

Unapproved
REGULAR MEETING
OCTOBER 5, 2009

The Wethersfield Town Council held a meeting on Monday, October 5, 2009 at 7:00 p.m. in the Council Chambers, 505 Silas Deane Highway, Wethersfield.

Present: Councilors Cascio, Console, Forrest, Hemmann, Kotkin, Walsh, Deputy Mayor Montinieri (arrived 7:45 p.m.), and Chairperson Adil.

Absent: Councilor Roberts

Also present: Jeff Bridges, Town Manager, Peter Gillespie, Town Planner, Nancy Stilwell, Director of Social and Youth Services, Mike Turner, Director of Public Works, RaeAnn Palmer, Assistant to the Town Manager, and Dolores G. Sassano, Town Clerk.

Councilor Cascio led the pledge of allegiance to the flag.

375th ANNIVERSARY PARADE COMMITTEE PROCLAMATION

Chairperson Adil presented a Proclamation for the 375th Anniversary of the Town from the Governor to the committee members. He thanked the Committee for all of its work on the great activities.

Paul Courchaine, 375th Anniversary Parade Committee Chairperson, said that the Committee is made up of a great group of volunteers. He also thanked Town staff and Councilors Walsh and Forrest for their help with the activities.

Chairperson Adil said that the Town also received a Proclamation from the State Comptroller and one from the Town of Plymouth.

DIAL-A-RIDE UPDATE

Nancy Stilwell, Director of Social and Youth Services, said that the basic dial-a-ride program is a line item in the budget. It covers Monday through Thursday service from 8:00 a.m. to 5:00 p.m. The Town contracts with Logisticare who subcontracts with Ambassador to provide this service. Logisticare handles the reservations and administrative duty. The Town contracts for up to 1,300 one way trips per month. The Town has 274 subscribers who pay \$78 per year for unlimited use of the service. About 4 years ago, the Town received an expansion grant that allowed for expanded service, above and beyond what the Town already provided. The expansion grant allowed for medical transportation on Friday and expands the service to other Towns where some doctors' offices are located. The grant is shared with Newington and Rocky Hill and the money is pooled as a combined service that Wethersfield is the fiduciary of. The Town takes a small percentage of the grant. Since the State budget was not passed until just recently, the Town suspended the expanded program in June. The funds are being reinstated and

as of October 1st the program was reinstated. She said that she spoke with the State and the Town can expend the funds for the first quarter over the next three quarters. In June, the Town, in conjunction with Independent Transportation Network of Central Connecticut, launched the independent network. The network uses no tax money and works through grants and user fees. It is a program for people who are no longer able to drive. They pay \$40 to join the program and then add money into a personal account. The drivers are trained volunteers. There is a sophisticated computer system that matches callers with a driver and deducts the funds from the individual account. There is a \$3 surcharge and a mileage charge. There are 16 registered Wethersfield riders and 3 registered drivers. The program is operated out of Middletown and Wethersfield Social and Youth Services acts as a referral service.

Councilor Kotkin asked if Dial-A-Ride usage has gone down since the fees have increased.

Nancy Stilwell said that there was a slight decline in numbers but that enrollment is on-going throughout the year at a prorated cost. She said that the handout that was distributed to Council has the utilization of rides.

Councilor Walsh thanked the Director for finding innovative ways to provide transportation to residents. He asked how the new program was being advertised.

Nancy Stilwell said that press releases have gone out and information was sent to all dial-a-ride users in their renewals.

ECONOMIC DEVELOPMENT REPORT

Peter Gillespie, Town Planner, presented the following report:

WELCOME!

- Renovations are complete for Farm Fresh a fruit and vegetable market at the Goff Brook Shops at 1267 Silas Deane Highway.
- A CO was issued for Sterling Jewelers to expand into the recently available space adjacent to their store at 965 Silas Deane Highway.
- A CO was issued for Hair Works a beauty salon in the Goff Brook Shops at 1267 Silas Deane Highway.
- A CO has been issued for KB and B Metals in the Goff Brook Shops at 1267 Silas Deane Highway.
- 20-30 Beaver Meadow Road Law Firm has moved into recently renovated space.
- On September 29 a ribbon cutting was held to welcome Humphreys Bar and Grill to Town. Thanks to those who attended.

RECENT APPROVALS

- The PZC approved plans for an additional and residential use to the property at 75 Garden Street for Dr. Weston.

Unapproved

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- The PZC has approved plans for 322 Silas Deane Highway for conversion to a financial services office. An application for façade funds has also been approved by the EDIC.
- 840 Silas Deane Highway – Former Manny’s Auto – plans have been approved for the Centerpoint church to renovate and occupy this space.

DEVELOPER/PROPERTY OWNER/REALTOR CONTACT

- Façade Improvements – Subway – 770 Silas Deane Highway.
- 526 Silas Deane Highway - Former Ritz Camera/Photo – working with realtor on possible sale of the property.
- 1178 Silas Deane Highway – Former Fun Zone – Met with property owner to discuss potential buyer’s interest in property.
- Met with realtor to discuss developer interest in commercial property for multi family development.
- Discussed plans with business owner for potential use of vacant space formerly occupied by Blockbuster Video at 699 Silas Deane Highway.
- Met with owner of Comstock Ferre property to discuss status of property and any potential need for Town assistance.
- Met with owner of 1000 Silas Deane Highway (Former Weight Watchers) to discuss present status of property and potential Town support opportunities.

OTHER NEWS AND INITIATIVES

Economic Development and Improvement Commission

- A mailing was sent to all Wethersfield businesses to promote the Shop Wethersfield program and staff are presently compiling the information for the development of an electronic business directory. The response has been very good.
- The Commission has prepared a detailed RFP in partnership with the Chamber of Commerce on the creation of a more comprehensive business directory and Town Guide. After soliciting proposals we have decided to work with Life Publications and are presently soliciting local businesses and updating content for the guide.
- A breakfast with the real estate community is scheduled for **October 16 at 8am** at the Country Club.
- Planning is underway for this year’s Salute To Business, scheduled for **December 8** at the Country Club.
- Received notice that we will be receiving an additional \$250,000 from the State through the STEAP program for the streetscape improvement project in front of Town Hall.

Tourism/ Preserve America

- We selected Design:Clark for the preparation of detailed designs for our wayfinding signage program. Preliminary design concepts have been submitted and are being reviewed.
- The Historic Wethersfield brochure was recently updated and reprinted for distribution. We now have an adequate supply that should carry us through the end of 2010.

- Received a \$5,000 grant from the State Tourism Office to prepare a Strategic Marketing Plan. Soliciting proposals.

Noteworthy

- Working on RFP for consultant to update 2000 Plan of Conservation and Development.

Councilor Kotkin said that the store across the street from Town Hall still has plywood on the windows from the tornado in June.

Peter Gillespie, Town Planner, said that the owner pulled a permit for the repairs. The owner was looking into the possibility of a larger renovation but is going to focus on the window repair only.

FIRE PREVENTION WEEK PROCLAMATION

Chairperson Adil present Anthony Dignoti, Fire Chief, with a Proclamation for fire prevention week.

Chuck Flynn, Fire Chief, reminded residents to change the batteries in their smoke detectors and carbon monoxide detectors in November when the clocks are changed. He thanked all of the volunteer fire fighters for their service to the community.

Anthony Dignoti, Fire Marshal, said that there will be a host of programs and activities over the next two weeks in schools, pre-schools, and library.

Larry Ebner, 152 Ox Yoke Drive, thanked the Volunteer Fire Department for helping when he and his wife had a house fire.

Dolores Sassano, Town Clerk, took attendance.

HEARINGS

RESOLUTION – ACCEPTANCE OF YOUTH SERVICES GRANT

RESOLUTION – CENTRAL CONNECTICUT SOLID WASTE AUTHORITY

RESOLUTION – PROHIBITING THE USE OF TAXPAYERS FUNDS FOR THE PURCHASE OF CONTAMINATED PROPERTY

Joe Hickey, 28 Meadow View Drive, spoke in opposition to the resolution prohibiting the use of taxpayers' funds for the purchase of contaminated property. He said it is just an attempt to try to block the purchase of the Wilkus Farm. It has become a partisan issue.

Eileen Candels, 106 Windmill Hill, read a letter from Bob Porell, 251 Windmill Hill. The letter discussed the contamination from benzene found in ground water on the Wilkus property. The DEP required the wells on the property be tested. The results are in and the wells are clean. The animal life on the farm does not seem to be bothered by the benzene which is released naturally and through the use of gasoline and cigarettes. The letter concluded by stating that the problem with the resolution is that it would eliminate the possibility of the Town purchasing any land that ever appears on the list even if the State deems the land safe like the situation with the Wilkus property. Ms. Candels, speaking on her own behalf, urged Council to defeat this resolution and to allow the Town Council the freedom to chose properties and the freedom to access the already established legal actions that are in place.

Larry Ebner, 152 Ox Yoke Drive, said that the speakers are not up-to-date on the purchase of the Wilkus property. The Town is paying \$3,400,000 for swamp land. He said that there is a process with the Historic Preservation Trust. It is a scandal and great disgrace. The contributions go to a firm. He said that he read the Town Charter and there is no Mayor in Wethersfield. The Town Council and Town Manager should review the Charter. He received copies from the Town Clerk's office that show a \$7,000 contribution by one firm for the Save the Farm group. He has attorneys monitoring this situation. The Town Council should check this out with the Board of Ethics and Town Attorney. He is asking for a list of contributors to the firm.

Tracy McDougall, 45 Nott Street, said that she is asking for the opposition of this resolution. She said it is a veiled attempt to thwart the Wilkus property purchase. The Town Council wanted to purchase the property and the voters wanted to purchase the property. The Town and landowners are working diligently to remediate the property. Please vote no on this resolution.

Bill Knapp, 171 Collier Road, read a letter from Peter Susca, 52 Hawthorne Way, retired Deputy Fire Chief who was trained in the handling of hazardous materials. The letter said that he was confused by the wording of the resolution. It said that if the intent of the resolution is to protect the Town, then it should be written to prevent the Town from moving forward with a property without doing due diligence, having a remedial plan, and budget developed under guidelines. A sample of public and private property around Wethersfield would find most properties have similar levels of contamination. If the resolution is intended to limit the authority of the Town Council, do residents believe the leaders are incompetent and there are not enough checks and balances in the present system. If the intent is to stop the purchase of the Wilkus property, it is just another sad way for a small group to continue to waste the Town's resources in an attempt to counter the will of the people. The letter said that the Town will not be able to buy previously contaminated property, no matter what the level of contamination even if it has been cleaned to State standards. Mr. Knapp, speak on behalf of himself, said the he opposes the resolution. He said that the Town Council should reject it because it is bad public policy. The title makes it look like a good policy but reading it, it means that the Town can't purchase any property ever on the DEP list. This resolution binds the hands of the Town Council in the future. The

Redevelopment Commission could find that this resolution could forestall the purchase of underutilized commercial properties. Much farmland has contaminates from gasoline and propane on the land. It should not keep the Town from purchasing it.

Larry Ebner called for a point of order. He asked the Town Clerk for a recording of this broadcast for when he goes to his attorney. He asked to please provide a copy of the video tape.

John Miller, 45 Highland Street, said that listening to the people advocating for the no prohibition of purchasing contaminated property is probably the best case for having something that prohibits it. There are only two sites in Town that are on the list. He said that he doesn't doubt that other properties may have been on the list but have been cleaned and are no longer on it. He asked who is responsible for the cleanup. He said that it is the issue. Under the contract, the Town is purchasing 80 acres for \$3,400,000. He thought the price was too high when it wasn't contaminated land. The closing was scheduled for June, it is four months late. Now it is on the DEP list. The Town Council is minimizing the disclosure and continuing with the sale. Just because the wells have been determined to be safe, it doesn't mean that there hasn't been contamination. Due diligence is protecting the Town. Normally, a buyer knows what he is buying before the purchase price is set. He said that he thinks the property is worth only ½ of the \$3,400,000.

Larry Ebner, 152 Ox Yoke Drive, began asking Mr. Miller questions.

Chairperson Adil called for a five minutes recess.

Jim Woodward, 5 River Road, congratulated the Parade Committee on a great parade and the Fire Department on putting out his neighbor's fire. He said that the Town Council did its due diligence on the Wilkus Property. The farm is on the DEP list but after testing the wells, no water contamination was found. No abatement is necessary. He said that benzene evaporates in the ground. There are cautions when purchasing properties with contamination. The proposed resolution paints the world in black and white. This is a huge property of over 80 acres that has 500 feet of possible contamination. He opposes the resolution.

George Ruhe, 956 Cloverdale Circle, said that he is speaking publicly, not talking about nameless special interest groups. At another meeting Ms. Brickley spoke against the Wilkus farm. She did not identify herself as Mr. Miller's daughter, an opponent to the purchase. The Town Council has always done its homework and has avoided scare tactics. No one is worried about a developer purchasing the property and developing it if it's polluted. The Town needs to respect land for more than its economic value. The Town is here to try to save this land again and again. What the Town saves now may be all it saves later. The Town Council should vote no on this resolution.

Matt Chowela, 90 Ox Yoke Drive, thanked all of the speakers both pro and con and the Town Councilors for their work. This resolution is not an issue. If there is a problem, it would be the seller's responsibility to remedy it. The Town Council should respect the votes of the public at two referendums and vote no for this resolution.

No one else wished to speak for or against the resolutions. Chairperson Adil declared the hearing closed.

Dolores Sassano, Town Clerk, took attendance.

PUBLIC COMMENTS

Bob Porell, 251 Windmill Hill, thanked Ms. Candels for speaking on his behalf earlier in the meeting. He talked about obfuscation – a debate or to misdirect. He said that children often do this and it has long been a part of politics. The public should learn the truth. Wethersfield should be above petty tactics. This resolution is obfuscation. It is another obscure, covert attempt to halt the sale of the property. The farm is not a hazard to the Town. There is no water contamination and any remediation will be done by the sellers. There has been a lack of honest conversation. It is contempt for the citizens to scare people about the sale. He urged Council to see through this misdirection.

John Miller, 45 Highland Street, said that he commends the neighbors around the Silas Deane Middle School for speaking out about the construction of the fence blocking pedestrian traffic to the Library. The fence will block and discourage students to walk to the library. That has to be a first in Town. It will receive National attention. The issue is with the parking lot. The traffic will be rerouted on to side streets. The safety of students and the impact on the streets was not addressed. This raises concerns and should be put on hold. There has always been inadequate parking in Town Hall and the reconfigured lot reduces the parking by about 20 percent. He is concerned with moving the entrance, too. It is not a good setup. The Silas Deane Middle School and Library should function as one complex.

Marguerite Alpert, 7 Morrison Avenue, said that the parking lot is only congested once a day during afternoon pick up. The Town Hall is closed when parents drop off in the morning. She was so disappointed to hear about the construction of the fence. It casts a sad and embarrassing light on the community. It is anti-community and anti-education. The Town should spend the \$26,000 for the fence on more creative things. The Town hasn't even tried the new horseshoe parking lot yet to see how the flow will be.

Jim Woodward, 5 River Road, thanked the Town for implementing the land use fees to help the Town committees. He said that he is teaching an adult education class on Wednesday night discussing 375 years of agriculture in Wethersfield. He invited people to attend, no sign-up is necessary.

Patti Silva, 24 Hillcrest Avenue, said that she opposes the construction of the fence. She understands the safety issues in the parking lot, but more work needs to be done to look at the issue. Instead of erecting barriers between education, the Town should be working to take them down. She suggested creating a loop for parents to use for pickup.

Krista Vermeal, 174 Nott Street, said that parents are so disappointed by the loss of the ROPE program and now concerned about the fence. Fences say keep out. The neighboring streets can't handle the extra traffic. The fence will create a traffic nightmare and safety hazards.

Martha Yeagher, 32 Fairmont Street, urged the Town Council to stop the construction of the fence between the middle school and the Library. There is a concern with traffic issues and the lack ability to walk from the school to the Library. She hopes the Town will put the fence on hold until the Town can look into this. There were three reasons for the fence, to stop drop off and pick up for students and to keep cafeteria workers from parking there. The cafeteria workers should be addressed through personnel. The parent drop off is not an issue because Town Hall is closed at the time of the morning. The police records do not show any accidents in the Town Hall lot related to parent pick up in the afternoon. There are so many details to work out.

Michael Wrona, 16 Fairmont Street, echoed the comments of the previous speakers. He was told that the issue was already voted on and there is nothing else to be done. The Town Council needs to be more flexible. It is not just a fence. No one really analyzed this and took into account the effect it would have on the neighboring streets. He asked why there was an urgency for the fence. The Town Council needs to take a step back and examine the issue and make a fully informed decision. He said that no one spoke in favor of the fence.

Tristan Stanziale, 15 Harold Street, said that this was not visited with the Board of Education. Shared Services should review the fence issue. There needs to be a plan.

George Kelly, 369 Hartford Avenue, said that he is at the meeting at the request of Judy Keane. The Cove Side Carnival, sponsored by the Keane Foundation, will be October 16, 17, and 18th at Cove Park. He encouraged everyone to attend.

George Ruhe, 956 Cloverdale Circle, said that the fence is a bad idea. He said that he agrees with Mr. Miller on this issue. He suggested using the money for work on the ponds.

Robert Young, 20 Coppermill Road, said that he agrees the fence is a bad idea. He said that the Town bought the Wilkus property for open space and is now putting up a wall between Town Hall and the Silas Deane Middle School. It doesn't make sense. The Town Council is generous with school spending, especially special education spending. He said that the State of Connecticut is already short \$900,000,000. The Town may not get all of the money that it thinks it is getting from the State. The Town must stop borrowing. He read from handout that discussed the amount of money per person area Towns receive from the State.

Gus Colantonio, 16 Morrison Avenue, said he spent time reading the police reports regarding the need for a stop sign on Morrison Avenue. The stop signs are based on traffic and conditions of the road. Morrison Avenue does not meet the conditions of a road in Wethersfield. There is no standard for safety. The intersection is bad. He agrees with other speakers about the fence. It's ridiculous to install a fence. He said that the new entrance to Town Hall is dangerous. He has already entered the lot from the exit.

Peter Baranowski, 65 Westway, said that he opposes the fence. The safety of children is important. The fence is a crazy idea.

Barbara Ruhe, 79 Main Street, said that the Town cut \$200,000 from the Youth Services program this year and is now building a fence and paving a parking lot. The government is for the people and by the people. The people should have a respectful dialogue. A member of the public received a disrespectful e-mail from the Mayor stating that the fence will be built. Ms. Ruhe said the fence should not be built. People at the meeting are not the audience but the taxpayers. The Town Council serves at the publics' pleasure.

Ken Sokolowski, 79 Main Street, said that a speaker earlier used the work obfuscation. He said that he is having trouble with departments who use fuzzy math. An example is the Police Department. He questioned the accuracy of the numbers. He cited the example of traffic flow data regarding speed on Main Street. He said that unless the Town uses good solid statistics for the need for a fence, the Town Council is using obscuration itself.

COUNCIL REPORTS & COMMENTS

Councilor Walsh said that over the next few months the Redevelopment Agency is inviting some commercial property owners to meet and discuss plans for their properties. He said that the Infrastructure Committee met and discussed Morrison Avenue. Plans have been given to Mr. Garrey. The Infrastructure Committee also met with CL & P and talked about street lights to look for redundancies. Finally, the Town received a STEAP grant to complete the work on the Silas Deane Highway in front of Town Hall.

Councilor Cascio said that the Library Board is having a strategic planning meeting tomorrow night. The Chamber of Commerce is enjoying its new home in the Keeney Center and its membership is growing.

Councilor Forrest said that the Energy Committee met to narrow the scope of renewable energy projects in Wethersfield. The Committee is drafting a letter to CCAP looking for the final report on four Town buildings. The next meeting is next Thursday and the Committee will review hydro energy in Wethersfield in regard to two dams. There is also talk about energy controls, using zones and controlling when energy goes on and off.

Councilor Hemmann thanked the 375th Anniversary Committee members for all of their work. The parade was well attended. She said that the Source to Sea Clean up sponsored by the MDC was held this weekend. It is the 9th year of the program. Boy Scout troop 243 stepped up to help. A lot of trash was cleaned up at the Cove. The 20 scouts and their families did a great job.

Councilor Walsh said that he too would like to thank the Parade Committee. It was a great day.

Councilor Forrest said that it was a great time. He thanked Councilor Hemmann for her tremendous work on the Cove cleanup.

Councilor Hemmann said that the Boy Scouts need volunteer hours. They are a great group to work with in many areas. She said that she will work with the MDC for more sponsorship opportunities for other areas in Town.

Councilor Forrest said that Councilor Walsh gave a tremendous amount of time to the 375th Anniversary Committee. There have been great activities all year long. He thanked him for all of his work.

Councilor Walsh said that he enjoyed working on the Committee and thanked Councilor Forrest for his comments.

Chairperson Adil highlighted the following upcoming events:

- Chamber of Commerce Business After Hours will be held October 15th at William Raveis Real Estate and Insurance Office.
- The Cove Side Carnival sponsored by the Keane Foundation will be October 16, 17, and 18th.
- Shred It and Forget It, sponsored by The North Central Area Agency on Aging, will be October 15th at the Community Center.
- American Red Cross Blood Drive will be October 22nd at the Community Center.
- The Volunteer Fire Department is sponsoring a bus trip to Mohegan Sun on October 24th.
- MDC Hazardous Waste Collection Day has been rescheduled to October 10th at Wethersfield High School.
- Leaf Collection program is beginning soon. The schedule is available on the Town website.
- The CRT Energy Assistance Program will begin soon. The Social and Youth Services are making appointments in October and November.

TOWN MANAGER REPORT

Jeff Bridges, Town Manager, said that Towns are racing towards regionalization. Wethersfield is taking part in a pilot program for a building permit software program. CRCOG has developed a performance management software to measure across towns.

Councilor Kotkin moved **“TO TAKE ITEM B.2.A. – FINANCIAL POLICY – SELF INSURANCE RESERVE FUND”** seconded by Councilor Forrest.

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

Councilor Cascio moved **“TO ADD ITEM B.5.A. – RESOLUTION REGARDING PROPOSED FENCE BETWEEN TOWN HALL/LIBRARY AND THE SILAS DEANE MIDDLE SCHOOL”** seconded by Councilor Cascio.

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

COUNCIL ACTION

Deputy Mayor Montinieri moved **“TO APPOINT CHRISTINE TAYLOR TO THE WETHERSFIELD ADVISORY COMMITTEE FOR PEOPLE WITH DISABILITIES”** seconded by Councilor Walsh.

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

Deputy Mayor Montinieri moved **“TO TABLE THE APPOINTMENT OF JOHN J. O’LEARY TO THE BOARD OF ETHICS”** seconded by Councilor Forrest.

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

Councilor Cascio moved **“TO APPROVE THE RESOLUTION – ACCEPTANCE OF YOUTH SERVICES GRANT”** seconded by Councilor Walsh.

Jeff Bridges, Town Manager, said that this grant will enhance Youth Services programs in the amount of \$27,916.

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

Councilor Kotkin moved **“TO AUTHORIZE PRELIMINARY SUPPORT AND PAYMENT OF \$500 TO COVER PROFESSIONAL SERVICES TO DEVELOP THE AUTHORIZING LEGISLATION FOR A CENTRAL CONNECTICUT SOLID WASTE AUTHORITY”** seconded by Deputy Mayor Montinieri.

Jeff Bridges, Town Manager, said that this is a resolution by CROG to create a solid waste authority to gain leverage in the solid waste issue in the region. This resolution is Wethersfield’s commitment to draft documents for legislation for paperwork that will then be brought back to the Town Council. Then an ordinance will be brought to Council to formally join.

Councilor Hemmann asked if CRCOG is supporting this, if there are commercial entities that are working to do this, if the Town will be able to go out with a request for proposals to see if a better price can be reached, and what are possible additional costs noted in the August 20th CRCOG notes.

Chairperson Adil said that this motion gives the Town another option instead of the private market or Connecticut Resource Recovery. The MDC towns have gone to Connecticut Resource Recovery and have asked for a contract end. They are claiming to be working on it. This resolution will give the Town another option. All of these questions will be answered as the Town moves forward.

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

Councilor Console moved **“TO APPROVE THE RESOLUTION – PROHIBITING THE USE OF TAXPAYERS FUNDS FOR THE PURCHASE OF CONTAMINATED PROPERTY”** seconded by Councilor Cascio.

Jeff Bridges, Town Manager, said that this resolution will prohibit the use of taxpayers’ funds for the purchase of contaminated property.

Councilor Console said that he introduced this resolution to protect Wethersfield residents. He doesn’t work for any special interest groups. The Town is paying top dollar for the Wilkus Farm. He said that he is moving this resolution to protect the taxpayers from future lawsuits. He is opposed to the amount of money that is being used to purchase this land, not the purchase of the property.

Councilor Forrest asked if Councilor Console still wanted to vote on this tonight as it is written.

Councilor Console said that it may not be written properly. His intention is to purchase clean land and not have to spend thousands of dollars of Town money on the cleanup of the farm. He suggested tabling the resolution and sending it to the open space committee for review. He said that he wants to do the right thing.

Councilor Walsh asked if the resolution is intended to be specific to the Wilkus property.

Councilor Console said that it was not.

Councilor Walsh said that the resolution really binds the Town Council on any future land purchase.

Councilor Console said that future Councils can change the resolution.

Councilor Walsh said that he was concerned with the timing of the resolution since the Council will be changing in November.

Councilor Kotkin said that the property is on the DEP list for hazardous pollution because of the benzene in the ground water. It can contaminate wells. All of the wells have been tested and there is no detection of contamination and abatement is not necessary. Is it the view of the proponents of this resolution that if it passes, the Town can't purchase the Wilkus property? Or can the Town move forward with the purchase because no abatement is necessary?

Councilor Console said that the Town should move forward with the purchase if the property is clean according to the DEP. The DEP is testing the soil now. There are still questions to be answered. He is asking these questions so that when the Town buys something it is what it says it is.

Councilor Kotkin said that there is nothing about the other issues in this resolution. He asked if the Town could pursue purchasing the property if it is passed.

Councilor Console said that if the DEP says it is clean then the Town should buy it.

Councilor Kotkin said that the DEP said that no further remediation is necessary. He asked what Councilor Console wanted the DEP to do.

Councilor Console said that he would like them to sign-off that the property is clean.

Councilor Kotkin said that he can't support this resolution because the Town doesn't even know if the DEP signs-off on projects like this. He said that in the July minutes Councilor Walsh moved \$15,000 to do a phase II analysis and the vote was 6-2. Councilors Console and Cascio voted against it. That money was used to determine the environmental hazards on the property. The Town Council has taken all prudent steps for this purchase. He urged Council to vote against this resolution. The Town Council has done a good job looking into the cleanup of the property to minimize any liability. The voters voted for this purchase twice. The DEP says that no additional action is necessary.

Councilor Cascio said that he voted no all along the way. He is continuing to vote no.

Councilor Hemmann said that when she read the resolution she interpreted it as establishing a policy to forbid the purchase of contaminated property. It is a general policy to protect the Town. She said that the Town expected to close on the Wilkus property in June. Then there was a study of contamination and remediation was done. This is also the job of the Planning and Zoning Commission and other Boards and Commissions in an advisory fashion.

Councilor Walsh said that, it sounds like the focus is on open space. He asked what if the Redevelopment Commission gets involved in a commercial property and wanted to purchase it. What would be the implications?

Councilor Hemmann said she would look to the policy to define some of that in its guidelines. This resolution would establish guidelines, remediation, consultants and testing.

Deputy Mayor Montinieri said that he is concerned about protecting the interests of the community. There are steps in place to purchase the property after efforts have been made about the condition of the property. He said that he thinks every effort has been made. He said that his concern is that the resolution needs to be curtailed. The DEP is an awful lot of bureaucracy. The Town doesn't even know if the DEP will send a letter to the Town. With the passage of this resolution, the Town will lose control over what it does. He said that none of the Town Councilors are qualified to make environmental decisions, that is why the Councilors have surrounded themselves with people and groups to do that, to make sure the property is meeting requirements for the cleanup. The sellers are under the obligation to clean-up the property. The reason for the delay in the purchase is that the Town is waiting for the clean-up. This resolution is not a way to make sure the property is clean. The process behind the scenes is making sure that the property is clean. The Town has done due diligence in respect to the clean-up. The Town wouldn't spend \$15,000 for a study without the deal on the table. It would not be prudent to do so. The Town Council did its due diligence with the environmental tests. He is voting against this resolution. Its intention is not bad.

Chairperson Adil said that there was a good discussion tonight. This resolution is abdicating the Town Council's authority. The clean-up is the responsibility of the seller and they are cleaning it up.

Councilor Hemmann moved **“TO TABLE THE RESOLUTION – PROHIBITING THE USE OF TAXPAYERS FUNDS FOR THE PURCHASE OF CONTAMINATED PROPERTY”** seconded by Councilor Cascio.

Councilors Cascio, Console, and Hemmann voted AYE. Councilors Forrest, Kotkin, Walsh, Deputy Mayor Montinieri and Chairperson Adil voted NAY. The motion failed 3-5-0.

Councilor Hemmann moved **“THAT THE RESOLUTION BE MOVED TO THE CONSERVATION COMMISSION FOR REVIEW AND TO ESTABLISH A POLICY WITH GUIDELINES”** seconded by Councilor Cascio.

Councilor Forrest said that the specific charge is already in the resolution. The charge to establish a policy is very vague. The Conservation Commission may have questions. He said that a policy is too vague and he can't support this motion.

Councilor Hemmann said that the resolution states to establish a policy prohibiting the use of Town funds for the purchase or acquisition of any interest in real property. She would look to the Conservation Commission to come back with recommendations on things to look for in environmental concerns to protect the Town in future instances. She said that she is looking to the Commission to draft recommendation for guidelines.

Chairperson Adil said that is how the Conservation Commission came up with a list to rank properties for the Town to acquire. He would defer to Councilor Forrest who serves as liaison to the Commission.

Councilor Forrest said he would amend it to say that the Town Council would like the Conservation Commission to look into a policy for guidelines for environmental concerns when purchasing property. It is appropriate to send it over. But to send the resolution over to the Commission when it has a policy already does not make sense. This resolution hinders the Council's ability to purchase property.

Councilors Cascio, Console, and Hemmann voted AYE. Councilors Forrest, Kotkin, Walsh, Deputy Mayor Montinieri and Chairperson Adil voted NAY. The motion failed 3-5-0.

Chairperson Adil asked if Councilor Hemmann would like to make a motion for the Conservation Commission to refer a policy to them.

Councilor Hemmann moved **“TO REFER TO THE CONSERVATION COMMISSION TO DEVELOP DRAFT GUIDELINES TO BE BROUGHT BACK TO COUNCIL TO PROTECT THE TOWN ON FUTURE PURCHASES IN REGARD TO ENVIRONMENTAL HAZARDS”** seconded by Councilor Console.

Councilor Kotkin asked that the motion be repeated.

Councilor Hemmann said “to send to the Conservation Commission a request to establish guidelines related to protecting the town for future open space property purchases related to environmental hazards”

Jeff Bridges, Town Manager, asked if the Town Council would like to broaden it to include other properties.

Chairperson Adil said that he did not want to include commercial properties as the Conservation Commission deals with open space issues.

Councilor Forrest said that the idea has merit but wondered if it is prudent to draft this on the fly. The Town Council may want to discuss it with the Town Manager.

Chairperson Adil said that he does not see a problem moving forward with this and sending it to the Conservation Commission. The Conservation Commission uses guidelines in determining the ranking of properties. He asked if the Town Manager thought this was okay.

Jeff Bridges, Town Manager, said that he believes that a policy that provides a process for the Town is a good endeavor. Once guidelines are established they would be brought back to the Town Council for review.

Deputy Mayor Montinieri said that he is not sure what the Council is trying to accomplish. He said that when the Town Council discussed the Wilkus property in public session and executive session it was kept apprised of Town policies and environmental issues. He would like to see some parameters before it is sent anywhere.

Councilor Hemmann withdrew her motion and said that she will come back with something more detailed.

Councilor Console withdrew his second.

UNFINISHED BUSINESS

Councilor Kotkin moved **“TO AUTHORIZE THE TOWN MANAGER TO IMPLEMENT THE ATTACHED SELF INSURANCE RESERVE FUND POLICY CONTINGENT UPON APPROVAL BY THE BOARD OF EDUCATION”** seconded by Councilor Walsh.

Jeff Bridges, Town Manager, said that this was previously discussed, redrafted to clarify some points by the Budget and Finance Committee, and the Committee is recommending the adoption of it now.

Councilor Kotkin thanked the Budget and Finance Committee for its work. It is a better document now. The Town and Board of Education had good experiences this year. The Town is at about a 10 percent reserve funding status. There will be close to \$1,000,000 to defray expenses for any potential budget overrun. This is a good policy.

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

OTHER BUSINESS

Councilor Walsh moved **“TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR A SMALL CITIES GRANT ON BEHALF OF THE WETHERSFIELD HOUSING AUTHORITY (COMMUNITY DEVELOPMENT BLOCK GRANT SMALL CITIES)”** seconded by Councilor Cascio.

Jeff Bridges, Town Manager, said that this is a request on behalf of the Wethersfield Housing Authority for Community Development Block Grant funds.

Kate Fourcier, Executive Director of the Housing Authority, said that she is requesting funds to do three things: the roof at the Fuller apartments, to rip up and replace the parking lot there, and to replace security systems in two units. The Fire Marshal recommends these upgrades. She said that she will see how far the money will go.

Councilor Kotkin asked if the roof was being replaced because of wear or from storm damage.

Kate Fourcier said that it is wear on the roof.

Chairperson Adil said that he received a letter from Mr. Fuller's son questioning a plaque on the Fuller Housing building.

Kate Fourcier said that she spoke to the Board of Directors and employees and the sign that is there now is the only sign that existed. There is also a photograph of Mr. Fuller with a small plaque attached inside the building.

Chairperson Adil asked that Mr. Fuller's son be notified.

Jeff Bridges, Town Manager, said that he had been notified.

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

Councilor Forrest moved **“TO AUTHORIZE THE TOWN MANAGER TO ACCEPT A GRANT FROM THE STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PLANTING OF LEGACY TREES”** seconded by Councilor Cascio.

Jeff Bridges, Town Manager, said that this is a request to authorize him to accept a grant for \$5,300 for legacy trees. The Town's match to the grant will come from insurance money from the storm.

Councilor Cascio asked if families can purchase these trees.

Chairperson Adil said that residents can purchase trees through the 375th tree program.

RaeAnn Palmer, Assistant to the Town Manager, said that the trees are called legacy trees because they grow into mature shade trees and become a tree canopy.

Councilor Walsh thanked Ms. Palmer for her diligence and said that it was great timing.

RaeAnn Palmer, Assistant to the Town Manager, said that Phil Smithwick, Tree Warden deserves credit for his work on this grant.

Councilor Forrest said that a lot of these trees will be planted on the Broad Street Green but some will also be planted on Wolcott Hill Road and Church Street. There is also the 375th tree program in Town and the Shade Tree Commission is also starting a program.

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

Councilor Kotkin moved **“TO WRITE OFF THE UNCOLLECTED PERSONAL PROPERTY, REAL ESTATE, AND MOTOR VEHICLE TAXES FROM THE 1993 GRAND LIST IN ACCORDANCE WITH SECTION 12-164 OF THE CONNECTICUT GENERAL STATUTES”** seconded by Councilor Forrest.

Jeff Bridges, Town Manager, said that this motion is to write off the uncollected taxes from the 1993 grand list in the amount of \$32,684.11. The last write off was for \$130,000.

Councilor Forrest asked if these tax liens can be sold.

Jeff Bridges, Town Manager, said that the Town is looking at selling more recent tax liens.

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

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

RESOLUTION REGARDING PROPOSED FENCE BETWEEN TOWN HALL/LIBRARY AND THE SILAS DEANE MIDDLE SCHOOL

BE IT RESOLVED, that the Town Council, on behalf of the Town of Wethersfield, does hereby resolve that the installation of the fence and gate proposed to be erected between the Town Hall/Library complex and the Silas Deane Middle School be postponed for a period of not less than ninety (90) days in order to allow for the receipt of comments from and consultation with the Wethersfield Police Department, the Wethersfield Fire Department, the Board of Education, parents of students at the Silas Deane Middle School, users of the Wethersfield Public Library, and the affected residents and to further consider of the needs for and the ramifications of such fence and gate.

Deputy Mayor Montinieri said that there was a lot of public dialogue on the issue of the fence. He wants to be certain that the Town will not initiate anything until after a thorough discussion. He said that it is safe to say that all Councilors agree that it is important that the public came out to speak on this issue. The Town should not move forward yet.

Chairperson Adil said that the Town Manager has said that no fence will be installed before the next meeting.

MINUTES

Councilor Walsh moved **“TO APPROVE THE REGULAR MEETING MINUTES OF SEPTEMBER 21, 2009”** seconded by Councilor Forrest.

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

EXECUTIVE SESSION

At 10:40 p.m., Councilor Cascio moved **“TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS”** seconded by Councilor Walsh. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0. Jeff Bridges, Town Manager, was present. No motions were made and no votes were taken during executive session.

At 10:55 p.m., Councilor Console moved **“TO LEAVE EXECUTIVE SESSION”** seconded by Councilor Forrest, All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Councilor Console moved **“TO INCREASE DOLORES SASSANO, TOWN CLERK’S SALARY FROM \$30.77 PER HOUR TO \$31.80 PER HOUR AND CONSIDER ALIGNING THE BENEFITS FOR THE EMPLOYEE TO THOSE OF THE MEMBERS OF THE ADMINISTRATIVE GROUP”** seconded by John Casio.

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

ADJOURNMENT

At 10:56 p.m., Councilor Forrest moved **“TO ADJOURN THE MEETING”** seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk