

## **OCTOBER 17, 2005 REGULAR MEETING**

The Wethersfield Town Council held a meeting on October 17, 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 Czernicki.

Chairperson Morin announced that there will be an Executive Session following the meeting.

### **Meet the Blind Month Proclamation**

### **White Cane Safety Proclamation**

Chairperson Morin invited Mr. Frank Meunier, a blind member of the Wethersfield community, to come forward and Chairperson Morin read both proclamations announcing October 15, 2005 as White Cane Safety Day and the month of October, 2005 as National Federation of the Blind "Meet the Blind" Month.

Mr. Meunier thanked those members of the Council who are not seeking reelection for their years of service to the community, especially Councilor Czernicki who served well as both Mayor and as a member of the Council. He wished those seeking reelection good luck. Mr. Meunier stated that the Federation of the Blind performs areas of work according to the acronym L.E.A.D. which stands for Legislation, Education, Advocacy, and Demonstration. Mr. Meunier added the letters E.R. to the acronym for Experimentation and Research.

Before proceeding with the following presentations, Chairperson Morin, on behalf of the Council, thanked all members of the Wethersfield Volunteer Fire Department for their efforts put forth this weekend during the heavy rains.

### **John Babel - 40 Years of Volunteer Fire Service**

Chairperson Morin read the Proclamation recognizing Mr. Babel for forty years of service to the Wethersfield Fire Department and thanking him for his unselfish and outstanding service to the Town of Wethersfield.

### **Dave Anderson - 50 Years of Volunteer Fire Service**

Chairperson Morin read the Proclamation recognizing Mr. Anderson for his fifty years, beginning October 1, 1955, of service with the Wethersfield Fire Department. The proclamation stated that when firefighters who have served with David Clark are asked to describe him, the words that come to mind include Friend, Counselor, Father Figure and a True Gentleman. Mr. Clark said that he has considered it an honor and privilege to serve with the Wethersfield Fire Department, one of the finest he's worked with in all his years of service.

Chairperson Morin announced that this evening's meeting is the last for a few of the Councilors who are choosing not to run for reelection. He said that he has a lot of respect for these Councilors and he and the Town Manager recognized Councilor Montinieri, Deputy Mayor Karangekis, Councilor Hemmann, and Councilor Czernicki each with a weather station and clock in appreciation for the time they've so generously given to the Wethersfield community.

Chairperson Morin addressed the stormy weather that occurred over the past week which inflicted much damage throughout the State of Connecticut and elsewhere. He said that he and the Town Manager went out to visit some of

the damaged sites on Sunday and the Town Manager has contacted the proper authorities concerning the damaged areas. Chairperson Morin asked both Town Manager Bonnie Therrien and MDC Chairman William DiBella to provide updates on these areas. Chairperson Morin said that Senator Fonfara is also present at tonight's meeting.

Town Manager Bonnie Therrien explained that the recent storm was in the neighborhood of a 100-year storm and some residents throughout many sections in Town have sustained damage from four to five feet of water and sewage in their home. She said that an Emergency Shelter was opened by Emergency Manager Dick Fippinger on Saturday from 10:00 a.m. to 12:00 p.m. and it was reported that no one came to the shelter. The Town Manager said that the Fire Department responded to approximately 180-190 calls in a 24-hour period. She clarified that the Fire Department cannot pump out raw sewage from homes as it contains hazardous materials and once pumped, there is nowhere to put the sewage and also that the Fire Department had to prioritize the calls to attend to calls where basements were filled with five to seven feet of water as opposed to an inch or two. Town Manager Bonnie Therrien said that a state of emergency was declared for the weekend and the Governor is attempting to provide State-wide assistance as well as having the Federal Government acknowledge that the situation was a disaster so that FEMA assistance can be provided. She said that a compilation of streets and types of businesses affected by the sewage is being developed by Mr. Fippinger and Ms. Rae Ann Palmer, Assistant to the Town Manager. The Town Manager requested that the Town Council add the following items to tonight's agenda: (1) waiver of transfer fees for residents who have sustained damage and have refuse to dispose of; (2) request to Paine's Refuse to provide dumpsters throughout Town into which residents can dispose of refuse. Town Manager Bonnie Therrien stressed the importance of the MDC's Long-Term Control Plan as this will greatly affect the occurrence of raw sewage in citizens' homes not occurring again.

MDC Chairman William DiBella said that the MDC continues to work on this catastrophic issue with the Town. He said that water being processed at the Windsor and Hartford water treatment plants doubled during the recent storm. He said that he has been with the MDC since 1975 and has never seen anything overtax the system as the recent rain has. He said that the MDC is assessing the system and the policy that if there is a failure of their equipment, the clean up will be paid for by the MDC, but if the condition is determined to be an "Act of God", the MDC does not adhere to this policy; however this policy has been in place for years and is currently under review because of the extent of the recent storm damage. Mr. DiBella said that the MDC has had discussions with Governor Rell relative to a Federal Emergency being declared to provide additional funds; however, before this can be done, an assessment must be made of all 169 Towns in Connecticut. Mr. DiBella said that the recent storm created problems in all of the MDC's eight district Towns and that MDC staff has already met today and will meet again tomorrow to discuss the issue. Mr. DiBella said that a referendum in 2006 is necessary and the MDC is proposing to spend \$1 billion on the system to rectify the problems, of which approximately \$137 million is slated for the Wethersfield Cove issue. He said that he has been lobbying towns for a solution similar to what is being currently proposed, since he became a member of the MDC in 1975. He said that the Federal government is now telling the MDC that if they don't do the job, a Federal Judge will do it for them; therefore it needs to be done now. Mr. DiBella said that it is critical that the leadership of Towns in the Metropolitan District be advocates for the passing of the referendum to remedy the situation.

Town Manager Bonnie Therrien announced that the Health District can be reached at 721-2822 for those who have any questions or concerns about sewage infiltration. She said that flyers have been distributed to the residents on affected streets and that an attempt will be made to provide information on Channel 16 as well.

Councilor Fortunato commented that the magnitude of the flooding problem was much greater than anyone had expected. She asked what steps affected homeowners should be taking to rid their homes of ruined appliances, furniture, etc. Mr. DiBella said that the MDC policy is clear that it does not participate in relief relative to these mechanical and personal property issues, especially due to an "act of God". He said that the taxpayers of the eight member towns will bear the burden of any costs incurred by the MDC. Councilor Fortunato agreed that residents need to be provided with information regarding the recourse available to them.

Councilor Adil thanked Mr. DiBella for coming and asked if the assessment done to-date indicates clearly where the problems exist. Mr. DiBella said that a complicated search of the whole system has been performed. He said that the amount of discharge of surface water is what caused the problem and a full report from the MDC is expected tomorrow. He said that the problem is that the system is not designed to handle a 100-year storm, as the cost would be enormous. Councilor Adil asked Mr. DiBella what the plan is to communicate the need for a referendum to the rest of

the eight member towns. Mr. DiBella said that the process has begun to develop a strategy for this and how the plan will be structured.

Councilor Montinieri thanked Mr. DiBella for including the Wethersfield Cove in the MDC's Long-Term Control Plan. She said that she heard on the news that an MDC pipe was clogged and this contributed to some of the problems in Wethersfield and asked if this would be considered a failure in the system. Mr. DiBella said that there was a situation in West Hartford where an MDC pipe collapsed and backed up sewage into a number of homes. He said that the MDC responded to this within minutes and assisted in the cleanup of the homes.

Councilor Czernicki thanked Mr. DiBella for coming to the meeting and asked him to provide an approximate timeline for project completion if the referendum is successful. She reminded him that residents have sewage problems in the past due to much less rainfall than has recently occurred. Mr. DiBella said that the MDC has offered a program to those residents in the problem areas where the MDC subsidizes the backwater valve. Councilor Czernicki confirmed that this was offered; however it was after much discussion. She asked Mr. DiBella to provide an overview of the Long-Term Control Plan. Mr. DiBella said that the program hasn't been looked at in terms of the number of days for it to go into effect; however, the biggest part of the program will begin in the Wethersfield, Hartford, and north-Hartford section to resolve the immediate problems. He said that the major portion of the project is to build underground tunnels throughout Hartford and this is six to seven years away, with completion possibly not until seven to ten years out. He said that the Cove problem cannot be solved until the separation problem is addressed.

Councilor Forrest thanked Mr. DiBella for coming to the meeting and for his efforts with the Wethersfield Cove. Councilor Forrest stated that he was on Brookside Circle in Wethersfield on Sunday and was told by residents that the backup was significant and then all at once went away. Councilor Forrest asked if this would allow for the residents in this section to be compensated under the MDC's policy. He suggested that the Town develop a list of affected residents so that the MDC can provide them with information and updates on the situation. Mr. DiBella said that the MDC will continue to cooperate with the Town to solve the issues.

Chairperson Morin thanked Mr. DiBella for coming to the meeting and that the Town will do their best to support the affected residents. He asked the Town Manager to submit a request to the MDC Commissioners to address the current MDC policy.

Emergency Manager Dick Fippinger said that FEMA is a new player within this Town discussion. He said that FEMA is involved due to the Stafford Act declaration and the State of Connecticut Department of Homeland Security staff advising the Governor to apply for that declaration. Mr. Fippinger said that with regard to FEMA, it is the responsibility of the individual resident to step forward and make claim to FEMA directly. Mr. Fippinger said that the public needs to be advised that they should not immediately dispose of any high value property that was affected by the flooding as this may affect their reimbursement claims to FEMA.

Senator Fonfara stated that it has been an honor to work with Councilor Hemmann, Councilor Czernicki, Councilor Montinieri, and Deputy Mayor Karangekis in their commitment to Wethersfield. Senator Fonfara said that Mr. DiBella phoned him today to express his concerns with relation to the current Wethersfield conditions. Senator Fonfara said that he hopes that the MDC will reconsider their current policy and understands that this can have ramifications to all member Towns since the MDC has no other source of revenue. Senator Fonfara said that he will be meeting with the Governor's Chief of Staff on Wednesday and will suggest that all possible be done to bring this issue to FEMA. He said that a Special Session of the Legislature will be held on October 25 and he expects that there will be discussions regarding State assistance for flood damage.

Councilor Montinieri moved **"TO REMOVE ITEM B.2.b FROM THE TABLE"**, seconded by Councilor Adil. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO ADD ITEM B.3.e, TOWN CLERK EVALUATION, ITEM B.3.f, PERSONNEL MATTER REGARDING BOARD OF EDUCATION EMPLOYEE, ITEM B.3.g, WAIVER FEE FOR THE TRANSFER STATION, AND ITEM B.3.h REQUEST TO PAINE'S REFUSE, TO THE AGENDA"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

## **PUBLIC COMMENTS**

### HEARING

#### **ORDINANCE FOR PROPOSED CHAPTER 169 OF THE WETHERSFIELD TOWN CODE, ENFORCEMENT OF ZONING AND WETLAND REGULATIONS**

Rich Roberts, 60 Highview Avenue, spoke in favor of the proposed ordinance as it provides the opportunity for the worst offenders to be held accountable for their actions. Mr. Roberts also thanked the four departing Councilors for their service to the Town.

No one else wished to speak and the Chairperson declared the Hearing Segment closed.

### GENERAL COMMENTS

Mary Dobruck, 689 Folly Brook Boulevard, thanked Town Manager Bonnie Therrien and Chief Cetran for arranging for the drop off for Hurricane Katrina relief donations at the Police Facility. Ms. Dobruck said that this past weekend was the first time in twenty-one years that she and her husband have not had a sewage problem in their basement. She said that this is a result of grinder pumps installed by the MDC. Ms. Dobruck said that the present situation in Wethersfield is the reason why the formation of an Inflow and Infiltration Committee was requested last May. She said that when the Wethersfield Cove takes on sewage, 40% of this is due to Wethersfield inflow and infiltration that is filling up the Folly Brook interceptor and causing the Franklin Avenue interceptor to overflow. Ms. Dobruck said that Wethersfield contributed to some of the damage incurred in people's homes and action needs to be taken to separate storm drains from the sewer system. Ms. Dobruck thanked Town Manager Bonnie Therrien for calling her from Virginia to personally check on how Ms. Dobruck's house was doing during the storm. Ms. Dobruck also wished to thank publicly the MDC, specifically Bob Moore, Sally Nye, and Dave Notty for their help in protecting her home. Lastly, Ms. Dobruck thanked the four departing Council members, especially Councilor Hemmann and Councilor Czernicki for their assistance in the infiltration issue.

Yolanda Preysner, 160 Clearfield Road, spoke in support of the Superintendent of School's request to have a portion of the Board of Education surplus restored to the Board of Education for updated textbooks, maps, and globes.

John Miller, 45 Highland Street, thanked those Councilors departing for their many years given to the Town. Mr. Miller commented on the recent rainstorm and the surcharge to the sanitary sewer system. Mr. Miller commented on the Long-Term Control Plan and what needs to be done to relieve the system with minimal expenditures until the Plan is put in place.

Barbara Ruhe, 79 Main Street, said that those who serve in government take on a tough role and should always be thanked. Ms. Ruhe thanked Councilor Czernicki and Councilor Hemmann for their hard work in serving on the Council. She reminded the Council that they work for the voters of Wethersfield. Ms. Ruhe said that she is disappointed to hear that it may be another eight to ten years before the Cove is cleaned up.

Jeff Kotkin, 28 Farms Village Road, thanked the four departing Council members for their service to the Town. Mr. Kotkin stated that the referendum that is approximately one year out will be paid partially by Federal and State funding. He said that some will also be paid by homeowners and member Towns. Mr. Kotkin urged the Council to seek out allies in other surrounding towns to form a coalition to urge the passage of the referendum.

Rita Dikegoros, 16 Bay Roc Road, spoke in support of the restoration of \$199,999 back to the Board of Education for textbooks.

Tristan Stanziale, 15 Harold Street, stated that the Democratic majority of the Council promised two years ago that the Wethersfield Cove would be swimmable by this point in time. Mr. Stanziale thanked Councilor Czernicki and Councilor Hemmann for their years of service on the Board of Education and Town Council.

Ken Sokolowski, 79 Main Street, stated that he agrees with the Town Manager's recommendation that \$135,000 be

transferred back to the Board of Education for textbooks.

No one else wished to speak and the Chairperson declared the General Comments segment closed.

### COUNCIL REPORTS & COMMENTS

Councilor Fortunato announced that a joint meeting of the Town Council and Board of Education will be held on November 1 at 6:00 p.m. at the Stillman Building.

Councilor Adil reported that a meeting of the Budget & Finance Committee was held on Tuesday and will be discussed later in tonight's meeting.

Councilor Cascio reported that the Memorial Day Parade Committee met recently and it was decided that the parade will go back to its original route. Councilor Cascio reported that the Senior Citizen Advisory Committee is looking for volunteers to serve on the committee as they currently do not have a quorum to make decisions. Councilor Cascio reported that he spoke to the Superintendent of Schools regarding the revision of the September 13 Shared Services Committee minutes and was told that they will be rewritten.

Councilor Hemmann thanked the Wethersfield Fire Department for their efforts this whole past weekend assisting the residents of Wethersfield.

Councilor Adil informed the Town Manager that while walking on Ridge Crest Circle on Saturday he observed the appearance of a spring in the middle of the road. Councilor Adil commented on the progress made at the Skateboard Park and that the footings need to be put up for the fencing there.

Councilor Cascio thanked the Town Manager and her staff for responding to the issue he brought forward on September 30 regarding handicap inaccessibility to the High School Field. He said that the Manager's Report indicated that the Town will be working toward a level of handicap accessibility for all fields. Councilor Cascio brought up the issue of safety on Wolcott Hill Road at the High School and the possibility of installing a control switch at the site. He asked the Manager for an update of the interior classrooms at the Silas Deane Middle School. Town Manager Bonnie Therrien said that she spoke with the principal of the school today who said that the contractors have still not started the actual work. Councilor Cascio requested that the Health Department take a reading of the Cove and that this be reported back to the Council. Councilor Cascio thanked the departing Councilors wishing good luck to Deputy Mayor Karangekis and Councilor Montinieri, commending Councilor Hemmann for her initiation of the facilities maintenance plan for Wethersfield, and commending Councilor Czernicki for her leadership role in opening many doors as a facilitator for many Town functions. Councilor Cascio said that Councilor Czernicki's leadership role went beyond the call of duty as at the time when she served as Mayor, the Town had neither a Town Manager nor a Finance Director in place, and during her time as Mayor, Councilor Czernicki organized a meeting with the DEP, EPA, Town officials, health agents and the MDC to begin discussions on the cleaning of the Wethersfield Cove.

Councilor Fortunato extended her thanks to the Town's emergency responders for their efforts to residents and businesses this past weekend. Councilor Fortunato also recognized Kathy Bagley and Dick Fippinger for their efforts in opening the emergency shelter and making it available for residents in need. Councilor Fortunato commented on the State and Federal programs available for energy assistance and suggested that the Social Services Department submit an article to Wethersfield Life to enlighten the public to these programs. Councilor Fortunato commented on the parking issue on Wolcott Hill Road, and reassured the public that the Council is aware of the situation, that the topic has been discussed at the last two Shared Services meetings, and that the Town Manager is reviewing the situation. Councilor Fortunato announced that the Library will be holding a Strategic Plan Kick-off event on November 16 at the Keeney Center. Councilor Fortunato thanked the Town Manager for the notice in the Councilors' packets regarding the upcoming Medi 05 Convention as this is an exciting opportunity for Wethersfield. She suggested that a tour be set up for those visiting the Hartford area for the event, to show them the various facilities in Wethersfield. Councilor Fortunato stated that it has been a pleasure working with the four departing Councilors and wished them all well in future endeavors.

Councilor Czernicki commented on the statistics provided and the attendance guidelines for members of the Planning

and Zoning Commission. She noted that a number of members have displayed irregular attendance and asked the Town Manager to explain what is to happen in these instances. Town Manager Bonnie Therrien read from the Town Charter the following paragraph:

### §313. Removals

The Council may remove any member from any appointed board, commission, committee, or agency who serves without compensation as follows: (1) upon such member's unexcused absence from three consecutive meetings of the board, commission, committee, or agency, whether regular or special meetings, or, (2) upon such member's unexcused absence from fifty percent or more of the meetings, whether regular or special, of the board, committee, commission, or agency within a calendar year, unless otherwise provided by the General Statutes of the State.

Councilor Czernicki pointed out that three members have missed more than 50% of the meetings and one has missed six consecutive meetings and she said that action needs to be taken by the Council to call for a higher standard in attendance. Councilor Czernicki asked the Town Manager what the status is with the Town's visitation program at this time. Town Manager Bonnie Therrien said that she and the Mayor have started in on it and that at the last EDIC meeting it was discussed that there will be updated training for those who would like to get involved. She said that the group took the summer off and have not regrouped as of yet. Councilor Czernicki thanked Mr. Fippinger, as well as Kathy Bagley, for being at the ready with the opening of the emergency shelter this past weekend. Councilor Czernicki also thanked the Wethersfield Fire Department for their ongoing efforts in assisting all residents. Lastly, Councilor Czernicki thanked those who have publicly acknowledged her service on the Council. She said that her years served have been a great privilege.

Councilor Forrest thanked the outgoing Council members for their service to the Town.

Councilor Montinieri expressed her appreciation for the acknowledgments given her this evening and thanked her Council colleagues. She said that she has gained an appreciation for the Mayor and the position of the Mayor as the lions share rests on the shoulders of this position. Councilor Montinieri acknowledged the Town Manager, Rae Ann Palmer, and all Department Heads for their endless provision of necessary information. Councilor Montinieri expressed appreciation to all the people who have come out to the Council meetings, especially the active parents and thanked her friends and family for their support. She said that it has been an honor for her to serve.

Deputy Mayor Karangekis acknowledged the great pride he has had in working with such a fine and dedicated Town Council. Deputy Mayor Karangekis said that he will be pursuing other interests and is not seeking reelection as he has come to realize that after serving the Town for thirty-eight years, it is time for him to concentrate on something other than Town business.

Councilor Hemmann said that it was a difficult decision for her to make in deciding to go back to school and pursue other interests. She said that she looks forward to serving the Town again in other capacities.

Chairperson Morin reminded all candidates that election signs cannot be placed on Town property, including Town right-of-ways. Chairperson Morin made a number of upcoming community event announcements and also thanked all who served with him on the Council. He said that although they may not have always agreed on matters, he has a great deal of respect for all of them. Chairperson Morin addressed the comment made previously that it was stated two years ago that at this point there would be swimming in the Wethersfield Cove, stating that this was never said. He said that the current Council is the only Council that has insisted on zero discharge into the Cove.

## COUNCIL ACTION

Councilor Adil moved "**TO ACCEPT THE RESIGNATION OF SUSAN M. MILLER FROM THE SENIOR CITIZENS ADVISORY COMMITTEE**", seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Forrest moved **"TO APPROVE THE ORDINANCE FOR PROPOSED CHAPTER 169 OF THE WETHERSFIELD TOWN CODE, ENFORCEMENT OF ZONING AND WETLAND REGULATIONS"**, seconded by Councilor Czernicki.

Town Manager Bonnie Therrien explained that this will enable the Town to collect fees on the zoning ordinances and allows for an appeals process.

Councilor Forrest pointed out that paragraph §169-3.B needs to be corrected to read "State" instead of sate.

Councilor Czernicki inquired as to what safeguards are in place for unilateral enforcement. Town Manager Bonnie Therrien said that she will remind the staff again that the enforcement is to be unilateral.

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

## **UNFINISHED BUSINESS**

### Board of Education Budget Surplus - Request for Funds - Textbooks

Councilor Adil reported that the Budget & Finance Committee met last Tuesday to discuss this matter and at that time Dr. Golden's list of requested items was reviewed and also the utilization of Silas Deane Middle School bond funding. Town Manager Bonnie Therrien explained that there are additional maps and globes needed at the Middle School and the Fund Balance is currently at 7.9%. She said that she checked with the Bond Counsel regarding bond funding and was told that funds in the bond can be used for the purchase of textbooks, globes, etc. for only Silas Deane Middle School.

Councilor Fortunato said that the bond information is important and that the recommended transfer of \$135,000 will pay for all of the books requested for the district. She said that, in light of the use of the bond funds, the Council has been encouraged to allocate additional dollars for the maps and globes and she would like to see additional funding provided to do this.

Councilor Fortunato moved **"TO TRANSFER \$145,000 FROM UNDESIGNATED FUND BALANCE TO THE WETHERSFIELD PUBLIC SCHOOLS, ACCOUNT #T1200-5225, FOR THE PURCHASE OF TEXTBOOKS, MAPS, AND GLOBES"**, seconded by Councilor Montinieri.

Councilor Cascio asked if this item was discussed by the Budget & Finance Committee. Councilor Adil said that the Committee's recommended amount was \$135,000. Councilor Fortunato said that the additional \$10,000 funding was discussed.

Councilor Forrest verified that the additional \$10,000 will be used for maps and globes for grades 4-6 and the globes for grades 7-8 will be purchased with the bond money. Councilor Fortunato said that she anticipates approximately \$9,000 from the Bond money in addition to the additional \$10,000 proposed. She said that the total of \$19,000 would be approximately one half of the current map and globe request.

Councilor Cascio said that he is in support of the motion for \$135,000, but he asked for clarification of the bond money funding which would indicate that the \$9,000 funding for textbooks, globes, and maps would be paid back over the next twenty years. Town Manager Bonnie Therrien said that this is the way the bonding works. Councilor Cascio said that it is not good financial planning to put money out for twenty years for \$9,000. He said that the Council agreed to have the Budget & Finance Committee provide them with their recommendation and that the present Council would make that recommendation.

Councilor Fortunato said that this was the recommendation of the Budget & Finance Committee and she is putting forth the motion which can be voted up or down. She reminded the Council that the textbooks, maps and globes were part of the original application that went to the State Department of Education and was approved. Town Manager Bonnie Therrien pointed out that the maps and globes were part of the original bond, but not the textbooks. Councilor Fortunato said that it was the Budget & Finance Committee's request to the Building Committee that any surplus funds

from the bond be used to purchase maps and globes.

Councilor Cascio asked if this would be interfering with the windows money and the Town Manager said that the windows money is completely different. Councilor Cascio said that everyone is in support of making sure that classrooms are supplied appropriately; however, he wants to make a clarification.

Councilor Adil clarified that the recommendation by the Budget & Finance Committee for \$135,000 was passed 3-0-1; however there was discussion as to whether there will be bond money left over from the Silas Deane Middle School project. Councilor Adil said that he supports the additional \$10,000 from the fund balance.

Councilor Hemmann stated that the Board of Education's priority over the past year has been to open the Webb School and this has been accomplished and unfortunately the Town cannot afford everything they want. Councilor Hemmann said that the issue here is the surplus amount of \$426,000 which went unanticipated until well past the end of the fiscal year. She said that due to the storm of the past weekend and the unknown relating to the upcoming winter months, she has concerns with taking even more money from the fund balance. She said that she is O.K. with the \$135,000 recommended by the Budget & Finance Committee, but is uncomfortable with the additional \$10,000.

Councilor Czernicki asked Councilor Fortunato if the second part of her motion will be to allow for \$9,000 to be set aside from the Silas Deane Middle School bond. Councilor Fortunato said that the motion will be to use the balance of the bond after any additional small bills are taken care of.

Chairman of the Board of Education Gerri Roberts stated that prior to being a lawyer, she was certified as a secondary education history teacher and therefore maps and globes are near and dear to her heart. She said that they are important teaching tools used to enlighten students as to what is going on in the world today. Ms. Roberts said that the Board of Education did have an unanticipated surplus and after this past weekend's weather, the Town is lucky that this is the case since this money can be used toward the fund balance, snow removal, etc. She said that the Board of Education appreciates anything that the Council can do to fund the textbooks, maps, and globes.

Councilor Czernicki said that she has issues regarding the process or lack of process, and the ways that different bodies look at expenditures. She said that she abstained from the vote in order to obtain additional information; however she thought that the other three members of the Budget & Finance Committee were comfortable with the \$135,000 recommendation, although Councilor Fortunato had said that she would do investigating relative to available funding from the bond. Councilor Czernicki said that at one meeting, Dr. Golden said that the priority was the opening of Webb School and that a decision was made by the administration to reluctantly cut \$211,000 from the textbook budget to keep the budget low. Councilor Czernicki said that this indicated that evidently everyone on the Board of Education and the School Administrators thought that the schools could live with this for this year and now she finds it interesting that now after unanticipated funds were found, suddenly the one thing that the Board cannot do without is textbooks and not even in the amount of \$211,000, but rather the amount of \$199,999 which is just under the threshold for referendum. Councilor Czernicki said this speaks to her as poor management, but she will truly support this motion because textbooks are truly for the children. She suggested to the Board and administrators that in the future they consider how they set their priorities and it appears to her that the Board got "caught" with the extra money at the end of the fiscal year. She said that the whole situation just doesn't feel good to her and she urged the Board of Education and Administration to really think long and hard as they move forward as to what really is their top priority.

Ms. Roberts stated that she disagrees with Councilor Czernicki in that the Board does set their priorities very carefully and that the Board of Education was able to acquire new teachers at a lower salary than the amount budgeted for, as well as ten unexpected maternity leaves. She said that it is not anticipated that every year there will be a savings like this and if this did happen every year, she, too, would question the Board's priorities.

Councilor Montinieri said that she is in favor of \$145,000 going back to the Board of Education.

Councilor Forrest said that he also supports the \$145,000 and also the use of the bond money. He said that this priority has been presented in the Board of Education budget for a number of years.

Councilor Fortunato clarified that all of the textbooks are for the children and not teacher resources. She said that the

amount proposed for maps and globes fulfills just over half of the full amount needed. She said that the amount proposed, although it is not the full \$199,999 amount requested, is a sizeable amount and an incredible investment from the Council in the Town's educational system.

Chairperson Morin stated that he supports the proposed \$145,000 transfer and that the Town recently received an upgrade in their bond rating from S&P and Moody's.

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

Councilor Fortunato moved **"TO AUTHORIZE THE TOWN MANAGER TO UTILIZE THE UNEXPENDED BALANCE OF THE SILAS DEANE MIDDLE SCHOOL BOND TOWARDS THE PURCHASE OF MAPS AND GLOBES FOR THE SILAS DEANE MIDDLE SCHOOL"**, seconded by Councilor Adil.

Town Manager Bonnie Therrien explained that the \$9,000 is an approximation and the auditors will be coming in at the beginning of November to finalize everything. She said that there is some work inside the building that needs to be completed; therefore she does not want to commit to a specific dollar amount at this time.

Councilor Czernicki asked if a written report from the Board of Education will be requested stating that the monies will be spent on textbooks as well as on maps and globes. Chairperson Morin said that the Board of Education has stated this clearly although they could supply the Council with something in writing.

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

## **OTHER BUSINESS**

### STEAP Grant for 2005-2006

Councilor Adil moved **"TO AUTHORIZE THE TOWN MANAGER TO APPLY FOR STEAP FUNDING WITH THE TOWN OF ROCKY HILL TO BE UTILIZED FOR PROJECTS THAT RESULT FROM THE SILAS DEANE HIGHWAY REVITALIZATION PLAN AND TO SUBMIT A SEPARATE APPLICATION FOR A BUSINESS LOAN FAÇADE PROGRAM FOR TOWN BUSINESSES NOT ON THE SILAS DEANE HIGHWAY"**, seconded by Councilor Montinieri.

Town Manager Bonnie Therrien explained that the \$9,000 is an approximation and the auditors will be coming in at the beginning of November to finalize everything. She said that there is some work inside the building that needs to be completed; therefore she does not want to commit to a specific dollar amount at this time.

Councilor Montinieri asked if this is one of the things that the rating agency cited the Town for; being the Town's investment in this type of incentive program. The Town Manager verified that this is true.

Councilor Adil commented that the Silas Deane Highway Advisory Committee, along with the EDIC and Fuss & O'Neill has updated the Master Plan to make some excellent recommendations over a period of time. He said that the first \$1 million has created a workable plan with which to progress, and additional funds would help to fund the short term objectives in the plan.

Councilor Hemmann asked if there is a plan endorsed and moving forward with regard to the combination Wethersfield/Rocky Hill grant already received. Town Manager Bonnie Therrien said that it is still in the draft stage. Councilor Hemmann said that she is glad to see that the Town Manager is looking at the potential in going out for this grant for a second time.

Councilor Forrest suggested that a three-way coalition between Wethersfield, Rocky Hill and Hartford be formed to continue work on the Silas Deane Highway.

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

### Year End Budget Transfers for 2004-2005

Councilor Forrest moved **"TO TRANSFER FUNDS BETWEEN DEPARTMENTS IN ACCORDANCE WITH THE ATTACHED BUDGET TRANSFER FORM"**, seconded by Councilor Adil.

Town Manager Bonnie Therrien explained that this is the final list of the budget transfers needed for last fiscal year.

Councilor Czernicki asked for an explanation of the transfer from the Central Office Services to the Economic Development Department. Town Manager Bonnie Therrien explained that the Finance Director had taken the funds for the EDIC loan program out of the Salary and Wages account and now the funds need to be transferred from the Telephone Account to cover the amount. Councilor Czernicki asked what programs are being reimbursed by the transfer from Parks and Recreation to Debt Service Payments. Town Manager Bonnie Therrien said that she does not have a list at the moment, but will provide this information to the Council along with information on the escrow accounts. Councilor Czernicki said that she thought that some of the reimbursements have to go into the escrow accounts and the Town Manager said that some of them do.

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

### RFP - Nextel Rebanding

Councilor Adil moved **"TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE A CONTRACT WITH TROTT COMMUNICATIONS FOR RE-BANDING SUPPORT SERVICES AND FOR TECHNICAL ASSISTANCE WITH THE TOWN'S RADIO SYSTEM"**, seconded by Deputy Mayor Karangekis.

Town Manager Bonnie Therrien explained that Nextel is interfering on a national level with the 800 public safety radio systems and they are going to pay to have the 800 systems moved; however the Town has to put together a plan for this. She said that the Town went out to bid for this and received a number of bids and it was decided by the Staff to interview two of the bidders; Trott Communications and Kimball & Associates. She said that the Staff felt that one was better than the other and Trott has experience in knowing the Town's system as opposed to Kimball who knows nothing of the Town's system. The Town Manager said that she has asked both Trott and Kimball to provide additional information on the cost to work with the Town to have a complete coverage test before starting to work with Nextel. She said that Nextel has agreed to reimburse anyone, including herself, the Town Attorney, etc, who is working on this issue and she can provide a dollar amount for the transfer at the November 1 Council meeting.

Councilor Hemmann said that this is a very serious issue and she would feel more comfortable tabling the motion until all of the information has been gathered.

Councilor Hemmann moved **"TO TABLE THE MOTION TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE A CONTRACT WITH TROTT COMMUNICATIONS FOR RE-BANDING SUPPORT SERVICES AND FOR TECHNICAL ASSISTANCE WITH THE TOWN'S RADIO SYSTEM"**, seconded by Councilor Czernicki. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

### ASCAP Contract

Councilor Montinieri moved **"TO AUTHORIZE THE TOWN MANAGER TO SIGN THE LICENSE AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS AND TO AUTHORIZE THE TRANSFER OF \$311.50 FROM CONTINGENCY TO PARKS AND RECREATION ACCOUNT T1810225 5225"**, seconded by Councilor Czernicki.

Town Manager Bonnie Therrien explained that the American Society of Composers, Authors and Publishers (ASCAP) has approached all towns throughout the country requesting that royalty fees be paid to use copyrighted musical works at any sporting, recreation, or Town events. She said that there are two other similar groups who also own royalty rights to other songs and they have also been talking with the Town for quite a while. The Town Manager explained that ASCAP is requesting that the Town prorate the annual license fee from when they first approached the Town in

November, 2004; however she does not agree with this and suggests starting with November 1, 2005 and moving forward.

Councilor Czernicki stated that she, in her business, had to pay ASCAP fees for the use of certain music. She said that the approval of this motion is a very smart move in terms of total Town coverage, since the Town would lose every suit.

Councilor Fortunato asked the Town Manager if she anticipates the fee for the other two groups to be the same as the ASCAP fee. Town Manager Bonnie Therrien said that it depends on how many songs are involved. Councilor Fortunato asked if ASCAP will pursue the Town for the additional money they are requesting and the Town Manager said that remains to be seen. Councilor Fortunato asked what the true annual cost will be. Town Manager Bonnie Therrien said that the current annual fee is \$268 and is population based.

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

#### Town Clerk Evaluation

Councilor Adil moved "**TO APPROVE A 3.5% INCREASE TO THE TOWN CLERK'S SALARY**", seconded by Deputy Mayor Karangekis.

Chairperson Morin stated that one of the suggestions coming out of the Town Clerk's evaluation was to, in the future, set up quarterly meetings between the Town Council and the Town Clerk to set goals, guidelines, and priorities for her.

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

#### Personnel Matter Regarding Board of Education Employee

Town Manager Bonnie Therrien explained that a Board of Education employee took part in the early retirement program and requested to the Pension Committee that nine months be added to her service time since similar action was granted to other employees. The Town Manager said that this has been discussed in Executive Session as there is pending litigation and that the Pension Committee has referred it to the Council who referred it to the Budget & Finance Committee.

Chairperson Morin said that both the Pension Committee and the Budget & Finance Committee have met with legal counsel for advice, and a lot of information was obtained before making this decision.

Councilor Adil moved "**TO DENY THE REQUEST FOR AN ADDITIONAL NINE MONTHS TO BE ADDED TO THIS BOARD OF EDUCATION EMPLOYEE'S SERVICE TIME**", seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. Councilor Cascio and Councilor Fortunato ABSTAINED. The motion passed 7-0-2.

#### Waiver of Fee for the Transfer Station and Request to Paine's Refuse

Town Manager Bonnie Therrien explained that due to all the debris being thrown away after last weekend's storm, she is recommending to the Council that the Transfer Station fees be waived for two weeks so that residents can discard of items that are not contaminated. She said that a list of affected streets will be drawn up and residents will need to provide identification showing that they reside on one of those streets. The Town Manager also explained that she spoke with Mike Paine and requesting that residents be allowed to place contaminated debris in designated dumpsters throughout Town. She said that Mr. Paine informed her that this will cost the Town approximately \$13,720.59 for collecting and tipping fees which will be up to 75% reimbursable should the Governor's FEMA request go through.

Councilor Forrest moved "**TO WAIVE THE FEES OF THE TRANSFER STATION FOR TWO WEEKS FOR AFFECTED RESIDENTS TO DISPOSE OF NON-CONTAMINATED RAIN DAMAGED PROPERTY**", seconded by Councilor Cascio.

Councilor Adil suggested that the budgeted "Free Saturday" be possibly taken away as a result of the proposed fee waiver, but since this is scheduled for early November, it may be better to wait on this suggestion.

Councilor Cascio asked how the Town will regulate the disposal to only those who appear on the list and how the dumpster disposal will also be regulated. Town Manager Bonnie Therrien said that this still has to be worked out with Paine's Refuse.

Councilor Fortunato said that she is concerned because she has already seen items out at the curbsides. Town Manager Bonnie Therrien said that Paine's will not pick these items up and Chairperson Morin said that this will need to be addressed. Councilor Fortunato said that it makes sense to put dumpsters on the streets affected and that a variety of measures will need to be considered, especially for those residents who do not have a vehicle with which to transport damaged property.

Town Manager Bonnie Therrien said that the expense for this action will come from the Refuse line item in the budget which will be affected should the amount not be reimbursed by FEMA.

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

Councilor Forrest moved **"TO ALLOW THE TOWN MANAGER TO WORK WITH PAINE'S REFUSE ON A PLAN FOR BULKY WASTE PICKUP OF STORM DAMAGED PROPERTY"**, seconded by Councilor Czernicki.

Chairperson Morin asked the Town Manager to remind Mr. Paine that he has a very lucrative contract with the Town.

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

## **BIDS**

None.

## **ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION**

None.

## **MINUTES**

Councilor Adil moved **"TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF OCTOBER 3, 2005 AS AMENDED TO CHANGE THE WORD 'HAS' TO 'SHOULD BE' ON PAGE 17320"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. Councilor Cascio ABSTAINED. The motion passed 8-0-1.

## **ADJOURNMENT**

At 10:20 p.m., Councilor Czernicki moved **"TO ENTER INTO EXECUTIVE SESSION"** seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

At 10:31 p.m., Councilor Adil moved **"TO ENTER BACK INTO THE REGULAR MEETING"** seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

At 10:31 p.m., Councilor Czernicki moved **"TO ADJOURN THE MEETING"** seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano

## Town Clerk