

REGULAR MEETING JUNE 18, 2007

The Wethersfield Town Council held a meeting on Monday, June 18, 2007 at 7:30 p.m. in Room F-3 of the Pitkin Community Center.

Present: Councilors Cascio, Forrest, Kirsche, Kotkin, Montinieri, Walsh, Deputy Mayor Fortunato and Chairperson Adil.

Absent: Councilor Drake

Also present: Bonnie Therrien, Town Manager, and Dolores G. Sassano, Town Clerk.

All stood for the pledge of allegiance to the flag which was led by Councilor Cascio.

PUBLIC COMMENTS

HEARING

No one wished to speak for or against the Ordinance.

GENERAL COMMENTS

Max Alpert, 7 Morrison Avenue, said that there is a problem with his sidewalk and he fell off his bicycle while riding on the sidewalk. He said that his mother counted 71 damaged sidewalk slabs. The Town should fix the sidewalks so that the kids are safe.

Marguerite Alpert, 7 Morrison Avenue, thanked Bonnie Therrien, Town Manager and Mike Turner, Director of Public Works, for their time on this issue. She is concerned about the condition of the sidewalks. She said that Morrison Avenue is not the typical street in Town. There is no snow shelf and the sidewalk is not 6 inches above the roadway. Curbing has not been replaced after the road repaving. There are 50 children in the neighborhood and the sidewalks are not safe for them. The condition of the sidewalks is a result of water not draining properly and snowplows scraping them. She said that this is a unique circumstance and it warrants special consideration. She wants full and prompt replacement of the sidewalks. She suggested replacing sidewalks on one side of Morrison Avenue with a snow shelf, like Greenfield Street. She said that she welcomes inclusion in the planning process.

Arlene Shea, 51 Hillcrest Avenue, said that her backyard meets with her brother's property on Morrison Avenue. She said that neighbors are getting water in their basements. This water used to flow down the street but now is pooling in the yards. She asked that Town staff look at the water issues during the next storm.

Pattiann Silva, 24 Hillcrest Avenue, said that during the recent milling of Morrison Avenue, sidewalks were broken and curbing was removed and not replaced. She said that usually homeowners are responsible for sidewalk replacement but these sidewalks need replacement not from normal wear and tear but damage from the snow plows and standing water. The curbing is a channel for the water and the only barrier between the children and the cars on the road. She said that her daughter also had an accident on the sidewalk and asked that the sidewalk and curbing be replaced.

Adam Jeamel, 19 Morrison Avenue, congratulated the Town Council on passing the Town budget. He said that he has paying concerns. He said the he is panicked to think of children walking on the sidewalks. He said that there is an infrastructure problem with Morrison Avenue because there is no snow shelf. Snowplows cause damage to the sidewalks. He said that he is also concerned with the aesthetics of the street. He asked that the Town Council work with the residents to improve the situation. He said that there are still chunks of milling left in his yard. He hoped that

someone would come back and pick them up.

Louis Gulino, 9 Morrison Avenue, said that pictures are worth a thousand words. He presented the Town Council with photographs of how the water flows and stays on the sidewalk.

Susan Butler, 8 Morrison Avenue, gave the Town Council a Power Point presentation on a CD showing the water on the road and sidewalk. She said that the Town Charter states that the Town Manager and Engineer act as Public Safety Officials unless the Town Council decides otherwise. She suggested that the Town Council appoint someone else who can devote more time to this issue. Morrison Avenue was paved incorrectly years ago. There are no storm drains or a snow shelf on the road. In a meeting in May with the neighbors, the Town Manager said that if the road re-milling was not approved, the residents were unlikely to see any improvements for 10 to 15 years. The residents felt there was no other option than to approve the re-milling.

Grace Alpert, 7 Morrison Avenue, said that the sidewalks are not safe. She said that her brother got hurt on the sidewalk. She said that curbs on the road make her neighborhood look better. She wants the Town to replace the sidewalks for them.

Lynne Matteson, 26 Morrison Avenue, said that she walks her dog every night. The sidewalks, because they are lower than the road, are treacherous in the wintertime when ice collects on them. She hopes that the Town will do something to get rid of the problem.

Virginia Smith, 1 Morrison Avenue, said that she echoes the sentiments of her neighbors. The road work that was completed is horrible. There is no continuity with the sidewalk heights and roadway. She said that the snow plows dump all of the snow from the road on the sidewalks since there is no snow shelf. She said that she has a pipe in the front of her property that Town staff access. They park vehicles on the sidewalk when they are doing this. Her sidewalks are cracked and damaged.

Gastone Colantonio, 16 Morrison Avenue, said that he designs roadways. Milling and overlay is usually a good idea. The ride on Morrison Avenue is good now. He said that the Town had a chance to properly fix this road but didn't. He asked that the Town consider reconstructing the sidewalk to follow the existing standards. He quoted the State guidelines for roads, sidewalks, and drainage. The Town spent a lot of money and it didn't fix the problems with the road and sidewalk. He hoped to meet with Town officials to discuss possible, good solutions.

Mark Alpert, 7 Morrison Avenue, said that he would like the Town to properly repair the street. He is concerned with the safety of the sidewalks, too. He said that there are safety issues with tripping and drainage issues. He said that there are 70 broken sidewalk slabs. He asked that the Town Councilors take a drive down Morrison Avenue to see how miserable the sidewalks are. This is a great opportunity to find a solution. He suggested replacing only one side of the sidewalks and a snow shelf and eliminating the other one.

Robert Garry, 10 Morrison Avenue, said that he bought his house on Morrison Avenue three months ago. Before he purchased his house, he asked the Town if it was paving the road. The road was universally bad before but now it is inconsistent. It is a unique circumstance on Morrison Avenue. He hopes the Town will pay attention to this matter.

Chairperson Adil said that the Town Council will refer this matter to the Infrastructure Sub-Committee. The Committee will meet to discuss other sidewalk issues, too. He said that he would let Morrison Avenue neighbors know the date of the meeting.

Frank Sperini, 270 Wolcott Hill Road, said that his issues and concerns relate primarily to the walkers on Morrison Avenue. He said that it is only a matter of time before someone gets injured. The sidewalks are treacherous in the winter. He is also concerned with vehicles that pull on to the sidewalk and park. He gave the Town Council photographs of cars using the sidewalk to park.

COUNCIL REPORTS & COMMENTS

Councilor Kirsche said that the Youth Advisory Committee held its June meeting. Heather Clark Zottola resigned from the Committee. The Committee will meet again in the fall with Melissa Hoon and Ryan Jordan as Co-Chairpersons.

Councilor Cascio said that the Chamber of Commerce will be hosting its 2nd Annual Stroll of Old Wethersfield on June 28th. It will start at the Keeney Center.

Councilor Forrest said that the Memorial Day Parade Committee met and discussed the parade. The Committee is always looking for ways to make improvements. Any suggestions can be sent to Chairperson Spellacy.

Councilor Kotkin said that the Public Safety Committee met and looked at the long-term needs of the Fire Department. There was a discussion on the possible need for a new fire house or swap with the ambulance facility in order to house larger equipment as it is purchased. The Committee also discussed the idea of a regional dog pound. The Committee felt the current dog pound should be improved, possibly with the help of volunteers.

Councilor Walsh thanked the other Councilors for their support and sympathy during his father's illness.

Chairperson Adil said that:

- He received a letter from residents on Morrison Avenue and one expressing disapproval of the Comstocke Ferre application to demolish the barn.
- Councilor Montinieri is accepting an award for the Tourism District Commission from the CT Central Regional Tourism District.
- All are invited to preview the Silas Robbins House on June 19th.
- There will be a public hearing on Wednesday at the Silas Deane Middle School for the Preserve America Grant.
- Wethersfield High School Graduation will be Thursday, June 21st.
- The Wethersfield Chamber of Commerce will be hosting a Stroll in Old Wethersfield on June 28th.
- Sergeant David Warriner is retiring from the Police Department. Tickets are available for his retirement party on June 29th.
- The Park and Recreation Department is sponsoring a bus trip to Foxwoods to benefit Special Olympics.
- The Town Council and Board of Education will have a Fireside Chat sometime in July.

COUNCIL ACTION

Councilor Cascio moved **"TO APPROVE THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS"**

Building Appeals, Board of (reappointment)

Lorenzo Gaudet	R	36 Bell Pond Drive	7-1-2007 to 6-30-2012
----------------	---	--------------------	-----------------------

Design Review Advisory Committee (reappointment)

Andrea L. Boyle	R	703 Wolcott Hill Road	7-1-2007 to 1-01-2010
-----------------	---	-----------------------	-----------------------

Steven C. Hine	R	294 Hang Dog Lane	7-1-2007 to 1-01-2010
----------------	---	-------------------	-----------------------

Disabilities, Wethersfield Advisory Committee for People with (reappointment)

Joan Haines	R	516 Highland Street	7-1-2007 to 6-30-2009
-------------	---	---------------------	-----------------------

Library Board of Directors

Clare Meade	D	373 Main Street	7-1-2007 to 6-30-2010
-------------	---	-----------------	-----------------------

Parks & Recreation Board

(Alt) Kevin Rogers	R	23 Quail Hill	7-1-2007 to 6-30-2008
--------------------	---	---------------	-----------------------

Tourism District Commission (reappointment)

(Alt) Geraldine Munroe R 855 Ridge Road 7-1-2007 to 6-30-2010

Youth Advisory Board (reappointment)

Barbara J. Ruhe R 79 Main St 7-1-2007 to 6-30-2010

Zoning Board of Appeals (reappointment)

Gina P. DeAngelo R 16 Dennison Ridge 7-1-2007 to 6-30-2010

" seconded by Councilor Kirsche.

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

Councilor Walsh moved **"TO APPROVE THE ORDINANCE FOR SPECIAL REVENUE AND CAPITAL PROJECT FUNDS"** seconded by Councilor Deputy Mayor Fortunato.

Bonnie Therrien, Town Manager, said that the auditor requested this as a way of dealing with the way that the Board of Education's Special Activity Fund is reported. This change will cover the reporting of all special funds.

Deputy Mayor Fortunato said that she is happy to see this change. She asked how it would be incorporated into the updated financial policies document.

Bonnie Therrien, Town Manager, said that it would not change the updated financial polices. It would be an addition to these policies.

Deputy Mayor Fortunato said that she would like to see this added to the financial policies and encourages the Town to do so, so it is a standard operating procedure in the future.

Councilor Kotkin asked if this was already being done or is this Ordinance establishing new funds.

Bonnie Therrien, Town Manager, said that this Ordinance is formalizing what the Town already does.

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

OTHER BUSINESS

Councilor Montinieri moved **"TO RESCIND THE INCREASE TO COPYING FEE"** seconded by Councilor Kirsche. .

Bonnie Therrien, Town Manager, said that she apologized for bringing this copy fee change to the Town Council. It was brought to her attention by Town staff that the Freedom of Information charge for copies is \$.50. It could cause problems if other copies were \$1.00 and Freedom of Information copies were only \$.50. She said all copies should be the same price.

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

Councilor Forrest moved **"TO REFER THE EASEMENT REQUEST ON 53 HAROLD STREET FOR A DRIVEWAY ONTO HAROLD STREET TO PLANNING AND ZONING FOR AN 8-24 REVIEW AND TO THE BOARD OF EDUCATION FOR ITS VOTE"** seconded by Councilor Cascio.

Bonnie Therrien, Town Manager, said that in the spring Town staff found out that a driveway was cut onto Eagle Street. Eagle Street is a private road owned by the Board of Education. There was no easement granted for the driveway. She said that the Town Attorney and the homeowner's attorney have been discussing possible solutions. She recommends that the Town Council refer the matter to Planning and Zoning and the Board of Education.

Mike Turner, Director of Public Works, said that the homeowners received a building permit to construct an addition

and garage on their property. No driveway was shown on the application. The driveway was built onto Eagle Street, a private road. If the Town Council grants an easement, the property owners can use the driveway.

Councilor Kotkin asked if anyone raised a red flag about the construction of the driveway.

Mike Turner, Director of Public Works, said that he was made aware of the driveway when it was built. He doesn't know the actual date it was constructed.

Councilor Cascio asked why, when the building permit was issued, no one wondered how the garage would be accessed.

Mike Turner, Director of Public Works, said that there is enough room on the side of the property to install a driveway that would access Harold Street.

Brian O'Conner, Chief Building Official, said that the building permit was issued based on the application meeting the criteria of zoning and building regulations.

Councilor Montinieri asked if there were other options besides granting an easement.

Mike Turner, Director of Public Works, said that if the Town Council does not grant an easement, the homeowners could install a driveway with access to Harold Street. It would require the removal of a retaining wall on that part of the property.

Deputy Mayor Fortunato asked what the potential loss and liability to the Town would be in granting an easement.

Bonnie Therrien, Town Manager, said that the Town Attorney would make sure that a hold harmless agreement would be given by the homeowners to the Town as well as an insurance policy covering the easement.

Deputy Mayor Fortunato said that this area is close to Wintergreen Woods parking and pedestrian traffic. She also asked if the Town had the authority to grant an easement if the Board of Education owns the property.

Bonnie Therrien, Town Manager, said that the issue would be referred to the Board of Education and she would get a clarification from the Town Attorney.

Councilor Kotkin asked what impact the easement would have on the Wethersfield High School traffic flow.

Mike Turner, Director of Public Works, said that the homeowner parks his van in the driveway and leaves before school starts in the morning. He said that the Town can place restrictions on the driveway, for instance no deliveries can be made to the driveway.

Councilor Kotkin asked if there was a garage on Harold Street.

Mike Turner, Director of Public Works, said that there is an existing garage on Harold Street.

Councilor Kotkin asked if the Town can limit the times that the driveway is used.

Bonnie Therrien, Town Manager, said that the Town can negotiate any terms in the agreement, but enforcement may be an issue.

Councilor Kotkin asked what kind of precedence this would set for other homeowners.

Bonnie Therrien, Town Manager, said that other homeowners could use this as an example.

Chairperson Adil said that he feels for these homeowners, but the road is busy with Wethersfield High School traffic and he is not in favor of granting an easement. He will vote to send it to the Planning and Zoning for its review but said restrictions should be put on the agreement.

Councilors present, including the Chairperson voted AYE. Councilor Forrest voted NAY. The motion passed 7-1-0.

Councilor Walsh moved **"TO FORWARD THE PROPOSED CODE OF ETHICS TO THE RULES COMMITTEE AND THE TOWN ATTORNEY FOR REVIEW AND RECOMMENDATION"** seconded by Councilor Cascio.

Bonnie Therrien, Town Manager, said that the Board of Ethics has been working on revising the Town's Ethic Code. The revisions are recommendations from the Board, ultimately the decision to revise the Code is the Town Council's.

Robert Hirtle, 9 Nutmeg Circle, Chairperson of the Board of Ethics, said that this has been a two year study by the Board of Ethics. The Town of Wethersfield ranks in the middle for its Ordinance governing ethics in part because it only applies to elected officials and the Board of Ethics has no subpoena powers for investigation. Wethersfield is an ethical Town. The Board of Ethics feels that these changes will be a middle ground between what the Town has now and what the General Assembly has tried to pass the last two years. The changes would apply to the Ethics Code for Town employees. He said that there are some issues with the unions that are being reviewed.

Councilor Walsh asked if the Board of Ethics reviewed the Codes from the Towns that received superior rankings.

Robert Hirtle, Chairperson of the Board of Ethics, said that the Board of Ethics reviewed the State Ethics Code and the Code of the Town of West Hartford.

Councilor Walsh said that he would like the supporting material brought to the Rules Committee meeting.

Councilor Kotkin asked who did the ranking.

Robert Hirtle, Chairperson of the Board of Ethics, said that the Concerned Citizens Action Group ranked the Towns. Some of the State's most corrupt Towns were ranked in the superior category because of the effectiveness of their Ordinances. He said that the ranking really should be done based on population. In the past seven years, all of the decisions that the Board of Ethics has made have been unanimous.

Councilor Kotkin said that sometimes the Town has to question how rankings occur. What criteria was used to judge the standards. He asked if the changes being made were needed or to improve the Town's ranking.

Robert Hirtle, Chairperson of the Board of Ethics, said that the changes will improve the Town's code and improve its ranking. One criticism of the current Ordinance is that the Board of Ethics has no subpoena powers. In one case, the Board of Ethics was unable to gain access to contracts and force testimony from a person. The State Legislature was granted this power years ago.

Councilor Walsh asked if there was another avenue to receive information without a subpoena.

Robert Hirtle, Chairperson of the Board of Ethics, said that subpoena power is needed.

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

Councilor Kotkin moved **"TO TRANSFER \$2,750 FROM THE CONTINGENCY ACCOUNT TO THE PARKS MAINTENANCE POOL REPAIR ACCOUNT AND TO TRANSFER \$2,750 FROM THE COMMUNITY CENTER NATURAL GAS ACCOUNT TO THE PARKS MAINTENANCE POOL REPAIR ACCOUNT"** seconded by Councilor Cascio.

Bonnie Therrien, Town Manager, said that when Town staff began filling Willard Pool a leak was discovered. There is a caulking problem at the bottom of the pool. The pool needs to be opened for the residents to use.

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

Councilor Forrest moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR AND ACCEPT, IF**

AWARDED, A DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE EDWARD BYRNE MEMORIAL DISCRETIONARY GRANT" seconded by Councilor Walsh.

Bonnie Therrien, Town Manager, said that this is a Federal Grant to fund overtime for officers involved with the Mid-State Task Force.

Councilor Walsh asked for the amount of the grant.

Bonnie Therrien, Town Manager, said that the grant was for \$30,000.

Councilors present, including the Chairperson voted AYE. Deputy Mayor Fortunato abstained. The motion passed 7-0-1.

Deputy Mayor Fortunato moved "TO TRANSFER FUNDS BETWEEN DEPARTMENTS IN ACCORDANCE WITH THE ATTACHED BUDGET TRANSFER FORM

From	Amount	To	Amount	Reason
Reserve-Ret Costs T1960901 5298	15,807	Town Mgr - Salaries T1020 5001	15,807	Non-union increases budgeted in Reserve Acct. Extra hrs for re-banding & Preserve America
Debt Service T1920 5768	2,500	Human Resources T1024 200 5225	2,500	Debt savings in bond issuance funds. Unanticipated expenses - HEP B vaccines & recruitments
Debt Service T1920 5768	15,870	Social & Youth Svcs T1625 5220 6621	15,870	Debt savings in bond issuance funds. Dial A Ride payment from 05-06 not billed until 06-07

Bonnie Therrien, Town Manager, said that there are three transfers. The first transfer is moving money for non-union salary increase, Preserve America, and the re-banding of the radio system. The second transfer is for bond issuance costs, recruitment to fill vacancies, and vaccines. The third is for a Dial-A-Ride bill that the Town received this year for last year's services.

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

BIDS

Councilor Kotkin moved **"TO AWARD CUSTODIAL SERVICES AT THE WETHERSFIELD POLICE DEPARTMENT TO PRITCHARD INDUSTRIES FOR THE AMOUNT OF \$29,345 FOR FISCAL YEAR 2007-08"** seconded by Councilor Kirsche.

Bonnie Therrien, Town Manager, said that this bid is for custodial services for the Police Department. The cost is level to last year. The Department was pleased with the level of service that it received this year.

Chairperson Adil said that Class Act Cleaning was slightly lower than Pritchard Industries.

Bonnie Therrien, Town Manager, said that they were used in the past and the Police Department was not satisfied with the level of service. The Town also had trouble with them.

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

MINUTES

Councilor Cascio moved **"TO APPROVE THE MAY 9, 2007 BUDGET MEETING MINUTES"** seconded by Councilor Kirsche.

Councilors present, including the Chairperson voted AYE. Councilor Walsh abstained. The motion passed 7-0-1.

Councilor Kirsche moved **"TO APPROVE THE MAY 14, 2007 BUDGET MEETING MINUTES"** seconded by Deputy Mayor Fortunato.

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

Deputy Mayor Fortunato moved **"TO APPROVE THE MAY 15, 2007 BUDGET MEETING MINUTES"** seconded by Councilor Forrest.

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

Deputy Mayor Fortunato moved **"TO APPROVE THE MAY 21, 2007 SPECIAL MEETING MINUTES"** seconded by Councilor Forrest.

Councilors present, including the Chairperson voted AYE. Councilors Cascio and Kirsche Abstained. The motion passed 6-0-2.

Councilor Walsh moved **"TO APPROVE THE MAY 21, 2007 REGULAR MEETING MINUTES AS AMENDED"** seconded by Deputy Mayor Fortunato.

Councilor Walsh said that on page 14086 he made the motion to approve the appointment of Joseph Hickey to the Clean Energy Task Force and Deputy Mayor Fortunato made the motion to approve the Resolution for the Historic Document Preservation Grant. He also said that his comment on page 14090 should state he was concerned that in trying to be lenient, the Town is putting taxpayers in a situation that they can't get out of. In the past, the Town allowed taxpayers to get so far in debt that there was no way out for the owner.

Councilors present, including the Chairperson voted AYE. Councilors Cascio and Kirsche Abstained. The motion passed 6-0-2.

Councilor Kirsche moved **"TO APPROVE THE JUNE 4, 2007 SPECIAL MEETING MINUTES AS AMENDED"** seconded by Deputy Mayor Fortunato.

Councilor Walsh said that he was not at the Special Meeting and therefore could not have made the motion as indicated.

Councilors present, including the Chairperson voted AYE. Councilor Walsh Abstained. The motion passed 7-0-1.

ADJOURNMENT

At 9:19 p.m., Councilor Kirsche moved **"TO ADJOURN THE MEETING"** seconded by Councilor Kotkin. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk

Approved by vote of Council July 16, 2007