

REGULAR MEETING JULY 16, 2007

The Wethersfield Town Council held a meeting on Monday, July 16, 2007 at 7:30 p.m. in the Banquet Room of the Pitkin Community Center.

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

Also present: Bonnie Therrien, Town Manager and Amy Bello, Assistant Town Clerk.

All stood for the pledge of allegiance to the flag which was led by Deputy Mayor Fortunato

PUBLIC COMMENTS

Howard Willard, 141 Main Street, said his family has been in Wethersfield for ten generations and it was with a heavy heart that he signed the lawsuit against the demolition of the historic barns at Comstock Ferre and their replacement by a stripmall and apartment house. He said that it was hard for him to believe that in one generation the politicians of Town refer to historic preservation as remaining stagnant. He said that Wethersfield is fortunate that its forefathers appreciated their heritage and preserved it. He said now the Town is under attack by the demolition of the Comstock Barn, the proposed narrowing of Main Street, and creation of a traffic circle at the Main Street/Church Street intersection. The proposed Redevelopment Bond Ordinance of \$10,000,000 will add to the Town's indebtedness and increase taxes. With all of the empty buildings in Town, he suggests that the Town Planner work to fill them.

Barbara Ruhe, 79 Main Street, said that she is against the Redevelopment Ordinance given the track record of the Town. She said that the Police Department was over budget and the Town Hall renovation is still going on. She said that the Town needs to look at what resources it has. She said that just because more residents don't attend the Town Council meetings, it doesn't mean people are not angry and concerned.

Ken Sokolowski, 79 Main Street, said that Frank Frago, a long time member of the Economic Development Improvement Commission is hospitalized. As Mr. Frago's wife has requested no visits or flowers, the Chamber of Commerce would like to encourage citizens to send Mr. Frago cards.

COUNCIL REPORTS

Deputy Mayor Fortunato thanked the Councilors for attending the Shared Services Fireside Chat last week. She said that:

- The Library Board is continuing to adjust to the renovations. She said the Library staff is continuing to work with neighboring libraries, especially Newington, as Wethersfield residents continue to use those libraries.
- The Budget and Finance Committee will be meeting to discuss the evaluations of the Town Manager and Town Clerk. She asked that all evaluations be given to the Committee as soon as possible.

Councilor Kirsche said that at the last Wethersfield Advisory Committee for People with Disabilities meeting the Committee discussed how Town buildings are ADA compliant but the Building Committees could use some suggestions on ways to make the buildings even easier for people with disabilities. James Grise has been appointed liaison to the Building Committees to develop processes for the Town Buildings.

Bonnie Therrien, Town Manager, said that Mr. Grise was at the Capital Improvement Projects meeting and will have input in school building projects, too.

Councilor Walsh said that:

- At the Historical Society Meeting on June 29th, there was a discussion on finding a new tenant for the Standish House.
- On June 28th, the Infrastructure Committee met with Morrison Avenue residents to discuss their concerns with the road work on Morrison Avenue. The committee also discussed drainage issues on Cloverdale Circle and leases with the Historical Society.
- On July 6th, the language for the proposed referendum was finalized.

Councilor Montinieri thanked the Economic Development Improvement Commission and Tourism Commission for their work in receiving an award for the Town from The River Valley Tourism Commission. He said that the Economic Development Improvement Commission has received two more façade applications for Silas Deane Highway properties.

Councilor Kotkin said that:

- The Public Safety Committee and Infrastructure Committee met and discussed the criteria for adding new sidewalks. Two Rod Highway residents believe sidewalks are needed because of the increased traffic on Two Rod Highway due to the new developments in Newington. A request for sidewalks was also made on Prospect Street near the golf course.
- The Park and Recreation Board didn't meet because it lacked a quorum. He said that the State has given the Town \$700,000 for the design and engineering services for phase one of the Mill Woods Park project. Town Staff needs to start the process to determine how much Town money will be needed for Phase One. The Little League fields and soccer fields will be completed first and then beach work can be done. The Board needs feedback in order to develop a timeline.

Councilor Cascio said that the Cornfest Committee has begun its planning. The Cornfest will be September 15th on the Broad Street Green. He said that the Chamber of Commerce is always giving back to the Town.

Councilor Forrest said that the Conservation Committee met and has completed most of its work on the Heritage Trail and is ready to take on a new project.

COUNCIL COMMENTS

Councilor Cascio said that he had received constructive criticism from a resident about the changes to Paine's curbside pickup. He asked how the information was being disseminated besides via the website. He suggested mailing out postcards or at the least, putting the changes on the scroller.

Bonnie Therrien, Town Manager, said that a press release was sent out, the information is on the Town's website and on the Channel 14 scroller, and a flier is available at the Transfer Station. If the Town Council wants postcards mailed out, it may have to allocate money for an overage in postage.

Chairperson Adil said that:

- On Thursday, there will be the annual meeting of the 1,000 Friends of Connecticut at the West Hartford Meeting and Conference Center.
- On Sunday, July 29th, the Parks and Recreation Department is sponsoring a bus trip to Foxwoods Casino. Proceeds benefit Special Olympics-Wethersfield.
- The Keane Foundation is looking for volunteers to act as guides during its fundraiser in October.
- July is tax month. Taxes are due by August 1st.
- Last night, he attended a forum by Congressman Larson on the war in Iraq. He said that it was very informative.

COUNCIL ACTION

Deputy Mayor Fortunato moved **"TO APPROVE THE RESIGNATION OF NATALIE KOTKIN FROM THE**

YOUTH ADVISORY BOARD, JENNIFER WOLF FROM THE HISTORIC DISTRICT COMMISSION, KENNETH E. SOKOLOWSKI FROM THE TOURISM COMMISSION, AND PAUL LOMBARDO FROM THE CLEAN ENERGY COMMITTEE" seconded by Councilor Forrest.

Chairperson Adil asked that thank you letters be sent.

Councilors present, including the Chairperson voted AYE. Councilor Kotkin ABSTAINED. The motion passed 8-0-1.

Deputy Mayor Fortunato moved **"TO APPROVE THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS:**

CHILDREN, MUNICIPAL AGENT FOR

Nancy Stilwell	TE	505 Silas Deane Highway	7-16-07 to 6-30-09
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DISABILITIES, WETHERSFIELD ADVISORY COMMITTEE FOR PEOPLE WITH

Christine Taylor - Social Services	TE	505 Silas Deane Highway	7-16-07 to 6-30-09
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SENIOR CITIZENS ADVISORY COMMITTEE

Kathy Bagley - Parks & Rec	TE	505 Silas Deane Highway	7-16-07 to 6-30-08
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Donna Mattison - Social Services	TE	505 Silas Deane Highway	7-16-07 to 6-30-08
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G. Seklecki/G. Roberts AARP		156 Ridge Crest Circle	7-16-07 to 6-30-09
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Christine Taylor - Elderly Agent	TE	505 Silas Deane Highway	7-16-07 to 6-30-08
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Claire A. Mehan - Health/Med.		34 Two Brook Road	7-16-07 to 6-30-08
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TOURISM COMMISSION

Elaine R. St. Onge Hist. Soc.		101 Boulter Road	7-16-07 to 6-30-10
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" seconded by Councilor Kotkin.

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

Deputy Mayor Fortunato moved **"TO APPROVE THE FOLLOWING APPOINTMENTS TO BOARDS AND COMMISSIONS**

CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

Louis P. Robitaille, Jr.	D	144 Hang Dog Lane	7-16-07 to 6-30-09
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Robert Turgeon	D	15 Country Club Road	7-16-07 to 6-30-09
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CENTRAL CT HEALTH DISTRICT

Patrick J. Kelly, III	D	34 Marshall's Meadow	7-16-07 to 6-30-10
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COMMISSION ON CULTURE AND THE ARTS

Jeanne M. Ciotto	D	68 Harris Hill Road	7-16-07 to 6-30-10
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Rita T. Doyle	D	22 Sherburne Road	7-16-07 to 6-30-10
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Frances A. Patti	D	28 Sherburne Road	7-16-07 to 6-30-10
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DESIGN REVIEW ADVISORY COMMITTEE

Joseph E. Hickey, Jr.	D	28 Meadow View Drive	7-16-07 to 6-30-10
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DISABILITIES, WETHERSFIELD ADVISORY COMMITTEE FOR PEOPLE WITH

Barbara Blejewski	D	4 Tabshey Court, A1	7-16-07 to 6-30-09
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James F. Grise	D	455 Wolcott Hill Road	7-16-07 to 6-30-09
Carol Keenan	U	430 Wolcott Hill Road	7-16-07 to 6-30-09
Karen Romaniello	D	100 Executive Square, 1101	7-16-07 to 6-30-09
Patricia Yagmin	D	27 Jay Street	7-16-07 to 6-30-09

ETHICS, BOARD OF

Sheila Hennessey	D	431 Wolcott Hill Road	7-16-07 to 6-30-10
Heidi Lane	D	164 Windmill Hill	7-16-07 to 6-30-10

Alternates:

John C. Lepper	U	932 Ridge Road	7-16-07 to 6-30-10
Lorinda Coon	D	11 Robbins Drive	7-16-07 to 6-30-10

FAIR RENT COMMISSION

Michael R. Carragher	D	65 A Fairway Drive	7-16-07 to 6-30-09
Francis Farrelly	D	24 Deer Ledge Lane	7-16-07 to 6-30-09
John J. O'Leary	U	P.O. Box 290002	7-16-07 to 6-30-09

FLOOD AND EROSION CONTROL BOARD

Lorinda Coon	D	11 Robbins Drive	7-16-07 to 6-30-10
Douglas A. Oviaan	D	56 Broad Street	7-16-07 to 6-30-10

HISTORIC DISTRICT COMMISSION

John Maycock	D	13 Meggat Park	7-16-07 to 6-30-12
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Alternate:

Mark A. Raymond	U	323 Hartford Avenue	7-16-07 to 6-30-10
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HOUSING AUTHORITY

Samuel A. Spratlin (to correct the term ending date)	D	115 Broad Street	9-01-09 to 8-31-11
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HUMAN RIGHTS AND RELATIONS COMMISSION

Lorie L Adeyemi	D	110 Woodside Drive	7-16-07 to 6-30-10
Susan Grady	D	25 Westlook Road	7-16-07 to 6-30-10

INLAND WETLANDS AND WATER COURSES COMMISSION

David A. Forrest	D	202 Clearfield Road	7-16-07 to 6-30-10
Joseph M. Hallisey	D	101 Sunrise Terrace	7-16-07 to 6-30-10
Brent M. Owen	D	42 Wells Farm Drive	7-16-07 to 6-30-10

LIBRARY BOARD

Susan Grady	D	25 Westlook Road	7-16-07 to 6-30-10
Pauline Rodgers Moon	D	10 Orchard Brook Drive	7-16-07 to 6-30-10

PARKS AND RECREATION ADVISORY BOARD

Richard F. Lepore	D	7 Jay Street	7-16-07 to 6-30-10
Thomas A Ragonese	D	140 Black Birch	7-16-07 to 6-30-10

PERSONNEL APPEALS BOARD

Paula M. Iazard	D	89 Cider Brook Drive	7-16-07 to 6-30-10
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PLANNING AND ZONING COMMISSION

Joseph L. Hammer	D	65 Broad Street	7-16-07 to 6-30-10
Robert P. Jurasin	D	265 Hang Dog Lane	7-16-07 to 6-30-10
Philip Knecht	D	100 Executive Square	7-16-07 to 6-30-10
Alternate:			
James Hughes	U	135 Highland Street	7-16-07 to 6-30-10

REDEVELOPMENT AGENCY

Daniel A. Camillieri	D	148 Ox Yoke Drive	7-16-07 to 6-30-12
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SENIOR CITIZENS ADVISORY COMMITTEE

Adele J. Antoniou	D	16 Bermuda Road	7-16-07 to 6-30-09
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SHADE TREE COMMISSION

John Winiarski	U	239 Hartford Avenue	7-16-07 to 6-30-10
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SOLOMON WELLES HOUSE COMMITTEE

Carolyn Bedula	U	55 Holly Lane	7-16-07 to 6-30-10
Elizabeth C. Dunne	D	45 Ridge Road	7-16-07 to 6-30-10
Nancy C. Smith	D	23 Bunce Road	7-16-07 to 6-30-10

TOURISM DISTRICT COMMISSION

Charles F. Ford	U	249 Ridge Road	7-16-07 to 6-30-10
Katie Sullivan	D	79 Wright Road	7-16-07 to 6-30-10

TREE WARDEN

John C. Lepper	U	932 Ridge Road	7-16-07 to 1-01-08
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YOUTH ADVISORY BOARD

Mary Ellen Gregorio	D	4 Somerset Street	7-16-07 to 6-30-08
Donna Forrest	D	202 Clearfield Road	7-16-07 to 6-30-09
Sharon DiGioia-Daskal	D	24 Griswold Road	7-16-07 to 6-30-10
Olivia Fortunato (under 21)		28 Fairmont Street	7-16-07 to 6-30-08
Ryan Peluso (under 21)		467 Church Street	7-16-07 to 6-30-08

ZONING BOARD OF APPEAL**Alternate:**

Sheila Hennessey	D	431 Wolcott Hill Road	7-16-07 to 6-30-10
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" seconded by Councilor Kotkin.

Councilors present, including the Chairperson voted AYE. Councilor Forrest ABSTAINED from the vote to appoint Donna Forrest to the Youth Advisory Board and David Forrest to the Inland Wetlands and Watercourse Commission. Deputy Mayor Fortunato ABSTAINED from the vote to appoint Olivia Fortunato to the Youth Advisory Board. The motion passed.

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

Insurance Committee

Donna H. Hemmann R 315 Garden Street 7-16-2007 to 6-30-12

" seconded by Councilor Kirsche.

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

OTHER BUSINESS

Councilor Kotkin moved **"TO ACCEPT, WITH GRATITUDE, THE DONATION OF A REAR LOT AT 15 HEATHER DRIVE, BORDERING WINTERGREEN WOODS, FROM MRS. DINA CAMILLERI"** seconded by Councilor Forrest.

Bonnie Therrien, Town Manager, said that Mrs. Camilleri has offered to donate the lot behind her house on Heather Drive to the Town of Wethersfield. The property abuts the Wintergreen Woods. The Planning and Zoning Commission has unanimously approved this donation. If the Town Council approves this donation, John Bradley, Town Attorney, will work with the family to complete the donation.

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

Councilor Walsh moved **"TO AUTHORIZE THE TOWN MANAGER TO ESTABLISH A 375TH ANNIVERSARY CELEBRATION PLANNING COMMITTEE"** seconded by Deputy Mayor Fortunato.

Bonnie Therrien, Town Manager, said that the Town will be celebrating its 375th anniversary in 2009. She suggested that the Town Council create a committee and that either she or the Town Council appoint members to it. She said that Doug Shipman, Director of the Historical Society, had some suggestions on organizations that should be represented on the committee. She said that the Town Council will need to allocate money in next year's budget for the celebration. The Town needs to begin planning now.

Chairperson Adil said that he would like to have either a Councilor or the Town Manager as a member of the planning committee.

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

Councilor Kotkin moved **"TO REFER THE REQUEST TO OBTAIN THE EASEMENT LOT ADJACENT TO 254 CREST STREET TO THE PLANNING AND ZONING COMMISSION FOR A REVIEW AND REPORT IN ACCORDANCE WITH SECTION 8-24 OF THE CONNECTICUT GENERAL STATUTES"** seconded by Councilor Forrest.

Bonnie Therrien, Town Manager, said that David Malon of 254 Crest Street would like to obtain the easement lot adjacent to his property. He has been maintaining the lot for years. The easement will stay on the property. The adjacent property owner and Town Staff have no objections to this request.

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

Councilor Kotkin moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR A TEMPORARY SIGN TO BE PLACED BY THE CENTER POINT COMMUNITY CHURCH AT WEBB SCHOOL THE DAY OF SERVICES AND REMOVED AT THE COMPLETION OF SERVICES"** seconded by Councilor Forrest.

Bonnie Therrien, Town Manager, said that according to the former Superintendent of Schools the Center Point Community Church has been using the Webb Elementary School on Sundays for services for over a year. The only way the Church can continue to put its sign up is to receive a variance from the Zoning Board of Appeals. The sign would be put up before the service on Sunday and taken down after the service. She said that since the Town is the property owner, it has to be the one to apply for the variance.

Deputy Mayor Fortunato said that she remembers worship services being held at the school for years.

Councilor Walsh said that he has no objection to renting out the building but he wonders if the sign makes it look like the group controls the school and grounds on Sunday mornings. He asked if it creates an incorrect perception.

Bonnie Therrien, Town Manager, said that the Church is not in control of the school and grounds but only two rooms in the building although it may be perceived that way.

Chairperson Adil asked if this was consistent with the Town's sign ordinance.

Bonnie Therrien, Town Manager, said that a variance needs to be granted to allow the same sign to be put up every week.

Councilor Forrest said that he would like to send this to Committee for a more in depth discussion concerning establishment clause issues.

Chairperson Adil asked what Committee would be appropriate to discuss this issue.

Bonnie Therrien, Town Manager, said that there are no Constitutional questions as long as the Church pays the same rental fee as any other group. The Zoning Board of Appeals will only look at zoning issues.

Councilor Walsh said that this is a policy issue. Should a sign be placed on Town property on a recurring basis if the Town property is being rented weekly.

Councilor Kotkin withdrew his motion. Councilor Forrest withdrew his second.

Councilor Kotkin moved **"TO REFER THE ISSUE OF A VARIANCE AND RECURRING SIGN ISSUE TO THE PUBLIC SAFETY COMMITTEE"** seconded by Councilor Forrest.

Councilor Drake said that the sign the church puts up on Sundays has never bothered him and he has never heard any complaints about it. He said that the Town should just let the Church put the sign up.

Chairperson Adil said that he would like to see the issue referred to Committee and have the Committee meet post haste so that the Church is not being held up.

Councilor Cascio said that this is generating a lot of discussion and maybe the Council should receive more information before making a decision. Webb Elementary School has been rented for years for church services. He said he doesn't want the church to get the wrong idea. He suggested tabling the issue and getting more information. He said that it is not an issue that should be discussed in the Public Safety Committee as it is a policy issue. By not allowing the Town Manager to apply for a variance on the church's behalf, the Town is denying the church to follow the appropriate process.

Councilor Kirsche said that he concurred with Councilor Cascio that the issue should be tabled.

Councilor Forrest said that since the Town would be seeking the variance, it is within the Town Council's purview to move the issue to Committee.

Chairperson Adil asked that the Councilors give the Town Manager their comments and concerns before the next meeting.

Councilor Kotkin withdrew his motion. Councilor Forrest withdrew his second.

Councilor Cascio moved **"TO TABLE THE REQUEST FOR THE TOWN TO SEEK A VARIANCE ON BEHALF OF THE CENTER POINT COMMUNITY CHURCH APPLICATION"** seconded by Deputy Mayor Fortunato.

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

Councilor Kotkin moved **"TO WAIVE FIFTY PERCENT OF THE POLICE SERVICE FEES FOR THE 2007 SAFE GRADUATION PARTY"** seconded by Councilor Forrest.

Bonnie Therrien, Town Manager, said that the police bill for their services for the Safe Graduation party was \$443.63. The Safe Graduation Committee has requested a 50 percent reduction in cost. This has been done in the past.

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

Deputy Mayor Fortunato moved **"TO TRANSFER \$25,000 FROM THE CAPITAL RESERVE FUND TO THE LITTLE RED SCHOOL HOUSE IMPROVEMENT PROJECT"** seconded by Councilor Cascio.

Bonnie Therrien, Town Manager, said that this transfer request is to finance the expansion of the parking lot and make accessibility improvements at the Little Red School House. The Town Council and Planning and Zoning approved these changes in the fall. The monies were never budgeted. The total cost is \$25,000. A transfer from the Capital Reserve Account is needed to finance the project.

Councilor Drake said that in the past, neighbors have complained when the Art League requested an expansion of the parking lot. He asked if anyone has spoke out against this project.

Bonnie Therrien, Town Manager, said that a neighbor did have some concerns but they have been addressed.

Chairperson Adil said that he commends the Deputy Mayor for her role in getting the Capital Reserve Account up to its current funding level.

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

Deputy Mayor Fortunato moved **"TO TRANSFER \$502 FROM THE CAPITAL RESERVE FUND TO THE ENERGY SAVINGS PROGRAM FOR THE KEENEY CENTER AND THE OLD ACADEMY"** seconded by Councilor Walsh.

Bonnie Therrien, Town Manager, said that this recommendation came out of the Infrastructure Committee's lease process. The \$502 transfer is to pay for the amount above the original quote. She said that she expects the energy savings to be ten fold.

Chairperson Adil commended the Infrastructure Committee for their work on this great savings.

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

BIDS

Councilor Forrest moved **"TO APPROVE THE BID FOR THE TESTING AND SEALING OF PIPE JOINTS AND MISCELLANEOUS REPAIRS TO THE STORM DRAINAGE COLLECTION SYSTEM TO NEW ENGLAND PIPE CLEANING IN AN AMOUNT NOT TO EXCEED \$25,000"** seconded by Deputy Mayor Fortunato.

Bonnie Therrien, Town Manager, said that \$15,000 was allocated in the 2007-08 Capital Budget for testing and sealing of pipe joints and miscellaneous repairs to the storm drains. Staff planned on testing 4,000 linear feet in the Straddle Hill/Silo Drive neighborhood, but the cost to complete that work would have been \$60,900. Staff will pick the areas of those streets with known problems. Michael Turner, Director of Public Works, said that an additional \$10,000 would enable the Town to complete most of the areas that need attention. The additional \$10,000 can be transferred from the Capital Reserve account.

Councilor Forrest said that this project will help with the infrastructure of the roads.

Chairperson Adil said that he supports this as it is a good investment for the Town.

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

Deputy Mayor Fortunato moved **"TO AWARD A CONTRACT FOR THE REMOVAL AND DISPOSAL OF CARPET AT HIGHCREST SCHOOL AND FOR THE INSTALLATION OF FLOOR TILES AND MOLDING TO H&S CONSTRUCTION, LLC IN AN AMOUNT NOT TO EXCEED \$79,610"** seconded by Councilor Walsh.

Bonnie Therrien, Town Manager, said that the Capital Improvements Budget has \$108,000 to remove carpet and replace it with floor tiles at Highcrest School. The bid came back way under. The Town has worked with the contractor before. If the Town Council awards this bid tonight, the project will be completed before school starts.

Councilor Cascio said that the carpet was replaced in the mid-1990's. He asked if the Board of Education was now reversing its policy and installing tiles instead of carpet.

Frederick Bushey, Interim Supervisor of Maintenance and Operations, said that the Board of Education is moving to floor tiles in the schools. Carpeting can harbor mold, mildew, and dust mites and promotes asthma in children. The tile is much easier to clean, too.

Councilor Cascio said that Highcrest Elementary School is a unique building because it has sloped floors. He said that he is concerned with the sloped areas if the floor tiles were wet. He also asked if this replacement would create a need for new cleaning equipment.

Frederick Bushey, Interim Supervisor of Maintenance and Operations, said that carpeting requires more cleaning equipment; vacuums and carpet extractors. The school already has the equipment to strip the tile floors. He said that he is not familiar with the bid for tile since he has only been in the position for two weeks. He said that he would look at the bid specifications and make sure that non-skid flooring is used on the slopes.

Councilor Kotkin asked why the bidders were so far below the estimates.

Bonnie Therrien, Town Manager, said that she will look into how Town Staff arrived at the estimates.

Chairperson Adil asked if the leftover funds would be put back in the Capital Projects Fund.

Bonnie Therrien, Town Manager, said yes.

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

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

ORDINANCE APPROPRIATING \$10,000,000 FOR COSTS WITH RESPECT TO CARRYING OUT OR ASSISTING SUCH REDEVELOPMENT, DEVELOPMENT AND MUNICIPAL OR BUSINESS DEVELOPMENT PROJECTS AS ARE DETERMINED BY THE TOWN COUNCIL ALONG THE SILAS DEANE HIGHWAY (STATE ROUTE 99) OR THE BERLIN TURNPIKE AND WILBUR CROSS HIGHWAY (U.S. ROUTE 5 AND STATE ROUTE 15) CORRIDORS, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES TO FINANCE THE PORTION OF SUCH APPROPRIATION NOT DEFRAID FROM GRANTS

WHEREAS, the Town of Wethersfield (the "Town") is empowered under Part I of Chapter 130 of the General Statutes of Connecticut, Revision of 1958, as amended (the "General Statutes") to appropriate and apply funds to carry out or assist any redevelopment project (a "Redevelopment Project") located within the area in which it is authorized to act and to issue its bonds, notes or other obligations to obtain such funds, the Connecticut General Assembly having determined the necessity in the public interest for the undertaking of such projects; and

WHEREAS, the Town is empowered under Chapter 132 of the General Statutes to appropriate and apply funds to

carry out or assist any development project (a "Development Project") located within the area in which it is authorized to act and to issue its bonds, notes or other obligations to obtain such funds, the Connecticut General Assembly having determined the necessity in the public interest for the undertaking of such projects; and

WHEREAS, the Town is empowered under Chapter 588l of the General Statutes to appropriate and apply funds to carry out or assist any municipal development project (a "Municipal Development Project) or any business development project (a "Business Development Project) (collectively, "Municipal or Business Development Projects") located within the area in which it is authorized to act and to issue its bonds, notes or other obligations to obtain such funds, the Connecticut General Assembly having determined the necessity in the public interest for the undertaking of such projects; and

WHEREAS, the Town is contemplating carrying out or assisting various Redevelopment Projects, Development Projects and Municipal or Business Development Projects yet to be specified, to be located within the following areas of the Town (the "Redevelopment/Development Area"):

The corridors consisting of all parcels of land any portions of which are located within one thousand (1,000) feet of the centerline of the Silas Deane Highway (State Route 99) or the Berlin Turnpike and Wilbur Cross Highway (U.S. Route 5 and State Route 15) within the Town of Wethersfield; and

WHEREAS, the Town is desirous of being able finance its costs with respect to carrying out or assisting any such Redevelopment Project, Development Project and Municipal or Business Development Project through the issuance of general obligations bonds or notes and temporary notes;

NOW, THEREFORE, BE IT ORDAINED:

- a. That the Town of Wethersfield appropriate TEN MILLION DOLLARS (\$10,000,000) for costs with respect to carrying out or assisting such Redevelopment Projects, Development Projects or Municipal or Business Development Projects as may be determined from time-to-time by the Town Council, and as are to be located within the Redevelopment/Development Area. The appropriation may be spent, without limitation, for design and construction costs; site improvements; infrastructure improvements; equipment, furnishings and materials; land, easement and other real property rights acquisition; engineering, consultant and other professional fees, including legal fees; costs of furnishing services and facilities, and of providing property; administrative costs, including costs related to the application for and acceptance of grants; the making of loans and contributions; the payment of net temporary interest and other financing costs; and other expenses related to the carrying out or assistance of such projects.
- b. No portion of the appropriation shall be expended with respect to: (1) a Redevelopment Project, until the redevelopment plan for such project has been initiated and approved in accordance with the provisions of Section 8-127 of the General Statutes of Connecticut, Revision of 1958, as amended; (2) a Development Project, until the development plan for such project has been initiated and approved in accordance with the provisions of Sections 8-189 and 8-191 of the General Statutes of Connecticut, Revision of 1958, as amended, (3) a Municipal Development Project, until the development plan for such project has been initiated and approved in accordance with the provisions of Section 32-224 of the General Statutes of Connecticut, Revision of 1958, as amended; or (4) a Business Development Project, until the Town Council has determined that such project constitutes a "business development project" as such term is defined in Section 32-222 of the General Statutes of Connecticut, Revision of 1958, as amended.
- c. That the Town issue bonds or notes, in an amount not to exceed TEN MILLION DOLLARS (\$10,000,000) to finance the aforesaid appropriation. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town and applied to defray the aforesaid appropriation. Bonds or notes issued to finance costs with respect to: (1) a Redevelopment Project shall be issued pursuant to Sections 8-135 and 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts; (2) a Development Project shall be issued pursuant to Sections 8-192(b) and 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts; and (3) a Municipal or Business Development Project shall be issued pursuant to Sections 32-227(b) and 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general

- obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.
- d. That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes and the receipt of grants to finance the aforesaid appropriation. The amount of the notes outstanding at any time shall not exceed TEN MILLION DOLLARS (\$10,000,000). Temporary notes issued to finance costs with respect to: (1) a Redevelopment Project shall be issued pursuant to Sections 8-135 and 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, or any other enabling acts; (2) a Development Project shall be issued pursuant to Sections 8-192(b) and 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, or any other enabling acts; and (3) a Municipal or Business Development Project shall be issued pursuant to Sections 32-227(b) and 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, or any other enabling acts. The temporary notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply, to the extent applicable, with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.
 - e. The Town Manager and the Treasurer of the Town shall sign the bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
 - f. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the aforesaid projects may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.
 - g. That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.
 - h. That the Town Manager, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to issue bonds or notes and temporary notes to finance the aforesaid appropriation.
 - i. That this ordinance shall become effective after publication and approval by the electors at referendum as provided in the Town Charter.

MINUTES

Councilor Forrest moved **"TO ADD THE MINUTES OF THE SPECIAL AND REGULAR MEETINGS OF JUNE 18, 2007 TO THE AGENDA"** seconded by Councilor Kotkin.

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

Deputy Mayor Fortunato moved **"TO APPROVE THE REGULAR MEETING MINUTES OF JUNE 4, 2007 AS REVISED AND AMENDED"** seconded by Councilor Forrest.

Councilor Kirsche asked that the first three lines of his comments be removed from the revised minutes.

Councilors present, including the Chairperson voted AYE. Councilor Walsh ABSTAINED. The motion passed 8-0-1.

Councilor Cascio moved **"TO APPROVE THE SPECIAL MEETING MINUTES OF JUNE 18, 2007"** seconded by Deputy Mayor Fortunato.

Councilors present, including the Chairperson voted AYE. Councilor Drake ABSTAINED. The motion passed 8-0-1.

Deputy Mayor Fortunato moved **"TO APPROVE THE REGULAR MEETING MINUTES OF JUNE 18, 2007"** seconded by Councilor Forrest.

Councilors present, including the Chairperson voted AYE. Councilor Drake ABSTAINED. The motion passed 8-0-1.

ADJOURNMENT

At 8:51 p.m., Councilor Forrest moved **"TO ADJOURN THE MEETING"** seconded by Councilor Kotkin. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Amy Bello
Assistant Town Clerk

APPROVED BY VOTE OF COUNCIL AS AMENDED ON AUGUST 6, 2007