members could meet him.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilors Flynn and O'Connor returned to the meeting at this time (9:49 p.m.).

Councilor Gardow moved **"TO APPROVE THE APPOINTMENT OF DAVID B. JOHNSTON TO THE ZONING BOARD OF APPEALS ALTERNATE FOR THE TERM OF 5-5-03 TO 6-30-04"**, seconded by Councilor Hemmann. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

#### UNFINISHED BUSINESS

##### Request for Use of Funds from the Katharine Smith Trust Fund (tabled from April 21, 2003 meeting)

Councilor Morin moved **"TO APPROVE THE REQUEST FOR USE OF \$600 FROM THE KATHARINE SMITH TRUST FUND TO THE BEAUTIFICATION COMMITTEE FOR SPONSORSHIP OF FLORAL CONTAINERS ON THE BROAD STREET GREEN"**, seconded by Councilor Flynn.

Town Manager Bonnie Therrien reported that the Beautification Committee derives an average cost for upkeep of the containers on the Green. Materials involved include the floral plantings, fertilizer, mulch, minerals, repairs and possibly even a replacement container. The cost does actually add up to nearly the \$50 fee required by sponsors. She recommends that the Council approve the request of \$600.

Councilor Cascio asked if each container in Town has a sponsor.

Kathy Bagley, Director of Recreation & Parks, said that the twelve containers on the Green are sponsored by the Katharine Smith Trust Fund. Others in Town are also sponsored.

Councilor Hemmann asked if in terms of the Trust Fund, that for the future, more permanent trees or shrubbery could be planted. This could be a more effective way to maintain the Trust rather than spending money on the containers each year.

Councilor Sassano asked how much interest this Trust Fund earns on a yearly basis. If it earns more than \$600 per year than the interest alone is paying for these containers on the Green. Ms. Bagley reported that the total Trust is \$21,500. She does not know what it is earning this year. Councilor Sassano said we need to do more than buy plants that will die each year. He agrees with Councilor Hemmann that other options should be pursued.

Deputy Mayor O'Connor reiterated his concern that any leftover money is not returned to the Trust Fund, but is retained by the Beautification Committee to use in other areas of Town. The Trust Fund is for the Green only. He disagrees with the fact that the money that Katharine Smith has bequeathed to the Green could be spent elsewhere. It sends a bad message to others willing to make other such bequeaths. He supports the request; however he thinks that any extra money should go back into the Katharine Smith Trust Fund, not the Beautification fund.

Chairperson Czernicki asked if each of the sponsors of the other containers around Town are notified each year to renew their sponsorship. Ms. Bagley said that \$50 is collected by the Beautification Committee for each container in Town each year. Chairperson Czernicki said that as long as every other container is sponsored by the \$50 donation, that there would be no need to use any of the Katharine Smith Trust Fund donation on these. Chairperson Czernicki said that she believes that the spirit of the Trust is being breached.

Councilors Cascio, Fitzpatrick, Flynn, Gardow, Hemmann, Morin, and Sassano voted AYE. Chairperson Czernicki and Deputy Mayor O'Connor voted NAY. The motion passed 7-2-0.

## OTHER BUSINESS

### Summer Work Hours - Town Hall & Physical Services

Councilor Cascio moved "**TO REFER THE SUMMER WORK HOURS TO THE PERSONNEL COMMITTEE**", seconded by Deputy Mayor O'Connor. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

### Mosquito Control Program

Town Manager Bonnie Therrien said that in the past the Town has put the donuts into the catch basins for a cost of \$4,400. There is a more extensive program costing \$25,600. Nothing is budgeted for either program in either this year's or next year's Budget. If Council wishes to go with any type of program, they must make a motion to take the funds from the Contingency Budget.

Deputy Mayor O'Connor moved "**TO TAKE \$25,600 FROM THE CONTINGENCY FUND FOR MOSQUITO CONTROL**", seconded by Councilor Fitzpatrick.

Deputy Mayor O'Connor stated that mosquito control is a public safety and health issue. During Budget sessions, Mr. Hutcheon stated that the most thorough plan would be the whole plan presented here for \$25,600.

Councilor Sassano asked how much is currently available in the Contingency Fund. Town Manager Bonnie Therrien said that the current amount is \$250,000.

Councilor Flynn asked Town Manager Bonnie Therrien if she has an estimate of how much would be needed to balance out the various budget accounts. Town Manager Bonnie Therrien said that there would still be approximately \$150,000 remaining.

Councilor Morin said that mosquito control is a good idea; however he doesn't want anyone to falsely assume that this action is all-protecting. It is the best we can do considering all the factors of mosquito breeding. He suggested to Mr. Hutcheon that information and notice be given to residents so that those who may be sensitive to chemicals can take

the proper precautions.

Mr. Hutcheon said that Integrated Mosquito Control submitted a quote of \$25,600 and a representative from the company, Mr. Kurt Ehrhart, is available tonight for any questions. Mr. Hutcheon urged Council to keep in mind that Wethersfield has never really approached mosquito control to the degree that this program will provide. He hopes that Integrated Mosquito Control will provide the Town with a report on the success of the program.

Councilor Morin said that it will be interesting to see what extra work will be performed for the additional \$21,000. Mr. Hutcheon said that this program does not include the catch basins. They would be additional. Hundreds of acres in Wethersfield of mosquito larvae will be treated by this program.

Councilor Hemmann asked if the reporting by Integrated Mosquito Control is included in the fee.

Mr. Ehrhart stated that there are many tools used in the area of mosquito control. IMC has surveyed Wethersfield and prepared a map representing 1,200 acres in Town. Mosquito season has already started. Being so close to the Connecticut River, Wethersfield has flood plain mosquitos. Wetland habitats throughout Wethersfield will be surveyed and treated with very vigilant larvaeciding. IMC uses biorational products which are not actually classified as "chemical". Chemical products are used when adulticiding. IMC goes after mosquitos in their source in the water. Adulticide spraying is kept at a minimum.

Councilor Cascio is glad to see that the community has already been surveyed. He asked if the \$25,600 will encompass the entire community. Mr. Ehrhart said that the \$25,600 is inclusive of a spray event for the Town Fair on the Green if need be. Ideally, this will not be necessary because of the larviciding already performed.

Mr. Hutcheon said that the program covers the entire Town by treatments performed on Town-owned parcels and open space.

Councilor Cascio asked when the treatment is scheduled to begin. Mr. Ehrhart said that treatment would begin within one week.

Councilor Sassano asked if there is any environmental impact due to the larviciding process. Mr. Ehrhart said that the product used has been around since the 1940's. It was developed by the Navy and is a spore. The spore is introduced into the water column and interacts with the mosquito gut which is extremely alkaline. The spore only affects other animals with alkaline guts similar to the mosquito which includes black flies and deer flies. It does not affect mammals, other aquatic animals, or the phytoplankton. Councilor Sassano asked if there is any evidence that this year will be tough as far as mosquitos go. Mr. Ehrhart said that this will be considered a heavy year. Water levels are very high this year. Councilor Sassano asked Town Manager Bonnie Therrien to state her concerns about going with the more expensive program.

Town Manager Bonnie Therrien said that there is not a lot of information as to the success of the program provided by towns around the area who have undertaken this expensive treatment program. With the budget constraints, she feels that it would be better to go with the less expensive program at this point.

Councilor Gardow asked if this program is something that would require going out to bid. Town Manager Bonnie Therrien said that there would need to be a bidding process, unless Council wishes to waive the bid. She said that we would not be required to go out to bid for the \$4,400 program. The Health Department would provide the pouches for the catch basins and the Town would supply the labor to put them in.

Mr. Hutcheon said that the services provided by IMC could be downgraded if the Council so chooses; however the larger the treated area, the greater the success rate.

Councilor Cascio asked how many companies do this type of work. Mr. Ehrhart said that there are currently fourteen companies.

Deputy Mayor O'Connor asked how much of the \$25,600 is spent on reporting. Mr. Ehrhart said that IMC is required

by law to provide reporting. Detailed reports are provided by each site. IMC is the only company of the fourteen licensed that provides such detail. Mr. Ehrhart said that \$22,400 is what is actually necessary for the larvaeciding and surveillance. The additional \$3,200 is for contingency spraying. The paperwork is a very minimal expense.

Councilor Hemmann said that there has been an increased incident of dead birds in the Reservoir area over the last year. West Nile Virus affected many horses. She verified that the given price does not include the catch basins.

Councilor Morin said that we have a few choices. Council would need to waive the bidding process if they choose to go with the more expensive process provided by IMC. Council could go with the \$4,400 treatment process. Or Council could go out to bid and do it very quickly. He isn't sure that he has enough information to justify the expenditures.

Councilor Gardow said that there was a meeting last year before the Festival and that the decision was made to adulticide.

Deputy Mayor O'Connor said that he'd rather err on the side of caution. Waiting is probably not in the Town's best interest. He doesn't necessarily want to waive a bid; however, he does not want to wait another month to do something. West Nile Virus has been identified in birds in Wethersfield and he would like to make a motion to waive the bid.

Councilor Fitzpatrick said that because of the amount of snow we got last winter, this will be a very bad mosquito season according to the Agricultural Station in New Haven. The season is also fast approaching. We need to move forward.

Councilors Cascio, Fitzpatrick, Flynn, Gardow, Hemmann, Morin, O'Connor and Chairperson Czernicki voted AYE. Councilor Sassano voted NAY. The motion passed 8-1-0.

Councilor Fitzpatrick moved "**TO WAIVE THE BID PROCESS FOR MOSQUITO CONTROL AND TRANSFER \$25,600 FOR INTEGRATED MOSQUITO CONTROL FROM THE CONTINGENCY FUND**", seconded by Councilor Flynn. Councilors Cascio, Fitzpatrick, Flynn, Gardow, Hemmann, Morin, O'Connor and Chairperson Czernicki voted AYE. Councilor Sassano voted NAY. The motion passed 8-1-0.

### Greater Hartford Bus Services

Chairperson Czernicki asked that Social & Youth Services Director Nancy Stillwell provide information to the Council.

Dr. Stillwell said that both Art Hanman, Executive Director of Greater Hartford Transit and Pat Williams, Customer Service Representative are in attendance tonight to provide additional information if necessary. Dr. Stillwell and Town Manager Bonnie Therrien spoke last week by conference call with Mr. Hanman to inform him of the budget cap of \$150,000-\$170,000 set by Council at the Budget hearing. Mr. Hanman said that he could provide us an hourly rate of \$31 per hour and we could use the number of available service hours per our budget as we wish. We would not be able to maintain the number of hours that we are currently using. The following alternative plans were devised by Dr. Stillwell and Town Manager Bonnie Therrien. Eliminating one day per week would eliminate the number of service hours per week. Friday is the day proposed to be eliminated with the exception of transportation to the Community Center for the Senior Caf  and the scheduled grocery trips that run on Fridays. Secondly, the practice of limiting out-of-Town non-medical trips to Tuesday and Thursday would be continued. Thirdly, the hours on Monday - Thursday would be reduced from 8:00-5:00 to 8:00-4:00. Finally, the geographic areas would be limited to Wethersfield, Rocky Hill, Newington and Hartford, which would eliminate service to West Hartford, East Hartford, Glastonbury and the John Dempsey Hospital.

Councilor Fitzpatrick said that operating on an hourly rate restricts our control of the program. He suggests looking at other services where we can get a fixed cost. There is no guarantee that the recommendations suggested by Dr. Stillwell will even work.

Town Manager Bonnie Therrien said that she checked with other communities in the area to combine services. Rocky

Hill is not willing to combine. Newington is willing to look at the option, but they cannot guarantee it.

Councilor Flynn moved **"TO AUTHORIZE THE TOWN MANAGER TO PREPARE A REQUEST FOR PROPOSALS TO SOLICIT BIDS FOR SENIOR TRANSPORTATION"**, seconded by Councilor Hemmann.

Councilor Flynn said that this is a very vital program for many Wethersfield residents. The present situation with the Greater Hartford Transit District is out of control.

Councilor Gardow did some math and came up with a cost at \$31/hour of \$64,000 per year for one bus and \$128,000 per year for two busses. If the Greater Hartford Transit District's accounting doesn't work this way, he fully supports going out to bid. Dr. Stillwell said that GHTD has more than two busses working for us at any given time. Councilor Gardow asked if we could limit service to two busses.

Mr. Hanman said that fifty busses are available throughout the region and are available on a per trip basis. Councilor Gardow's system could work if residents were not allowed to travel out of Town. He encourages Council to include all costs when considering in-house transportation.

Chairperson Czernicki asked Dr. Stillwell if when we go out for the RFP, would the outline of the service presented tonight be what we are indicating that we want? This would be a change in our service level. She asked why Friday was chosen as the day of no service. Dr. Stillwell said that was an arbitrary day chosen and that it could be changed.

Deputy Mayor O'Connor clarified the comment made by Mr. Hanman when he said "I work for you and you tell me what you want us to do". Deputy Mayor O'Connor repeated that we want the same level of service for \$150,000 - \$170,000. By not complying, Mr. Hanman is contradicting his own statement.

Councilor Hemmann asked Mr. Hanman if there have been any other communities who have expressed interested in becoming involved again with the GHTD? Mr. Hanman said that there have been no requests.

Councilor Cascio clarified that in going out for the RFP, the services would be limited to what was presented tonight by Dr. Stillwell.

Town Manager Bonnie Therrien said that there could be alternates between best case and worst case.

Councilor Sassano said that before we throw Dial-A-Ride out completely, we should consider the reductions that Dr. Stillwell has proposed. He agrees with Town Manager Bonnie Therrien that this should be referred to Major Contracts.

Councilor Fitzpatrick said that Major Contracts did spend several meetings going through some of the alternatives and came up with a package of ideas that were thought to greatly impact the monthly costs. They had some impact, but unfortunately not enough.

Councilor Sassano would like Major Contracts to look at the current four recommendations as well as data provided by Dr. Stillwell as to the impact of the changes.

Dr. Stillwell said that it is hard to predict usage patterns by eliminating one day. The usage could be spread across the other four days or it could reduce the usage. We could guess, but it is very hard to make projections.

Councilor Sassano said that is heavy-handed to eliminate the service without making an attempt to modify it. We need to try to find ways to make the system go.

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

Councilor Sassano moved **"TO REFER THE SPECIFIC DETAILS OF THE BID TO MAJOR CONTRACTS"**, seconded by Councilor Flynn. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Drainage - Ridge Crest Circle

Councilor Flynn moved **"TO REFER THE DRAINAGE AT RIDGE CREST CIRCLE TO THE DRAINAGE COMMITTEE"**, seconded by Deputy Mayor O'Connor. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Drainage - Springdale

Councilor Flynn moved **"TO REFER THE DRAINAGE AT SPRINGDALE TO THE DRAINAGE COMMITTEE"**, seconded by Deputy Mayor O'Connor.

Chairperson Czernicki said that she would like a survey of the current systems to be included.

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

BIDS

Councilor O'Connor moved **"TO APPROVE THE CHANGE ORDER FOR SDMS ROOF REPLACEMENT IN THE AMOUNT OF \$10,400"**, seconded by Councilor Cascio. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Flynn moved **"TO APPROVE THE APPOINTMENT OF AN INDEPENDENT AUDITOR IN THE AMOUNT OF \$31,950"**, seconded by Councilor Fitzpatrick. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Flynn moved **"TO APPROVE THE SMALL CITIES REHAB - 43 KENWOOD ROAD IN THE AMOUNT OF \$18,640"**, seconded by Deputy Mayor O'Connor. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Hemmann moved **"TO APPROVE THE SMALL CITIES REHAB - 219 FOREST DRIVE IN THE AMOUNT OF \$21,980"**, seconded by Councilor Flynn. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Gardow moved **"TO APPROVE THE SMALL CITIES REHAB - 18 MEGGAT PARK IN THE AMOUNT OF \$16,500"**, seconded by Councilor Flynn. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

**RESOLUTION REGARDING CONSOLIDATION OF SERVICES**

WHEREAS, the rising costs of municipal and educational services is a subject of continuing concern for the residents of Wethersfield; and

WHEREAS, the burden on Wethersfield's taxpayers is exacerbated by continuing reductions in State financial support for municipalities; and

WHEREAS, the Town Council ("Council") and Board of Education ("Board") of the Town of Wethersfield wish to ensure that Wethersfield residents continue to have access to vital services and that Wethersfield's children continue to benefit from our nationally-recognized educational system, while keeping Wethersfield an affordable community in which to live; and

WHEREAS, the Board and the Council recognize that, by eliminating duplication of municipal and educational operations, it may be possible to ease the burden on taxpayers while maintaining essential services;

NOW THEREFORE BE IT RESOLVED, THAT the Council directs the Town Manager to undertake, in cooperation with the Superintendent of Schools, a comprehensive analysis of municipal and educational departments, operations,

personnel and functions in the Town of Wethersfield; and

BE IT FURTHER RESOLVED, THAT the purpose of such analysis shall be: 1) to identify areas of duplication between educational and municipal operations, 2) to examine alternative approaches and more cost-effective means for providing essential services, and 3) to make specific recommendations to the Board and the Council for implementation of such recommendations; and

BE IT FURTHER RESOLVED, THAT such recommendations take into account the need to maintain appropriate service levels, as well as existing collective bargaining agreements, and relevant professional licensing and certification requirements; and

BE IT FURTHER RESOLVED THAT, at the earliest possible opportunity, the Town Manager communicate the findings of such analysis, and the resulting recommendations, to the Council for consideration and appropriate action.

Purpose: To direct the Town Manager to work with the Superintendent of Schools to identify and prepare recommendations for the elimination of duplication of services and costs between municipal and educational departments.

### **RESOLUTION TO REVISE STATE BINDING ARBITRATION LAWS**

WHEREAS, Connecticut Taxpayers currently pay the highest taxes in the Nation and are burdened with the highest bonded debt, and

WHEREAS, The State of Connecticut is facing a \$2 billion budget deficit over two fiscal years, and

WHEREAS, State lawmakers plan to reduce state aid to municipalities in an effort to lower the deficit, and

WHEREAS, the majority of the 169 towns and cities throughout the State of Connecticut rely upon State aid to balance their local budgets, and

WHEREAS, a reduction in State municipal aid by the State legislature would have a deleterious affect upon local property taxpayers, and

WHEREAS, on average, seventy (70%) percent to ninety (90%) percent of municipal budgets are dedicated to personnel related expenses, and

WHEREAS, independent arbitrators, with no direct relationship to municipalities, are now the ultimate decision makers on union contracts subject to arbitration, and

WHEREAS, municipal union contracts are often disproportionate to the private sector in wages, health and pension benefits, and

WHEREAS, the democratic process is weakened by the present binding arbitration system which deprives taxpayers and local elected officials of the necessary authority to manage their municipal budgets and personnel costs,

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Wethersfield urges Senator Biagio Ciotto, Senator John W. Fonfara, Representative Paul Doyle and Representative Antonio Guerrera to join with Governor Rowland and other State elected officials in their attempts to open the debate on Binding Arbitration and to ultimately revise Binding Arbitration Laws, giving municipal leaders and taxpayers the ability to control their own budgets.

### **MINUTES**

Councilor Flynn moved "**TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF APRIL 21, 2003**", seconded by Deputy Mayor O'Connor. All Councilors present, including the Chairperson, voted AYE. Councilors Cascio and Sassano abstained. The motion passed 7-0-2.

## GENERAL COMMENTS

### COUNCIL

Councilor Cascio clarified that Program 21 was a program elimination requested by the school Principal Sal Menzo. This was not a cut in aid by the Board. Councilor Cascio asked if an update could be provided in reference to the architect selection for the Town Hall & Library renovations. Town Manager Bonnie Therrien said that interviews will be conducted on May 19.

Councilor Gardow asked if during one of the budget workshop meetings, the Town Manager could share her experience regarding Charter revision.

Councilor Flynn asked if the resolution authorizing the Town Manager to enter into a license agreement with Winding Brook Turf Farm would soon be brought back to the Council for discussion. The growing season is upon us and there will be a time when the water will be required.

Councilor Fitzpatrick said that the Turf Farm matter was referred to the Major Contracts Committee and that he will try to schedule a meeting date to discuss the matter.

Councilor Morin stated that approval is not required to submit the resolution for the Charter Revision Committee. He does not appreciate that when he disagrees with certain Councilors, it's considered "politics", but when they disagree with him "it's just the way it is". Chairperson Czernicki responded that at the end of the February 18 meeting, Mr. Ruhe inquired as to when the issue of Charter revision would be addressed and she told him after the new Town Manager was on board.

Councilor Fitzpatrick is not clear on the point that Councilor Morin is trying to make with regard to an article in the newspaper.

Chairperson Czernicki said that she and Councilor Gardow were in attendance at the Arbor Day celebration. She and Town Manager Bonnie Therrien attended the Wethersfield School Parent Council Recognition Awards Ceremony. A number of awards were given to Wethersfield School and Town employees.

Councilor Morin said that opening day of the Wethersfield Little League will be at Greenfield behind the Community Center. Opening day will be this Saturday, May 10 at noon.

### PUBLIC

George Ruhe, 956 Cloverdale Circle, said that tabling the Charter revision was not appropriate. He noticed the planters around Town and that they're made up of concrete pipes with beautiful plants in them. He said that with regard to Winding Brook Turf Farm, they need to buy the water just like the rest of us. He strongly advocates that the Turf Farm not be permitted to go into the park. Mr. Ruhe questions why it is possible that issues such as mosquito control are brought to the attention of the Council so late in the game. There is a management disconnection somewhere along the line. Staff needs to be nudged to do things on time. Chairperson Czernicki said that staff has received calls that in the midst of wet leaves (which staff is working hard to collect) mosquitos are beginning to pop up. She said that the Town Manager has already said that we need to face mosquito control on an ongoing basis. Mr. Ruhe said that we need to share ideas to be a success.

### ADJOURNMENT

At 11:00 p.m., Councilor Fitzpatrick moved "**TO ADJOURN THE MEETING**" seconded by Councilor Flynn. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano  
Town Clerk