

REGULAR MEETING
November 17, 2014

The Wethersfield Town Council held a meeting on Monday, November 17, 2014 at 7:00 p.m. in the Council Chambers, 505 Silas Deane Highway, Wethersfield.

Present: Councilors Hemmann, Hurley, Kotkin, Martino, Manousos, Rell, Deputy Mayor Barry, and Chairperson Montinieri. Absent: Councilor Roberts.

Also present: Kathy Bagley, Director Parks & Recreation and Social & Youth Services, Mike Turner, Town Engineer, Brook Berry, Librarian, Jeff Bridges, Town Manager, Dolores Sassano, TownClerk.

Town Manager Jeff Bridges led the pledge of allegiance to the flag.

PUBLIC HEARING

Mayor Montinieri asked if there was anyone wishing to speak on the public hearing item.

RESOLUTION APPROVING AN AGREEMENT BETWEEN THE AMERICAN RED CROSS AND THE TOWN OF WETHERSFIELD FOR EMERGENCY SUPPORT.

With no one wishing to speak, Mayor Montinieri declared the hearing closed.

GENERAL COMMENT

Ann Brickley, 143 Highcrest Rd. asked help from the Council in solving a situation before damages occur. She explained that the problem has been created by construction of a new home on the lot next door to her on 135 Highcrest Rd. without a viable drainage plan. She explained that the builder raised the grade 4 feet above the ground level, built a very large house that extends 16 feet from the property line and this has created a very serious water runoff and erosion problem. She explained that her property is at grade level which is now 4 feet lower than the house under construction and currently, there is mud on the hill, no ground cover, a silt fence along the property line and none of this is going to do anything to prevent erosion and damage. She stated that the original building plan which was filed with the Town in July showed drainage pipes connecting the storm water from roof leaders to existing catch basins in the street. She stated that plan wasn't viable because the so-called existing catch basins don't exist. She explained that the revised plan shows nothing but a note calling for a swale running along her property with no indication on how it is supposed to work and that the concept is not viable. Ms. Brickley gave the Councilors a copy of the new plan to review. She stated that unless something is done very quickly a heavy rainfall is going to do some serious damage to her property and she is asking for the council's help. She is appealing for the Council's help to prevent damage before it occurs. She stated that she is a very avid and passionate gardener and have spent 20 years

creating a garden that she loves and these plantings are not possible to recreate and would be extremely expensive and not feasible. She stated that she has met with Town officials but there still is no viable plan or timeline. She also cited Planning and Zoning laws which pertain to drainage. She stated that it is clearly irresponsible and negligent to allow this construction to continue and not do anything to prevent the damage. She also commented on the heavy diesel emissions in the area from very large heavy construction equipment which is parked 25 feet from outside her kitchen and it's an awful stink and it's in the house and it makes you cough. She doesn't believe this equipment should be running in a residential area like this and the Town should be doing something to prevent it. She recommended expanding the scope of the Historic Commission to the rest of the Town so that all new construction is reviewed before granting approval and the assessment on the neighborhoods are made.

John Miller, 45 Highland St. also spoke of Ann Brickley's drainage problem. He provided additional information regarding placement of the downspouts on the new house and their discharge points. He stated that the fence is being used as a retaining wall and it is not intended to be used for that purpose. Mr. Miller suggested putting a ditch on top of the bank and taking it out there. He stated that he has been very disappointed in the response and urged the Council for the placement of a drainage system.

Candace Holmes, 408 Hartford Ave., President of the Wethersfield Historical Society spoke on behalf of all the members to extend their condolences to Mayor Montinieri on the death of his father.

Robert Young, 20 Coppermill Rd. commented that he is happy that the election is over. He commented on the Webb tennis courts and stated that he spoke against it and made suggestions on what to do with the property. He stated that the Town of Wethersfield is irresponsible in how they take care of their property. He stated the windows in Webb school should be replaced 10 years ago it was part of the referendum and you didn't do it and then we go onto more projects without finishing a project. He stated that the Town had money that they could have put into it and that we have opportunities all over this Town where we could generate money but we just give it away. Mr. Young stated that he doesn't believe that we should be providing the entire Town with all their desires and mentioned the Webb courts specifically and stated that we already have tennis courts all over town. Mr. Young stated that we need windows in the Webb School building and that should be taken care of with other monies that are available. Mr. Young commented on the lack of home sales in our Town and commented that our taxes are too high in this town.

Gus Colantonio, 16 Morrison Ave., commented that there is a street light opposite of Orchard that is not working and needs to be replaced. He stated that in past meetings he has asked who's responsibility it is to maintain and fix the washout that is just east of Tipton and on the south side of Morrison Ave. between the curb and sidewalk. He stated that he has asked the question more than once and he asked it again, is it the homeowner or the town. He stated that he also questioned what the safe speed is on Morrison Ave. and that he has never received an answer.

He doesn't understand why he cannot get a single answer. He also commented on the lack of a stop sign on Morrison Avenue.

COUNCIL REPORTS

Councilor Hemmann reported that she attended the Shade Tree Commission meeting last week. They are alive and well and working hard. She stated that the new tree warden has a good handle on the needs within the Town and is working hard to carry those out.

Councilor Hemmann reported that she attended the Conservation Commission meeting last week and they are looking at the farmland preservation potential and really exploring all the facts that they need to find out about what that entails.

Councilor Martino reported the he attended the EDIC meeting and since our last meeting we have had two ribbon cuttings, one up on the Berlin Turnpike called Pretty Pups and Mutts opened. Jeff Kotkin and I were both there. Chips opened up on the Silas Deane this week and the Mayor, Mike Rell and I were there.

Councilor Martino reported that they have the 25th Annual Salute to Business on December 11th at the Country Club, it will be a good night and people should come. Also there is other good news---D&D will be coming to the Bliss Market location. A draft letter of agreement for the STEAP fund to help with demolition of the Weight Watchers building had been prepared by the Town attorney. It is now with the property owner for review by his attorney, hopefully, we should have something back on that shortly. The photo contest held for the calendar was closed last week. Numerous pictures were received and staff will judge the appropriate pictures for the calendar by December 2nd.

Councilor Martino reported that Shared Services met are moving forward with great progress on trying to combine the Town and Board of Education data processing services. The Manager and Superintendent are arranging a meeting in Enfield to see how they do it. Gerri and I and someone from the Board of Education want to attend; we are hopeful to have the process done and in place for the next fiscal year.

Deputy Mayor Barry reported that the Building Committee has met a couple times. The project continues and is moving full speed ahead. The track is now done and has been resurfaced. The windows to the gym are all in place with the exception of some of the specialty panels. The new windows for media center and the band room are being installed; the gym floor installation has started as well and on track for turnover in mid-December, the new additions hopefully also by end of December. The project continues on with a lot of moving parts, but generally things are moving forward and relatively smoothly.

Councilor Hurley asked when the windows and rooms are done will they be able to be occupied by the kids in December. Deputy Mayor Barry responded that is the goal. As of last Monday, that is how it seemed it is still on plan.

COUNCIL COMMENTS

Councilor Kotkin commented attended and participated in conference calls the Town had with both Moody's and Standard and Poors. Relative to the sale of \$22 million dollars of general obligations bonds which we hope to do shortly in support of the high school project. Just to remind you the current ratings for the Town are AA+ from Standard and Poors and AA2 from Moody's. The Town staff should be applauded for a job done well with our new financial advisory firm to prepare for the meetings. He received good feedback from the analyst who was responsible for Wethersfield from each of the agencies and hopefully we'll have some good news from one or both of the agencies before we go out and sell the bonds. Maybe Jeff can update you a little bit on the size of the bonds. They are a little bit bigger than we had anticipated, due to the reimbursement speed, not rate, from the State. We are hitting the market with rates low which is good long-term for the taxpayers.

Councilor Martino commented that on October 28th the Town had their employee recognition lunch; Gerri and he both attended. Mary Thibeault was Town honoree for the great work she does at the Community Center. Other employees were recognized for long service. Mary should be commended for the work that she has done over the past year.

Councilor Hurley commented on Ann Brickley's comments because Council also has a drainage improvement thing to bid on afterwards. It seems to be flooding private property. Would we be able to send somebody there to have the drainage done properly at that house now? We do not want to have something like this come up and then have to approve another \$20,000 or \$50,000 to have it done by the Town instead of having the builder have the cost of that.

TOWNMANAGER'S REPORT

Mr. Bridges reported we are going to market in the next week or so for \$22,000,000 for the high school project. We are anticipating a higher bond issue or more bond issue than what we originally intended but the effect will just push the second one out so we won't go to market again in July, we will probably go into the fall or early winter on the next issue. He explained this issue of \$22,000,000 will pay us back. Then the reimbursement rate, now finalized with the new legislation. Everything else will kick in this January so everything will be back to par for us on the project. We will just push the second issue out later to finalize that. We hope to close by second week of December on the sale. The market that we have seen is 20-year bonds run at 3%, total interest cost over the life of the issues so we are excited about it. He agrees with Jeff, the ratings calls went really well, and we had a good discussion. Chandler, Peter, Jeff, Paul were all there. Our new Finance Director Mike O'Neil did a fabulous job prepping the presentation so I think it was a good call, good feedback and we are just waiting to hear the outcome.

TOWNCLERK COMMUNICATIONS

Dolores Sassano reported the election is over and everything was submitted to the State on time. We actually had an amendment that the head moderator did today and we sent that in. It is due tomorrow. The list for the statewide audit was released and Wethersfield is having a manual recount of District 3 on this Wednesday starting at 9:30 in the Council Chambers. People can observe if they would like. It hard to believe that out of 798 precincts that Wethersfield gets called every single time, considering they only audit 10% of precincts each time.

COUNCIL ACTION

Councilor Martino moved **“TO APPROVE THE LETTER OF AGREEMENT BETWEEN THE TOWNOF WETHERSFIELD AND THE AMERICAN RED CROSS, CONNECTICUT CHAPTER,”** seconded by Deputy Mayor Barry.

Mr. Bridges explained that this is an agreement with the American Red Cross Connecticut Chapter to provide emergency support during emergencies. Primarily this goes to shelter operations although they do provide other assistance, particularly individual assistance during an emergency, but this agreement allows them to come in and train us on shelter operations, and other things and then provide logistical support and some staffing and resources in the event we have that long-term shelter need. It’s a good agreement. Mike is emergency management director and may have some additional comments but we recommend that you approve it.

Mayor Montinieri asked what shelter we would use normally. Is it dependent on the circumstance, where the power might be and what’s available? Mike Turner responded that our local emergency operations plan identifies three shelters and the Pitkin Community Center is our primary shelter and that’s where we head first and there is no cost to the Town by the way for any of the services that we would offer.

Mr. Bridges added as you recall when we designed the high school project that public wing, the gymnasium, the cafeteria, that wing will have a fully functional capability there including additional show space in the locker rooms and a back-up generator so that would provide significantly more capabilities than we have now when it comes on line.

Councilor Hemmann commented that she read through the entire agreement and it’s pretty straight forward and knows with our first experience with opening this shelter it was the really first time that we had done that in a long period of time and it went well for the most part. She stated that we identified some issues and thinks this Red Cross has a long history of experience doing this and thinks that the extra guidance is always something that will be helpful to the Town in those circumstances.

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

UNFINISHED BUSINESS

None.

OTHER BUSINESS

Councilor Martino moved **“TO AUTHORIZE STAFF TO SUBMIT A SMALL TOWNECONOMIC ASSISTANCE APPLICATION FOR \$500,000 OF IMPROVEMENTS TO THE SOLOMON WELLS HOUSE”**, seconded by Councilor Kotkin.

Mr. Bridges explained that each year or so there is another round of STEAP grants sought by the Office of Policy Management. The Staff got together and we did have several last year but we realize that this year with the condition of the Solomon Wells House that we would put our full focus and energy behind this grant so \$0.5 million dollars to do exterior painting, exterior repairs, foundation improvements, parking lot drainage, lights. We are trying to get as much done as possible at this location. As you know this is a very busy location with the Farmer’s Market, it’s rented by private groups and citizens all the time. It’s one of our flagship public properties so that’s where staff is recommending we put our support. Kathy and Mike are here to answer any questions.

Councilor Hemmann referenced her comment in March that she thought that this should be the first priority of the town. She is glad to see that this is here. It takes a lot to keep an older building up and this was built in 1774 so that doesn’t come lightly. There is always wood and I know that from my involvement with Griswoldville Chapel and what it takes to keep that building in tact from a private perspective but it’s an important asset for the Town and important to keep it up.

Councilor Rell stated he doesn’t know if it is required, but he believes that with any kind of parking or exterior improvements the Historic District Commission would have to approve those plans unless the Historic District Commission just approves the plans. This is something to consider if STEAP grants have to be fully vetted in the approval process and is taken care of in advance.

Mr. Bridges responded that he thinks that the Historic District Commission makes the Towntow the line like everyone else.

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

Councilor Martino moved **“TO APPROVE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF WETHERSFIELD AND LOCAL 818-22 OF COUNCIL 4 AFSCME, AFL – CIO FOR JULY 1, 2014 – JUNE 30, 2017”**, seconded by

Councilor Kotkin.

Mr. Bridges explained this is our supervisor's union. The contract expired back in July and we've had a series of meetings and we actually went to mediation on this contract and we've outlined some of the more substantive changes. He stated that it's very much similar in terms of economics and items we've liked to overhaul including medical insurance for new hires, elimination of two of the personal days, and so forth and so on, very similar to 818, so we recommend it approved. In this agreement the union members will be paying additional percentages for health insurance every year. Their OPEB contributions go up; their pension contributions go up, all the things that we have discussed over time. All the things that we have sought in the Physical Services contract, so we think it is a good agreement with the group. 13 of the 28 members are at STEP and by the end of this contract more than half will be at STEP. So you've got a block in this group of long-term employees and another block of people just starting out so we have both dichotomies I think this has something for everybody including the Townin terms of long-term cost containment particularly in health insurance.

Mayor Montinieri commented that this is another in a series of contract negotiations which you have overseen as our Town Manager and they continue to demonstrate extremely thoughtful contributions on behalf of the Town through your efforts and improvement in the costs in the long-term on behalf of the Town and taxpayers obviously with health care, long-term disability, and OPEB contributions so I very much appreciate the progress you have made over the last five years and this is another in that template so I really want to complement you and your staff on that.

Councilor Rell commented that while he agrees with the spirit and results of the negotiation process for this union contract, he does believe that there is a conflict of interest for the majority party if the majority party votes on this contract tonight. He stated that it was reported just last month in the Hartford Courant that there is a Political Action Committee currently under investigation by the State Elections Enforcement Commission that receives much of its' funding through union donations including the union that is up for vote tonight, AFSCME Council 4. It was in 2011 and I believe just recently in 2013 this PAC had donated funds to the Democratic Town Committee and it's actually the largest single donation to the Town committee was through this Political Action Committee. To me there is an appearance of a conflict of interest between the contributions from this Political Action Committee to the Democratic Town Committee. To me it undermines the process, the public's confidence in union negotiations and I respectfully believe that these negotiations while they were acted in good faith that the council's vote on that contract be a conflict of interest by the majority party.

Councilor Martino commented that on this particular union, he was a member of, so because of that he doesn't want to show any improprieties and will abstain on the vote of this item for that reason even though it doesn't affect him in any way.

Councilor Hurley commented that maybe we should get something from our Town Attorney to

say if there is a conflict.

Councilor Kotkin commented that obviously if Tony is going to abstain and Gerri is not here, there are only three of us left among the democrats who would vote and this can't pass without 5 affirmative votes so if other members of the republican side of the council want to table this until we get an opinion, frankly, I didn't even know that this union contributed to the party. I have never had any clue as to who contributes because I never look at the lists, but if you tell me it's true, I'll assume it's true Mike, but I have no idea who contributes to campaigns. If you guys want to table it and get an opinion from the Town Attorney because you are not ready to approve it, that's fine. I will say that I just want to complement Jeff for continuing to go down the path of reducing longer-term Town health care costs. This is something that we've done probably over the last eight or nine years and one of the reasons that we've seen a flattening or decline in the Town health care costs is because we have made so much progress on these contracts so continuing to have employees in the Town continuing to pay higher co-pays, continuing to have actually moving to this wellness program so that they are healthier in general and to have them contribute more to OPEB, I think those are all fantastic changes for the Town and particularly for the taxpayers in the town. So, if you guys don't want to vote on this tonight, I'm fine with tabling it until we get an opinion from the Town Attorney. I just think it would be a shame if we lost this contract which has so many long-term benefits for our terms in containing our health care costs.

Deputy Mayor Barry commented that he echoes Jeff's comments and if the will is to table it and get an opinion, that's fine but he does think it's a shame because we have had some hard work and great positives to the taxpayers in getting this in place but it seems your position would be that this never could be approved if none of the majority could vote on it. But again, I have no problem in tabling it if that's the will.

Mayor Montinieri asked Mr. Bridges if there is any exposure if there is a delay with respect to approving this in terms of approval and getting this contract moving forward. Is there any risk?

Mr. Bridges responded that some of the provisions may kick in in December. The wages are retro. Going forward on cost sharing is a go-forward basis. It's just something you got to manage. The union ratified it unanimously. Mayor Montinieri asked after the mediation? Mr. Bridges responded yes, they met last Friday and unanimous vote of the union membership. Just so you know 1303 we settled with them Friday, same time 18 was voting 1303 we settled with them the exact same deal. So if we need an opinion on one, we got to get it for all.

Mayor Montinieri commented first he wanted to echo Jeff's comments, a contribution to a Democratic Town Committee is separate from any contributions we might have received as individual candidates during the election a year ago and like Jeff, I had no idea who contributes to Town Committees. Secondly, we had executive session on these topics over the last several months and it would be much preferred if there is a question such as this where we would want it to come up then as opposed the night of the vote when it is thrown out last minute which is

troubling and creates logistical problems for us and getting the Town attorney opinion is fine but there is a cost involved. Again, none of us participate, speak for myself, I have never ever spoke to a member of the union about anything and we've allowed the Town Manager to navigate this process with more of our awareness than participation obviously but we do have a formal requirement to vote on it so I would hate to jeopardize a very good contract that's got some terms favorable to the town. Mayor Montinieri asked if they had intention to ask for a motion to table or what do you want to do.

Councilor Manousos responded that he suggests we table it to the next meeting and doesn't think there is any harm in that.

Deputy Mayor asked for a motion to table.

Councilor Manousos moved **"TO TABLE THE ITEM"**, seconded by Councilor Hemmann.

Deputy Mayor Barry commented that we did have executive session on this and thinks that it is unfortunate that it has been raised in this fashion. He stated that we do have a working relationship and it's a serious allegation and a serious issue and it should have been raised frankly before this.

Councilor Hurley commented that in executive session it doesn't go out to the public so he thinks that the public should be aware kind of some of the things that are happening in the town.

Mr. Bridges commented that he doesn't know what that means.

Mayor Montinieri asked what does that mean.

Councilor Hurley responded that it means that he thinks they should be aware that there is a conflict of interest at the table.

Mayor Montinieri commented that he is making an allegation and that's not informing the public of a fact that is making an accusation.

Councilor Hurley responded yes, there could be a potential conflict of interest and everybody should be aware of that.

Councilor Kotkin commented that this is absurd so let's just table it and move it on to the next meeting.

Mr. Bridges wanted to clarify on what the opinion will be and asked what exactly are we seeking an opinion on. What's the question at hand so he can make sure we all understand the question?

Mayor Montinieri commented that with respect to the question about what should be included in

an attorney's review, he believes that request has to be made formal before we incur expense. Mr. Bridges responded that he would like to get it down so we can send it to him one time and make sure the exact question you are asking is addressed. So what is the question?

Councilor Hurley responded the question would be if money is channeled through a PAC from the union to a committee like the Democratic Committee is it a conflict of interest for those that got elected on that committee to vote on that contract.

Councilor Kotkin asked if that is really the request and that he doesn't understand what Councilor Hurley is saying.

Council Hurley responded if money was given from AFSME to a PAC and then channeled to the Committee is it a conflict of interest for those members that got elected from that committee to vote on that contract.

Councilor Kotkin asked from that party? Councilor Hurley responded from that party.

Mr. Bridges commented that so any party member receiving contributions from the party which received funding from a PAC, a union PAC, are they eligible to vote or is it a conflict of interest to vote on a union contract of which they are members, the donors are members.

Councilor Hurley commented asked to say it a different way. Is it a conflict of interest for members of the Council whose campaigns received indirect contributions from the union whose contract is being voted on?

Mr. Bridges asked him to repeat it and Councilor Hurley did repeat it.

Mayor Montinieri and Deputy Mayor Barry commented that they are having trouble understanding it. Mayor Montinieri commented that beyond whether we understand it or not, he needs to understand the procedure for us to initiate an incurring Town expense to look at a question that is being raised on the fly. Is there a process involved, or will there be a motion. Will this come before Council for review? Obviously there is a multiple set of potential conflicts that if there is an accusation of a conflict of interest can we vote on the question of expending Town dollars on this question. I think we need to review it and I certainly don't think we should make any kind of decision on this on the fly. There needs to be some discussion. Probably something that should be subject to executive session as well. We've tabled the motion on the table this evening and I'm certainly fine about gathering some inquiry on it but I think we need to be really careful about, from that, then authorizing expenditures from the Town so I would urge that we step back.

Councilor Hurley asked how long will it take for review. Mr. Bridges responded I don't know because right now I'm hearing we are not going to review. We've got a tabled union contract, nine months in the making and we got a question so how do we get the question from the table to

the plate.

~~Mayor~~ Councilor Rell commented that he doesn't believe that there is a conflict of interest to simply ask the Town attorney to review a question. I'm sure in the past there has been perceived conflict of interests where an attorney has been brought to the table to mediate any concerns or discrepancies so I don't believe there would be a conflict to simply request a Town attorney to look into the question as far as, do we always have to approve a request for a Town attorney to look into something.

Mayor Montinieri responded yes, I believe we do. Before we authorize the Town manager to authorize a legal expense, there should be a discussion and an approval process. This one is obviously going to be complicated. Deputy Mayor Barry commented that it is very complicated because if your position is correct, then we may never approve this contract.

Councilor Manousos commented that we heard from the public tonight on the way we spend money on projects that might not be worthwhile and are we ~~actually to~~ really *going to* question whether we should continue the discussion on spending a couple of hour's legal time on this.

Mayor Montinieri responded, yes, absolutely. I absolutely do not have a clear sense of the path on this because you know accusations were made on the fly which on its face is not only accusatory but makes a suggestion of improper participation by members of this Council. So, for us to just simply say, ~~yea sure, you blocked one up there~~ *yes, sure, you threw up an accusation* and we are just going to spend legal dollars to answer that question before we even know the procedure involved. I know from myself and I don't want to speak for Jeff but I think I want to take a look at how that should be managed properly and I certainly don't think we should be making a decision on the fly. This is another in a series of things that have happened on this council where things are done without any communication, without any forethought, without any provision of providing that information in advance so we can have appropriate dialogue.

Councilor Manousos commented that it is a very simple question all we need is a very simple answer.

Mayor Montinieri commented that is your interpretation. Councilor Manousos asked what are you afraid of? Mayor Montinieri commented that he is not afraid of anything and don't spin it. Councilor Manousos commented why not spend a few hundred dollars on an attorney instead of ~~\$140~~ *\$140,000* on what people thinking are a waste of say tennis courts. That doesn't seem to be an issue but a couple hours of a legal review is a problem.

Mayor Montinieri asked Jeff that we move on and we'll have a discussion about this after the meeting.

Mr. Bridges responded that he needs something for the union.

Mayor Montinieri responded the question on the union contract has been tabled and what we do with it, and how we respond, will be tied to this. I think that discussion will happen after the meeting and we will discuss it further quickly.

Councilor Manousos asked if we don't want to have the answer sooner than risk losing the contract so why would we want to discuss this more. Either there were indirect contributions that are a conflict or their not, pretty simple. At this point, by delaying it, you are risking the contract.

Mayor Montinieri responded that he hasn't said that he wants to delay he said he wants to understand the process by which we would determine it. I don't want to make a decision to authorize this evening without a little thought. It could be a discussion tomorrow morning with Jeff. It may be a phone call to the Town attorney, but I think I want to hear more about it before I say go ahead Jeff and spend this money.

Councilor Manousos commented why not authorize the Town manager to use his judgment in reaching out to the Town attorney. Find out and if he agrees that it's worth two hours of legal time then, let's use his judgment. Mr. Bridges responded that it is going to be more than two hours. Councilor Manousos commented well we don't know that, we need to ask the question. Jeff is completely capable and I think he can guide us in the right way. Mr. Bridges responded that he is recommending that we approve the contact.

Mr. Bridges asked how do we come to terms on if we are going to do this legal opinion because waiting two weeks and waiting another two weeks after that, we are into December and we're into January. Is there a unified collective thought that we are going to go tomorrow and get a legal opinion? Is this something that this body is authorizing me to do because I'm hearing two different things.

Councilor Kotkin commented that the practicality of it is that there are 5 democrats and 4 republicans, one of the democrats has recused himself so this contract can't pass without five votes. So we got to figure out how do we get to the point where there can be five votes either up or down on the contract. Your view is that everyone on the democratic side is conflicted therefore, five people are conflicted, therefore, you can never get five votes for anything on this contract, to approve it to reject for anything unless the Town attorney says it's o.k. So let's get on with the process. I think your view is that because, and I didn't know this, I take you at your word, because again I don't know who contributes to campaigns and who doesn't. Your view is that there is a political action committee associated with this union that contributed money to the Wethersfield Democratic Town Committee and does that contribution cause such a conflict that five council members can't vote on this contract. I mean I think that is what you are saying and if that's right then we could ask the Town attorney if that is true and if he says that that's absurd on the face, then we'll go off and vote on the contract and if he says that it's a real conflict, then this union can never get a contract voted on for the life of this council. We can never approve a contract if you insist that five of us are conflicted so that means that until the next election we will never be able to vote on a contract for this group, another year, and if that's the way you

want to run the town, fine. If that's the opinion you want, fine but I think it's absurd that 28 highly skilled professionals in this town, this could put us in a situation where they can't get a contract approved because of this. Now, if you want the opinion from the Town attorney, my guess is that the Political Action Committee has every right in the world to contribute to your committee, our committee to whatever committee there is in this entire State of Connecticut but if you think it's a conflict every time that they donate to a Town committee because none of us run our individual campaigns, everything is run through the Democratic Town Committee, if that is the view, then you sort of put Jeff and 28 professionals in this Town at a standstill in terms of a union contract but don't have the votes to pass it. I think it would be a real shame to throw this contract out, unless you think there is something wrong with the contract. You're just saying five people should be put on the shelf because of some kind of in-kind contribution that none of us over here was aware of, but that's fine. If you want to put the Town in a state of paralysis with its' labor relations, go ahead. I voted to table it; we'll move on to the Town attorney and get an opinion back.

Councilor Hurley commented that he would think everybody would have been aware of it because it was in the paper a month ago, but that's just my opinion. I said it as a potential we would just like to know if there is a potential conflict.

Mr. Bridges commented that he is going to get it for both unions so we don't have this issue again.

All Councilors present, including the Chairperson voted. The motion was tabled. AYE 6, NO 1, ABSTAIN 1. (Councilor Martino abstained, Councilor Montinieri voted No).

BIDS

Councilor Martino moved **"TO APPROVE THE PROPOSAL FROM CLEAN HARBORS FOR THE UNDERGROUND FUEL TANK REMEDIATION FOR \$73,636.70"**, seconded by Councilor Kotkin.

Mr. Bridges explained this is the original circa 1950 fuel tank 15,000 gallon under the building abandoned in the 1983 project that we discovered may have had a potential problem and DEEP has asked us to remediate this fully which means gaining access to the tank, pumping out any remaining oil, dirt, grit or sludge in the tank, steam cleaning it, filling it with concrete, capping it, backfilling and filing the necessary paperwork with DEEP to list it as formally closed. It is not possible to remove the tank from the area since it is under the building and DEEP is fine with abandoning it in place. We'll take the necessary samples and file the necessary paperwork when it is done. This proposal before you from Clean Harbors accomplishes that. It has been crafted with our environmental consultant and it fits DEEP's needs for the project. Mike Turner is here to answer any questions if you have any.

Mayor Montinieri commented that we are required to get this done as soon as possible.

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

Councilor Martino moved **“TO ACCEPT THE BID FROM DICIOCCIO BROTHERS, INC. FOR THE DRAINAGE IMPROVEMENTS TO CRANSTON STREET IN THE AMOUNT OF \$24,025”**, seconded by Councilor Kotkin.

Mr. Bridges explained that this was a bigger project. A section of piping was deleted and that’s why it came in under bid.

Mr. Turner explained that this is a capital improvement project that addresses flooding from a Town street that actually enters onto private property and causes damage at these homes on Cranston Street. Our original concept that was presented to Capital Improvement Committee, we thought there was going to be some utility conflicts and then we had some additional structures and additional lengths of pipe. We were able to design our way around those so essentially this is extending the storm drainage system by about 200 feet, adding a couple catch basins, redoing the driveway aprons at the curb line to make sure that the street water stays in the street and gets directed into the storm drainage system and we should have a successful project. DiCioccio Brothers who’s a local Wethersfield contractor, we’ve worked with them before on previous drainage projects so we feel comfortable working with them again.

Councilor Hurley commented that Ann Brickley who got up before again and other houses that are being built around time as they go, maybe we should pay a lot of attention on the drainage issues that are going to be happening so we don’t have more of these come up. I don’t know if this was a problem from building, but the lady happened to be here tonight and now we have one of these coming up so I think we should at least go to her house and check that out and go to any other house to make sure that we are not stuck with the bill at the end for drainage problems that a builder should be taking care of.

Councilor Manousos asked how it gets resolved. Is that something that we need to worry about tonight, Ann’s issue?

Mr. Turner commented that the engineer for 135 Highcrest has just submitted a revised grading plan and they have a copy. He has not even seen it as it arrived at 4:00 this afternoon so he hasn’t had the opportunity to review it to see how it addresses their issues.

Councilor Rell asked if drainage along Highcrest at the 135-143 area without any catch basins has any other homeowners on that side. I know the golf course is on the east side, any other homeowners complaining of any drainage issues or water runoff onto their property at all without having catch basins there.

Mr. Turner responded no.

Deputy Mayor Barry asked a question regarding Ann Brickley's property and asked if Mr. Turner seen the second map that we had received. Is that what was submitted today. Mr. Turner responded that he just got that today.

Councilor Martino commented that if you take a closer look at those plans, there is a catch basin currently in front of the house next door to where the house is going up, not Ann's, the other one. There is a catch basin on the street already. Councilor Manousos asked north of Ann's or south. Councilor Martino commented heading towards Highland St. Mr. Turner responded that catch basin is not there. That was one of the issues with the original plan. Mr. Turner commented that if there was a catch basin right in front of the driveway there would be no issues.

Councilor Manousos commented that the slope is going south anyway so water would never reach there.

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

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

Introduction of a Resolution to Accept New Towns into the Capitol Region Council of Governments (CRCOG) Metropolitan Planning Organization.

MINUTES

Councilor Kotkin moved **"TO APPROVE THE MEETING MINUTES OF OCTOBER 20, 2014"**, seconded by Councilor Martino. Councilor Hemmann added some comments to the minutes and corrected a couple of spelling errors.

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

PUBLIC COMMENT

Gus Colantonio, 16 Morrison Ave., commented that it is frustrating to hear that we are fixing drainage problems as Town expenses. He questioned if builders need a permit with a site plan that is reviewed by the town. He said that it is unbelievable that the two sides don't work together.

Robert Young, 20 Coppermill Rd. commented on a \$500,000 grant application for the Solomon Wells House and commented that we shouldn't be spending taxpayer's dollars on a property if we are not receiving any return on it. He also commented on the oil tank at the high school and how we are going to fill it with expensive concrete and stated that it's a waste to fill the whole thing up. He also commented on the conflict of interest issue and stated that the Town is loaded with conflicts of interest issues and specifically mentioned the Board of Education and stated that

it has been going on for years. He also stated that he believes it was a good move to hold off on voting for the union contract.

David Caruk, 149 Broad St., commented that he doesn't see why the Republicans are jumping on the backs of the Democrats about conflicts of interest. As Councilor Kotkin said if there is a conflict of interest, which I highly doubt, what does that mean all the Democrats would have to resign in order to pass anything that involves AFSCME union public service contracts because there was a conflict. He stated that in a small Town like this everyone one is going to have some kind of connection with someone who knows someone else. He stated that what you are looking at is a real stretch and a waste of time. He stated that he doesn't understand where the tension is coming from between the Democrats and Republicans and it doesn't seem very cordial up there. He thinks the issue would have been better talked about in private before bringing it up in the public and stated that it is not a clear conflict and doesn't believe that it is a conflict and it was shocking to him to even hear the conversation

ADJOURNMENT

At 8:30 p.m., Councilor Kotkin moved "**TO ADJOURN THE MEETING**" seconded by Councilor Martino. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk

Approved by Vote of Council
December 1, 2014

Amendments:

Page 11, 1st paragraph, replace "Mayor" with "Councilor".

Page 11, 3rd replace "and are we actually to really to question" to "are we really going to question"

Page 11, 4th paragraph: should read, "yes, sure, you threw up an accusation and we are just..."

Page 11, 6th replace \$140 with \$140,000.