

AUGUST 16, 2004 REGULAR MEETING

The Wethersfield Town Council held a meeting on August 16, 2004 at 7:00 p.m. in the Council Chambers of the Town Hall.

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 Adil.

Councilor Montinieri moved, "**TO REMOVE ITEMS B.2.c AND B.2.d FROM THE TABLE**", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

PUBLIC COMMENTS

HEARING

None.

GENERAL COMMENTS

Thomas Wraight, 22 Coleman Road, commented on the proposed Charter Revision. He thanked the Charter Revision Commission for their work and agrees with the final draft of the proposed Charter with the exception of Section 303 where he believes it should read that all members of the Council are unpaid. Mr. Wraight said that he appreciates the commitment of the Council members, but does not think that their positions should be paid. He also voiced his opposition to the idea of a budget referendum. He believes that this process is disruptive and costly. Regarding the parking on the snow shelf, Mr. Wraight supports the prohibition of such.

John Miller, 375 Pine Lane, commented on the situation with the Winding Brook Turf Farm. Mr. Miller said that the Town initiated the relationship with the Morgan family and it was not mentioned that the Town would take from the Morgan's their right to pump water from the brook. Mr. Miller does not feel that it is fair or right to require that the Morgan's obtain water from the MDC line. He said that the Morgan's are good people who have been very good to Wethersfield, and urged the Council to keep this in mind when resolving the Winding Brook Turf Farm issue.

Andrew Milotte, 67 Buckland Road, commented on the night parking restrictions in Wethersfield. He suggested that the Council appeal or amend the ordinance restricting overnight parking, especially during the summer months when there are no weather problems with which to deal. Mr. Milotte stated that he would withdraw his proposal should a member of the Council explain to him the reason(s) for the current ordinance. Chairperson Morin suggested that Mr. Milotte contact the Town Manager. Mr. Milotte said that he spoke with the Town Manager Bonnie Therrien who could not explain the reasoning behind the ordinance.

Fran Nikides, 40 Byrd Road, commented on the problems created by vehicles parking on the Town snow shelves. She said that the snow shelf is public property between the sidewalk and the street. She said that Police Chief Cetran wrote her a letter citing State Statutes relating to this issue. Chief Cetran stated that the vehicles parking on the snow shelf are trespassing since private citizens do not own the property. Ms. Nikides said that she has been treated with disrespect and that the Council does not seem to want to take a stand on this issue. She said that this treatment is infuriating and corrupt and she recited street design procedures from the Connecticut Department of Transportation Highway Design Manual relating to the issue she has with snow shelf parking. Ms. Nikides also recited sections from the Town Code as well. Ms. Nikides said that she was provided with and has read the minutes of the Public Safety Committee stating that if a vehicle becomes a sight line problem, it is to be ticketed. Mrs. Nikides provided a letter signed by other citizens

concerned over this sight line problem from Lindberg Drive to Wolcott Hill Road.

William Peters, 195 Spring Street, spoke of his concern over the projects on Spring Street. He said that the residents of Morningside Village were told that the Town was going to come up with funds for the landscaping in the area and this has yet to happen. He said that this entrance to Old Wethersfield used to be beautiful and the area has been decimated since the current project was done. He said that the area now looks terrible and is not inviting at all with regard to tourism. He urged the Council to provide funds to better landscape the area.

Woodrow Warren, 9 Nutmeg Circle, spoke of the Pyquaug Village open space and the Wethersfield Country Club. He said that the original plan was well thought out. He said that the perpetuation of responsibility has to be continuous from the day of a plan's conception to the day of completion. The plan needs to be monitored and controlled. Mr. Warren discussed a handout he provided pertaining to a Citizen Information Request Form. Mr. Warren said that he feels that the Wethersfield Country Club is receiving unfair tax and other breaks.

Paul Flannery, 382 Ridge Road, commented on the parking on the snow shelves. He said that Chief Cetran in a letter stated that there is no Town Ordinance prohibiting parking on the snow shelf either during the day or over night. Mr. Flannery said that the Chief based this on the fact that the resident owns the piece of property on which he/she is parking. Mr. Flannery said that the resident does not own this property. He said that as a result of the Police Chief's interpretation of the ownership, the Police Department will no longer site an individual for parking on the snow shelf overnight. Mr. Flannery said that the Chief's interpretation creates confusion and he urged the Council to change the current ordinances in order to provide for continuity throughout Town.

Robert Young, 20 Coppermill Road, said that the snow shelf parking appears to be a serious issue and he sympathizes and understands the residents' complaints. He urged the Council to resolve the issue quickly. Mr. Young discussed the Cove and the MDC. He said that it is time to stop talking about the Cove and time to get it cleaned up. Mr. Young said that he supports the Charter including the right of the residents to vote on a budget referendum. Mr. Young addressed roadwork projects needing to be completed in Town. He said that there are larger vehicles on the road these days that wear down the roads more quickly. Mr. Young commented on the \$10 million bond for highway work and Millwoods Park. He believes that the Town needs to pull back on bonding. Mr. Young again questioned what the Town is putting into its education system and what results are being derived from the students.

John Nikides, 40 Byrd Road, commented on the issue of parking on the snow shelf. He said that those he spoke to thought it ridiculous that this is tolerated by the Police Department. He said that he does not understand why the Council does not see this as an easy matter to resolve. Mr. Nikides spoke in support of a budget referendum for Wethersfield.

Claire Carney, 18 Stillwold Drive, commented on the snow shelf parking. She said that she lives at one of the intersections involved and sees that there is definitely a problem that exists. Ms. Carney said that she is glad that this issue has been brought to the attention of the Council, as something definitely needs to be done about it. She said that the hazard affects many drivers and pedestrians (namely children) in numerous situations. Ms. Carney said that now the Town itself is at risk because this issue has been brought to the proper Town Officials' attention and should nothing be done to correct the situation and there be an accident, this could lead to a legal matter.

Margaret Hunt, 26 Outlook Road, thanked Town Manager Bonnie Therrien for responding courteously and promptly to all of her e-mails. Ms. Hunt commented on the blasting situation on Nott Street and on a conversation she had with a DOT worker on the site. Ms. Hunt thanked Fire Marshall Santoro for doing a great job of protecting Wethersfield residents by monitoring the blasting. Ms. Hunt said that she hopes that no further blasting projects will be approved or take place until the new blasting ordinance is in place. She said that the blasting ordinance should include that all residents in the immediate blasting area be notified by mail before any voting is done to allow blasting in the area. This would allow the citizens to voice their concerns. She said that she also thinks that the Town should offer to purchase any houses surrounding a proposed blast site at fair market value. Ms. Hunt said that she does not notice any difference in the hill where the blasting has occurred on Nott Street. She said that the project was a waste of money.

Sue Fennelly, 57 Country Club Road, commented on articles she has read in the Wethersfield Post containing negative comments regarding Council members and meetings. She stated that five minutes per person for comment is plenty of

time during the Council meetings and that there are numerous other ways for the public to make themselves heard. Ms. Fennelly thanked the Council members for all of the time and effort they put in to serving their position.

Ballou Tooker, 65 Harmund Place, commented that he supports the position that parking on the snow shelf should not be allowed. He also stated that all-night parking on the roads of Wethersfield should continue to be prohibited.

Cathy Boyes, 20 Westlook Road, thanked those responsible for removing the detour signs from the intersection of Onlook Road and Westlook Road. She said that the traffic is still moving quickly; however, she has seen Police Officers patrolling the area to slow down the traffic. Unfortunately when the Officers are not in the area, the traffic continues to exceed the posted speed limit. Ms. Boyes said that she confirmed with Town Staff that the open space on the corner of Nott Street and Westlook Road will be restored to its original natural state. Ms. Boyes asked the Town Manager to contact her to let her know why some letters are read at the Council meetings and some are not. She also asked that the public access channel have an update or timeline of the blasting project so that the public is better informed.

Suzanne Edgardo, 104 Sharon Lane, said that she is bothered by the fact that residents are allowed to park all over the snow shelf, but are ticketed if their car is left overnight on the road in front of their home. She said that she does not understand why there is an overnight parking ban.

Ron Rodd, 88 Westway, thanked the residents of the neighborhood abutting Cottone Field who have suffered by being subjected for the past two months to the constant drone of heavy construction equipment. He said that the constant caravan of trucks has changed the neighborhood into something undesirable. Mr. Rodd commented on articles he has read which state that lighted fields divide Towns. He said that Cottone Field has existed for forty years without lights and the surrounding neighbors are not going to tolerate lights now. Mr. Rodd commented on the field lighting design presented by Ms. Suppicich at the last Council meeting. Mr. Rodd said that he noted that Ms. Suppicich admitted at that meeting that she has no residential lighting experience, yet she claims to be an authoritative voice on field lighting design. Mr. Rodd said that he is most bothered by the fact that Ms. Suppicich has been a long-standing supporter of lighting at Cottone Field and her opinions are therefore biased.

George A. Ruhe, 956 Cloverdale Circle, spoke on behalf of the Wethersfield Taxpayer's Association. He said that the Association agrees that the parking on the snow shelves within Town should be prohibited. Regarding the Winding Brook Turf Farm, the Association sees the issue as a matter of trespass and the use of Town resources for private gain. The Association suggests that the Town deny the Turf Farm's request for water. Mr. Ruhe said that the Association supports a budget referendum in the Town Charter. Mr. Ruhe commented personally that a tax increase of 18% to 24% is irresponsible on the part of the Town Council.

Peter Sposito, 100 Surrey Lane, Glastonbury, spoke on the wetlands areas as relating to Mill Woods Park and Winding Brook Turf Farm. He said that the pumping of water has an effect on the wetlands. He said that the Town purchases water from the MDC to water its own Town fields and that Winding Brook Turf Farm should be required to do the same. Mr. Sposito reviewed a number of documents relating to the topic.

Councilor Forrest left the meeting for eleven minutes at this time (8:35 p.m.).

Judy Emmick, 88 Westway, stated that the recent renovations to the football field look very good and that she noticed that there were not puddles of water after the recent rain. Ms. Emmick thanked Town Manager Bonnie Therrien and Councilor Montinieri for the time they have given to the neighborhood surrounding the field to come to a compromise with the renovations. She also thanked the staff in the Engineering Department and Town Planner Peter Gillespie for their courteous service. Ms. Emmick commented on a recent event at Pine Acres which required an emergency response and how valuable response time was wasted because of illegal parking in the area. She said that she raises this issue because she questions whether the same dangerous situation could occur at Cottone Field. She asked if there is a plan in place for mass evacuation of Cottone Field should it be required. She also questions whether emergency vehicles would have access to the field with cars parked along the side streets. Ms. Emmick requested that Town Manager Bonnie Therrien address these questions for her. Ms. Emmick commented on the physical, mental, and emotional toll that the Cottone Field has taken on the surrounding neighborhoods. She said that the noise from the

construction and vehicles during this Summer has been unbearable. Ms. Emmick commented on her frustration over the process by which the Council has pushed through the Cottone Field renovations.

Peter Kalousdian, 154 Griswold Road, made comments on the Winding Brook Turf Farm issue and that consideration needs to be given to the original farmers.

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

COUNCIL REPORTS & COMMENTS

Councilor Adil reported on the joint Budget & Finance and Infrastructure Committee meeting earlier this evening where the possible bond referendums for the Fall were discussed. He said that the recommendation of the Committees is that a referendum question for \$2.5 million for roadwork with \$230,000 for sidewalk work be proposed. He said that three different figures for the Town Hall/Library renovations were also discussed and the Committee decided on \$5.1 million, which may need to be increased to \$5.2 million to include monies for the Webb project.

Councilor Fortunato stated that additional funding for the Webb School project was discussed in order to increase the project's contingency fund. She said that the Committee decided not to do this, as it would take too much time for the request to go to vote. Another alternative to be discussed is the possibility of an allocation from the Town Council's contingency fund.

Councilor Cascio commented that the playground equipment at the Webb School was removed because it was out of code and therefore cannot be reused.

Councilor Hemmann reported that she attended the Tourism Commission meeting on July 27 and the Committee continues to work on marketing opportunities and has set up a marketing committee who will partner with the EDIC and the Junior Women's Club. She applauded the Tourism Commission for their continued work in seeking funds, especially through grants.

Councilor Fortunato reported on the August 10 Shared Services Committee meeting. She said that ample time was taken to discuss the school building projects underway. She said that there does not appear to be any glaring issue with the timely opening of school. Councilor Fortunato reported that the Board of Education is creating an education foundation and they are seeking community members interested in participating on the planning committee. Councilor Fortunato said that full committee reports stemming from the Fireside Chat will be presented at the September Shared Services Committee meeting. She reported that the riverfront tour scheduled for last week was postponed due to inclement weather and that Town Manager Bonnie Therrien will poll the Council for future availability.

Councilor Montinieri reported that the Metropatterns public forum will meet on Wednesday, August 18 at the Chamber of Commerce at 7:15 p.m. She said that the public is welcome to attend. Councilor Montinieri said that she attended the meeting of the Cottone Field neighborhood and commented that the Town Manager and Director of Recreation & Parks are both doing a nice job of responding to some of the neighbors' concerns. Councilor Montinieri reported that the re-roofing of the Hurlburt-Dunham house will begin at the end of August. Councilor Montinieri said that Doug Shipman asked her to extend his thanks for the use of the Showmobile for Keaney House events.

Councilor Cascio thanked Town Manager Bonnie Therrien for her response to his question regarding the placement of concrete barriers in Mikey's Place parking lot. He said that he was informed that this did not have to go to the Historic District or the Council because the placement of the barriers is a safety issue. Councilor Cascio cautioned that there should be some type of Council input in order to insure uniformity for appearance sake. He said that the orange barriers do not look aesthetically appropriate. Councilor Cascio also questioned the interpretation of "safety issue" and its need for approval. Town Manager Bonnie Therrien said that she has noted to check the interpretation of this phrase.

Councilor Adil asked Councilor Montinieri to provide an update of the EDIC meeting she attended on his behalf last week.

Councilor Montinieri said that the EDIC has established an inventory of Town properties in order to discuss further

development of the properties as well as the development of parcels of land and the limitations between the Town Hall and Nott Street to the east of the Silas Deane Highway.

Chairperson Morin reported that he attended a meeting with Town Manager Bonnie Therrien on August 5 with the MDC. He said that the consultant for the MDC has been charged to come up with alternatives for the elimination of sewage entering the Wethersfield Cove. Chairperson Morin said that ten different proposals were presented and prioritized. Three proposals were eliminated due to prohibitive costs. The report will be finalized and delivered to the MDC for another meeting to assess the issue.

Councilor Czernicki asked when the plans will be finalized. Chairperson Morin said that the report is expected in early September. Councilor Czernicki said that EDIC minutes from September indicate that the Committee voted to use part of their budget money to purchase their lunches. She said that she is concerned because the EDIC, at a Silas Deane Revitalization Committee meeting, talked at length about what they perceived to be a fairly small budget. Councilor Czernicki verified that the EDIC meets monthly, with approximately twelve members in attendance at an area restaurant. Town Manager Bonnie Therrien said that the EDIC does not meet in August and that they no longer meet at a restaurant, but rather at the Town Hall. Councilor Czernicki stated that the EDIC meetings at noon do not provide accessibility for the public to attend the meetings. She asked if the EDIC has ever met at another time of the day historically. Town Manager Bonnie Therrien said that she is aware that they have always met at noon. Councilor Czernicki asked the Town Manager to suggest to the EDIC that they consider a later meeting time so that more members of the general public and the Council could be available to attend. This would also do away with the need to spend a fair amount of their budget appropriation on their lunches. Councilor Czernicki asked the Town Clerk if the Wethersfield Youth Organization is a political action committee. Town Clerk Sassano said that they are. Councilor Czernicki noted that non-electors cannot serve on Wethersfield Boards or Committees unless the Council takes special action. Councilor Czernicki asked Chairperson Morin to provide a report of the profits and disbursements of the Golf Tournament he recently attended on August 2. Chairperson Morin said that he has a report that he can share.

Councilor Adil thanked Fire Marshall Santoro for his work on the Nott Street blasting project. Councilor Adil said that he does not believe that money was wasted on this project as Nott Street has always been unsafe to walk along and it is now safer for walkers. He said that he supports the installation of sidewalks along other high traffic areas such as Prospect Street. Councilor Adil asked the Town Manager to put together a time line for the Council members with regard to the Winding Brook Turf Farm. Councilor Adil said during Council hours last week, he spoke with a resident who suggested that notice be given to all neighbors for each and every meeting that takes place regarding a blasting project. This resident also suggested that the full budget document be available on the Wethersfield website and also that in future Charter revisions it be proposed that the Town Council be elected in a staggered manner as are the Board of Education members. Councilor Adil stated that he is tired of hearing from the Wethersfield Taxpayers Association that they will sue the Council over every decision they make. He said that the Council represents the Town and was elected to do what is right for the Town.

Councilor Forrest asked the Town Manager how much money is available for the Spring Street-Route 3 landscaping. Town Manager Bonnie Therrien said that there is approximately \$3,600 available for tree planting, which she expects will take place once the property is transferred back from the State. Councilor Forrest asked if the Shade Tree Commission is involved in the planting of the trees. Town Manager Bonnie Therrien said that they, along with the Tree Warden, are consulted to decide the types of trees to plant.

Chairperson Morin announced that there will be a Special Meeting of the Council on Wednesday, August 18 at 6:00 p.m. in the Council Chambers to discuss bonding. He said that there will be a meeting with banking representatives on August 18 at 7:30 a.m. at the Wethersfield Country Club. Councilors were asked to contact the Town Manager if they plan to attend. Chairperson Morin reported on the Mayor's Cup Golf Tournament held on August 2. He said that many civic organizations donated funding, food, or prizes. He said that the profits of approximately \$3000-\$4000 will be donated to the Youth Services Department for their needs. Chairperson Morin thanked all who participated and helped to make the Tournament fun and profitable.

COUNCIL ACTION

Councilor Czernicki moved, "**TO ACCEPT THE RESIGNATION OF JOHN ADAMIAN FROM THE ADVISORY SILAS DEANE HIGHWAY COMMITTEE**", seconded by Councilor Cascio. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, "**TO ACCEPT THE APPOINTMENT OF DANIEL M. SILBO TO THE ADVISORY RECREATION AND PARKS BOARD**", seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

UNFINISHED BUSINESS

Parking on the Snow Shelf - Change to Town Ordinances

Town Manager Bonnie Therrien explained that the Council referred this to the Public Safety Committee who recommended that the ordinance not be changed. She said that the two issues involved are what is presently occurring and also the future of the current parking ordinance. She said that she will discuss the current petition with Police Chief Cetran as to whether there is a sight line issue. Town Manager Bonnie Therrien said that in surveying area communities, there is a 50/50 split of those who allow/disallow parking on snow shelf areas. She said that she spoke with representatives at the DOT's Right-of Way Division who told her that they would enforce the no parking on the snow shelf if it is a safety issue. The Town Manager said that her concern with action for the future creates problems with situations where cars must park on the snow shelf and then will be ticketed for doing so.

Deputy Mayor Karangekis said that this is a contentious issue and he has personally made numerous observations of the areas concerned finding that there is no real site line restriction.

Councilor Adil said that numerous photographs were taken by the Police Department of the site involved and he also does not see any site line restriction issue. He said that he does not support changing the Ordinance as a few residents would be pleased, but a great deal more would be inconvenienced.

Councilor Czernicki verified with the Town Manager that currently parking is allowed on the snow shelf. Town Manager Bonnie Therrien said that nothing currently prohibits this and that those parking on the snow shelf are bound by the same rules as those parking on the street with regard to driveway, hydrant, and sidewalk clearance. Councilor Czernicki said that many lots in Town are small and that the ordinance enacted prohibiting parking on the snow shelf behooves the Police Department to ticket all vehicles doing such and outweighs what can presently be manageably enforced by regular parking regulations for the public's safety.

Councilor Cascio said that a point raised at the Public Safety Committee meeting is the abusive neglect of any car left on the snow shelf and whether the owner is properly maintaining the property because, technically, the snow shelf is owned by the Town. He said that the Police are responsible to visit the owner if there appears to be abuse of the property. Councilor Cascio said that at the Traffic and Transportation meeting other site line issues in Town that involve bushes rather than vehicles were discussed.

Councilor Fortunato asked if the Police Department has the discretion to ticket when a safety or site line issue is present. Town Manager Bonnie Therrien said that they do and that this is part of the current parking ordinance.

Councilor Cascio stated that the Town extends the courtesy that a vehicle can be parked overnight on the street without being ticketed provided the owner phones the Police Department to make them aware of the situation.

Chairperson Morin said that the Council relies on the Police Chief and the Town Manager to provide them with guidance and information on an issue such as this. He stated that he agrees with the recommendations of the Public Safety Committee provided that the Council can further address the issue if it is a safety issue.

Councilor Czernicki suggested that there be a heightened awareness throughout Town of those who routinely park on the snow shelf and that the Police Department provide a report to the Council in three to six months of how often tickets are issued due to safety problems.

Councilor Fortunato added that data on any accidents having occurred as a result of sight line issues be provided as well.

Licensing Agreement for Winding Brook Turf Farm

Town Manager Bonnie Therrien reported that the Infrastructure Committee met on the licensing agreement and a consensus was reached to request that the Council hold a Public Hearing on the agreement before any recommendations are made.

Deputy Mayor Karangekis moved, "**TO HOLD A PUBLIC HEARING ON THE WINDING BROOK TURF FARM AND TOWN OF WETHERSFIELD LICENSING AGREEMENT ON TUESDAY, SEPTEMBER 20, 2004 AT 6:00 P.M. IN THE COUNCIL CHAMBERS**", seconded by Councilor Forrest.

Councilor Fortunato clarified that it was actually the Public Works Committee which met on this item.

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

OTHER BUSINESS

Charter Revision Recommendations

Town Manager Bonnie Therrien said that Geraldine Munroe, Chairperson of the Charter Revision Commission is present to provide a final review of the Charter revisions and to answer any Councilor questions. Rather than review each change, Ms. Munroe asked if any Councilors had questions on the revisions.

Ms. Munroe stated that the Commission agreed to go back to the original position of Mayor coming from the Council rather than a separate election of Mayor and therefore, relevant Sections of the Charter pertaining to this reverted back as well.

Councilor Czernicki verified that the Council will continue to choose the Town Clerk, as stated in Section 501. Ms. Munroe said that this is true.

Councilor Cascio moved, "**TO ACCEPT AS PRESENTED, SECTION 203 OF THE PROPOSED WETHERSFIELD TOWN CHARTER**", seconded by Councilor Czernicki. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, "**TO ACCEPT AS PRESENTED, SECTION 206 OF THE PROPOSED WETHERSFIELD TOWN CHARTER**", seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, "**TO ACCEPT AS PRESENTED, SECTION 301 OF THE PROPOSED WETHERSFIELD TOWN CHARTER**", seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, "**TO ACCEPT AS PRESENTED, SECTION 302 OF THE PROPOSED WETHERSFIELD TOWN CHARTER**", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved "**TO STRIKE THE WORDS 'MAYOR AND' FROM SECTION 303 OF THE PROPOSED WETHERSFIELD TOWN CHARTER**", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, "**TO ACCEPT AS PRESENTED, SECTION 304 OF THE PROPOSED WETHERSFIELD TOWN CHARTER**", seconded by Councilor Fortunato. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 306 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Montinieri moved **"TO ACCEPT AS PRESENTED, SECTION 307 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 308 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Forrest moved, **"TO ACCEPT AS PRESENTED, SECTION 309 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 310 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 311 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, **"TO ACCEPT AS PRESENTED, THE ADDITION OF THE SENTENCE 'PRIOR TO CIRCULATION, ANY ELECTOR MAY SUBMIT TO THE TOWN ATTORNEY ANY PROPOSED ORDINANCE AND PETITION FORM FOR REVIEW AS TO FORM AND LEGALITY, IN SECTION 312 OF THE PROPOSED WETHERSFIELD TOWN CHARTER'"**, seconded by Deputy Mayor Karangekis.

Councilor Adil stated that he objects to this revision as it presents a conflict of interest for the Town Attorney. He said that the definition of the Town Attorney's position is to advise the Town Council, Town Manager, and Boards & Commissions of the Town.

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

Councilor Cascio moved, **"TO ACCEPT AS PRESENTED, THE ADDITIONAL REVISIONS TO SECTION 312 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Forrest moved, **"TO ACCEPT AS PRESENTED, SECTION 313 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Fortunato moved, **"TO ACCEPT AS PRESENTED, SECTION 314 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 401 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, SECTION 404 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Forrest moved, **"TO ACCEPT AS PRESENTED, SECTION 405 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Czernicki. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, SECTION 501 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest.

Councilor Hemmann said that she is concerned that if left as-is the Council may lack the ability to evaluate the position properly since the Council members are volunteers and do not work in the Town Hall building. She said that it will be very difficult for the Council and unfair for candidates for Council members to be expected to provide this type of oversight. Councilor Hemmann said that this should be a competitive position posted by the Town Manager.

Councilor Cascio agreed with Councilor Hemmann and asked if there are any other Town Staff members who are certified or in the process of becoming certified for the Town Clerk's position. The Town Clerk said that in her office she has one employee who is certified and one who has started attending Town Clerk classes. The Town Manager said that her administrative assistant takes occasional classes as well. Councilor Cascio said that it was difficult for the Council to recently evaluate the Town Clerk and that the position is one that should be filled by the Town Manager.

Councilor Adil said that he has no problem with the current process and supports the changes as written.

Councilor Czernicki said that Ms. Munroe stated that the Town Clerk would be chosen by an RFP and that this section does not clearly state this. Ms. Munroe said that this was the intent of the Charter Revision Commission by stating that the position would be posted requiring certification, etc. Councilor Czernicki said that, although this may have been the intent, the wording RFP is not stated as it should have been.

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

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, SECTION 502 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 503 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Forrest moved, **"TO ACCEPT AS PRESENTED, SECTION 504 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Fortunato moved, **"TO ACCEPT AS PRESENTED, SECTION 507 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 510 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 511 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 601 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 602 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, **"TO ACCEPT AS PRESENTED, SECTION 603 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, SECTION 604 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 605 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 606 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Cascio. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, SECTION 703 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 704 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Hemmann moved, **"TO ACCEPT AS PRESENTED, SECTION 705 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, **"TO ACCEPT AS PRESENTED, SECTION 712 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Montinieri moved, **"TO ACCEPT AS PRESENTED, SECTION 713 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Deputy Mayor Karangekis.

Councilor Czernicki verified that the language of part (b) of this Section is in total agreement with Section 503. Ms. Munroe said that it is. Councilor Czernicki asked if it is the intent of the Charter Revision Commission that ordinances will be established on a case-by-case basis. Ms. Munroe said that this is so.

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

Councilor Hemmann moved, **"TO ACCEPT AS PRESENTED, SECTION 714 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Fortunato moved, **"TO ACCEPT AS PRESENTED, SECTION 715 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, SECTION 716 OF THE PROPOSED**

WETHERSFIELD TOWN CHARTER", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, **"TO ACCEPT AS PRESENTED, SECTION 717 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Montinieri moved, **"TO ACCEPT AS PRESENTED, SECTION 801 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, **"TO ACCEPT AS PRESENTED, SECTION 802 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, SECTION 803 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Hemmann moved, **"TO ACCEPT AS PRESENTED, SECTION 806 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Fortunato. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Forrest moved, **"TO ACCEPT AS PRESENTED, THE DELETION OF SECTION 902 FROM THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, NEW SECTION 902 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved, **"TO ACCEPT AS PRESENTED, NEW SECTION 903 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Czernicki moved, **"TO ACCEPT AS PRESENTED, NEW SECTION 904 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Fortunato moved, **"TO ACCEPT AS PRESENTED, NEW SECTION 905 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Hemmann moved, **"TO ACCEPT AS PRESENTED, NEW SECTION 906 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Montinieri. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Cascio moved, **"TO ACCEPT AS PRESENTED, NEW SECTION 907 OF THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Hemmann. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Fortunato moved, **"TO ACCEPT AS PRESENTED, THE DELETION OF SECTION 909 FROM THE PROPOSED WETHERSFIELD TOWN CHARTER"**, seconded by Councilor Czernicki. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Chairperson Morin thanked Ms. Munroe and the Charter Revision Commission for their hard work and efforts on the Charter revision. Ms. Munroe said that she had a great committee to work with and that they enjoyed their charge and did it for the betterment of the Town of Wethersfield.

Councilor Adil moved, "**TO RECOMMEND THAT THE FOLLOWING QUESTION BE PLACED ON THE NOVEMBER 2, 2004 BALLOT 'SHALL THE AMENDMENTS TO THE WETHERSFIELD TOWN CHARTER RECOMMENDED BY THE CHARTER REVISION COMMISSION AND APPROVED BY THE TOWN COUNCIL BE ADOPTED?'**", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil left the meeting for five minutes at this time (10:10 p.m.).

Nott Street Project - First Supplemental Agreement

Town Manager Bonnie Therrien explained that the Town will be required to pay out additional money due to the changes to the Nott Street project. The Council needs to authorize her to sign the first supplemental agreement.

Deputy Mayor Karangekis moved, "**THAT BONNIE L. THERRIEN, TOWN MANAGE BE, AND HEREBY IS AUTHORIZED TO SIGN THE AGREEMENT ENTITLED: 'FIRST SUPPLEMENTAL AGREEMENT TO THE ORIGINAL AGREEMENT DATED FEBRUARY 15, 2002 BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF WETHERSFIELD FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF RECONSTRUCTION OF NOTT STREET UTILIZING FEDERAL FUNDS UNDER THE URBAN COMPONENT OF THE SURFACE TRANSPORTATION PROGRAM'**", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. Councilor Czernicki ABSTAINED. The motion passed 7-0-1.

SEA Engineering - Wethersfield Cove/MDC

Town Manager Bonnie Therrien explained that she and other officials have attended meetings with the MDC and their engineering firm of Camp, Dresser and McGee (CDM) in order to develop viable alternatives, along with costs, to stop the combined sewage overflows (CSO) into the Cove. She said that the Wethersfield Involved Neighbors Association (WINA) has hired consultant Bill Hardy from SEA to check the work being done by CDM and the MDC. She said that currently there is no one appointed to do this for the Town so, in a sense, SEA is doing it for the Town. The Town Manager said that WINA has approached her to have the Town help to defray some of the expenses for SEA as Mr. Hardy is providing technical support to both WINA and the Town.

Councilor Fortunato moved, "**TO CONTRACT WITH SEA ENGINEERING, INC. TO PROVIDE TECHNICAL ASSISTANCE AND REVIEW OF THE WETHERSFIELD COVE CSO ABATEMENT PROPOSALS AT A COST NOT TO EXCEED \$5,000 AND TO TRANSFER \$5,000 FROM CONTINGENCY ACCOUNT T190900-5250 TO TOWN MANAGER ACCOUNT T1020-5220'**", seconded by Councilor Forrest.

Councilor Hemmann asked why Fuss & O'Neil, who were involved in so much of the background, were not considered for this technical assistance. Town Manager Bonnie Therrien said that SEA has been involved as long as Fuss & O'Neil have. Councilor Hemmann pointed out that Fuss & O'Neil was looking out on the Town's behalf and asked who now is working with the Town. The Town Manager said that WINA approached her to work together with the Town using one consultant, SEA.

Councilor Cascio asked if the information held by Fuss & O'Neil regarding the Cove is retrievable. Town Manager Bonnie Therrien said that the Town paid for the information and it is available to the Town. Councilor Cascio asked if the work will be overdone since the Town has already paid Fuss & O'Neil to do the work. Chairperson Morin said that the Town will actually be saving money as the fees charged by Fuss & O'Neil were to proceed in a direction not desirable by most of the Council, and; therefore were not cost effective. He said that SEA will be concentrating on any work from this point forward with CDM. Town Manager Bonnie Therrien said that Fuss & O'Neil do not have any of the information obtained since CDM took over the technical assistance.

Councilor Czernicki asked if Mr. Turner or any of the Town's on-call engineers could perform any of this work. Town Manager Bonnie Therrien said that they have some experience; however looking at the technical CSO's and the models requires a higher level of expertise. Councilor Czernicki said that what the Town will be doing is becoming partners with a specific neighborhood group to work collaboratively with SEA. She said that she is unaware that this has been done before.

Councilor Adil said that he can support the collaboration given SEA's expertise; however, he wants to be certain that their assistance to the Town would be specifically for discussions between the Town and WINA. Town Manager Bonnie Therrien said that the contract would need to be written as such.

Councilor Fortunato said that she sees this as a positive collaboration with a community group to negotiate a solution. She agrees with Councilor Adil that the Town should not be paying when SEA is providing assistance solely to the WINA group. She said that there must be accurate record keeping of the hours spent with WINA and the hours spent with the Town and WINA together.

Councilor Czernicki agreed with both Councilor Adil and Councilor Fortunato that there needs to be a clear delineation of when Mr. Hardy is working on behalf of WINA and when he is working on behalf of the Town. She strongly suggested that one of the Town's on-call engineers or Mr. Turner become involved with what is going on between the Town, WINA, and SEA. She also suggested that the Town obtain as much information as possible from Fuss & O'Neil.

Chairperson Morin said that he also is concerned with the breakdown of hours Mr. Hardy will work between WINA and the Town and that that this will be addressed. Chairperson Morin said that he is very impressed with Mr. Hardy's work and that he supports moving forward with the motion.

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

Extension of Summer Hours - Physical Services

Town Manager Bonnie Therrien explained that the Physical Services employees have requested an extension of the Town's summer hours through the leaf pick-up season. She has reviewed the request and believes that the pros outweigh the cons in the situation. She does not recommend extending the summer hours past the end of daylight savings time.

Councilor Montinieri moved, "**TO AUTHORIZE THE TOWN MANAGER TO EXTEND THE SUMMER HOURS FOR PHYSICAL SERVICES EMPLOYEES THROUGH THE END OF DAYLIGHT SAVINGS TIME, OCTOBER 31, 2004**", seconded by Deputy Mayor Karangekis.

Councilor Cascio asked if the Physical Services Department has the ability to do this already. Town Manager Bonnie Therrien said that it is in the contract that the Council has to approve any change of hours. Councilor Cascio asked how this will be received by other Union groups in Town. Town Manager Bonnie Therrien said that other Union groups can approach her to do the same, but as of now, it is only the Physical Services Department making the request.

Councilor Czernicki said that sunrise occurs after 6:30 a.m. starting in mid-September and the Physical Services Department cannot use their machines before 7:00 a.m. She said that she finds merit in the Department being able to service the schools before the students arrive in the morning; however, she does not see this working beyond mid-September.

Councilor Montinieri left the meeting for five minutes at this time (10:25 p.m.).

Councilor Cascio asked if it is possible to extend the summer hours until September 15. Town Manager Bonnie Therrien said that she'd prefer that Council table the item until she can check the timing and sunrise issues.

Councilor Cascio moved "**TO TABLE THE ITEM UNTIL THE SEPTEMBER 7, 2004 COUNCIL MEETING**",

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

Leasing Contract for Artificial Surface/Cottone Field

Town Manager Bonnie Therrien explained that the Town went out for a Request for Proposal for a leasing company to fund the artificial surface of Cottone Field. She said that the lowest rate was with Bank of America with an interest rate of 3.28% over a seven year period.

Councilor Adil moved **"TO AUTHORIZE THE TOWN MANAGER TO SIGN THE CONTRACT AGREEMENT WITH BANK OF AMERICA AT A RATE OF 3.28% FOR A SEVEN YEAR PERIOD FOR THE RENOVATIONS TO COTTONE FIELD AND TO AUTHORIZE THE DESIGNATED OFFICER(S) OF THE TOWN TO TAKE ALL ACTIONS NECESSARY OR DESIRABLE TO CARRY OUT THE TRANSACTIONS CONTEMPLATED PURSUANT TO THE AGREEMENT"**, seconded by Deputy Mayor Karangekis.

Councilor Hemmann stated that she cannot support the motion.

Councilor Forrest asked if the budgeted 5% is for a seven year period. The Town Manager said that the only thing budgeted for in this year's budget was the first year's payment. Councilor Forrest asked if the length of the period can be shortened since the percentage rate of 3.28 is less than what was budgeted for. Town Manager Bonnie Therrien said no.

All Councilors present, including the Chairperson, voted AYE. Councilors Czernicki and Hemmann voted NAY. The motion passed 7-2-0.

Budget Transfer - \$4,302 from Contingency to Data Processing - Motor Vehicle Costs

Town Manager Bonnie Therrien explained that the State has changed the \$.50 per delinquent DMV bill for a new procedure using a formula based on population percentage and costs associated with the assistance. The Town's share of this expense is \$4,302 and is due by September 1, 2004. She said that the transfer of these funds will be covered, in part, by the \$5 collected last year for each delinquent account.

Councilor Czernicki moved **"TO TRANSFER \$4,302 FROM CONTINGENCY ACCOUNT T1910900-5250 TO DATA PROCESSING ACCOUNT T1063-5267 TO COVER THE REQUIRED REIMBURSEMENT TO THE STATE OF CONNECTICUT FOR ASSISTANCE IN COLLECTING DELINQUENT MOTOR VEHICLE TAXES"**, seconded by Councilor Forrest.

Councilor Hemmann verified that the Town was able to collect the delinquent fees. The Town Manager said that this is so and that the State charged \$.50 while the Town charged \$5.00 per delinquent. The difference to the Town will offset the amount currently owed. She said that she will provide in her next Weekly Management Report the amount actually collected.

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

Budget Transfer - \$1,839 from Contingency to Town Council Public Contributions - Greater Hartford Transit District

Town Manager Bonnie Therrien explained that she had been told by the Greater Hartford Transit District (GHTD) that the dues were strictly voluntary and this information was incorrect. She said that she was informed by the GHTD Executive Director that if the Town does not pay the dues they will not receive \$9,000 in State grants. The Town Manager, therefore recommends that the Town of Wethersfield make a voluntary contribution of dues to the GHTD.

Deputy Mayor Karangekis moved **"TO TRANSFER \$1,839 FROM CONTINGENCY ACCOUNT T1910900-5250 TO TOWN COUNCIL PUBLIC CONTRIBUTIONS ACCOUNT T1010110-5272 FOR A CONTRIBUTION TO THE GREATER HARTFORD TRANSIT DISTRICT,"** seconded by Councilor Forrest. All Councilors present,

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

Change Orders - Stillman Building

Town Manager Bonnie Therrien explained that the Building Committee is requesting the Council's approval of two change orders for a new hydraulic elevator and for the snow guards on the roof.

Councilor Fortunato moved **"TO APPROVE A CHANGE ORDER INCREASE OF \$5,218 TO JE SHEA ELECTRIC AND A CHANGE ORDER INCREASE OF \$7,265 TO SARAZIN GENERAL CONTRACTORS FOR THE FRANCIS STILLMAN RENOVATIONS BUILDING PROJECT"**, seconded by Councilor Czernicki. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

BIDS

Asbestos Removal - Moeller Home

Councilor Adil moved **"TO AWARD THE BID FOR ASBESTOS REMOVAL AT THE MOELLER HOME TO ULTIMATE ABATEMENT OF SPRINGFIELD, MASSACHUSETTS AT A COST NOT TO EXCEED \$10,124"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Small Cities Grant - Administrator

Town Manager Bonnie Therrien explained that although one of the bidders was lower than the proposed bidder, the review panel of Lisa Hancock, Peter Gillespie, and Kathy Natale recommends hiring the firm of L. Wagner & Associates because they have worked with the Town on other Small City projects.

Councilor Forrest moved **"TO AUTHORIZE THE TOWN MANAGER TO CONTRACT WITH L. WAGNER AND ASSOCIATES TO PROVIDE TECHNICAL ASSISTANCE IN THE PREPARATION OF AND ADMINISTRATION OF THE SMALL CITIES GRANT AND FOR IMPLEMENTATION OF THE HOUSING REHABILITATION PROGRAM"**, seconded by Councilor Czernicki. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

General Contractor - Town Hall/Library Renovations

Town Manager Bonnie Therrien explained that the Building Committee held extensive interviews with each of the bidding firms as well as background checks and they recommend The Nutmeg Companies from Norwich, Connecticut as the general contractor.

Councilor Adil moved **"TO AWARD THE BID FOR GENERAL CONTRACTOR WORK AT THE TOWN HALL/LIBRARY TO THE NUTMEG COMPANIES FROM NORWICH, CONNECTICUT AT A COST NOT TO EXCEED \$2,232,200"**, seconded by Councilor Fortunato.

Councilor Adil asked Mr. Turner if this amount is close to what was budgeted without contingency. Mr. Turner said that this is within approximately \$7,000 of the estimate and that an extensive survey of references was performed on the contractor. He said that this contractor was the unanimous choice of the Building Committee.

Councilor Forrest asked when the work will start and how long it will take. Town Manager Bonnie Therrien said that the work cannot begin until she receives the contract back after being reviewed by the Attorney General's Office. Mr. Turner said that the contract is for one year and that there is approximately six months of work to be done on the Town Hall and six months on the Library.

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

Bituminous Concrete Pavement - Road Paving, Pavement Crack Sealing - Road Paving, Pavement Milling - Road

Paving

Town Manager Bonnie Therrien explained that these three bids are award bids for road work to be done with the Town's General Operating funds.

Councilor Montinieri moved **"TO AWARD THE BID FOR BITUMINOUS CONCRETE PAVING SERVICES TO TILCON-BALF OF NEWINGTON AT A COST NOT TO EXCEED \$225,000; TO AWARD THE BID FOR MULCH SEALING SERVICES TO MARINO BROTHERS OF N.E., INC. AT A COST NOT TO EXCEED \$35,000; AND TO AWARD THE BID FOR PAVEMENT MILLING SERVICES TO GARRITY ASPHALT RECLAIMING AT A COST NOT TO EXCEED \$40,000"**, seconded by Councilor Cascio. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

Proposed Changes to the Code of the Town of Wethersfield

ARTICLE XIX, Economic Development and Improvement Commission

§ 10-51. Establishment; acceptance of statute.

The provisions of Section 7-136 of the General Statutes are accepted and, pursuant thereto, an Economic Development and Improvement Commission is established for the promotion, improvement and development of the economic resources of the town.

§ 10-52. Commission to be development agency.

- A. The Commission shall be known as the "Wethersfield Economic Development and Improvement Commission."
- B. The town hereby designates the Wethersfield Economic Development and Improvement Commission to be its development agency as provided in Section 8-188 of the Connecticut General Statutes.

§ 10-53. Membership; terms; alternates.

- A. The Commission shall consist of **eleven (11)** members and **four (4)** alternates appointed by the Town Manager as chief executive authority of the town. The membership shall be composed of:
 1. One (1) member of the Wethersfield Chamber of Commerce Board of Directors.
 2. **Five (5)** members from the Wethersfield business community.
 3. Five (5) members from the community at large, one (1) of whom shall have commercial real estate background.
 4. **Two (2)** alternates from the business community.
 5. **Two (2) alternates** from the community at large.
- B. Of the nine (9) members and alternates initially appointed, three (3) shall be appointed for terms to expire on June 30, 1982, three (3) shall be appointed for terms to expire on June 30, 1983, and three (3) shall be appointed for terms to expire on June 30, 1984. All subsequent appointments of members shall be for terms of three (3) years, commencing on the first day of July, except for the appointments of the two (2) members added during 1984, which shall be for initial terms of two (2) and three (3) years, and for three (3) years thereafter. Any vacancy in a membership of the Commission shall be filled by the Manager for the unexpired term of such member. In addition, said Commission will have the following ex officio nonvoting members:
 1. The Town Planner.
 2. A designee from the Town Planning and Zoning Commission.
 3. A designee from the Town Council.

§ 10-54. Removal of members.

Any member of the Commission may be removed by the Manager for cause and, on request of such member, after public hearing.

§ 10-55. Compensation.

The members of the Commission shall receive no compensation for their services as such but shall be reimbursed for their necessary expenses incurred in the performance of their official duties, subject to budgetary limitations.

§ 10-56. Employees.

The Commission may appoint employees necessary for the discharge of its duties, subject to budgetary limitations and relevant Charter provisions.

§ 10-57. Powers and duties.

- A. The Commission shall conduct research into the economic conditions and trends in the town and shall seek to coordinate the activities of and cooperate with unofficial bodies organized for the purpose of promoting economic development in the town.
- B. The Commission shall maintain an up-to-date list of all town-owned land and buildings, make annual recommendations for the use and development of the same to the Town Council, review all proposals for new development and redevelopment submitted to any town official, agency, board, committee or commission and make recommendations on such proposals based upon the impact such proposals will have on the economic growth and development of the community. The Commission shall encourage businesses to maintain and improve the vitality and environment of the business community and shall recommend and report on proposed road improvements and other considerations that relate to business
- C. activity. The Commission shall continuously review and update the information maintained by it concerning resources available for prospective economic development and shall oversee the town staff's recordings of building and land availability. The Commission shall implement the use of its resources to encourage compatible businesses to move to become established in Wethersfield.
- D. The Commission shall annually prepare and transmit to the Town Council a report of its activities and of its recommendations for improving economic conditions and development in the town.

§ 10-58. Coordination with other town bodies.

The Commission shall coordinate its activities with the Town Planning and Zoning Commission and with other interested officials and agencies of the town, and the Commission may invite to attend and participate in its meetings and deliberations, but without vote, any person not a member of the Commission.

§ 10-59. Advertising.

The Commission may advertise and may prepare, print and distribute books, maps, charts and pamphlets which, in its judgment, will further its official purposes, subject to budgetary limitations.

§ 10-60. Appropriations.

- A. The annual appropriation by the Council for the purposes of the Commission shall not exceed a sum amounting to one-twentieth of one percent (1/20 of 1%) of the last completed grand list of taxable property.
- B. In the performance of its duties and in the exercise of its powers aforesaid, the Commission shall not incur any expenses or obligate the town to pay any expense in excess of the funds appropriated by the Council for such purpose.

ORDINANCE AMENDING CHAPTER 75 ENVIRONMENTAL CODE REGULATIONS OF THE TOWN OF WETHERSFIELD, CONNECTICUT

BE IT ORDAINED THAT Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut, Chapter 75-5, K is hereby amended as set forth below.

CHAPTER 75

Environmental Code

§ 75-5. Standards for rooming units

- K. The use of resistance heating coil type cooking devices, including but not limited to stoves, hot plates, electric frying pans, toasters and toaster ovens, is prohibited in rooming units. Microwave ovens and coffee makers approved by Underwriters Laboratories, Inc. and rated not to exceed 110 volts are permitted."

ORDINANCE AMENDING CHAPTER 122 PROPERTY MAINTENANCE REGULATIONS OF THE TOWN OF WETHERSFIELD, CONNECTICUT

BE IT ORDAINED THAT Part II General Legislation of the Municipal Code of the Town of Wethersfield, Connecticut is hereby amended as set forth below. *Deletions are noted by strike through and additions are noted by underline.*

CHAPTER 122
Property Maintenance

Chapter 122. PROPERTY MAINTENANCE.

§ 122-1. Title.

This chapter shall be known as the "Property Maintenance Code of the Town of Wethersfield" ("this code") and the standards established by this code shall be referred to as and constitute the minimum property standards of the Town of Wethersfield ("Town").

§122-2. Intent; authority.

- A. This code is intended to protect, preserve and promote public health, safety and welfare; to prevent and control the incidence of communicable diseases; and to reduce environmental hazards to health, safety and welfare, insofar as they are affected by the maintenance of residential and nonresidential structures, equipment and premises as provided by this code. This code is also further intended to provide minimum standards governing the condition, occupancy and maintenance of occupied and unoccupied premises and establish reasonable safeguards for the health, safety and welfare of the occupants and users of said premises, the community and the general public. This code is further intended to maintain and preserve the beauty of the neighborhoods and to allow for control of blighted premises.
- B. This code shall establish minimum standards and responsibilities for the maintenance of all premises and delegates administrative responsibility and enforcement powers and creates enforcement procedures.
- C. This code is adopted in accordance with the provisions of Connecticut General Statutes §§ 7-148, § 7-148aa and 7-152c.

§ 122-3. Scope of provisions.

- A. Applicability.
 - 1. This code shall apply uniformly to the maintenance, use and occupancy of all premises now in existence or hereafter constructed, maintained or modified and shall include:
 - a. Dwellings or dwelling units, including one-family and two-family dwellings and multiple dwellings.
 - b. Lots, plots or parcels of land whether vacant or occupied.
 - c. Buildings of non-dwelling use, including commercial properties.
 - d. Accessory structures accessory to any building.
 - e. All apartments, boardinghouses, group homes, lodging houses, rooming houses, tenement houses and unrelated family units.
 - 2. This code shall not apply to barns as identified in the book "Wonderful Barns of Wethersfield", copyright 1994, by Eleanor Buck Wolf, or to any other barn built before 1900.

§ 122-4. Definitions.

The following definitions apply to this chapter.

Accessory Structure shall mean a structure, the use of which is customarily incidental and subordinate to that of principal building, structure or use on the same lot.

Blighted premises shall mean:

- A. any building or structure, or any part of a structure that is a separate unit, or a parcel of land, or any accessory structure, or fence, in which at least one of the following additional conditions exists:
 1. The ~~Director of Health~~ Town Manager or his/her designee determines that existing conditions pose a serious threat to the health, safety and welfare of the persons in Town;
 2. It is not being maintained, as evidenced by the existence, to a significant degree, of one or more of the following conditions:
 - a. Missing, broken or boarded windows or doors;
 - b. Collapsing or deteriorating exterior walls, roofs, stairs, porches, handrails, railings, basement hatchways, chimneys, flues, or floors;
 - c. exterior walls which contain holes, breaks, loose or rotting materials;
 - d. foundation walls which contain open cracks and breaks;
 - e. overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts, which contain rust or other decay,
 - f. rat infestations;
 - g. garbage or trash improperly stored or accumulated on the premises ;
 - h. in the case of fence, broken or rotted boards or in an otherwise dilapidated condition; or
 - i. any other exterior condition reflecting a level of maintenance which is not in keeping with community standards or which constitutes a blighting factor for adjacent property owners or occupiers or which is an element leading to the progressive deterioration of the neighborhood.
 3. It is attracting illegal activity as documented in Police Department records;
 4. It is a fire hazard as determined by the Fire Marshal or as documented in the Fire Department records; and/or
 5. It is a factor creating a substantial and unreasonable interference with the use and enjoyment of other premises within the surrounding area as documented by neighborhood complaints, police reports, the cancellation of insurance on proximate properties; or similar circumstances.
- B. Blighted premises shall not include any such building, structure or parcel of land located on any active farm.

Community standard shall mean a judgment by a reasonable member of the community.

Connecticut General Statutes shall include any applicable amendments.

Owner/occupier shall mean any person, institution, foundation, entity or authority which owns, leases, rents, possesses, or is responsible for property within the Town.

Proximate Property shall mean any premises or parcel of land within one thousand (1,000) feet of a blighted premises.

§ 122-5. Signs; awnings and marquees.

- A. Signs. All permanent signs and billboards exposed to public view permitted by reason of other ordinances or laws shall be maintained in good repair. Any signs which have excessively weathered or faded or those upon which the paint has excessively peeled or cracked or whose supporting members have deteriorated shall be removed forthwith or put into a good state of repair by the owner of the sign.
- B. Awnings and marquees. Any awning or marquee and its accompanying structural member which extends over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event that such awnings or marquees are not properly maintained in

accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event that said awnings or marquees are made of cloth, plastic or of similar materials, said cloth or plastic where exposed to public view shall be maintained in good condition and shall not show evidence of excessive weathering, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

§ 122-6. Removal of weeds and similar vegetation.

- A. Beginning in May and continuing through the end of October of each year, every owner/occupier of properties upon which a building exists, or who is in possession of a vacant lot in an approved subdivision which fronts on a paved public road and to which a public water and/or public sewer lateral has been provided, shall cut, to a height of not more than eight inches, all grass, weeds and similar vegetation not planted as a crop to be harvested or for ornamental purposes within 25 feet of the street line of any paved public highway and within 25 feet of any side yard property line adjoining a property on which a building or dwelling exists.
- B. Every owner/occupier of property shall keep his property free from vegetation of any type which, in the opinion of the ~~Director of Health~~ Town Manager or his/her designee, is injurious to public health.
- C. Any violation of § 122-6A or 122-6B shall constitute a nuisance which may be abated by the town at the expense of the owner, lessor, lessee or any other person in possession or any one or more of them to whom the Town Manager or his/her designee ~~representative~~ has given not less than 10 days written notice of intention to abate such nuisance. Such expense may be collected by the town in a civil action against any one or more of the above-named persons responsible therefore.

§ 122-7. Storage; littering.

- A. Accumulation restricted. It shall be unlawful for an owner/occupier to allow solid waste to accumulate on premises in the town in such a manner as to create an offensive, unsightly or unsanitary condition.
- B. Storage requirements. In the event that property usage would result in the stacking or piling of materials, including equipment and appliances, even if wanted and useful, they must be so arranged as to prohibit the creation of a blighting factor to their neighbors. Furthermore, all useful, wanted material, including equipment and appliances, stored out of doors shall be stored in an orderly fashion and, to the extent reasonably feasible, shall be located in the rear yard.
- C. Throwing or depositing in town. It shall be unlawful for any person to throw or deposit solid waste, material designated recyclable or recyclables in any part of the town in such a manner as to create an offensive, unsightly or unsanitary condition. Property owners shall maintain their property litter free.
- D. Throwing or depositing on streets and public grounds. It shall be unlawful for any person to throw or deposit solid waste, material designated recyclable or recyclables upon streets or sidewalks, in any catch basin, drain or watercourse or in parks or any public grounds in the town, except that solid waste, material designated recyclable and recyclables may be deposited in proper containers.

§ 122-8. Blighted Premises; Certification List.

- A. No owner/occupier of real property within the Town of Wethersfield shall cause or allow blighted premises to be created nor shall any owner/occupier allow the continued existence of blighted premises.
- B. Blighted Premises Certification List (Certification List).
 - 1. Immediately following enactment of this ordinance, the Town Manager shall request that all Town department heads report any property of which they are aware which appears to be blighted, as defined by this ordinance. Such reports shall be submitted within thirty (30) days of the Town Manager's request.
 - 2. The Town Manager shall use this information and any other available information to complete a list of blighted properties within sixty (60) days of his original request.
 - 3. Within thirty (30) days of its completion, the Town Manager shall present the list to the Town Council which shall approve, disapprove, or modify the list. In the event that the Town Council fails to approve, disapprove or modify the list within thirty (30) days from the date it received it, then the list shall be deemed to have been approved.
 - 4. Maintenance of the Certification List. The Town Manager may request the deletion of any premises from

the blighted properties list for consideration by the Town Council. In the event that the Town Council fails to approve, disapprove or modify any such request within thirty (30) days from the date it received such request, then the request shall be deemed to have been approved. On or before January 15 of each subsequent year, the Town Manager or his/her designee shall renew the process of completing a list of blighted properties as specified in this section.

5. Additions to Certification List. The Town Manager or his/her designee shall investigate any and all complaints made under Section 122-9A. If the Town Manager or his/her designee has reason to believe that an owner/occupier of property has violated the provisions of this ordinance, he shall request addition of the subject property to the blighted properties list for consideration by the Town Council. In the event the Town Council fails to approve, disapprove or modify any such request within thirty (30) days from the date it received such request, then the request shall be deemed to have been approved.

§ 122-9. Complaints; Warning.

- A. Any individual, civic organization, municipal agency, or town employee affected by the action or inaction of an owner/occupier of property subject to the provisions of this ordinance, may file, in writing, a complaint of violation of this ordinance with the Town Manager. The Town Manager or his/her designee, upon his or her determination whether there is a violation of this ordinance, shall forward a notice letter to the owner/occupier at the time such determination has been made, and shall ~~forward~~ include the property for consideration of inclusion on the Certification List.
- B. Such a notice letter from the Town Manager or his/her designee shall be issued prior to issuing a citation.
- C. Such notice letter shall include:
 1. a description of the real estate sufficient for identification, specifying the violation which is alleged to exist and the remedial action required;
 2. a due date, within a reasonable time, for the performance of any act required; and
 3. the amount of the fines, penalties, costs or fees that may be imposed for noncompliance.
- D. The owner/occupier may not contest a warning before the Citation Hearing Board.
- E. Delivery of a notice letter or citation to the owner/occupier shall be by one of the following methods:
 1. By personal delivery to the owner/occupier or by leaving the citation or notice letters at the usual place of abode of the owner/occupier with a person of suitable age and discretion;
 2. By certified or registered mail addressed to the owner/occupier at his last known address, with postage prepared thereon; or
 3. By posting and keeping posted for 24 hours a copy of the citation or notice letter in placard form in a conspicuous place on the premises.

§ 122-10. Enforcement by Citation.

- A. If the corrective actions specified in the notice letter are not taken and the property has been placed on the Certification List, the ~~Director of Health or his designated representative~~ Town Manager or his/her designee shall issue a written citation to the owner/occupier. A citation shall only be issued after ~~the Director of Health has consulted with the Town Manager to ensure that~~ the property is has been placed on the Certification List and ~~that~~ the blighted condition continues to exist.
- B. A citation shall be in writing and include:
 1. A description of the real estate sufficient for identification, specifying the violation which is alleged to exist and the remedial action required;
 2. Detailed information regarding the contents of the notice letter (which may be a copy of such notice letter) and the failure of the owner/occupier to take the corrective actions specified therein;
 3. The amount of the fines, penalties, costs or fees due for noncompliance; and
 4. A statement that the owner/occupier may contest his liability and request a hearing before the Citation Hearing Board by delivering in person or by mail written notice of objection within ten days of the date of the citation.
- C. Delivery of the citation shall be by the manner provided in § 122-9.

§ 122-11. Hearing.

- A. An owner/occupier may request a hearing after receiving a citation. Said owner/occupier must make his/her request for a hearing within ten (10) days of his/her receipt of the citation.
- B. The Citation Hearing Board is designated to conduct hearings in accordance with Conn. Gen. Stat. Sec. 7-152c (a)-(f) when requested by an owner/occupier who has been cited under this chapter.
- C. Any cited person who wishes to admit liability without requesting a hearing may pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to the Town Manager. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the citation shall be deemed to have admitted liability, and the Town Manager or his/her designee shall certify such person's failure to respond. The Citation Hearing Board shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in Conn. Gen. Stat. Sec. 7-152c(f).
- D. Any person who requests a hearing shall be given written notice of the date, time and place for a hearing to be held not less than 15 nor more than 30 days from the date of the mailing of notice. The Citation Hearing Board may grant a postponement or continuance for good cause. An original or certified copy of the citation and notice shall be filed and retained by the Town Manager.
- E. Pending the hearing before the Citation Board no further enforcement activity as contemplated by § 122-13 (B) and (C) shall occur until either a hearing is held and the Citation Hearing Board assesses fines, penalties, costs and/or fees or until the petitioner fails to appear for a scheduled hearing and the Citation Hearing Board assesses fines, penalties, costs and/or fees. This section shall not preclude the accrual of fines during the period from the issuance of the notice until a hearing is held.

§ 122-12. Appointment of Citation Hearing Board.

The Town Manager shall appoint three Wethersfield residents to serve as a Citation Hearing Board and who shall collectively constitute the Citation Hearing Officer. Such members shall serve staggered terms of three years each. Proceedings of the Citation Hearing Board shall be conducted in accordance with the laws of the State of Connecticut and any provisions of the charter or ordinances of the Town of Wethersfield generally applicable to its boards and commissions. No zoning enforcement officer, police officer, building inspector or employee of the town may be appointed to as a hearing officer under this ordinance.

§ 122-13. Penalties for offenses; prejudgment lien.

- A. The owner/occupier of premises where a violation of any of the provisions of this code shall exist or who shall maintain any building or premises in which such violations exist may:
 - 1. Be fined not more than \$100 for each violation. Each day that a violation exists after a citation as described in § 122-10 is given to the owner/occupier shall constitute a new violation, and a fine may be imposed for each such violation; and/or
 - 2. Be required to abate the violation at the owner/occupier's expense.
- B. A prejudgment lien on real estate may be imposed where the fine for violation of the blighted premises provisions of this ordinance is unpaid. Any unpaid fine imposed by a municipality pursuant to the provisions of an ordinance regulating blight, adopted pursuant to Conn. Gen. Stat. Sec. 7-148(c)(7)(H)(xv) shall constitute a lien upon the real estate against which the fine was imposed from the date of such fine. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens and encumbrances filed after July 1, 1997 except for taxes. ~~and encumbrances except taxes and~~ Each such lien may be enforced in the same manner as property tax liens, including foreclosure of the real property.
- C. In addition to all other remedies and any fines imposed herein, the provisions of this code may be enforced by injunctive proceedings in Superior Court. The Town may recover from such owner/occupier or other responsible person any and all costs and fees, including reasonable attorneys' fees, expended by the Town in enforcing the provisions of this code.

§ 122-14. Appeals; Special Consideration.

- A. Any person aggrieved by any order, requirement or decision of the Citation Hearing Board may take an appeal in accordance with Conn. Gen. Stat. § 7-152c(g).
- B. Notwithstanding anything herein to the contrary, special consideration may be given to individuals who are elderly or disabled and who demonstrate that the violation results from an inability to maintain an owner-occupied residence and no person with that ability resides therein. Such special consideration shall be limited to the reduction or elimination of fines and/or an agreement that the Town or its agents may perform the necessary work and place a lien against the Premises for the cost thereof in accordance with the provisions of this code.

§ 122-15. Severability.

In the event that any part or portion of this code is declared invalid for any reason, all the other provisions of this code shall remain in full force and effect.

§ 122-16. Terms and Provisions.

- A. Where terms are specifically defined or the meaning of such terms are clearly indicated by their context, that meaning is to be used in the interpretation of this code.
- B. Where terms are not specifically defined and such terms are defined in the Charter and Municipal Code of the Town of Wethersfield, such terms shall have the same meaning for the interpretation and enforcement of this chapter.
- C. Where terms are not specifically defined in this chapter, they shall have their ordinarily accepted meaning or such meaning as the context may imply.
- D. The provisions of this code shall not be construed to prevent the enforcement of other codes, ordinances or regulations of the Town of Wethersfield.
- E. In any case where a provision of this code is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance, regulation or other provision of the Charter and Municipal Code of the Town of Wethersfield or the State of Connecticut, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people of the Town of Wethersfield shall prevail.

RESOLUTION REGARDING THE AUTHORIZATION AND SUBMISSION OF A GRANT FROM THE CONNECTICUT DEPARTMENT OF EDUCATION 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 Town Manager Bonnie Therrien and Director of Social and Youth Services Nancy Stilwell are hereby authorized to make, execute and approve on behalf of the Town of Wethersfield, a contract between the State Department of Education and the Town of Wethersfield Department of Social and Youth Services. Said contract shall be in the amount of \$21,513 for contributions to program services within the "Youth Services Bureau" for fiscal year 2004/2005.

MINUTES

Councilor Cascio moved "**TO ACCEPT THE MINUTES OF THE JULY 14, 2004 SPECIAL MEETING**", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved "**TO ACCEPT THE MINUTES OF THE JULY 19, 2004 REGULAR MEETING**", seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Forrest moved "**TO SUSPEND THE RULES IN ORDER TO EXTEND THE MEETING PAST 11:00 P.M.**", seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

ADJOURNMENT

At 10:40 p.m., Councilor Czernicki moved **"TO ENTER INTO EXECUTIVE SESSION AFTER A FIVE MINUTE RECESS"** seconded by Councilor Cascio. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Present at the Executive Session were Councilors Adil, Cascio, Czernicki, Forrest, Fortunato, Hemmann, Montinieri, Deputy Mayor Karangekis and Chairperson Morin. Also present at individual times were Dolores G. Sassano, Town Clerk and Bonnie Therrien, Town Manager

At 12:02 a.m., Councilor Cascio moved **"TO ENTER BACK INTO THE REGULAR MEETING"** seconded by Councilor Adil. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO UPGRADE THE TOWN CLERK'S SALARY TO \$51,000 RETROACTIVE TO JULY 1, 2004"**, seconded by Councilor Forrest. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

Councilor Adil moved **"TO RAISE THE TOWN'S PENSION CONTRIBUTION FOR BONNIE THERRIEN TO 12% OF SALARY WITH A \$2,000 BONUS AND MOVE FORWARD WITH THE TOWN OF WETHERSFIELD OPENING A 401K ACCOUNT FOR PLACEMENT OF THE PENSION MONEY"**, seconded by Deputy Mayor Karangekis. All Councilors present, including the Chairperson, voted AYE. The motion passed 9-0-0.

At 12:09 a.m., Councilor Adil moved **"TO ADJOURN THE MEETING"** seconded by Councilor Forrest. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano
Town Clerk

Approved by vote of Council 9/7/04