

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

REGULAR MEETING OCTOBER 20, 2003

The Wethersfield Town Council held a meeting on October 20, 2003 at 7:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Fitzpatrick, Flynn, Gardow, Hemmann, Morin, Sassano (8:15), Deputy Mayor O'Connor and Chairperson Czernicki.

Absent: Councilor Cascio.

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 Morin.

Proclamation - Breast Cancer Awareness

Chairperson Czernicki read the Proclamation declaring October, 2003 Breast Cancer Awareness Month in Wethersfield and throughout the Country. The "Pass the Word" campaign asks the public to share the message of early detection. Lieutenant Jodi Rell suggested a pink-ribbon wreath ceremony.

Proclamation - White Cane Safety Day

Chairperson Czernicki proclaimed October 20, 2003, White Cane Safety Day in the Town of Wethersfield and called upon Wethersfield schools, institutions and business leaders to take the lead in ensuring full acceptance and equal opportunities for the blind of Connecticut. She also urged all citizens to recognize and respect the white cane and the dog guide as representing safety, dignity, and self-help for the blind of Connecticut.

Presentation by the Library Board

Chairperson Czernicki introduced Donna Brown, a member of the Wethersfield Library Board who passed out a Wethersfield Library brochure. She shared information regarding some of the Library's resources in terms of data bases. These resources are not only available in the Library, but also in each of Wethersfield's schools and to all residents who have access to the internet in their homes. The Reference section of the Library's website includes subscription databases for over 1,900 magazines, a health source of over 190 journals, and a national and international newspaper source. Also available is ELibrary which is specially designed to help students with their homework. The World Book Encyclopedia is also available in the reference section of the website. The Library allocates \$10,000 from their Materials Budget to pay for these valuable resources. These resources are reliable, safe, and constantly updated. The Library is currently offering courses to educate parents in how to assist their children in accessing these data bases. The schedule is available in the Library and will be published in local newspapers. Ms. Brown urged all to explore these data bases and thanked the Council for their ongoing support of the Wethersfield Library.

Deputy Mayor O'Connor moved "**TO REMOVE ITEMS C.2.c,d,f,g and i FROM THE TABLE**", seconded by Councilor Flynn. All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

PUBLIC COMMENTS

HEARING

RESOLUTION CONCERNING THE WETHERSFIELD COVE AND REMEDIATION IN THE FORM OF INJUNCTIVE AND OTHER RELIEF

The following spoke in favor of the Resolution:

Steve Wells, 336 Hartford Avenue
Lisa Leonard, 71 Center Street
Frank Capalbo, 183 Nott Street
Ballou Tooker, 65 Harmund Place
Don Marshall, 520 Main Street
Rich Campbell, 366 Hartford Avenue
Robert Young, 20 Coppermill Road
Christa Varszegi, 7 Kelley Avenue
Sheila Wells, 336 Hartford Avenue
Douglas Buck, 411 Hartford Avenue
Rocco Orsini, 95 Broad Street,
for the Wethersfield Taxpayers Association, Inc.
Richard Schneider, Colchester CT,
representative of the CT Bass Federation
George A. Ruhe, 956 Cloverdale Circle

William Holmes, 408 Hartford Avenue
Mark Raymond, 111 State Street
Jack Logan, 318 Hartford Avenue
Edward Kardas, 850 Cloverdale Circle
Richard Huntley, 261 Hartford Avenue
Dan Decourcy, 538 Main Street
Leigh Standish, 278 Hartford Avenue
Denis Walter, 326 Hartford Avenue
Jean Hart, 393 Main Street
Mary Capalbo, 183 Nott Street
Jim Arnold, 446 Hartford Avenue
Paul Woodworth, 5 River Road
Steve Andrea, 430 Main Street
Doug Ovian, 56 Broad Street

The following spoke in opposition to the Resolution:

John Rossi, 121 Ox Yoke Drive
Paul Courchaine, 481 Main Street

John Miller, 375 Pine Lane

Jim Schumaker, 15 Raynor Lane, would like to see the Council and the MDC find a solution to the Cove problem without costly litigation.

Jim Woodworth, 5 River Road, believes that we should fix and improve any water drainage problems within Wethersfield before seeking legal action. Mr. Woodward stated that years of frustration in not solving the problem is what leads Wethersfield to legal action.

Rick Garrey, 35 Harding Street, asked why the Council holds so many Executive Sessions. If the public were aware of what is happening on the Council-side of issues, they would have a better understanding of the issues. He'd like the Council to explain why they go into each Executive Session; why information cannot be public if there is a pending lawsuit.

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

At 8:45 p.m. Councilor Hemmann moved "**TO ENTER INTO EXECUTIVE SESSION FOR UNION NEGOTIATIONS AND REAL ESTATE NEGOTIATIONS**", seconded by Councilor Gardow.

Deputy Mayor O'Connor stated that those in attendance are here to find out how the Council stands on a particular issue and does not feel that it is appropriate for the Council to be asked to walk out of the room for an Executive Session at this time. Chairperson Czernicki said that the matters of the Executive Session were postponed from the previous Council meeting. Deputy Mayor O'Connor said that the Executive Session could also be held at the end of this current Council meeting. Chairperson Czernicki said that the Executive Session could, again, go very late; however she has no problem with this.

All Councilors present voted NAY. Councilor Hemmann and Chairperson Czernicki voted AYE. The motion failed 2-6-0.

GENERAL COMMENTS

Peter Maxwell, 117 Maple Street, thanked those members of the Council who will not be returning after the election for their service to Wethersfield. Chairperson Czernicki asked Mr. Maxwell to limit his comments to Town business.

He stated that we need to continue with a group that is more intone with our business community and who will actually attract new business to Town. The current Council may be making some progress, and Mr. Maxwell feels that this is a more responsible approach than rezoning flood plain farmlands.

Mike Casperino, 15 Marshalls Meadow, spoke regarding the sidewalks on Two Rod Highway. The Town Manager eight years ago said the sidewalks were a good idea; however there were other issues and priorities before the Town Council at that time. Nothing was done about the sidewalks. He recommends completing the south side of Two Rod Highway which would provide a sidewalk from Maple Street up to the Wethersfield Town line. In the past the funds were available and Mr. Casperino would like to know the current status of those funds. The traffic from the Berlin Turnpike has increased and the population in the affected neighborhoods has grown.

Leigh Standish, 278 Hartford Avenue, commented that he had no personal and direct knowledge of what transpired at the Council's previous Executive Sessions. However he has a great deal of circumstantial evidence and ancillary documents as well as subsequent reports and events at a subsequent meeting. Mr. Standish said that the seven-figure lawsuit against the MDC is speculation only. Wethersfield's Town Attorney has stated that the cost would be a small fraction of what has already been spent. The legal fees are completely recoverable under the Connecticut Environmental Protection Act should Wethersfield prevail. Mr. Standish worked closely with the former Hartford City Manager and Council members to help defeat the MDC proposals because they addressed the tank which will not fix the problem. Mr. Standish stated that a water storage tank is not the proper solution. Mr. Standish said that if Wethersfield files suit, the MDC will be obligated to proceed with and complete the components of any consent orders before them.

Frank Capalbo, 183 Nott Street, spoke on the appearance of the Fun Zone building and the Silas Deane. Also, Chairperson Czernicki said that \$50,000 has been allocated to beautify the Silas Deane Highway. Mr. Capalbo commented that money should not be wasted for this because further north on the Silas Deane Highway there are other buildings in need of repair. He said that the money should instead be allocated to the schools for educational supplies. He feels it is his right as a taxpayer in Wethersfield to make his opinions known to Council members who chose to take office to represent the citizens of Wethersfield. He suggests any responses concerning his remarks should be made directly to him.

John Miller, 375 Pine Lane, thanked those members of Council who have chosen not to run for re-election for their years of service to Wethersfield. Mr. Miller stated that any detention of storm water in Hartford helps the cause for the Cove. It certainly does not cure the problem, but it does help. The MDC pilot program was reasonably successful, but all or nothing will not happen. Mr. Miller questioned whether the residents of Wethersfield will support a \$350,000 referendum should the Town lose the lawsuit against the MDC. Mr. Miller believes that the answer would be "no". Mr. Miller commented on the artificial turf at the High School football field, saying that Dr. William Dest is an expert in the field of designing and building fields and the Town should utilize this resident's expertise.

George A. Ruhe, 956 Cloverdale Circle, thinks the most important issue in Wethersfield is the Cove problem. He does not see how the Town can move rapidly ahead with the Artificial Turf issue when there are so many other issues with which the Town is being confronted. He recommends referring the artificial turf project to the Capital Improvements Committee so that they can make their recommendations to the Council regarding any other project(s) that will have to be delayed to move this Turf project forward. Dr. Dest has great credentials, but he is not sure Dr. Dest would be the right consultant for this particular project. Mr. Ruhe thinks the Town should consult a Financial Consultant before entering into this project.

Robert Young, 20 Coppermill Road, believes that the "Public Comment" segment is for any comments. He would have liked to see the Town Representative on the MDC Board speak at tonight's meeting to give an analysis of the current situation. He does not like the idea of Executive Session as the citizens have no details of the Session; therefore, citizens can draw the wrong conclusions. He said he would rather see money put into saving the Cove before spending any money on Artificial Turf.

Steve Carlone, 17 Glory Lane, submitted a letter from Louis V. Sanzaro, 41 Robeth Lane, to the Town Clerk for reading and recording. Town Clerk Sassano read aloud the letter asking the Council to continue their support of the

proposal to install Artificial Turf at Cottone Field.

John McAuliffe, 149 Boulter Road, the Town's representative to the MDC, said that he was not asked to attend tonight's meeting to represent the MDC Commission; however he would have, had this been the appropriate time to do so. He is present at this meeting to gather any and all information and report back to the MDC to see what can be done in the future. The objective is, certainly, to clean up the Cove and there is talk at the MDC to meet that objective. There are other, multi-million dollar issues that need to be addressed as well.

Mary Dobruck, 689 Folly Brook Boulevard, said that she deals with the issue of sewage in her own basement. She has been working since 1986 to resolve the problem. She said that the MDC is currently telling the Town the same thing that they told her in 1986, which is that they will work with the problem of rainwater backing up the sewer system. There is no simple solution, but Wethersfield cannot sit and do nothing simply because of the availability of money. Ms. Dobruck feels that if filing a lawsuit is what it takes to have all parties involved provide the funds necessary, then this is what needs to be done.

Rick Garrey, 35 Harding Street, spoke on behalf of the Board of Directors of Wethersfield TV. The Board of Directors is in favor of the Town Manager going forward in obtaining bids for the repair of 105 Marsh Street. Mr. Garrey has been informed that the building is safe at this time. There are temporary supports that do not create an issue of anyone being in the building.

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

COUNCIL ACTION

Councilor Flynn moved "**TO ACCEPT THE RESIGNATION OF MARK TOWNSEND FROM THE YOUTH ADVISORY BOARD**", seconded by Deputy Mayor O'Connor. All Councilors present, including the Chairperson, voted AYE. The motion passed 8-0-0.

Councilor Gardow moved "**TO ACCEPT THE FOLLOWING APPOINTMENTS:**

Senior Citizen Advisory Board

Susan M. Miller	36 Old Pepperidge Lane, D2	10-20-03 to 6-30-05
Jane Helen Ross	80 Saxon Road	10-20-03 to 6-30-05
Mary Pezzlo (alternate)	229 Cumberland Avenue	10-20-03 to 6-30-05

Wethersfield Advisory Committee for People with Disabilities

Kathleen Sullivan	90 Clearfield Road	10-20-03 to 6-30-04
Francis G. Meunier, Jr.	117 Wells Road	10-20-03 to 6-30-04
Judith Tacey	212 Middletown Avenue	10-20-03 to 6-30-05
Patricia Yagmin	27 Jay Street	10-20-03 to 6-30-05

", seconded by Councilor Hemmann. All Councilors present, including the Chairperson, voted AYE. The motion passed 8-0-0.

Deputy Mayor O'Connor moved "**TO APPROVE THE RESOLUTION CONCERNING THE WETHERSFIELD COVE AND REMEDIATION IN THE FORM OF INJUNCTIVE AND OTHER RELIEF**", seconded by Councilor Sassano.

Deputy Mayor O'Connor stated that he agrees with all who have spoken in favor of the resolution. He shared a story of what drove him to introduce such a resolution. A few months ago he rode with his nine-year-old son on their bikes to the Cove. He lectured his son not to go near the water or to pick up any rocks. His son could not understand why he could not go near the water. Deputy Mayor O'Connor had to explain to his son that the water is filthy because the MDC dumps human sewage (poop) into the water. His son asked why the MDC doesn't just dump the sewage into the river and was told that that is illegal. His son then said, "but it's O.K. to dump it into the Cove?" His son then asked him to do something about it. On the ride home, Deputy Mayor O'Connor thought of his four years on the Council and

how Wethersfield residents have asked him to do whatever he could to clean up the Cove. The Cove's pollution is the fault of the MDC; not the fault of any majority or minority political party. The Town has spent over \$360,000 to be no better off than we were at the start of this issue. No progress has been made, the MDC has not held themselves accountable and Deputy Mayor O'Connor has decided that enough is enough. It is irresponsible to spend \$360,000 and have made no progress.

Councilor Sassano stated that this is his last Council meeting after having served for ten years. He said that the Cove has been too polluted for too long. He disagrees with Deputy Mayor O'Connor that no progress has been made, as the Town has secured a \$10,000,000 bond to address the Cove problem. Councilor Sassano cringes at the publicity that the Town had to suffer during the awful incident in 1997. He is in favor of doing something decisive as soon as possible. The legal advice has been to not sue the MDC. Councilor Sassano said that there is still information to be gathered to solve the Cove problem. Because this situation is such an important one, Councilor Sassano is uncomfortable about making a decision with such implications with which a future Council will have to deal. The timing of this resolution is wrong.

Councilor Sassano would rather have this vote taken after a new Council has been installed because they will be the one's who will carry it further. He agrees with those who say that not enough has been done; however, he respectfully disagrees with those who say that nothing has been done.

Councilor Gardow said that he appreciates the public attending the meeting tonight to discuss this issue. He said that regarding the Cove, the standards of the community and the standards of the DEP are what is involved. The DEP currently classifies the Cove as CB which is the existence of Classification C with a goal of B. Classification B means that water is fishable and swimmable and this is where we'd like to be. The Cove is unlikely to progress beyond Classification C without some level of Combined Sewer Overflow control. Councilor Gardow feels that the Council has taken the right path in getting the Cove to meet these standards. Councilor Gardow does not believe that we have the funds to get to 100% cleanliness of the Cove. Councilor Gardow thinks that Wethersfield should actually be suing the DEP for them to raise the water cleanliness standards. He does not rule out suing the MDC in the future; however he cannot support doing so at this time.

Councilor Morin stated that he cannot please all of the people all of the time. The Cove has been an issue hitting the Council for the seven years that he has been a member. He has made an attempt to do what is best for the residents of Wethersfield. Councilor Morin explained that he has always supported trying to negotiate with the MDC. At this point, he has changed his mind. One of the main reasons for doing so is that he has a nine-year-old who he will not even bring down to the Cove. Suing the MDC will not change things instantaneously, but after discussing the situation with attorneys and residents, and the passion and frustration shown by the residents present this evening has swayed Councilor Morin to support this resolution.

Councilor Flynn said that he appreciates and respects the passion of the residents on both sides of the issue and who have spoken at this meeting. He does not agree that the vote be postponed until the next Council is elected as it will take them too long to get up to speed on the situation. Councilor Flynn does not believe that a lawsuit is the proper road to take at this time. It is unrealistic to think that a lawsuit will take only one, two, or even three years. It will more than likely take four to six years. The current lawsuit against the MDC by Wethersfield residents has been pending since 1999 and hasn't come to trial yet. Work will continue on the consent orders, but the remedies and programs of the consent orders are inadequate. The Judge's first question in court will be to ask the Town of Wethersfield what our proposal is for addressing CSO overflows into the Cove. The DEP's position is that the proposal put forward by the MDC is reasonable and appropriate. Councilor Flynn said that the current Council needs to come to a decision on what an appropriate course of action is beyond that proposed by the MDC for the solution of CSO's into the Cove. The Town is prepared to use litigation, but Councilor Flynn feels that there are brief steps that need to first be taken to insure the Town's chances of success.

Councilor Fitzpatrick said that he has supported the way that the Council has moved on this issue. He is compassionate to the issues faced by those living near the Cove; however he is comfortable in his opinion that going forward with a lawsuit is not the right move. He feels that the Town is moving forward on the issue. The decision should be left to the new Council as they will be the one's to deal with the implications.

Councilor Hemmann said that the meeting tonight is what Government is all about. An important part of government is that the people are allowed to voice their opinions. She does not agree that going forward with litigation at this time is good timing. There are other options to be tested before going forward with litigation.

Deputy Mayor O'Connor stated that the MDC has spouted out numbers to the Council and then admitted that the numbers were way off and a new plan had to be designed on Town dollars. There was no repercussion to this. This is not tolerated anywhere else. The MDC has no accountability and a lawsuit forces accountability. Gaining accountability is a gain for the Town. The Wethersfield Cove is not in the top ten priorities of the MDC. A lawsuit will force us into that top ten. In 2001, Deputy Mayor O'Connor voted on a complete solution and he has not changed his vote.

Chairperson Czernicki said that Councilors agree that the 1-year storm solution is not the proper solution for Wethersfield. She is disgusted with the state of the Cove and progress from 1997 until now has been incredibly slow; however the Town is heading in the right direction. Chairperson Czernicki feels that if legal action is taken against the MDC and the DEP, some may think that the discharges to the Cove will suddenly end simply because action has been taken. This, unfortunately, does not happen. The case will be heard, there will be appeals and finally, the same parties will again sit down to be part of a solution. A Judge may state that there has to be a solution, yet the parties still have to work together to accomplish it. The MDC has a responsibility for CSO's in the entire area. Raw sewage into private homes takes priorities over the Wethersfield Cove. The water in the Cove will never be drinkable as it is affected tidally. Even if the water is raised to the standard of swimmable, it will be affected by storm water runoff. Chairperson Czernicki feels that the Cove will never be a pristine body of water. Progress is slow, but there is progress and possible solutions are being presented. Chairperson Czernicki feels that the best step will be to continue in this course. Postponing the vote on this resolution until the next Council is elected makes this a political issue. Chairperson Czernicki said that the path being currently followed is leading Wethersfield in the right direction. The option to sue will always be available at a later date.

Councilor Sassano feels that, after hearing the opinions of the Council members, the motion would fail if a vote were taken. He believes that the issue should not die here and he'd like to see the next Council have a crack at it.

Councilor Sassano moved **"TO TABLE THE RESOLUTION CONCERNING THE WETHERSFIELD COVE AND REMEDIATION IN THE FORM OF INJUNCTIVE AND OTHER RELIEF UNTIL THE NEXT COUNCIL IS SWORN IN"**, seconded by Councilor Fitzpatrick.

The following roll call vote was taken on the motion to table:

Councilor Fitzpatrick	AYE	Councilor Flynn	NAY
Councilor Gardow	AYE	Councilor Hemmann	NAY
Councilor Morin	NAY	Councilor Sassano	AYE
Deputy Mayor O'Connor	NAY	Chairperson Czernicki	AYE

The motion failed 4-4-0.

The following roll call vote was taken on the original motion:

Councilor Fitzpatrick	NAY	Councilor Flynn	NAY
Councilor Gardow	NAY	Councilor Hemmann	NAY
Councilor Morin	AYE	Councilor Sassano	ABS
Deputy Mayor O'Connor	AYE	Chairperson Czernicki	NAY

The motion failed 2-5-1.

UNFINISHED BUSINESS

Resolution Authorizing the Town Manager to Enter into a Lease Agreement with Wethersfield Community Television

Chairperson Czernicki announced that the Town Manager has provided the Council with new information regarding the Olsen House with recommendations including going out to an RFP.

Town Manager Bonnie Therrien said that a final report was submitted by Cianci & Cianci on the condition of 105 Marsh Street. They report that there are some structural issues needing repair. Mr. Cianci said that he could not provide a cost estimate as the work is very labor intensive. Town Manager Bonnie Therrien recommends that the Council authorize her to bid out the work.

Councilor Fitzpatrick moved "**TO HAVE THE TOWN MANAGER BID OUT THE WORK OUTLINED IN THE CIANCI & CIANCI REPORT AND TO BRING BACK THE BID RESULTS AS SOON AS POSSIBLE**", seconded by Councilor Morin.

Councilor Flynn expressed his concern that Mr. Cianci's report contradicts the comments said by Mr. Garrey that the building is safe. Councilor Flynn would like some assurance that the occupancy of the building is allowable and safe. Town Manager Bonnie Therrien said that Brian O'Connor, Wethersfield's Chief Building Inspector, looked at the building when the Hallisey report came out a few months ago and said that the building was alright at that time. She will have Mr. O'Connor take a second look at this time.

Councilor Hemmann expressed the same concern as Councilor Flynn. The report leaves her uncomfortable with occupancy at the current time.

Councilor Gardow referred to the Scope of Work on page two of the Cianci & Cianci report and asked Town Manager Bonnie Therrien if these items would be what the bid would include. The Town Manager verified that this is correct.

Chairperson Czernicki requested that the Town Manager start the process of looking at another possible location for Wethersfield Community Television, Inc. in case they need to vacate the building for any immediate or future reasons. Town Manager Bonnie Therrien said that she will work with Mr. Garrey on this.

Councilor Sassano is concerned that Cianci & Cianci reports that the existing first floor framing is not adequate for its current use and is not adequate to support the loads required by the current building code for the present use of the building. He questions, with these statements, why anyone is currently being allowed to occupy the building. Town Manager Bonnie Therrien said that Mr. O'Connor did not find a problem with this when he last checked the building. She will get clarification on this as Councilor Flynn has requested.

Chairperson Czernicki suggested that Town Manager Bonnie Therrien contact the Town's agent from CIRMA to discuss the structural issues.

Councilor Gardow asked Mr. Garrey, through the Chairman, if he will comply with the report's statement that the work should be done as soon as possible and that no new equipment is to be placed in the building which will add weight to the floor. Mr. Garrey said that he certainly will comply. Councilor Gardow asked Mr. Garrey if he is satisfied with the report and also with the path that is being taken for Wethersfield Community Television, Inc. Mr. Garrey said that the report is exactly what he expected and that there are no surprises within it. Mr. Cianci told Mr. Garrey that although the framing is inadequate, there are supports which make it adequate temporarily and there is no immediate danger of anything collapsing.

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

Increase in Veteran's Exemption Allowance

Deputy Mayor O'Connor reported that the Budget & Finance Committee met earlier this evening and decided unanimously that the Increase in Veteran's Exemption Allowance be included for consideration in the Council's next Budget sessions.

Councilor Hemmann said that further research needs to be done including other potential options in increasing the allowance with respect to income level. The impact of the increased allowance will not be felt until the July, 2005 tax billing.

Councilor Morin asked how the allowance is currently calculated. Town Manager Bonnie Therrien said that there is a percentage set by State Statute and also there is a local option allowing for the municipality to decide how much they want to allow for the Veterans. Councilor Morin asked Deputy Mayor O'Connor if the Budget & Finance Committee is looking to have the Council do nothing on this at this time. Deputy Mayor O'Connor said that the Committee unanimously wants to do something for the Veterans as far as an increase, but the concern is what the impact of the increase will be on the Town budget depending on the growth of the grand list. There are also unknowns in the equation with respect to the upcoming revaluation.

Town Manager Bonnie Therrien said that the Budget & Finance Committee requested that this issue become part of next year's Budget presentation. At that point there will be more information about the effect of the revaluation to make an educated decision.

Councilor Morin said that this is a tough way to do business. He asked Town Manager Therrien if she is stating that if the Council agrees to a certain dollar amount, that that amount could change. Town Manager Therrien said that is so. He asked if there is a way to offer a flat amount rather than a percentage. Town Manager Bonnie Therrien said that this cannot be done; it is all connected to the revaluation.

Chairperson Czernicki said that she attended the Budget & Finance Committee meeting and that part of the concern for the members was what possible mid-year State cuts may be upcoming. They felt that they would have a better grasp of where the Town stands when the Budget sessions commence. The allowance only changes during the year of a revaluation.

Animal Control Ordinance

Town Manager Bonnie Therrien reported that the subcommittee met and proposed a new Animal Control Ordinance. Most of the amended Ordinance is based on Berlin's Animal Control Ordinance which has been very successfully implemented.

Community Center Dance Floor

Town Manager Bonnie Therrien reported that Kathy Bagley, Director of Recreation & Parks, and her staff did a lot of research on different types, warranties, appearance, and functionality of portable floors. Included in Ms. Bagley's report are the results of portables vs. permanent flooring. It is requested that the Council waive the bid and move forward with the project this evening.

Councilor Morin moved **"TO WAIVE THE BID AND AWARD THE PERMANENT DANCE FLOOR TO MODERN CARPET CO. IN THE AMOUNT OF \$10,753"**, seconded by Councilor Flynn.

Councilor Morin does not agree with the use of a portable floor which can be damaged by continual installation and take down; as well as the staff time to do this. He believes that the Community Center will be better served with a permanent dance floor.

Councilor Gardow said that that he is glad that research was done and that economically this choice seems to be the correct one. He asked if the ten-year limited warranty includes the installation of the flooring. Town Manager Bonnie Therrien checked with Ms. Bagley who informed her that the warranty covers the installation of the flooring.

Councilor Hemmann likes the fact that the flooring is waterproof and resistant to damage.

Chairperson Czernicki asked Ms. Bagley if the agreement includes the subsurface prep work. Ms. Bagley said that it does. Chairperson Czernicki asked if the ten year warranty also includes the non-expansion or non-contraction of the floor. Ms. Bagley said that it covers the floor under normal wear and tear. She was told that the problems that have

occurred with the existing floor due to humidity in the summer should not occur with this flooring. It is a laminated composite rather than a wood floor.

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

Artificial Surface - High School Football Field

Councilor Flynn moved **"TO ALLOW THE TOWN MANAGER TO PREPARE A REQUEST FOR PROPOSAL FOR ARCHITECTURAL SERVICES FOR THE PLACEMENT OF AN ARTIFICIAL SURFACE ON THE HIGH SCHOOL FOOTBALL FIELD AND TO REPORT BACK TO THE TOWN COUNCIL AS TO HER RECOMMENDATION FOR AN ARCHITECT AND THE FUNDING NEEDED TO PROCEED WITH THE PROJECT"**, seconded by Councilor Fitzpatrick.

Councilor Fitzpatrick said that Dr. Dest has done extensive studies on the field and has a lot of information and Councilor Fitzpatrick requested that he be contacted by the Town's Engineering Staff when developing the RFP.

Councilor Hemmann asked if the RFP will include pricing for the entire project including the preparation of the field, the cost of the artificial surface, and the installation. Town Manager Bonnie Therrien said that it will include these elements as well as a recommendation back from the architect that the field can handle the artificial turf. Councilor Hemmann said that she supports the RFP going forth, but nothing beyond that at this time. Town Manager Bonnie Therrien said that after the RFP is developed, she will report back to the Council to request the funds necessary to proceed.

Deputy Mayor O'Connor said that he is unclear as to why this issue is coming back to the Council. It is his understanding that once the Board of Education approved the artificial turf, the Council would vote on commencing with the project. It was stated at a previous Council meeting that the funds for the architect and the project itself will come from the Contingency Account. The architect has actually already provided an estimate of the cost of resurfacing the field. Deputy Mayor O'Connor recommends that the Council move forward rather than further debating the issue and pushing it on to the new Council. The field just continues to get worse.

Councilor Hemmann said that she would like to wait and see what the dollar amounts are.

Deputy Mayor O'Connor clarified that this motion states that the Council has not yet made a decision and that the Council wants an architect to provide the costs involved in the project. He asked the Council member if it what they are saying is that they are not comfortable with moving forward now with the project.

Councilor Flynn said that he is comfortable moving forward with the project and that it needs to be done now. He thinks that an RFP and getting a formal architectural opinion is an essential part of the process in that it makes the grant application stronger. He asked the Town Manager if she will be turning this around rather quickly and she stated that she will.

Deputy Mayor O'Connor asked the Town Manager how quickly this will be turned around and when it is expected that the Council will vote on the artificial turf installation. Town Manager Bonnie Therrien said that she may have the results of the architect by the Council's next meeting on November 17. The Council will then need to vote on the dollar amount proposed as well as a transfer of funds from the Contingency Account to cover the Architect costs which could be approximately \$40,000. Deputy Mayor O'Connor stated that the current field is pathetic and is an embarrassment to the Wethersfield community. He is appalled that the Council is continuing to debate whether to move forward with this project or not. The motion to send the project to an architect should be made with the intent that the Council supports the project throughout.

Chairperson Czernicki said that Board of Education member, Christine Fortunato, had asked at a previous meeting for information regarding the number and seriousness of the injuries at the field. Chairperson Czernicki said that because of these injuries, the Town is facing a serious liability issue and she has asked that the Town Manager have a representative from CIRMA assess the field. Town Manager Bonnie Therrien said that Dr. Proctor informed her that there were seventy-two injuries of varying degrees last year, and sixty-four through October 16 of this year. There is

no correlation between the condition of the field and the injuries sustained. The injuries could have been sustained at an off-site activity. Chairperson Czernicki asked the Town Manager what the Town's current liability is with this field being considered a safety threat. Town Manager Bonnie Therrien said that basically anyone can sue over anything. Chairperson Czernicki asked if the Town Clerk has on record the names of the Officers of the Wethersfield Sports Federation. Town Clerk Sassano said that she does not have this information and that she will check into it. Chairperson Czernicki asked if an account can be established for donations raised for the resurfacing of the field. Town Manager Bonnie Therrien said that this can be done but she would rather not do it because the administration of additional accounts can be a nuisance. She prefers to wait until substantial donations are actually coming in.

Deputy Mayor O'Connor stated that it seems foolish to open an account if the Council is not prepared to move forward with the project. He said that the money pledged by youth organizations was contingent on the installation of lights. These organizations will not be able to utilize the field without the lights.

Councilor Morin said that injuries are a part of playing sports and agrees with the Town Manager that anyone can sue over anything. He disagrees with Councilor Hemmann that this issue has just come up; this problem has been discussed for years. The field is a disgrace and is causing overuse of other fields in Town. Councilor Morin said that part of the procedure is to go for the RFP and he supports this.

All Councilors present, including the Chairperson, voted AYE. Deputy Mayor O'Connor voted NAY. The motion passed 7-1-0.

OTHER BUSINESS

Sidewalk Money for Bunce Road

Town Manager Bonnie Therrien said that there is currently \$70,000 allocated in the Sidewalk Maintenance Account and residents of Bunce Road have requested that their sidewalks be repaired. The cost will be approximately \$15,000 to do this. Town Engineer Michael Turner has made three suggestions to deal with the problem and they are as follows: 1) to defer the request until the Town gets to that area, 2) do the work now out of the current sidewalk budget, knowing that this will postpone other areas, or 3) to have the Town Council fund this as a separate appropriation. Town Manager Bonnie Therrien said that it is best to stay with the listed order of priorities.

Councilor Hemmann asked when the priority list was established and when it was last reviewed. Town Manager Bonnie Therrien said that it was established five to six years ago and is done by district so that the work is rotated. She feels that this current system should be reviewed and possibly revised.

Councilor Morin asked if the sidewalk problems on Bunce Road are in front of residences. He asked if the work fees are shared between the resident and the Town. Town Manager Bonnie Therrien said that there is a share but she is not sure what the percentages are.

Councilor Fitzpatrick moved "**TO TABLE THE BUNCE ROAD SIDEWALK REPAIRS TO ALLOW THE TOWN MANAGER TO REVIEW THE TOWN WIDE SIDEWALK SITUATION**", seconded by Councilor Gardow. All Councilors present, including the Chairperson, voted AYE. The motion passed 8-0-0.

Health Insurance for Volunteer Fire Fighter

Councilor Flynn moved "**TO ALLOW ONE WETHERSFIELD VOLUNTEER FIRE FIGHTER TO OBTAIN SINGLE HEALTH INSURANCE COVERAGE UNDER THE TOWN RATE ALONG WITH A \$20 ADMINISTRATIVE COST UNTIL SUCH TIME AS HIS/HER HEALTH INSURANCE IS NO LONGER NEEDED**", seconded by Councilor Morin.

Councilor Fitzpatrick recommended this proposal be sent to the Insurance Committee for review. The Town's insurance rates could sky-rocket if we get into the area of adverse selection. The Insurance Committee needs to provide guidelines with respect to enrollment and such.

Councilor Morin asked the Town Manager for her opinion of this motion and if she has seen this procedure done in other communities. She said that this is a brand new piece of legislation and she has not researched what other Town's are doing. She said that health plans normally do not allow the enrollment of outside parties and this is why the State Bill was passed.

Councilor Flynn said that he does not think that it is necessary for the Insurance Committee to review this item. He'd like to see the health insurance plan opened to Wethersfield Emergency Service Volunteers in the same terms and conditions of those offered to Town employees. This would provide an enrollment period for them.

Councilor Gardow said that he would like the experts on the Insurance Committee to review this item and provide their opinions.

Councilor Fitzpatrick supports the proposal, but believes that there needs to be specified restrictions and guidelines. He'd like to refer it to the Insurance Committee and then make a proposal with all of the guidelines included.

Deputy Mayor O'Connor understands the concerns and he'd like to move forward with the proposal with a contingency that certain guidelines will need to be met. He doesn't want to see this buried in committee discussions leaving the Fire Fighter without insurance for possibly months.

Councilor Fitzpatrick said that we want to provide adequate health coverage but prevent participants from going on and coming off the plan as needed. He suggested that the Town could offer different options to participants.

Councilor Flynn withdrew his initial motion. He moved **"TO ALLOW, AT THE DIRECTION OF THE TOWN MANAGER ALONG WITH APPROPRIATE PROFESSIONALS AND COMMISSIONS THE DEVELOPMENT OF APPROPRIATE PRACTICES AND PROCEDURES CONSISTENT WITH STANDARD PERSONNEL PROCEDURES FOR IMPLEMENTING THE POLICY OF THE STATE STATUTE, ONE WETHERSFIELD VOLUNTEER FIRE FIGHTER TO OBTAIN SINGLE HEALTH INSURANCE COVERAGE UNDER THE TOWN RATE ALONG WITH A \$20 ADMINISTRATIVE COST UNTIL SUCH TIME AS HIS HEALTH INSURANCE IS NO LONGER NEEDED"**, seconded by Councilor Fitzpatrick. All Councilors present, including the Chairperson, voted AYE. The motion passed 8-0-0.

Cancellation of November 3, 2003 Council Meeting

Councilor Fitzpatrick moved **"TO CANCEL THE MEETING OF NOVEMBER 3, 2003"**, seconded by Councilor Flynn.

Deputy Mayor O'Connor asked how soon the Town Manager expects to have the RFP for the Artificial Turf at the High School Football Field. She said that the legal notice has to be printed for ten days and then go out for the architectural work. She said that it will not be completed by the November 3 meeting. Deputy Mayor O'Connor feels that Dr. Dest will make himself available at anytime in order to move the project along. He'd like to see the Council move forward on this as soon as possible.

Councilor Hemmann reported that she will be out of Town for the November 3 meeting.

Chairperson Czernicki said that a Special Meeting can be called should Dr. Dest avail himself to come forward with information.

All Councilors present, including the Chairperson, voted AYE. Deputy Mayor O'Connor voted NAY. The motion passed 7-1-0.

Councilor Gardow left the meeting at this time (10:00).

BIDS

Councilor Hemmann moved **"TO AWARD THE BID FOR WASHED AND SCREENED SAND TO MACLAIN**

TRUCKING IN THE AMOUNT OF \$10.50/TON; \$8.00 PER PICKUP AND D.W. TRANSPORT & LEASING IN THE AMOUNT OF \$14.00/TON; \$8.00 PER PICKUP WITH THE INTENT OF USING THE LOWEST BIDDER FIRST WHEN OBTAINING THE SAND", seconded by Councilor Morin. All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilor Flynn moved **"TO AWARD THE BID FOR ROCK SALT TO AMERICAN ROCK SALT IN THE AMOUNT OF \$36.45; INTERNATIONAL SALT COMPANY IN THE AMOUNT OF \$36.97; MORTON NSALT IN THE AMOUNT OF \$37.67; AND EASTERN SALT COMPANY IN THE AMOUNT OF \$40.00, WITH THE INTENT OF USING THE LOWEST BIDDER FIRST WHEN OBTAINING THE SAND"**, seconded by Councilor Flynn. All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

ORDINANCE AMENDING CHAPTER 70, DOGS AND OTHER ANIMALS, PUBLIC 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 70 is hereby amended as set forth below.

§70-1. Purpose and intent of chapter.

The purposes of this chapter are to promote the public health, safety, and general welfare of the citizens of the town by addressing the public nuisance caused by vicious and dangerous animals and to ensure that all animals receive adequate care. This chapter is intended to supplement and not supplant the provisions contained in Connecticut General Statutes. §22-339 et seq. regarding domestic animals. The animal control officer shall have the discretion as to whether to proceed pursuant to state or local law.

§. 70-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult means any individual 18 years of age or older.

Animal means any nonhuman animate being which is endowed with the power of voluntary motion, including fish and fowl.

Animal control officer means an employee or agent of the town to enforce the licensing, inspection and enforcement requirements contained within this chapter and state statutes.

Animal nuisance means any nuisance arising out of the keeping, maintaining or owning of, or failure to exercise sufficient control of, an animal.

Animal shelter means any facility operated by the town and shall also include any facility authorized by the animal control officer or his designee to impound, confine, detain, care for or destroy any animal.

At large means that an animal is off the premises of the owner and not on a leash or otherwise under the immediate control of a person capable of restraining the animal.

Disposition means adoption, sale, quarantine, voluntary or involuntary placement or euthanasia humanely administered to the animal.

Farm means a tract of land containing two acres or more, used in part or wholly for agricultural purposes

for profit, which may include the raising and keeping of domestic or other animals.

Guard or attack dog means a dog trained to attack or apprehend on command to protect persons or property.

Impoundment means the taking into custody of an animal by an animal control officer, or any authorized representative thereof.

Muzzle means a device constructed of strong, soft material designed to fasten over the mouth of an animal to prevent it from biting any person or other animal.

Owner or keeper means any person having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or keeping or having property rights to, any animal covered by this chapter.

Public nuisance means any animal that endangers the life or health of persons or other animals, or substantially interferes with the rights of citizens, other than their owners, to enjoyment of life or property. The term "public nuisance" shall include, but not be limited to, any animal that:

1. Is repeatedly found running at large;
2. Is in any section of any park or open space land where animals are not permitted, or where permitted, is not on a leash or otherwise under the control of its owner or keeper;
3. Damages or defiles any property other than that of the owner, unless the owner or keeper immediately picks up after the animal;
4. Barks, whines, howls or makes any noise natural to its species in an excessive or continuous fashion so as to disturb the peace, except where such activity occurs on a farm;
5. Is in heat and is not confined or under the owner's or keeper's control so as to prevent attraction or contact with other animals;
6. Whether or not on the property of its owner, that without provocation molests, attacks, or otherwise unreasonably interferes with the freedom of movement of persons in a public right-of-way or on private property other than that of the animal's owner;
7. Chases motor vehicles in a public right-of-way;
8. Is offensive or dangerous to the public health, safety or welfare by virtue of the number of animals maintained at a single residence and the inadequacy of the facilities and care; or
9. Attacks another animal off the property of the owner or keeper of the attacking animal.

Under restraint means that an animal is secured by a leash or is otherwise under the control of an individual who is mentally and physically capable of restraining the animal and obedient to that person's commands, or securely enclosed (e.g., appropriate fence) within the real property limits of the owner's premises.

Vicious or dangerous animal means an animal that has attacked, bitten, or physically injured human beings without adequate provocation. Any animal that without provocation has bitten or attacked a human being or has behaved so as to impose a threat of imminent bodily harm to a person conducting himself peacefully and lawfully shall be prima facie presumed vicious or dangerous. No animal may be declared vicious if an injury or damage is sustained by a person who, at the time such injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the animal or was teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime. No animal may be declared vicious if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

§. 70-3. Nuisance.

It shall be unlawful for any person to keep any animal on any property located within the town when the

keeping of such animal constitutes a public nuisance or menace to public health or safety.

§. 70-4. Adequacy of facilities and care.

Every owner shall provide his animals with sufficient good and wholesome food and water, proper shelter and protection from the weather; veterinary care when needed to prevent suffering; humane care and treatment; and maintain them in a secure enclosure.

§ 70-5. Administrative sanctions and remedies.

As part of any order issued in writing and by certified mail, pursuant to this chapter, the animal control officer shall have the authority to order the following administrative sanctions and remedies if there is no compliance after seven days from the date of issue:

1. Obedience training for the animal in question;
2. Muzzling of a dog or animal while off the property of the owner;
3. Confinement of an animal indoors, unless the animal is under the direct control of a responsible adult;
4. Confinement of an animal in a secure enclosure;
5. Reduction of the number of animals kept at any one location;
6. Removal of an animal from the custody of the animal's owner or keeper in cases of neglect or cruelty;
7. The sterilization of an animal;
8. A ban on maintaining other animals in the town;
9. The euthanizing of an animal; and
10. Any other measure or sanction designed to eliminate a violation, prevent future violations, or protect the health and safety of the public.

§. 70-6. Enforcement of chapter provisions.

The animal control officer or his designees shall be the enforcement officials for this chapter. These officials, along with police officers, shall have the authority to act on behalf of the town in investigating complaints, impounding and destroying animals, issuing citations, and taking other lawful actions as required to enforce the provisions of this chapter. The animal control officer shall fully investigate all complaints made pursuant to this chapter and shall take all statements under oath. The owner or keeper of such animal shall be given an opportunity to make a statement under oath. It shall be a violation of this chapter to interfere with any animal control officer or other enforcement official in the performance of his duties.

§. 70-7. Penalties for violation of chapter.

- a. It shall be a violation of this chapter to:
 1. Fail to comply with any provision of this chapter;
 2. Fail to pay any fines, civil penalties or costs imposed by the animal control officer within 15 days of the imposition of such fines or costs, unless payment thereof is lawfully stayed; or
 3. Make any false statements, under oath, with respect to this chapter.
- b. Any person who fails to comply with a written citation issued by the animal control officer or his designee within seven days shall be deemed guilty of a municipal infraction and shall be subject to a fine of \$100.00. If a violation continues after such written notice, each day's violation shall be deemed to be a separate offense.

§. 70-8. Appeals procedure.

Any provision of this chapter may be appealed to the town manager within 30 days of the issuance of the citation. The citation holder can appeal the decision of the town manager to the superior court.

§. 70-9 - 70-40. Reserved.

ARTICLE II. DOGS

DIVISION 1. GENERALLY

§. 70-41. Restraint generally.

- a. It shall be unlawful for the owner or keeper of any dog to fail to keep his dog under restraint or to permit his dog to run at large upon the streets and public ways of the town or upon property other than that of such owner or keeper.
- b. No owner, keeper or custodian of any animal shall fail to exercise proper care and control of such animal to prevent the animal from becoming a public nuisance.

§. 70-42. Restraint of guard or attack dogs.

- a. Every owner of a guard or attack dog shall keep such dog confined in a building, compartment or other enclosure. Any such enclosure shall be completely surrounded by a secured fence or enclosure that is appropriate to confine such dogs and shall be approved by the animal control officer.
- b. The areas of confinement shall have gates and entrances thereto securely closed and locked, and all fences shall be properly maintained and escape-proof.
- c. When outside the enclosure on the owner's or keeper's property, all guard or attack dogs shall be under the direct and immediate control of a responsible adult who can fully control the dog at all times.
- d. When off the property of the owner or keeper, all guard or attack dogs shall be under restraint of a responsible adult at all times.
- e. The provisions of this section shall not apply to dogs owned or controlled by government law enforcement agencies while in the course of their official duties.

§. 70-43. Feces removal.

- a. Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Dog means any member of the canine species, male or female.

Keep means possessing, controlling, exercising or allowing a dog to run at large.

Owner means any person possessing, keeping, harboring or having custody of a dog.

- b. Required; provision of disposal containers. It shall be unlawful for any person owning, keeping, walking or in control of any dog to allow or permit such animal to defecate upon any private property owned by another person, condominium common elements, street, sidewalk, gutter or other public area unless such person shall remove all feces so deposited by such dog before leaving the immediate premises; provided, however, that the town may provide excrement disposal containers in all public parks into which a person may deposit any feces instead of removing such feces from the park premises.
- c. Exception. The provisions of this section shall not apply to any visually impaired person walking in

control of a guide dog or by any person who is physically unable to remove such feces.

- d. Enforcement of section provisions. For the purposes of enforcing the provisions of this section, tickets may be issued by any persons authorized to issue tickets for parking violations, the canine control officer of the town or his agent.
- e. Appeal. Any person issued a ticket for violating any of the provisions of this section may appeal the \$25.00 fine to the town manager and, if necessary, to the superior court. The town manager may, following a hearing on any such appeal, upon a showing of good cause, sustain the appeal and dismiss the ticketed violation.

§. 70-44 - 70-70. Reserved.

DIVISION 2. VICIOUS OR DANGEROUS DOGS

§. 70-71. Restraint.

Every animal established to be vicious or dangerous shall be confined by its owner or authorized agent of its owner within a building or secure enclosure as set forth in section 70-42 and, whenever outside the building or secure enclosure, shall be securely muzzled and restrained by a responsible adult with a chain having a minimum tensile strength of 300 pounds and not more than six feet in length, or caged. Every person harboring an animal established to be vicious or dangerous is charged with an affirmative duty to confine the animal in such a way as defined in section 70-42.

§. 70-72. Registration and insurance requirements.

Every owner of an animal which has been established to be vicious or dangerous shall be subject to the following requirements:

1. The owner shall provide the town with written proof that the owner has procured liability insurance in an aggregate amount of not less than \$100,000.00 for damage or injury to persons or property. Policy cancellation shall constitute a violation of this section and subject the owner to the penalties provided in this chapter, unless the owner provides the town with written proof that the vicious or dangerous animal has been sold, given away, died, or otherwise disposed of.
2. The owner or keeper shall display a sign on the premises warning that there is a vicious or dangerous animal or guard or attack dog on the premises. Such sign shall be visible to anyone entering the main entrance to the premises where the animal is domiciled or kept. The sign shall include both an approved vicious animal logo and lettering so as to warn both children and adults.

§. 70-73 - 70-100. Reserved.

RESOLUTION CONCERNING THE CREATION OF AN ADVISORY COMMITTEE ON INFORMATION AND TECHNOLOGY

WHEREAS, the Town, the Board of Education and the Library are all attempting to modernize and improve their information technology systems; and

WHEREAS, there will be financial and operational benefits to each of these participants if their efforts are coordinated; and

WHEREAS, there are Town employees and residents with substantial real-world experience in the field of information technology; and

WHEREAS, it is in the best interests of the Town to avail itself of this expertise and experience by forming an advisory committee to allow and encourage suggestions and direction from such individuals.

BE IT RESOLVED, that the Town Council does hereby form an Advisory Committee for Information and Technology. Such committee shall consist of seven members appointed by the Town Council for a term of two years and the members shall have background, education and/or experience in the fields of information technology, engineering or computer education, or such other background as may further the purposes of the Committee.

BE IT FURTHER RESOLVED, that the Committee shall: (1) advise the Town Council, the Town Manager, the Board of Education, and the Library Board of Directors with respect to issues pertaining to computers, networking, connections, telephone systems, and associated infrastructure and software; (2) establish and maintain a long-term integrated technology plan for the Town, the Board of Education and the Library; (3) recommend changes to operations in order to coordinate and share such integrated technology and infrastructure; (4) oversee the establishment and maintenance of a complete inventory of such infrastructure hardware and software; and (5) seek to avoid unnecessary duplication of costs and infrastructure within its constituent groups.

BE IT FURTHER RESOLVED, that the Town Council, in consultation with the Board of Education and the Library Board of Directors, shall re-examine the scope of the duties and responsibilities of the Committee no less often than every two years in order to ensure that its mission and structure permit it to provide the most current and effective advice to the Town.

Councilor Gardow returned to the meeting at this time (10:15).

MINUTES

The minutes of the September 29, 2003 Special Meeting were unavailable for this meeting and will appear on the next Council agenda.

Councilor Morin moved "**TO ACCEPT THE MINUTES OF THE SPECIAL MEETING OF SEPTEMBER 30, 2003**", seconded by Councilor Flynn. All Councilors present, including the Chairperson, voted AYE. Deputy Mayor O'Connor ABSTAINED. The motion passed 7-0-1.

Councilor Morin moved "**TO ACCEPT THE MINUTES OF THE REGULAR MEETING OF OCTOBER 6, 2003**", seconded by Councilor Flynn. All Councilors present, including the Chairperson, voted AYE. Councilor Sassano ABSTAINED. The motion passed 7-0-1.

GENERAL COMMENTS

REPORTS

Chairperson Czernicki suggested that the Leaf Compost Site Proposal be referred to the Refuse Committee for their review and report back to Council.

Town Manager Bonnie Therrien reported that she spoke with Mr. Paine and the Automated Refuse Collection is not expected to commence until February 1, 2004.

The Town Manager reported that there will probably be a meeting with Representative Paul Doyle and representatives of the State DOT concerning the proposed blasting on Nott Street. Chairperson Czernicki asked the Town Manager to contact Council members when she is informed of the meeting date so that Councilors have the opportunity to sit in on the meeting.

Chairperson Czernicki reported that she has received phone calls from residents who cannot read the message on the Government Channel regarding the new trash pickup. She asked if this could possibly be adjusted. Being that tonight is Councilor Sassano's last meeting, Chairperson Czernicki thanked him for all the time he has contributed and committed to the Town.

PUBLIC

Jim Clynch, 903 Ridge Road, commented that last Sunday there was no flag hanging by the First Church in Old Wethersfield. He thinks that this is a shame and he'd like to see the Town purchase an all-weather flag. Mr. Clynch thinks that the action taken tonight regarding the Veterans Exemption Allowance is unacceptable. Mr. Clynch said that a friend of his, Ethan Brooks, who plays in the NFL, took a pay cut to leave Arizona and go to Baltimore so as to play less time on artificial surface. Deputy Mayor O'Connor commented that Arizona plays on astro turf (which is no longer made because of the number of injuries), not artificial grass and there is a definite difference between the two. NFL teams spend hundreds of thousands of dollars per year maintaining fields with artificial grasses.

George A. Ruhe, 956 Cloverdale Circle, said good-bye to Councilors who will not be returning to the next meeting after the election. All Councilors have put much effort into their commitment. He is very concerned about the turf at the High School Football Field. He thinks that the issue is charging ahead at a rate that does not reflect good judgment. He urged the Council to keep their priorities straight and be concerned about the answers to these questions: what Mr. Dest's interest is in pushing the installation of the artificial turf and if Councilors read Mr. Dest's five-year old report.

Walter Swindell, 46 Oldham Road, expressed his opinion that any money spent to improve the High School Football Field is a waste of money. He thinks that it is time to fix up the Charles Wright Field to be used instead. Mr. Swindell thinks that the Health Department needs to cite the MDC under health, welfare, and safety to cease their work. The system works and the Council needs to make use of what they have at hand.

Rocco Orsini, 95 Broad Street, commented on the sidewalk repair system. He said that usually it is tree roots that crack the sidewalks. If the trees are in the snowbelt, the Town will take the responsibility to fix the sidewalk. If there are no trees in the snowbelt, it is generally up to the property owner to pay for the sidewalk repair.

Mr. Orsini, on behalf of the Wethersfield Taxpayers Association, Inc., wished a fond farewell to Councilor Sassano, thought to be a very capable, classy Councilor with a good vision for the Town; Councilor Flynn, a very capable attorney and Councilor who brought a lot of good legal ideas to the table; Deputy Mayor O'Connor, who brought a 21st Century vision to the Council emphasizing technology; and Councilor Fitzpatrick, who would not vote for anything unless he felt "comfortable" with it and was always approachable and pragmatic.

ADJOURNMENT

At 11:35 p.m., Councilor Flynn moved "**TO ENTER INTO EXECUTIVE SESSION TO DISCUSS UNION NEGOTIATIONS, REAL ESTATE NEGOTIATIONS, AND PENDING LITIGATION - MDC/WETHERSFIELD**" seconded by Councilor Flynn. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

At 11:55 p.m., Councilor Flynn moved "**TO ENTER BACK INTO THE REGULAR MEETING**" seconded by Councilor Gardow. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

At 11:56 p.m., Councilor Flynn moved "**TO ADJOURN THE MEETING**" seconded by Councilor Gardow. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk