

Approved  
**REGULAR MEETING**  
**May 4, 2015**

The Wethersfield Town Council held a meeting on Monday, May 4 at 7:00 p.m. in the Council Chambers, 505 Silas Deane Highway, Wethersfield.

Present: Councilors Hemmann, Hurley, Kotkin, Martino, Manousos, Rell, and Chairperson Montinieri.

Absent: Councilor Roberts and Deputy Mayor Barry.

Also present: Jeff Bridges, Town Manager; Dolores Sassano, Town Clerk.

Councilor Hemmann led the pledge of allegiance to the flag.

BUDGET PRESENTATIONS:

Susan Negrelli, Director of Engineering for Metropolitan District Commission gave an update on MDC's clean water project. This project was started 10 years ago to reduce CSO's (Combined Sewage Overflows) and SFOs (Sanitary Sewer Overflows) to reduce the amount of nitrogen that reaches the Connecticut River and Long Island Sound. On May 1, 2015 CT DEEP gave final approval on their long-term control plan. Construction of a 4-mile storage tunnel from Hartford to West Hartford will begin in 2016; tunnel will hold 42 million gallons. Storm overflows will go into tunnels instead of discharging into streets or waterways. The Franklin Avenue overflow that normally ends up in Wethersfield Cove will be eliminated. Pipe lining and rehab of manholes projects will impact Wethersfield.

Councilor Kotkin asked how the project bid pricing is coming in now that the construction market is coming back. The MDC representative answered that bids have been competitive.

Councilor Kotkin asked if there one more referendum left, what would it be and when. MDC representative answered that there is one more referendum anticipated for the long term control plan on the north tunnel, a \$400 million project which is scheduled to complete in 2026. The sewer surcharge fees have been modified from \$5.73 down to \$4.80 due to grants, and could go as low as \$4.30.

John Zinzarella, Deputy CEO of Business Services and Chief Financial Officer of the district spoke about the MDC Ad Velorum tax which is the funding mechanism for the MDC general fund and is divided among the 8 member towns. The tax amount changes year to year based on increases/decreases in sewer operations, expense increases/decreases, other revenue sources, and changes to the pool of participants.

Councilor Hurley asked for clarification on the 100 person staff reduction in 2011. Mr. Zinzarella answered that between 2011-2015 MDC staff was reduced by 100.

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Councilor Martino asked why pension expenses have increased over 300%. Mr. Zinzarella answered that in 2014 a \$3 million donation of watershed land was made which reduced the pension contribution by that much that year.

Councilor Kotkin asked if the Ad Velorum tax was based on the tax cash receipts for each member town, so that as receipts go up, towns end up with a higher percentage of the tax. Mr. Zinzarella answered yes; the tax amount is based on property tax cash receipts.

Councilor Kotkin asked how funded MDC is for pension and OPEB obligations. Mr. Zinzarella said of 2013 fiscal year the pension plan is 77% and OPEB is around 11-12% which is funded from the CRRA.

Councilor Kotkin asked if new hires at MDC qualify for a defined benefit pension plan and retiree medical. Mr. Zinzarella said yes and they are in the process of negotiations with unions to change the original program to a tiered system. The MDC has also contributed 525 acres of non-watershed land in Glastonbury into its pension plan trust to develop as commercial-use property for the pension plan.

Councilor Kotkin asked if the amount of cash put into these plans is likely to grow. MDC representative answered that the current discount rate is 7.5% to determine unfunded pension obligation. A reduction of 25 basis points in the discount rate increases annual contribution by \$600,000.

Donna Hemmann asked why the percentage increase over prior year of 9.19% from 2015 to 2016. MDC representative answered because on the calendar year basis, 50% of the prior year's Ad Velorum allocation is combined into the payments of January and April.

Donna Hemmann stated that the impact to the Wethersfield town budget of 5.26% is higher than the increase in the town's overall budget and she is disappointed that we pay more for a good tax collection rate.

MDC representative answered that the tax will go up if your town's mill rate and property taxes have gone up more than other member towns. For example, Hartford has a lot of non-profit and non-tax yielding properties which erodes its revenue base.

Charles Brown, Central Connecticut Health District Health Director came up to give a presentation. The Board approved a 20 cent increase per capita to member towns for IT infrastructure issues. Wethersfield's portion of \$4320.00 is the lowest of the 4 member towns; it is the 2<sup>nd</sup> largest town in the district, but the population estimate went down by 200 people. They do not plan to increase the fee schedule.

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Councilor Kotkin asked if Salary increases are built into the budget. Mr. Brown answered that their budget has not been passed yet, but he does not anticipate a huge increase in salary.

Councilor Kotkin asked if the operating surplus due to state money coming in is not in place anymore.

Mr. Brown said a lot of the increases are in the program fees due to fee schedules being raised. Judy Sartucci, Board of Health Chairman, said the rules the agency needs to follow are different than requirements for a municipality. Reserves are kept at 35% of budget (approximately \$335,000), at the recommendation of auditors. For many years the per capita member fees were kept artificially low, and as a result IT and other equipment are very out of date. The Board is very fiscally conservative and feels responsible to towns on how they spend money.

### PUBLIC HEARING

#### **RESOLUTION IN OPPOSITION TO SENATE BILL 1 (SENATE BILL 1 SEEKS TO CHANGE THE WAY MOTOR VEHICLE TAXES ARE COLLECTED AND DISTRIBUTED THROUGHOUT THE STATE).**

Mark Pappa, 55 Blackbirch, (also an MDC member representative) said that he is concerned about the Hartford grand list decline; if this bill passes it will create a regional government that will reimburse Wethersfield an estimated 55 cents on the dollar while towns like New Haven will receive an estimated \$400 on the dollar. He opposes this bill and asked for people to act, write letters and call senators to oppose it.

John Console, 38 Ivy Lane, spoke in opposition to Senate bill 1. If it passes, towns will have to raise additional taxes to balance their budgets, while big cities will benefit. This is the start of state government controlling town government. Said we need to send a message that we should be governing from the residents up not higher levels down.

George Ruhe, 956 Cloverdale Circle, said redistributing money is always a part of government but this bill is not a good idea. Urged Council not to support it and let officials know.

Rich Roberts, 15 Lantern Lane said this bill has changed dramatically in the last couple of months from a statewide motor vehicle tax to now including a .5% sales tax municipal sharing account that is subject to many reductions. This would take us from reliance on a motor vehicle tax that is within the town's control to one under the control of the state legislature. This bill never had a public hearing and neither the public nor the legislature knows the language in the bill. He encouraged the Council to oppose.

Robert Young, 20 Coppermill Road, is opposed to this bill. He is opposed to the car tax in general but would rather it be paid here in Town, rather than to the state with very little coming back to the town. Towns with high mill rates and taxation on their cars should stay their

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problem, we should not have to bail them out. He urged the Mayor and Council to support opposition to this bill.

David Caruk, 149 Broad Street, had not heard about this bill until today and is surprised about the tax sharing plan. What if other towns do not spend this money responsibly, there are no guarantees that we can trust our fellow towns to spend this money responsibly. He has not heard a good argument for helping these other towns.

Written comments were received by the Town Clerk from Jody Latina, Dan Montano, Douglas Buck and Lisa Staron, all in opposition to this resolution.

### GENERAL COMMENTS

Ray Wiezalis, 250 Hang Dog Lane said there is intent to move some trees without adequate notice to those impacted. Someone was posting signs on Hang Dog Lane giving notice that 18 trees were slated for pruning or removal 10 days from the date of posting. Wethersfield Shade Tree Commission made the decision to remove these trees. The trees were put in about 1980 by the residents; they have not been pruned or taken care of. The residents do not know which trees are going to be removed and which are to be pruned. Would like an open process to let everyone know this is happening and have a hearing.

George Ruhe, 956 Cloverdale Circle, spoke to the Town Manager about the pond and was told that nothing is going to be done about it because we don't have \$80,000 to spend on it. Many people come with their families to see the wildlife at the pond and it's full of garbage and debris. He expects the town to take care of its property like the people of the town take care of theirs. He sees many projects around town that we find money to do, would like someone to come up with a way to fund the cleanup of the pond; it's unsightly and a health hazard.

Gus Colantonio, 16 Morrison Avenue, spoke about the need for a stop sign on his street. Twice as many cars come through Morrison Avenue than Hillcrest Avenue because there is no stop sign. He has been asking for a stop sign for over 3 years and nothing has been done.

Tom Mazarella, 600 Wolcott Hill Road, read in the newspaper that the Council wanted to hear input from the public regarding the budget. He suspects that there are many families and seniors in town living paycheck to paycheck. Would like the council to reject the Board of Education budget and demand a 0% increase. Increases should not exceed the 1.7% federal cost of living rate.

John Console, 38 Ivy Lane said people do not show up to the budget hearings because they think nothing will be done, some don't think a 3%-4% increase is a lot, or they don't understand the budget process. The town should have put in the charter revision a provision so residents can vote on the budget and accept or reject it. Spoke on an article he saw in the newspaper that said Wethersfield is among the top 10 state law enforcement agencies where minorities are stopped in

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disproportionate numbers; he thinks the article is wrong, the Chief, staff and rank and file are excellent. Also spoke on Ivy Lane; it hasn't been repaved since 1968, it is crumbling and the entire street needs to be ripped out.

Robert Young, 20 Coppermill Road, oil spill cleanup at WHS and Wintergreen Woods, heater/transformer oil had polluted the land. It was not the Town's transformer why do we have to pay for it. Costello Industries is doing road milling for \$35,000 and he would like to see them do it right; they now leave a seam in the middle of the road that opens up a few years later. People are leaving the state and it's going to continue. He urged the Mayor to bring taxes down because taxpayers are struggling.

### COUNCIL REPORTS

Councilor Hurley reported that the Recreation Board met last week with Grant's Way Foundation, a non-profit organized in memory of Grant Stanton, a young man who passed away in 2012 from a rare tumor. They would like to honor him by building a walking bridge in Mill Woods Park. The foundation will work with Kathy Bagley to put together a plan to bring before the Council.

Councilor Martino reported that the Senior Citizen's Advisory Committee met. Senior Fair will be May 21<sup>st</sup> at the Community Center and will have many guest speakers. June 9<sup>th</sup> is Senior Citizen Volunteer Recognition Day.

### COUNCIL COMMENTS

Councilor Martino said that there was a fishing derby on May 2<sup>nd</sup> sponsored by Connecticut Outfitters and UNICO, close to 100 children. Biggest fish caught was 14.25 inches.

Mayor Montinieri stated that over the past weeks of budget discussions, the public has been given several opportunities to share thoughts and give feedback. He wanted to say that any inference that the Councilors don't care is false. Everyone on the Council volunteers their time and cares a great deal about the community.

### TOWN MANAGER'S REPORT

The Charter Revision Commission results are in; the public hearing has been held and resulting draft forwarded to Council. The next step is to put in on the calendar. If it is before the November election, and if Council chooses to go forward with what the Charter commission has done, it will be on the November ballot.

### COUNCIL ACTION

Councilor Hemmann moved "TO ACCEPT THE RESIGNATION OF JOHN F. MAYCOCK

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FROM THE HISTORIC DISTRICT COMMISSION” seconded by Councilor Manousos

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

Chairperson Montinieri moved “TO ACCEPT THE APPOINTMENT OF BRIAN DICIOCCIO TO THE INLAND WETLANDS COMMITTEE” seconded by Councilor Kotkin.

5-4-2015 to 6-30-2018

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

### UNFINISHED BUSINESS

None

### OTHER BUSINESS

Town Clerk Dolores Sassano reported that there will be a DUI checkpoint on the Berlin Turnpike on May 5th. Farmington Bank will have free shred day 9-1 on Saturday, May 9th. There will be more public hearings on the revisions to the Charter; nothing will be changed without having a positive public vote on it.

### ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

Town Manager stated that Senate Bill #1 has been modified in the past month and the latest version is not currently available to the public. It contains a cap on motor vehicles at 29.36 mills, no transference of the revenue to the state, and a proposed sharing of general revenue based upon a yet-to-be published formula.

Councilor Manousos moved “TO OPPOSE SENTATE BILL #1 PRESENTLY UNDER CONSTRUCTION IN THE CONNECTICUT GENERAL ASEMBLY TO ELIMINATE LOCAL MOTOR VEHICLE PROPERTY TAXES AND REPLACE THEM WITH A STATEWIDE PROPERTY TAX RATE AND COLLECTION SCHEME” seconded by Councilor Hurley.

Councilor Hurley stated he opposes the bill. The State had a similar plan in 2011 for a municipal revenue sharing account for sales tax, where a portion of sales tax revenue was supposed to be given back to towns for property tax relief. This never happened because the state raided that money and he feels the same thing would happen under this plan.

Councilor Manousos stated that we can’t afford to lose local control of our tax dollars and it is not fair to our residents. He supports this resolution in opposition to the bill.

Approved

Councilor Rell stated that there a number of these accounts that the state has control over which have been raided by the state to pay for the deficit and fears this would happen to this account. Wethersfield would not see the additional sales tax revenue coming in.

Councilor Hemmann spoke in favor of opposing Senate Bill #1 and is concerned that the bill was passed without knowing the language that was in it and also that it will not have a public hearing.

Councilor Kotkin understands everyone's concerns but does not have a bill to read so cannot vote and abstains.

Councilor Martino said more work needs to be done on this and cannot vote on the resolution as is, and will abstain.

Chairperson Montinieri had concerns about the initial bill and money leaving the town with no assurances of how the formulas would work. He discussed his objections with Senator Fonfara and Representatives Morin and Doyle. As the bill stands today and under the current cap, Wethersfield would receive more money back than we give. Property tax reform needs to happen and municipal participation in finalizing the formulas for sales tax and the cap would be beneficial to the town. In the next several weeks, he and TM Bridges will be forming a group of town managers, mayors and financial people from CRCOG to go through the details of the bill to make sure it reflects the interest of our communities. They will then take it to the Senate subcommittee on Finance. He thinks forming this coalition will be more helpful than denouncing the bill which hasn't even been written yet. He is not ready to vote in favor of this resolution.

Councilor Rell asked that, if they do form this subcommittee with fellow towns, that they do a cross-section that includes smaller towns with lower than 29 mill rates, towns with mill rates comparable to Wethersfield as well as larger cities.

Councilor Manousos stated we don't need another commission to look at the bill to see if it makes sense. He is against seeing our tax dollars taken by the state and then redistributed. Voting no or abstaining on this resolution is supporting it.

Councilor Hemmann said that the resolution is general enough and we need to convey a message to the state and this is a way we can speak on behalf of the town.

Councilor Martino said that if we were to vote yes on this resolution today it would reflect negatively on the commission the Mayor is trying to form. He would like to see this resolution tabled.

Councilor Manousos said he thinks the Council should approve this resolution now to let the legislators know we don't approve. The town is never going to get more money.

Approved

Councilor Hurley said the sales tax will never come back to our town; the state will take it, they have done it before they will do it again.

Mayor Montinieri said that we have to use judgement as to what will give us the best leverage. There are pieces of this resolution he does agree with he doesn't want to hurt our position of collaboration. His goal in waiting is to maximize our voice.

All Councilors present voted, 4 in favor, 3 abstentions. The motion failed 4-0-3.

Councilor Martino moved "TO APPROVE THE CHANGE TO THE WETHERSFIELD TRANSFER STATION FEES ELIMINATING THE CHARGE FOR MATTRESSES"  
Seconded by Councilor Kotkin.

Town Manager Bridges said the state has initiated a stewardship project for disposal and recycling of mattresses so the town no longer needs to charge residents a \$15 fee for mattress disposal.

Councilor Hurley stated this change is effective May 1<sup>st</sup>.

Councilor Rell stated that when this was first brought up by the legislature two years ago, he mentioned that if we continued to charge residents the \$15 disposal fee we would be double billing because a fee for this service is also paid when the mattress is purchased.

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

Councilor Martino moved "TO PAY ENVIRONMENTAL SERVICES, INC. (ESI) FOR THE CLEAN UP OF THE TRANSFORMER OIL SPILL AT THE WETHERSFIELD HIGH SCHOOL IN THE AMOUNT OF \$37,143.37", seconded by Councilor Hurley. Councilor Kotkin left the chambers before discussion and vote due to a conflict.

Town Manager Bridges stated that there was an existing fuel tank on site and once the drainage was opened up there was some fuel leakage into Folly Brook, which was anticipated and contained. During this remediation process, the CL&P transformer was damaged and a small leak (dime-size or less) opened up into the brook as well. CL&P and the town have been in discussions for months. The town's insurance carrier has a 72-hour window in which they will cover, but this wouldn't even reach the \$10,000 deductible on the pollution coverage. CL&P has asked that the fuel leak and transformer leak cleanup be separated out as much as possible and they can revisit some of those expenses. We need to pay the contractor that did the cleanup in good faith and still pursue other avenues on the re-payment. We do not know which contractor hit the transformer or exactly when it was damaged.

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Councilor Manousos asked if part of the plan is to try to get the contractors who may or may not have hit the transformer to contribute to the cleanup cost. Town Manager Bridges said all of the contractors have denied it so there is no way to hold them accountable.

Mayor Montinieri had asked for an extension from ESI while the Town Manager was working on the insurance question, but the work was done in September, so we should pay the bill because the contractor has waited well past the normal 30 days.

Councilor Rell asked if we know how much transformer fluid leaked out. Mike Turner answered that it was about 230 gallons of oil.

Councilor Rell asked if CL&P were charging us or any of the contractors to fix the transformer. Town Engineer Mike Turner said that the transformer that was struck was removed and a different transformer was put at that site. In about another month, that transformer will be removed and all the power will come from the Cottone Field side transformer.

All Councilors present, including the Chairperson voted AYE. The motion passed 6-0-0.

Councilor Kotkin left the chambers before discussion and vote due to a conflict and has returned.

### BIDS

Councilor Martino moved “TO CHANGE THE MILLING VENDOR FROM COSTELLO INDUSTRIES, INC. TO GARRITY ASPHALT RECLAIMING, INC”, seconded by Councilor Kotkin.

Town Engineer Mike Turner stated that earlier this year asked Council to award Costello Industries the award for the spring paving program. We have a contract with them from the fall that has a balance of \$35,000. The town has been working with Costello since February to schedule the work, and a week before the work was supposed to start, Costello said they wanted to bump the work for Wethersfield until July in order to do work on I-95 for DOT instead. Garrity Asphalt was the second low-bidder, has done work for the town before, and could accommodate our schedule. The purchase order for \$35,000 would include closing out the Costello purchase order and sweeping that into the Garrity bid; essentially awarding them a \$70,000 purchase order.

Mayor Montinieri asked if our contract gives us protection against getting bumped by the contractor for a bigger project. Mike Turner stated that it does not; the state takes precedence because we are piggy-backed on the state bid.

The motion was amended and Councilor Martino moved “TO RESCIND THE PURCHASE ORDER TO COSTELLO INDUSTRIES IN THE AMOUNT OF \$35,000, FOR ROADWAY MILLING USING THE UNIT PRICES FROM 2015 STATE BID, AND AWARD TO

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GARRITY ASPHALT RECLAIMING, INC WITH AN ADDITIONAL \$35,000 FROM CNEF PAVEMENT MAINTENANCE ACCOUNT AND TO ISSUE A PURCHASE ORDER FOR \$70,000 TO GARRITY ASPHALT RECLAIMING, INC.” Seconded by Councilor Hemmann.

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

Town Engineer Mike Turner spoke about the deep surface repair on Fox Hill Road. Fox Hill Road was slated for the fall paving program, but the road is in such disrepair that they couldn't just patch the potholes, they needed to dig out and do base repair and then patch, setting it up for the fall overlaying work. On Robbinswood Road the entrances to both ends had old concrete curb that were cracked and needed to come out along with the sidewalks. The condition of the road required deep surface repair to keep them passable. The final course will be milled and overlaid.

Ivy Lane and Crest Street (between Cedar Street and Ridge Road) have exceeded their life expectancy and are beyond a simple mill and overlay.

Town Manager Bridges stated that there are about 12-20 roads in town that are on the paving watch list. They will be brought before the Paving Advisory Committee.

Councilor Martino moved “TO ACCEPT THE POOL CHEMICAL LIST AS PRESENTED”, seconded by Councilor Kotkin.

Town Manager Bridges asked Parks and Recreation Director Kathy Bagley how the beaches held up through the winter time. Director Bagley said it held up very well and there were no wash-outs.

Councilor Kotkin asked if the pool and beach would open on the last day of school. Director Bagley said that the schools close on Friday and the pool will open on Sunday.

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

### MINUTES

Councilor Martino moved “**TO APPROVE THE REGULAR MEETING MINUTES OF APRIL 6th**” seconded by Councilor Kotkin.

Councilor Martino had one addition, on page 2 under Councilor comments, add “needs to be repaired” to Councilor Martino’s comments on playground repair.

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

Councilor Martino moved “**TO APPROVE THE PUBLIC HEARING MEETING MINUTES OF APRIL 20th**” seconded by Councilor Kotkin.

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

PUBLIC COMMENT

George Ruhe, 956 Cloverdale Circle came up to speak about from a citizen's perspective, have to take the comments as sharing. Make sure that you are looking at what people are trying to say without taking a defensive posture. Resolution on the sending a message to Hartford and doesn't understand that reluctance from some of the Councilors. He also said that, after doing some research on it, he thinks body cameras for police are a good idea.

ADJOURNMENT

At 10:20 p.m., Councilor Martino moved "**TO ADJOURN THE MEETING**" seconded by Councilor Manousos. All Councilors present, including the Chairperson voted AYE. The motion passed 7-0-0.

Dolores G. Sassano  
Town Clerk

Approved by Vote of Council  
June 1, 2015  
Approved 6-0-2 [Roberts & Barry; Hurley  
absent day of approval]

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Minutes were amended as follows:  
Changed CROG to CRCOG pg 7