

[NOTE: These minutes are made available to the public prior to Town Council acceptance.]

SEPTEMBER 19, 2005 REGULAR MEETING

The Wethersfield Town Council held a meeting on September 19, 2005 at 7:00 p.m. in the Auditorium of the Silas Deane Middle School.

Present: Councilors Adil, Cascio, Czernicki, Forrest, Fortunato, Hemmann, Montinieri, Deputy Mayor Karangekis and Chairperson Morin.

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 Montinieri.

Chairperson Morin announced that there will be an Executive Session following the regular meeting to discuss pending litigation.

Emergency Management Proclamation

Chairperson Morin read the proclamation naming September as Emergency Preparedness Month in the Town of Wethersfield and recognizing the newly enacted National Incident Management System (NIMS) which provides standards and an operational track for government to run on during a time of severe emergency. Chairperson Morin introduced Emergency Preparedness Director Dick Fippinger, Assistant Director/Dispatcher Karen Tomczyk, and Fire Chief Chuck Flynn who were in attendance to accept the Proclamation.

Mr. Fippinger thanked the Mayor, Council, and Town Manager for this proclamation on behalf of the Wethersfield Fire Department, Police Department, Ambulance staff, Emergency Management personnel, and Town Staff. He said that the Council has taken the right step in budgeting for preparations and the stocking of shelters in Town in the event of an emergency situation.

PUBLIC COMMENTS

HEARING

None.

GENERAL COMMENTS

Ballou Tooker, 55 Harmund Place, asked what fence is being referred to in agenda item B.3.a. He said that there is fencing at the Yacht Club at the Cove that is in need of replacement. Chairperson Morin said that the fence referred to in the agenda is on Wells Road and that the fencing at the Yacht Club will be investigated.

Jeff Kotkin, 28 Farms Village Road, commented on the Town service provided to residents in the past allowing for them to obtain energy related services by way of bundled bids. He said that the energy conservation ethic seems to have diminished in Town and throughout the Country and with higher prices prevailing, it is time to restore the energy saving ethic. Mr. Kotkin recommended that the Town look at forming a committee to look at assisting homeowners who wish to upgrade the energy efficiency of their homes and to look at the energy efficiency of Town buildings.

Tristan Stanziale, 15 Harold Street, reported that at the last Board of Education meeting the Board's 2004-2005 \$426,000 surplus was returned to the Town and that now the Board of Education is requesting \$200,000 for the purchase of textbooks. Mr. Stanziale said that although he would prefer that the Council grant the Board's request, he

will understand if instead the money is put into a rainy day fund to offset upcoming fuel increases.

David Lang, 55 Lancaster Road, asked if there are any vacancies on the Wethersfield Advisory Committee for People with Disabilities as he is interested in serving on it. Chairperson Morin suggested to Mr. Lang that he contact the Town Clerk's office to check on this. Mr. Lang also asked who is responsible for the sidewalks in Town and was told that the repair of sidewalks is the owners' responsibility. Mr. Lang said that many sidewalks throughout Town are in disrepair. Chairperson Morin suggested that Mr. Lang provide information pertaining to the sidewalk locations to the Town Manager's Office. Mr. Lang commented on the lack of energy efficiency of the buildings at 55 Lancaster Road.

George A. Ruhe, 956 Cloverdale Circle, commented that a 30% tax increase over the past two years is a bit much and he thinks of the Council every time he makes budget transfers at home. Mr. Ruhe commented positively on a recent article in Wethersfield Life pertaining to pride in Wethersfield and the encouragement of the community to participate in keeping it a better Town. Mr. Ruhe said that pride in the community includes confidence in leadership. He commented on a hate mail letter he received recently from a former official of Wethersfield.

No one else wished to speak and the Chairperson declared the Public Comment segment closed.

COUNCIL REPORTS & COMMENTS

Councilor Adil said that he attended the last EDIC meeting and reported that there are many upcoming events, including a bus tour of Town businesses to bring more business to Town. Councilor Adil said that at the recent Budget and Finance Committee meetings the details of the evaluation process of the Town Manager and Town Clerk were discussed.

Councilor Montinieri announced that the Historical Society's Annual Craft Fair will be held on October 1. She reported that the Wethersfield School Parent Council had their first meeting and they will be putting together a new candidate evening focusing on Board of Education candidates. Councilor Montinieri reported that the Shared Services Committee meeting reviewed and addressed a number of school parking situations as well as the Draft Strategic Plan. Councilor Montinieri said that the Town Manager shared at the meeting that a problem with school landscaping is that fairly elaborate plantings are put in which require maintenance and then the parents move on to another school leaving the landscaping to the Town staff to maintain. She said that it is being suggested to the PTO's that normal maintenance plantings be installed instead. Councilor Montinieri said that Town Engineer Mike Turner provided an update of Capital projects.

Councilor Cascio reported that he also attended the Shared Services Committee meeting and he commented that the gate at the High School parking lot was installed mainly for safety issues. Councilor Cascio said that at the meeting he shared his concern about the gate on Westway. He said that he has requested that both the Superintendent of Schools and Town Manager look into and verify that the Town is in compliance with handicap accessibility to the football field. He said that the opening of the gate is left to the discretion of the High School custodian on duty and if the gate is not opened and vehicles need to park along Westway, there could be a safety issue. Councilor Cascio said that he has requested that Mr. Turner and the Physical Services personnel review the newly reconstructed parking lots so that those conducting snow removal are aware of the changes. Councilor Cascio verified that line painting will be completed for all school crosswalks on streets that have been newly paved. Councilor Cascio said that an opinion has been requested on the placement of bollards on school property in the Historic District as this is a safety issue and the Council can overrule anything of a safety nature that goes before the Commission. Councilor Cascio reported that he attended the recent Senior Citizen Advisory Committee meeting and a friendly visitor brochure as well as a monthly newsletter is distributed by this committee. He said that the brochure was worked on in conjunction with the Social and Youth Services Department. Councilor Cascio said that a great variety of Senior programs will be offered this Fall as well as programs on the Medicare Part D prescription coverage.

Councilor Fortunato thanked Councilor Montinieri for attending the Shared Services Committee meeting in her absence. Councilor Fortunato commented that energy conservation is a subject that is on everyone's minds and the suggestion to form an Energy Committee is a good one. She encouraged the Town Manager to explore this suggestion. Councilor Fortunato asked if the current program for energy assistance is being considered for review and the possible expansion of participation.

Councilor Forrest commented that he echoes the comments of Councilor Fortunato and Mr. Kotkin regarding the formation of an Energy Committee and sees this as a good idea to reduce energy costs and save Wethersfield residents money.

Councilor Adil said that he also echoes the comments regarding the Energy Committee and he received a call from a resident regarding solar power. He said that the Town needs to consider innovative programs when looking at energy usage. Councilor Adil reported that the Wethersfield Cornfest held last weekend went well and that the soccer jamboree held on September 10 was a tremendous program as well as the Keane picnic held on September 11 on the green.

Councilor Cascio pointed out that the Social and Youth Services Department currently has an energy assistance program in place and it has moved forward very rapidly. He said that the Department is currently interviewing families within the community. Councilor Cascio said that people should be encouraged to contribute to the fuel bank to help with the energy assistance program. Councilor Cascio thanked the Council and the community for their overwhelming support in the loss of his mother. Councilor Cascio announced that the Wethersfield High School Cheerleaders took the national bid at this summer's cheerleading camp. He said they worked very hard and four of the girls on the Varsity squad were named All-American.

Councilor Hemmann said that she attended the Northeast Fife and Drum Meet at Standish Park last weekend. She said that the park was alive with music and uniformed corps.

Councilor Fortunato clarified her request with regards to fuel assistance. She said that the current fuel assistance programs are subsidized by the State. Councilor Fortunato said that currently heat sources cannot be shut off during the cold weather; however residents are expected to pay sometimes hefty bills after the heating season. She said that her request is to check with residents who use the program and take a poll of additional families who may need assistance, and to connect with public policy makers and agents to investigate any proposed policy changes. Councilor Fortunato said it is wonderful if people can donate to the Wethersfield fuel bank as well.

Councilor Montinieri announced that the Wethersfield Dance Team won their bid for nationals. She said that she attended a pep rally at Wethersfield High School recently and the energy was incredible.

Chairperson Morin said that everyone has to be aware that Wethersfield offers energy assistance programs to all in need. He thanked the Chamber of Commerce and all who participated in the recent successful Cornfest. Chairperson Morin announced that the residents of 60 Lancaster Road will host a summer barbeque on October 7. Chairperson Morin said that he received a letter from the Walsh family asking the Council to consider returning funds to the Board of Education for the purchase of text books and also for air conditioning at the High School. Chairperson Morin announced the Esposito golf outing baseball fundraiser to be held on October 10. Chairperson Morin said that he has forwarded to the Town Manager a request for nominations of people who have contributed to the community to preserve trees. Chairperson Morin commended John Lepper, Wethersfield's Tree Warden for the great job he does in Town. Chairperson Morin made announcements for numerous other upcoming events, including seminars on the new Medicare Part D prescription program on October 27 and November 3 and 17.

Councilor Czernicki asked if the three Medicare Part D informational sessions are identical or if each offers different information. Chairperson Morin said that he does not know, but can find out.

COUNCIL ACTION

Councilor Adil moved **"TO ACCEPT THE RESIGNATION OF JOAN E. BIAGIONI FROM THE COMMITTEE ON CULTURE AND THE ARTS"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO MAKE THE FOLLOWING APPOINTMENTS:**

MUNICIPAL AGENT FOR CHILDREN

Nancy Stilwell TE 505 Silas Deane Hwy. 9-19-05 to 6-30-07

MUNICIPAL AGENT FOR THE ELDERLY

Christine Taylor TE 505 Silas Deane Hwy. 9-19-05 to 6-30-07

SENIOR CITIZENS ADVISORY COMMITTEE

Kathy Bagley (Park & Rec) TE 505 Silas Deane Hwy. 9-19-05 to 6-30-07

Donna Mattison (Soc Svc) TE 505 Silas Deane Hwy. 9-19-05 to 6-30-07

Grace N. Piencikowski Weth Sr 214 Prospect Street 9-19-05 to 6-30-07

G. Seklecki/G.Roberts AARP 156 Ridge Crest Circle 9-19-05 to 6-30-07

Jane Rosendahl (Hous Auth) 60 Lancaster Road 9-19-05 to 6-30-07

FLOOD & EROSION CONTROL BOARD

Alternate:

John F. Maycock D 13 Meggat Park 9-19-05 to 6-30-08

EMERGENCY MEDICAL SERVICE COMMITTEE

Ellen Layman R 426 Ridge Road 9-19-05 to 6-30-07

HISTORIC DISTRICT COMMISSION

Alternate:

Gary C. McLeod D 116 Thornbush Road 9-19-05 to 6-30-10

PLANNING & ZONING COMMISSION

Alternate:

Anthony J. Homicki D 201 Cumberland Avenue 9-19-05 to 6-30-08

TOURISM COMMISSION

Paul F. Montinieri (EDIC) 43 Amato Circle 9-19-05 to 6-30-08

", seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. Councilor Montinieri ABSTAINED on the last appointment only. The motion passed 9-0-0.

Councilor Adil moved "**TO TAKE AGENDA ITEM B.3.e OUT OF ORDER**", seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Board of Education Budget Surplus - Request for Funds - Textbooks

Town Manager Bonnie Therrien explained that at last week's Board of Education meeting, members approved a motion to request an appropriation from their surplus back to them for the purchase of textbooks. The Town Manager recommended to the Council that, if they decide to move forward with this, the funds should be taken from the fund balance instead of contingency as this was not foreseen to come from the contingency account.

Superintendent of Schools Dr. Patrick Proctor distributed a memo detailing information concerning contributions to the Board of Education budget surplus in the Personnel and Health Insurance expenditure categories totaling \$426,139. He said that the \$200,000 textbook request is directed to kids in classrooms across the district and not exclusive to any one or small number of grade levels. He said that the \$200,000 request gets the schools back in line with the Board of Education's long-range curriculum textbook acquisition plan and the breakdown is as follows: \$100,000 for grades 7,8,10 and 11, \$65,000 for grades K-8 math, and \$35,000 for maps and globes. Dr. Proctor stated that if the request is not approved, the Board is prepared to come forward for a request in next year's budget of \$350,000 for the materials

just stated and also for science materials. He said that in addition a request would be made for \$208,000 for textbook replacement which would bring the total request to \$558,000.

Town Manager Bonnie Therrien recommended that the Council postpone making a final decision until the audit figures are confirmed so as to know where the Town stands financially from a town-wide perspective of the fund balance. She said that she expects the final figures from the auditors by December.

Councilor Fortunato said that in light of the unique circumstances and the recommendation of the Town Manager she moved **"TO REFER THE ITEM TO THE COUNCIL BUDGET AND FINANCE COMMITTEE FOR FURTHER REVIEW AND TO BRING A RECOMMENDATION BACK TO THE COUNCIL"**, seconded by Deputy Mayor Karangekis.

Councilor Czernicki asked Councilor Fortunato and Councilor Adil if it is their intention, in referring this to the Budget and Finance Committee, to have the current Council vote on the \$200,000 request or something that will be put forward to the next Council. She said that it appears that the agenda for the Budget and Finance Committee is already pretty full.

Councilor Adil said that, as Chairman of the Committee, he would prefer to have this handled by the current Council, though he can't be sure of the timeframe for review.

Councilor Montinieri asked if the Budget and Finance Committee will also be waiting for the auditors' final figures to come in before making a recommendation to the Council. Town Manager Bonnie Therrien said that it is up to the Committee, but this is her recommendation.

Councilor Hemmann said that she is more inclined to have the Council move for a postponement of the decision until the audit figures are received. She said that referring this to another Committee where it will sit until they receive the figures is not the best move to make. She said that she has great concerns with regard to the significant issue of energy costs in the budget, as well as the winter snow costs.

Councilor Adil asked Dr. Proctor how good he feels about the energy cost forecast.

Dr. Proctor answered that the Board of Education has locked in on gas costs and it is expected that considerable savings will be realized. He said that there are, however, no guarantees given the present energy circumstances. He said that with the help of Energy Education Inc. the entire school system is working hard to lower energy use in a productive, systematic way. Dr. Proctor said again that although there are no guarantees he feels some confidence at this point.

Councilor Adil asked Dr. Proctor if he is anxious to obtain textbooks at this time because of the anticipation that there may be a shortage of textbooks due to the Gulf Coast situation. Dr. Proctor said that this is a very good point and although he has not received any indication that this will be an issue, this is an unknown variable.

Councilor Cascio stated that he cannot support the motion to refer this to the Budget and Finance Committee because there are too many unknowns. He said that he supports the acquisition of new textbooks and resources for classrooms; however, he supports the recommendation to postpone the final decision until the audit figures are confirmed. He reminded the Council that they recently denied new computers to the Library.

Councilor Fortunato said that she deferred to Councilor Adil originally since he is the Chairman of the Budget and Finance Committee and she wanted to get his opinion. She clarified that when she made the motion to defer to the Committee, she did so as a matter of process so that the matter can be given further consideration and further information can be obtained and discussed. She said that she is not suggesting that the matter be held off until the new Council is in place. She said that her motion was made to keep the matter alive and not postpone it until after the new year.

Councilor Czernicki said that the discussion is finding itself away from the original motion. She referred to Dr. Golden's statement that without this appropriation, it is anticipated that the 2006-07 appropriation will be

approximately \$350,000. Councilor Czernicki asked Dr. Proctor to clarify his amount of \$580,000. Dr. Proctor said that the amount he stated was \$558,000 of which \$350,000 will be for new textbooks, and \$208,000 for replacements. He said that if the current request is granted, the appropriation for next year will be \$258,000. Councilor Czernicki said that the document she has in front of her states that without the \$200,000 appropriation, the amount will be \$250,000. Dr. Proctor said that it will be the current \$200,000 requested plus an additional appropriation of \$150,000 for the science textbooks. Councilor Czernicki stated that the document is not clear and Dr. Proctor apologized for the confusion. Councilor Czernicki echoed Councilor Hemmann's concerns over the unknowns of the upcoming winter and energy costs and snow removal. Councilor Czernicki said that she is concerned that there appears to have been a lot of cushions built into the Board of Education budget and this makes her uncomfortable. She said that on the Town side, the Council cuts every corner and does all that it can to keep the town side as low as possible. Councilor Czernicki said that the tax rate is set on what is always hoped are the very best predictions for both the Town and the Board side, and the Town as a whole. She said that the Board made some recommendations that the textbooks would be purchased in the outyears and with the textbook plan in place, the Board can wait for the purchase of the textbooks. She said that since taxpayers cannot see the surplus put back into their pockets, she would like to see the money saved as part of the Town's funding cushion.

Dr. Proctor answered affirmatively that there were no cushions built into the budget. He said that the surplus is due to what unfolded over the course of the budget year. He said that the Board budget was honestly presented and well managed.

Councilor Czernicki asked Dr. Proctor if he had seen at some point that things were looking favorable and the anticipated savings would be this great, and therefore, notified the Town Manager. Dr. Proctor said that he was unaware of the situation until the latter part of July at which time the Board, in good faith, returned the money to the Town.

Board of Education Chairperson Gerri Roberts thanked the Council for considering the request and said that the Board and the Council need to work cooperatively to what's best for everyone in Town. She responded to Councilor Czernicki's inquiries stating that there are two components in the textbook adoption. She said that one is for new textbooks based on new curriculum adoptions, and the other is for the replacement cycle. She has seen a greater outcry this year from parents for new textbooks. She said that the Board made a conscious decision to defer some of these purchases so as not to come in with an extraordinarily high budget request. She said that the school system has recently acquired ninety-five used computers through United Technologies at a fraction of the cost of new computers. Ms. Roberts discussed the current insurance issue as well. She said that the Board would like the Council to favorably consider their request. She said that if the Board had not returned this money the Town's fund balance and energy costs would still be wherever they were.

Councilor Montinieri thanked Dr. Proctor and Ms. Roberts for their explanation and said that she appreciates the unusual circumstances. She said that the explanation provided is completely reasonable and the process in place for funds returned to the Town is appropriate. Councilor Montinieri said that she supports granting the Board's request for textbook funding, but she pauses because of the Town Manager's recommendation. She said that parents have come before the Council requesting textbooks. She said that the difference between the Board requesting money for textbooks and the Library requesting money for computers is that the Library did not come before the Council with a \$426,000 surplus. Councilor Montinieri said that she would like to see the current Council make a decision to return some money, but it will be best to receive the final audit figures first. Councilor Montinieri said that she agrees with Councilor Fortunato's motion to refer this to the Budget and Finance Committee.

Councilor Forrest said that since he has served on the Council, he has developed a certain amount of trust and professionalism, and he is impressed with both Dr. Proctor and the Board of Education and their relationship with the Town. Councilor Forrest said that the Council makes a budget appropriation based on the information provided by the Board of Education and the Board then makes the decision to spend the money as efficiently as possible and possibly give back to the Town, or they can take the position of using every dime they can for education and go for as much as they can each year. He said that the giveback is with the trust that the Council does the best they can to give back to the Town. He said that he sees the giveback as a good job done by the Board of Education and he questions whether the trust in the Council is lowered if the Board receives nothing back. He said that he is concerned that the Board won't

work as hard in the future to use the money efficiently if they're not going to receive any of the giveback back. Councilor Forrest said that, as a furtherance of the trust between the Board of Education and the Town Council, he is in favor of an appropriation to the Board for textbooks; however he commented that the memo from Ms. Golden does not detail enough how the appropriation will be spent. He requested that a more detailed breakdown of the purchases be provided to the Council.

Ms. Roberts stated that information regarding specific texts was provided during the budget deliberations; however, she is not sure that the per-textbook cost was included in this information. She said that she can obtain this information for the Council.

Councilor Adil said that he has been very happy with the cooperation level of the Board of Education in working with the Town Council which has resulted in some really good efficiencies. He said that he appreciates the concerns over the Budget and Finance Committee meeting schedule; however, as Chairman, he would be happy to extend the meeting times so as to allow for this agenda item. Councilor Adil said that he would even be in favor of a partial distribution of the money

Councilor Czernicki asked the Town Manager if surpluses of the Board of Education are required to be returned to the Town Council. Town Manager Bonnie Therrien said that, as Dr. Proctor has stated, it had to come back to the Council. Councilor Czernicki said that this indicates that there isn't a "trust" between the Board of Education and the Council, but rather an obligation.

Councilor Cascio said that he feels that enough has been said and that everyone is in favor of looking at what is right and responsible for the community. He said that one of the duties of the Town Manager is to keep the Council informed regarding activities that are happening in Town financially and administratively. He said that he hopes that, as a Council, the Town Manager's recommendation will be respected.

Councilor Forrest said that he appreciates Councilor Czernicki's comment that the return of funds is obligatory on the part of the Board of Education; however, his prior reference pertained to the ways in which the Board of Education dictates how they will spend their money. He said that the Board of Education could have made different decisions and spent more money, but instead they opted for efficiencies.

Chairperson Morin thanked the members of the Board of Education in attendance for coming to the meeting this evening. He said that he understands the Town Manager's concerns and the overall concern over high energy costs. He said that the Town has been praised for its continued effort to bring the fund balance to a higher level and a lot of decisions made by the Town Council have resulted in this. Chairperson Morin said that he would like to think that referring this request to the Budget and Finance Committee will keep the item on the front burner, as it would be very easy for the Council to put it off and let others deal with it. He said that he is in favor of making an allocation for textbooks, but he needs to be comfortable in doing so.

All Councilors present, including the Chairperson, voted AYE. Councilor Cascio, Councilor Czernicki, and Councilor Hemmann voted NAY. The motion passed 6-3-0.

UNFINISHED BUSINESS

None.

OTHER BUSINESS

CT Coalition for Justice - Class Action Lawsuit

Town Manager Bonnie Therrien explained that the Connecticut Coalition for Justice in Education Funding is trying to make some strong reforms on the ECS funding to municipalities. As other Town's have joined, it has been decided to launch a lawsuit against the State to try to get a substantial difference made in the way the ECS is funded. She said that they are asking all 169 Towns throughout the State to join and Wethersfield's cost to join will be \$5,000 per year based

on its population. The Town Manager distributed a memo from Dr. Proctor and stated that he is in support of this.

Councilor Fortunato said that at the last joint Council and Board of Education Fireside Chat meeting it was discussed to add this as an agenda item and to invite a member of the Coalition to attend and give a presentation.

Councilor Fortunato moved **"TO REFER THE CONNECTICUT COALITION FOR JUSTICE IN EDUCATION FUNDING TO THE JOINT MEETING OF THE BOARD OF EDUCATION AND COUNCIL IN SEPTEMBER OR OCTOBER"**, seconded by Councilor Adil.

Councilor Forrest left the meeting for five minutes at this time (9:05 p.m.).

Chairperson Morin said that he has received a letter stating that the Town has two or three days to let the Coalition know if they will join or not. He said that the annual dues have not been budgeted for and he doesn't appreciate being told that he needs to hurry to join something with a significant unbudgeted expenditure. He said that this does not mean that he is for or against, but just doesn't appreciate the time frame.

Councilor Forrest said that everyone was in full agreement with having the organization come in for a presentation once school started and a joint meeting could be held before the election. She said that she, personally, is not willing to make a financial commitment without additional information.

Councilor Montinieri said that she has reported on The Cost of Adequate Education in Connecticut last Fall and the study shows that Wethersfield's dollar figure is below the required adequacy by over \$14 million. She said that this indicates that Wethersfield would need an additional \$14 million to comply with No Child Left Behind, etc. She said that, at that time, it was discussed to have a representative from the Coalition come to speak at a Shared Services meeting. Councilor Montinieri said that she is not sure that she's interested in getting behind a class action lawsuit, but she is definitely interested in following up on the work of the committee.

Councilor Adil thanked Councilor Fortunato and Councilor Montinieri for their input and said that he shares the Mayor's concern about the time frame. Councilor Adil said that he thinks that Attorney General Blumenthal is right in challenging the Federal Government with regard to unfunded mandates. He said that he looks forward to learning more about this topic.

Councilor Hemmann thanked Councilor Fortunato for bringing this item back to the Council's attention and agrees that this will be an appropriate time to have someone come to talk to the Council on the issue.

Chairperson Morin asked that the Town Manager look into the cost and discuss with Dr. Proctor a date for a joint meeting of the Council and the Board of Education. He asked that the State Delegation be invited to the meeting as well.

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

Replacement of Fence - Town Property - Village Improvement

Town Manager Bonnie Therrien explained that the Village Improvement Association has requested permission to install forty feet of fencing on Town property on both the North and South sides of Main Street at the Beaver Brook intersection near Spring Street. She said that the fence has been approved by the Historic District Commission and this will replace old fencing that is in need of improvement.

Councilor Adil moved **"TO APPROVE THE VILLAGE IMPROVEMENT ASSOCIATION'S REQUEST TO INSTALL FORTY FEET OF FENCING ON TOWN PROPERTY ON BOTH THE NORTH AND SOUTH SIDES OF MAIN STREET AT THE BEAVER BROOK INTERSECTION NEAR SPRING STREET"**, seconded by Deputy Mayor Karangekis.

Councilor Cascio asked if this replacement fencing will be uniform with other fencing throughout Town. Town Manager Bonnie Therrien said that this has not been discussed. Councilor Cascio asked the Town Manager if this

should be looked at and she said that the style and cost can be brought back to Council. Councilor Cascio said that it might be a good idea to keep the fencing uniform.

Councilor Adil suggested that the Design Review Committee take a look at the fencing as well. He said that the Beautification Committee is working with Town employees to replace other fencing in Town.

Chairperson Morin thanked the Village Improvement Association for their generosity as this will be a vast improvement.

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

Crack Sealing Bid

Town Manager Bonnie Therrien explained that on August 15, 2005, the Council authorized the award of the crack sealing bid to A&A Asphalt, LLC for hot crack sealing and the cold crack sealing bid to Marino Brothers. She said that the low bidder for hot crack seal submitted a fraudulent bid document, and therefore the Council needs to rescind the award to A&A Asphalt. The Town Manager said that Staff has requested that they be allowed to re-bid the service in the spring and by doing so hopes to get a better price because petroleum products are in flux at this time as a result of Hurricane Katrina. She said that she concurs with their recommendation.

Councilor Montinieri moved "**TO RESCIND THE AWARD TO A&A ASPHALT, LLC FOR HOT CRACK SEALING SERVICES AND TO RE-BID THE SERVICE IN THE SPRING**", seconded by Councilor Hemmann.

Councilor Hemmann asked if this is fraud and, if so, what the Town is doing about it. Town Manager Bonnie Therrien said that it is fraud and the Town is looking into it through the Town Attorney and also through the Police Department. Councilor Hemmann said that the recommendation to go with a company just because the Town has been dealing with them for years should not be considered again. Town Manager Bonnie Therrien said that this will not happen again in the future.

Councilor Czernicki asked how often this type of practice is done. Town Manager Bonnie Therrien said that it has been done for General Paving, this bid, and maybe one other. Councilor Czernicki verified that this came to the Council without a bid bond. Town Manager Bonnie Therrien said that this is correct, but each time the Town Attorney has said to go ahead and award it without the bid bond and get the bid bond afterward. Councilor Czernicki asked if there is anything the Town can do beyond simply stating that a bid cannot be accepted without a bid bond. Town Manager Bonnie Therrien said that this is the cleanest way.

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

Police - Non-emergency Interagency Agreement

Deputy Mayor Karangekis moved "**TO AUTHORIZE THE TOWN MANAGER TO SIGN THE NON-EMERGENCY INTERAGENCY AGREEMENT WITH BERLIN, CROMWELL, NEWINGTON, AND ROCKY HILL**", seconded by Councilor Forrest.

Town Manager Bonnie Therrien explained that in 2003 the Council authorized her to sign an agreement with Cromwell, Newington, and Rocky Hill that allows for the performance of joint police functions in each other's jurisdictions. She said that the Council needs to re-authorize the agreement because Berlin would like to join the group.

Councilor Montinieri commented that this is a good example of regional corroboration.

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

Change Order - Town Hall/Library Renovations - Removal of Insulation

Town Manager Bonnie Therrien explained that at last week's job meeting she learned that the Building Committee and

the Council have to approve a change order for the removal of old pipe insulation and the replacement of the insulation and pipe hangars. She said that this work must be completed before offices can move into the basement. She said that she expects the cost of the project to be \$4,000-\$5,000 less depending on the way the environmental consultant advises on removal.

Councilor Adil moved **"TO APPROVE A CHANGE ORDER IN AN AMOUNT NOT TO EXCEED \$61,853.14 FROM NUTMEG CONSTRUCTION FOR THE REMOVAL OF PIPE INSULATION AND THE REPAIR OF THE SAME"**, seconded by Councilor Forrest.

Councilor Adil asked if Building Chairman Joe Coombs would like to make any comments.

Mr. Coombs said, prior to Council's approval, that this change order grants Nutmeg Construction a time extension as the work is necessary.

Councilor Adil asked if this situation is indicative of the delays in the project. Mr. Coombs said that this was discovered by the Town and the engineers are recommending that this be done. Councilor Adil asked if this will create a two-week delay and was told by the Town Manager that it will be a twenty-eight day delay.

Councilor Hemmann asked if this was discovered during demolition. Mr. Coombs said that they tried to save it, but as more was opened, it was found that this replacement was necessary. Councilor Hemmann asked what phase of the project this is from. Mr. Coombs said that it is from Phase I. Councilor Hemmann asked what this will do to the project budget. Town Manager Bonnie Therrien responded that the budget will be alright with this and she expects to have an update of the finances to the Council by the end of the week. Councilor Hemmann asked what amount this will leave in Contingency and was told by the Town Manager that it is down 5%. Councilor Hemmann verified that doing this is the correct way to proceed with the project. Town Manager Bonnie Therrien said that it is the correct way to do it; that this is an old building and these issues will come up.

Councilor Czernicki asked if the Wethersfield Building Inspector ever inspects the Town Hall. Councilor Czernicki asked if it is known how widespread the mold problem is. Mr. Coombs said that it is only in the insulation to the best of his knowledge. Councilor Czernicki asked Mr. Coombs if he is compelled to look beyond if mold is discovered in other places when removing the insulation. Mr. Coombs said that it will be corrected as it is discovered. Councilor Czernicki asked the Town Manager what the original date was for ground floor occupancy and was told April, 2005. She said that this has changed a lot and the best estimate for occupancy at this time is November, 2005.

Councilor Cascio asked if there is a penalty clause included in the contracts and was told by the Town Manager that there is not. Councilor Cascio asked that he thought the Council had asked for this. Town Manager Bonnie Therrien said that she will have to review the minutes, but there is not one for Nutmeg. Mr. Coombs said that in reviewing the contract with the Town Attorney, it was decided that a penalty clause would not be appropriate for this job because there is not a situation where economic harm would be occurring since the Town Hall and Library would remain open during construction. Councilor Cascio asked if the Town has a contract guarantee of the work. Mr. Coombs said that there is a spectrum of work and Connecticut State Statute says that there must be a minimum of one year of warranty on all construction work. Councilor Cascio asked the Town Manager how this is affecting the Library Grant renovation. Town Manager Bonnie Therrien said that time-wise it is still O.K. She said that all the money has to stay within Phase I and if the mezzanine stairs are moved to Phase II, something of equal value has to take its place in Phase I. She said that December is the magic date for the Small Cities Grant.

Chairperson Morin thanked Mr. Coombs and said that he is pleased to see a lot of work and activity taking place at the Town Hall. He said that he appreciates the hard work of the Building Committee working together with the Town Manager.

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

BIDS

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

RESOLUTION REGARDING THE AUTHORIZATION AND SUBMISSION OF A GRANT FROM THE CAPITAL AREA SUBSTANCE ABUSE COUNCIL TO THE DEPARTMENT OF SOCIAL AND YOUTH SERVICES AND THE AWARD OF FUNDS FROM THE GRANT TO THE DEPARTMENT OF SOCIAL AND YOUTH SERVICES

BE IT RESOLVED by the Town Council of the Town of Wethersfield that Bonnie Therrien, Town Manager, and Nancy Stilwell, Director of Social and Youth Services are hereby authorized to make, execute and approve on behalf of the Town of Wethersfield, a contract between the Capital Area Substance Abuse Council and the Town of Wethersfield Department of Social and Youth Services. Said contract shall be in the amount of \$4,245 for programs to increase public awareness and prevention of alcohol, tobacco, and other drug abuse for fiscal year 2005-2006.

RESOLUTION CONCERNING HELP FOR FAMILIES DISPLACED BY HURRICANE KATRINA

WHEREAS, Hurricane Katrina resulted in especially horrific destruction and ongoing human misery in Louisiana and Mississippi;

WHEREAS, the scale of this disaster has been compounded by the failure of governments to assure timely preparation and response;

WHEREAS, people throughout America and the world want to help through state and local governments, community agencies and personal donation to aid in the relief of those without food, health care, shelter, safety and other basic human needs;

WHEREAS, more lives are at stake every day and each family in crisis that can be assisted is a family whose future is saved, including those with relatives who reside in Wethersfield and Greater Hartford;

NOW, THEREFORE, BE IT RESOLVED by the Wethersfield Town Council that the Town Manager, in consultation with the Superintendent of Schools, shall (1) seek out families in Wethersfield and the Greater Hartford area with relatives in Louisiana and Mississippi who are displaced and at risk following Hurricane Katrina; (2) identify potential Wethersfield housing opportunities for families, including host families; (3) provide coordination or identify an existing social services agency to provide coordination; (3) seek federal and other funds to provide assistance; (4) make arrangements to sponsor such children and families to live in and attend school in Wethersfield and other area towns; and (5) contact other Connecticut cities and towns to do so.

Councilor Czernicki requested that before these resolutions come up for action at the next meeting, that the Council be provided with information from the Social and Youth Services Department having to do specifically with how monies awarded from the Capital Area Substance Abuse Council have been spent to increase public awareness for prevention of alcohol, tobacco, and other drug abuse.

MINUTES

Councilor Forrest moved "**TO ACCEPT THE MINUTES OF THE SPECIAL MEETING OF AUGUST 22, 2005**", seconded by Councilor Hemmann. All Councilors present, including the Chairperson, voted AYE. Councilor Adil, Councilor Cascio, Councilor Montinieri and Councilor Fortunato ABSTAINED. The motion passed 6-0-4.

Councilor Adil moved "**TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 6, 2005 AS REVISED TO INCLUDE COUNCILOR CZERNICKI'S LATE ARRIVAL**", seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. Councilor Cascio, Councilor Czernicki, and Councilor Hemmann ABSTAINED. The motion passed 6-0-3.

ADJOURNMENT

At 9:35 p.m., Councilor Forrest moved "**TO ENTER INTO EXECUTIVE SESSION**" seconded by Councilor Czernicki. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

At 9:59 p.m., Councilor Adil moved "**TO ENTER BACK INTO THE REGULAR MEETING**" seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

At 9:59 p.m., Councilor Adil moved "**TO ADJOURN THE MEETING**" seconded by Councilor Czernicki. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano
Town Clerk