

REGULAR MEETING

JULY 15, 2002

The Wethersfield Town Council held a meeting on Monday, July 15, 2002 at 7:00 p.m. in the Council Chambers of the Town Hall.

Present: Councilors Cascio, Fitzpatrick, Flynn, Gardow, Hemmann, Morin, Deputy Mayor O'Connor, and Chairperson Czernicki.

Absent Councilor Sassano.

Also present Lee C. Erdmann, Town Manager, and Dolores G. Sassano, Town Clerk.

All stood for the pledge of allegiance to the flag which was led by Councilor Gardow.

Chairperson Czernicki announced an Executive Session at the end of the meeting to discuss the Town Manager's position and a lease agreement.

Councilor Cascio moved **"TO TAKE ITEM C.2.K. ECONOMIC DEVELOPMENT ORGANIZATION AND STAFFING FROM THE TABLE,"** seconded by Councilor Gardow.

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

Councilor Gardow moved **"TO TAKE ITEM C.2.L. SPECIAL MEETING MINUTES OF JUNE 18, 2002 FROM THE TABLE,"** seconded by Councilor Hemmann.

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

PUBLIC COMMENTS

HEARING

RESOLUTION CONCERNING THE SALE OF TOWN-OWNED REAL PROPERTY AT 1912 BERLIN TURNPIKE

No one wished to speak and the Chairperson declared the Hearing Closed.

GENERAL COMMENTS

John Miller, 375 Pine Lane, felt questions asked by the public at Council Meetings were never answered either at the meeting or in the minutes. He also said:

- At the last Council meeting he asked if the American Heritage Festival were a town-sponsored event and was informed it was. He asked if the town approved the budget. He mentioned a budget summary sheet from the June 1st event was included in the Council packet dated February 2, 2002. He asked if the job for \$18,000 for an Event Manager was advertised and who had gotten it. Chairperson Czernicki said the Event Manager was John Avignone. Town Manager Erdmann said the position was advertised by the committee and approved by the

Town Council. Mr. Miller pointed out \$45,000 was allocated for marketing and public relations for this event. Town Manager Erdmann said the Council approved what was needed to be approved in terms of the awards of certain contracts. The Council did not see much of this information unless they were indirectly involved with the committee. He asked if the status was as of last February or as of now. Recreation & Parks Director Bagley that it was the original budget requested. Chairperson Czernicki said that at the last Council meeting Councilor Fitzpatrick had requested a copy of the original budget be placed in their packet. The committee would be meeting again on July 24th.

- He suggested capital improvement projects include a starting date. He mentioned the town had spent \$40,000 on open space.
- He mentioned the town spending a lot of money on detention basins. Detention basin 1 he thought was already determined as to its location. Detention basin 2 had not been determined as to where to put it and Detention basins 3 & 4 he was unclear if anything had been done on them. He was disturbed that nothing was done with Murphy Pond Dam. He asked if there was any money to do this project.
- He asked the status of the Middletown Culvert. He said it was a State project and asked why town money was being spent on this project. He was frustrated with the reports provided and wanted to see a drainage summary report, which included what was spent and timeframes for each project.

Jim Clynch, 903 Ridge Road, spoke as Chairman of the homeless veterans and mentioned low-income veterans may be eligible for a tax relief from their towns. According to a new law which was just passed, the towns can cut up to \$10,000 from a veteran's property assessment, but they will have to pay for the reduction of municipal budget funds. The cost would be about \$160.00 per veteran on a \$200,000 house with a 22-25 mill rate.

Edward Kardas, 850 Cloverdale Circle, read a prepared statement handed out to Council concerning the use of the Webb Building and the Francis Stillman building and locating space for the Board of Education administrative offices.

Joe Derr, Chairperson of the Capital Improvement Advisory Committee, 7 Whippoorwill Way, was pleased to receive a Public Service Award from the Secretary of the State for his volunteerism. He said the town would be receiving \$400,000 from the State and requested this money be returned to the CIAC budget because it was needed for the infrastructure of the town.

George Ruhe, 956 Cloverdale Circle, spoke on the following:

- He reminded the Town Council members to focus on the issues.
- He was disappointed to hear that the Town Council had voted to sell the property in Rocky Hill. He felt other solutions should have been investigated prior to selling these lots. He suggested the council reconsider this decision.

John Rossi, 121 Ox Yoke Drive, felt the money being proposed for Mill Woods Park should be used to renovate the schools. He supported doing the Mill Woods Park on a pay as you go basis and not borrowing. He also mentioned the exemptions given to the veterans had not kept up with inflation. He asked if the Town supported or provided vouchers for children attending private schools. He said he served as a Commissioner on the Metropolitan District Commission for 39-years and received a rocking chair when he retired and was pleased to serve on behalf of the Town of Wethersfield. He asked the Town Council to watch the taxpayer's dollars.

Raul Rodriguez, 175 Beverly Road, spoke in support of the American Heritage Festival. He also felt it was a compliment that Hartford was considering hiring Lee Erdmann as its City Manager. He hoped to keep Town Manager Erdmann in Wethersfield.

Arthur Nacht, 374 Main Street, spoke on the following:

- He requested the Town Council to ask the MDC and DEP why the remaining 7% of pollution can't be channeled to the Connecticut River through a pipe. He said the answer is because it can't pollute the Connecticut River. He

- felt the Town Council should ask why it was acceptable to pollute the Wethersfield Cove.
- He understood the roof leader disconnection program was voluntary and would be paid for by the MDC. He did not feel homeowners would be receptive to this program due to the extensiveness of the work involved. He urged the Council to instruct MDC to give 0% credit to this program when doing the modeling tests.
 - He expressed disappointment that the new Planning & Zoning Regulations did not include design review. He felt the Silas Deane Highway and Berlin Turnpike needed design review.
 - He felt the town needed to focus on blight in both the commercial and residential areas of town.
 - He was pleased to see economic development was on the agenda and felt it should be discussed at every council meeting.
 - He was displeased with cuts in the budget for road repair and maintenance.

Town Manager Erdmann said the town had budgeted \$850,000 for road maintenance and repair. This amount was being reduced by \$69,000.

Rocco Orsini, 95 Broad Street, spoke on behalf of the Wethersfield Taxpayers' Association Inc. on the following:

- He suggested when items are removed from the table they be presented at the next Council meeting so that the public can review reports and materials before commenting on them.
- He mentioned the Board of Education had presented a figure of \$9 million in order to open the Webb Building as a fifth elementary school. He was not pleased with this estimate and mentioned that in 1993 the voters approved opening Webb as an elementary school for \$1.2 million. To date two-thirds of that money had already been spent.
- He was disappointed with not receiving a report from R2D concerning what it would cost to open Webb as an elementary school. Town Manager Erdmann confirmed receiving Phase I of the R2D report the week of July 24th.
- He supported an RFP for architectural services for the Webb.
- He asked if the Honda Civic was budgeted as a line item in the CNEF account. Town Manager Erdmann said no. He did not support purchasing this car for the Town Manager.
- He asked if the State had given the town \$400,000 or \$300,000. Town Manager Erdmann said it was \$300,000. Mr. Orsini supported finding cost efficiency in the town in order to keep the taxes low and save money.
- He wished to see something more definitive on how the town intends to beautify Wethersfield.

Robert Young, 20 Coppermill Road, agreed with Mr. Nacht's comments with regard to the need for a design review for the Silas Deane Highway and Berlin Turnpike. He also mentioned the need for the Silas Deane Middle School to be renovated on the Silas Deane side. He was disappointed that the town had not received a report from R2D. He also supported putting the architectural services out to bid. He supported combining services between the Board of Education and the Town of Wethersfield.

Robert Garrey, 66 Park Avenue, supported putting money into the paving budget. He mentioned some streets had curbing on one side of the street or only half the street and suggested ripping it out. He supported investing in the senior citizens and the need to see better facilities and furniture at the Senior Center. He mentioned the need for the town to maintain town property instead of the Beautification Committee. He mentioned the town could not maintain the property it now owns. He also mentioned the declining stock market and the need to keep an eye on the town's budgets.

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

COUNCIL ACTION

Councilor Flynn moved **“TO APPROVE THE RESOLUTION CONCERNING THE SALE OF TOWN-OWNED REAL PROPERTY LOCATED AT 1912 BERLIN TURNPIKE”**, seconded by Councilor Fitzpatrick.

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

Deputy Mayor O'Connor moved **“TO APPOINT THE FOLLOWING INDIVIDUALS TO BOARDS & COMMISSION**

COMMISSION ON CULTURE AND THE ARTS

Jeanne S. Freeman R 59 Church Street 7-15-02 to 6-30-05
Sandra C. Mulcahy R 454 Coppermill Road 7-15-02 to 6-30-05
Ruth A. Schumaker R 15 Raynor Lane 7-15-02 to 6-30-05

WETHERSFIELD ADVISORY COMMITTEE FOR PEOPLE WITH DISABILITIES

John F. Cosker, Jr. D 123 Church Street 7-15-02 to 6-30-03
Diane M. Cosker U 123 Church Street 7-15-02 to 6-30-03
Donna J. Schwartz R 77 Chamberlain Road 7-15-02 to 6-30-04

FAIR RENT COMMISSION

Helen C. Bucior R 189 Ox Yoke Drive 7-15-02 to 6-30-04
Jeanette E. Soroko D 37B Fairway Drive 7-15-02 to 6-30-04

FLOOD & EROSION CONTROL BOARD

As an alternate:
Robert A. Garrey U 66 Park Avenue 7-15-02 to 6-30-03

HUMAN RIGHTS AND RELATIONS COMMISSION

Mark S. Townsend R 38 McMullen Avenue 7-15-02 to 6-30-05

SHADE TREE COMMISSION

Lisa H. Leonard R 71 Center Street 7-15-02 to 6-30-05
Richard Prentice R 204 Maple Street 7-15-02 to 6-30-05

YOUTH ADVISORY BOARD

Thomas J. Curtin R 51 Somerset Street 7-15-02 to 6-30-05
Christina K. Stamos R 504 Main Street 7-15-02 to 6-30-05
Mark S. Townsend R 38 McMullen Avenue 7-15-02 to 6-30-05
David Costabile (under 21) - 837 Ridge Road 7-15-02 to 6-30-05
Laura Kirsche (under 21) - 11 Golf Road 7-15-02 to 6-30-05”

seconded by Councilor Gardow.

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

Deputy Mayor O'Connor moved **“TO APPROVE THE APPOINTMENT OF DAVID E. HEROLD TO THE ENVIRONMENTAL CODE OF APPEALS BOARD FOR A TERM 7-15-02 TO 6-30-03 AND GEORGE W. COTE FOR A TERM 7-15-02 TO 6-30-05”**, seconded by Councilor Gardow.

All Councilors present, including the Chairperson voted AYE, Councilor Hemmann voted to ABSTAIN. The motion passed 7-0-1.

Deputy Mayor O'Connor moved **“TO APPROVE THE APPOINTMENT OF ESTELLE B. KNUREK AND GRACE N. PIENCHIKOWSKI TO THE SENIOR CITIZENS ADVISORY COMMITTEE FOR A TERM OF**

7-15-02 to 6-30-04”, seconded by Councilor Gardow.

All Councilors present voted AYE, Chairperson Czernicki voted to ABSTAIN. The motion passed 7-0-1.

Councilor Cascio moved **“TO APPOINT DENNIS E. O’CONNOR AND PAUL E. COURCHAIINE TO THE INSURANCE COMMITTEE FOR A TERM 7-15-02 to 6-30-07”**, seconded by Councilor Gardow.

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

UNFINISHED BUSINESS

Economic Development Organization and Staffing

Councilor Fitzpatrick, Chairperson of the Personnel Committee said:

- During the budget workshop the Town Council decided to restructure the economic development function. Part of the restructuring called for outsourcing some functions such as grant writing for Small Cities Grants, working with the Historic District Commission, etc.
- Job descriptions for a Historic District Coordinator under the Town Planner and Grant Administrator also under the Town Planner were provided to the council. Both positions would be on a part-time basis.
- The Town Planner’s position would be developed to include more economic development functions. The Personnel Committee met earlier this evening and only requested that these be discussed and voted at the next meeting.

Chairperson Czernicki confirmed the job descriptions stood as written this evening and subject to a six-month review.

Councilor Fitzpatrick said the Town Planner position was part of an overall re-evaluation of the position. This new position would not be finalized for at least six months. He said the committee wished to introduce these for consideration at the next meeting.

SPECIAL MEETING MINUTES OF JUNE 18, 2002

Councilor Gardow had requested that the minutes be reviewed to find out if a statement was a misquote or an actual quote.

Town Clerk Sassano confirmed the speaker did say what appeared in the minutes. She further stated that the diagrams presented at the meeting contradicted his comments.

Chairperson Czernicki requested the minutes reflect an error in what was actually said.

Councilor Cascio moved **“TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF JUNE 18, 2002 AS AMENDED”** seconded by Councilor Gardow.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-1
Councilor Fitzpatrick abstained.

OTHER BUSINESS

Proposal for Use of Wethersfield Cove Preservation Fund

Councilor Flynn moved **“TO AUTHORIZE SPENDING \$15,000 FROM THE WETHERSFIELD COVE PRESERVATION FUND TO CLEAN UP COVE PARK AND MAINTAIN COVE PARK AS OUTLINED IN A MEMO FROM RECREATION & PARKS DIRECTOR KATHY BAGLEY”**, seconded by Councilor Morin.

Deputy Mayor O'Connor supported cleaning up the Cove and its bank but was displeased to see the type of work being done by seasonal workers. He did not support taking money from a trust fund when the town has already hired seasonal workers to do this type of work. He also mentioned the need to clean up Beaver Brook and that this plan did not include 15-feet of town-property. He requested Town Manager Erdmann to speak with Physical Services and have them restructure the method in which we utilize our seasonal help.

Deputy Mayor O'Connor moved **“TO TABLE THIS REQUEST UNTIL PHYSICAL SERVICES CAN SEE IF THIS WORK CAN BE DONE USING SEASONAL WORKERS,”** seconded by Councilor Cascio.

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

Chairperson Czernicki asked Town Manager Erdmann to ask Physical Services Director Hart if seasonal help can perform this work and avoid overtime by Physical Services staff while still under supervision by full-time town employees. She emphasized the need for this report prior to the seasonal workers leaving for the summer.

Webb School

Chairperson Czernicki referred to the following:

- Recommendation from the Chairperson of the Board of Education Penny Stanziale.
- Rough detail provided by Dr. Robert Goldman, Interim Superintendent of Schools.
- Plan that outlines moving the Board of Education administrative offices to the Town Hall.
- Plan for moving the Board of Education maintenance to the Physical Services Department on Marsh Street.

Chairperson Czernicki commended the Board of Education for taking the steps needed in order to open Webb as a K-6 school. A determination from Council was needed so they could move forward.

Town Manager Erdmann said Council could:

1. Authorize staff to solicit proposals for architectural services for one or more of the plans before Council; or
2. Accept a proposal from Friar Associates that will be submitted at the Council meeting.

He mentioned the proposals were from firms that had done business with Wethersfield in this particular area. He was unsure there would be sufficient time to go through the process of doing an RFP and then bringing it back to Council and then getting it on the ballot in November. He stated that this matter would have to be referred to Planning and Zoning under General Statute 8-24.

Councilor Hemmann asked if this were referred to Planning & Zoning they would have to provide more information. Town Manager Erdmann confirmed this. Councilor Hemmann felt it would probably be a waste of time referring the information they had in their possession. She also referred to the timeline and confirmed that whatever action the Council takes or does not take would have to be done by today, July 15th in order to get it to the Bond Counsel. Town Manager Erdmann confirmed today was targeted beyond which it would be difficult to move forward for November. He did not feel it was essential to get the Bond Counsel involved at this point since the Town was using the same Bond Counsel and would recommend using them. The Town Clerk provided a timeline if Council was considering going forward.

Town Clerk Sassano said the deadline for putting the questions on the ballot was September 5th. The question had to be ready for submittal to the Secretary of State to be included in the State election in November. The timelines

provided to Council include regularly scheduled meetings, and if necessary, special meetings could be factored in. Planning & Zoning had a meeting tomorrow and one on August 20th, but could schedule a special meeting if necessary.

Councilor Hemmann confirmed the figures were estimates. Town Manager Erdmann said they were rough estimates and did not recommend going to referendum using these figures.

Councilor Cascio mentioned serving on the Board of Education for ten years and its responsibilities, which focus on board issues. While serving on Council he moves forward with a different look that was more of the community. He pointed out the town has three auditoriums – one located in the Webb Building, Silas Deane Middle School and Wethersfield High School. All are being used which he felt was a luxury, and should be retained. The Webb building has a library and only needs tables in order to move forward. He understood why the Board of Education suggested turning the auditorium into a media center, but he did not support removing the auditorium. He felt the Board of Education accomplished its goal of alleviating overcrowding.

Councilor Flynn complimented the Board of Education for the time and thought put into a proposal. He felt it also raised many questions and asked Town Manager Erdmann to convey these questions to the interim Superintendent for answers:

1. Was there space to house the ADP program at the High School? If so, what renovations needed to be done in order to do this at the High School and what was the cost implications?
2. Whether any consideration was given to renovating the Stillman Building by the Board of Education? What sort of cost estimates did they come up with?
3. If Stillman is used to house the administrative offices, can maintenance and storage stay at Webb?

Councilor Cascio asked if there was an anticipated date as to when the pre-school would be returned to the district and where would it be placed? He suggested Webb be used for this.

Chairperson Czernicki asked if this was the program referenced during their walking tour of the building? Councilor Cascio said it was the same program.

Councilor Flynn asked Town Manager Erdmann the scope of services being contemplated. Town Manager Erdmann said written proposals from each firm included:

- o performing the work necessary.
- o pre-referendum services as necessary to flesh out the conceptual ideas that have been developed in these three plans
- o final cost estimates

He said the plans were not at the level of full schematic design.

Councilor Flynn mentioned three components –

- o Webb Elementary School
- o Relocation of Board of Education to the Town Hall
- o Relocation of Board of Education maintenance to Physical Services

He asked, with respect to the first two, would the cost of the central administrative offices be considered at Webb as well as the cost of the potential move to Town Hall? Town Manager Erdmann said it would be done in the component for the Webb. He

said it would be easier when Council does want to move forward to utilize one architect.

Councilor Morin stated he was a strong advocate for schools and the concerns with overcrowding. He expressed concern with the proposal presented. He supported selecting an architect using an RFP process because there were too many unanswered questions. He supported the plan in concept and also the Council taking more time as a body discussing the proposed plan with the Board of Education.

Councilor Flynn asked if the Board of Education considered using rental space along the Silas Deane Highway or Berlin Turnpike and if so what are the cost implications.

Councilor Cascio felt if the Town and Board of Education maintenance departments were consolidated it would be beneficial. He asked who made the decision as to where the Board of Education administrative offices would be located. Town Manager Erdmann said the Statutes indicate the Board of Education would make this decision and the Council could attempt to persuade and encourage the Board of Education to consider other options. Councilor Cascio asked what action was necessary. Town Manager Erdmann said it could be done either by motion or by consensus. Councilor Cascio asked if the Council was bound by what was presented in this letter. Town Manager Erdmann suggested either a workshop between the Council and the Board of Education or through the Shared Services or authorize town staff to look at these options or other options. Councilor Cascio acknowledged the hours put into this proposal by the Board of Education and did not wish to see the project held up, but wanted to see it done properly. He asked if the Council had enough information to go out to bid with.

Deputy Mayor O'Connor confirmed a motion would approve going forward with an architectural review. He reviewed what was being asked for:

1. A 440 pupil K-6 elementary school and improvements to ADP Program.
2. Renovate existing space for the entire Central office administration.
3. Accept the offer of the Town of Wethersfield to relocate the Board's maintenance department at the Town Garage subject to renovation paid by the Town.
4. Move the Alternate Day Program to Wethersfield High School.
5. Preliminary estimate is \$9.4 million, subject to architectural review.

He understood that if an RFP were done they would provide the cost:

- o to convert the Webb to a K-6,
- o to renovate the space for the Central offices
- o to relocate the maintenance department to the Garage and
- o to move the ADP to the High School and any renovation costs associated with this.

Deputy Mayor O'Connor moved **“TO OBTAIN AN ARCHITECTURAL REVIEW AS SPECIFIED IN A LETTER FROM THE CHAIRPERSON OF THE BOARD OF EDUCATION DATED JULY 11, 2002”**, seconded by Councilor Cascio.

Councilor Flynn asked Councilor Cascio if he wanted to know if this Council as a body had the authority to consider other options such as the possibility of moving the Board of Education to commercial space. Councilor Flynn said they did not have the authority to compel the Board of Education to accept this option. Town Manager Erdmann confirmed this statement.

Chairperson Czernicki asked Town Manager Erdmann if the Council could suggest, but not determine. Town Manager Erdmann agreed. Chairperson Czernicki questioned whether they should be moving forward on this or making a determination as to whether they want to include using the Stillman Building as a possible alternative for the Central offices and possible space usage by CREC and the question about leasing commercial space. She was not certain what direction to take.

Councilor Flynn was not sure using Stillman made sense because of conflicting numbers presented. He thought the amount presented was about \$4 million. He mentioned the number of citizens that said it could be done based upon the NESDEC figures between \$1.5 and \$2 million. He was not sure if this was true, but believed that this issue was central to any campaign for this budget referendum. He felt the figure of \$4.5 to \$5 million was more accurate based upon the condition of the building. Town Manager Erdmann remembered a proposed addition related to this dollar amount. Councilor Flynn was unsure if the addition was required if the ADP program were removed which was why he wanted to know what the board considered with respect to the Stillman Building.

Councilor Hemmann asked if it would be better to try and schedule a meeting with the Board of Education with regards to Stillman and move forward after. She expressed her reluctance to move forward in case they wished to add something. She was not against moving forward but wanted to be sure they were asking the right questions.

Deputy Mayor O'Connor understood the Board of Education determined where the administrative offices would be located and when it presented a proposal it did not include using the Stillman Building. He understood that the Board of Education did not feel the Stillman Building was cost effective. He also understood the figure of \$4-\$5 million was to be used in order to bring the building up-to-code, install elevators and also provide the work needed to be done in the building. He pointed out the Board of Education unanimously supported moving forward with this proposal. He requested the on-going maintenance cost if Stillman Building was going to be considered. He would withdraw his motion if the Council wished to wait for an answer with regard to using the Stillman Building.

Councilor Flynn agreed the need to take into consideration the on-going maintenance cost for the Stillman Building.

Chairperson Czernicki asked Councilor Flynn if he would like to see the Stillman Building as part of the architectural study. Councilor Flynn said if the Council was to vote on this tonight it did not have that number.

Chairperson Czernicki confirmed that Deputy Mayor O'Connor's motion was to include using an RFP process. Deputy Mayor O'Connor confirmed that was his intention.

Councilor Flynn misunderstood his motion and stated he was open to this motion provided the Board of Education had not completed that analysis.

Chairperson Czernicki asked Town Manager Erdmann to see if this information does already exist concerning the Stillman Building.

Councilor Morin said he supported using an RFP, but felt it would prevent getting this on the ballot in November. He also supported taking more time after everything has been reviewed.

Councilor Flynn said the original specifications was for the Webb to be configured as a 5th-6th grade. The State Board of Education contemplated the reimbursement rate of about 42%. Town Manager Erdmann thought it was up to 45%. Councilor Flynn asked if new education specifications would have to be filed or will it be permitted to amend its existing application. Town Manager Erdmann thought Superintendent Pierson reported that an amended application could be submitted on Webb at the time a decision was made on how to go forward.

Councilor Gardow was comfortable with approving an RFP this evening. He agreed with Councilor Morin's suggestion of scheduling a workshop meeting with the Board of Education in order to identify what they wanted to accomplish, who had responsibility for relocating the Board of Education administrative offices, and examining the possibility of utilizing rental property if necessary.

Councilor Cascio suggested withdrawing the motion.

Deputy Mayor O'Connor felt the information concerning the Stillman Building was already available. He wanted to

see something done with this building, but not for \$4-\$5 million along with the on-going cost. He said the Board of Education has the final say as to where to relocate the administrative offices.

Deputy Mayor O'Connor withdrew his motion until more information could be provided. Councilor Cascio also withdrew his second.

Councilor Cascio asked if a meeting could be scheduled prior to the next Council meeting. Town Manager Erdmann said he would try to arrange a meeting between now and the next Council meeting. Chairperson Czernicki asked the Councilors about their schedules. Councilor Flynn indicated he would be out-of-town on July 29th – 30th. Councilor Cascio said he was also out-of-town on these dates.

Deputy Mayor O'Connor asked Town Manager Erdmann to provide the questions asked to the Board of Education so that they could be prepared to respond.

Councilor Flynn moved **“TO ACCEPT THE RESIGNATION OF PETER LEOMBRUNI FROM THE PLANNING & ZONING COMMISSION”** seconded by Councilor Gardow.

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

BIDS

Councilor Morin Moved **“TO AWARD THE BID TO COSTELLO INDUSTRIES, INC. - IN THE AMOUNT OF \$100,000 FOR PAVEMENT MILLING – STATE BID”**, seconded by Councilor Cascio.

Town Manager Erdmann said this was an annual bid and was recommending the State bid.

Councilor Flynn left the meeting.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilor Cascio moved **“TO AUTHORIZE THE TOWN TO SUBMIT THE DUMP TRUCK TO THE STATE OF CONNECTICUT DEPARTMENT OF ADMINISTRATIVE SERVICES SURPLUS VEHICLE AUCTION”** seconded by Councilor Morin.

Town Manager Erdmann said the town tried to sell this vehicle on its own but did not receive any bids and was recommending using the State auction.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.

Councilor Flynn returned to the meeting.

Hybrid Electric Honda Civic

Town Manager Erdmann said this was not brought to Council's attention during the budget adoption process because it was brought to his attention through a grant. He said it was not critical, but felt it was good to experiment with. He thought there was a balance in the CNEF fund of between \$64,000- \$69,000. He said it was a State bid and was the best price available along with the grant.

Councilor Fitzpatrick moved **“TO AWARD THE BID IN THE AMOUNT OF \$21,557 FOR HYBRID**

ELECTRIC HONDA CIVIC FOR DISCUSSION PURPOSES” seconded by Councilor Gardow.

Councilor Fitzpatrick indicated he could not support this. He wanted to thank Town staff for looking into these types of opportunities.

Councilor Gardow expressed concern with having a car in the fleet, which does not fit with the other automobiles in the fleet and also requires metric tools in order to work on it. He indicated checking with the blue book and he had obtained a price of \$20,990 with a manufacturer’s effective date of March 25, 2002. He also visited a dealer’s web page and found another price for \$20,036. He said the town did not get the best deal.

All Councilors present, including the Chairperson, voted NAY. The motion failed 0-8-0.

Catco Construction LLC

Town Manager Erdmann said this bid was awarded with a price not to exceed \$27,179. The bidder indicated he had made a mistake in his bid proposal to the town. The Finance Director recognized that there was an error and the bid should have been for \$34,083.92 which was still the lowest bid for this project.

Councilor Cascio moved **“TO CORRECT THE AWARD OF A BID TO CATCO CONSTRUCTION LLC - IN THE AMOUNT OF \$34,083.92 FOR WARNER PLACE STORM DRAINAGE IMPROVEMENTS FOR DISCUSSION PURPOSES”**, seconded by Morin.

Councilor Hemmann asked if the other vendors understood the process. Town Manager Erdmann confirmed this.

Deputy Mayor O'Connor asked when it was determined an error was made. Town Manager Erdmann said he was unsure if it was discovered after the other bidders submitted their bids. Finance Director Swetcky explained how the bids were supposed to be submitted. Catco submitted its unit prices without the profits or overhead but also included a lump sum price that included his profits and overhead, which was the \$34,083.92. The staff assumed he made a mathematical error and indicated the final bid was for \$27,179.00. When the vendor was notified of this dollar amount he explained his bid was for \$34,083.92 submitted as a lump sum as indicated in the proposal submitted.

Deputy Mayor O'Connor asked if the signed bid submission had included the \$34,083.92. Finance Director Swetcky confirmed it did. He said the town relies on unit prices. Deputy Mayor O'Connor confirmed the \$34,083.92 was there. Finance Director Swetcky said this was the first time he had bid on a municipal project.

Councilor Flynn asked if he had provided a bond yet and could the town declare him in default and call the bond. Finance Director Swetcky said he provided a bid bond, which the town could call for the difference. He felt the vendor would have a legitimate argument because he did provide a bottom-line bid of \$34,083.92. He did not feel it was worth the legal expense and wait to pull the bid bond. Finance Director Swetcky suggested rejecting all the bids and re-bidding it.

Councilor Morin asked if the town could use bidder #2. Finance Director Swetcky confirmed this. Councilor Morin was not comfortable using this company but would wait and see the reaction from the other councilors.

Deputy Mayor O'Connor understood Councilor Morin’s comments, but disagreed that this was a reflection on the manner in which the work would be done. He supported young start-up companies and felt he might provide more services. He used Paine’s as an example.

Councilor Fitzpatrick did not wish to penalize this individual and supported this bid.

All Councilors present, including the Chairperson, voted AYE, Councilor Hemmann, and Councilor Morin voted NAY. The motion passed 6-2-0.

Councilor Morin moved **“TO AWARD THE BID TO DIME OIL COMPANY IN THE AMOUNT OF \$64,450 FOR HEATING & DIESEL FUEL,”** Councilor Cascio.

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

Councilor Flynn moved **“TO AWARD L. WAGNER & ASSOCIATES SMALL CITIES GRANT CONSULTING SERVICES”** seconded by Councilor Morin.

Councilor Fitzpatrick mentioned it was discussed at the Personnel Committee meeting having someone handle Small Cities Grants and asked Town Manager Erdmann to address this.

Town Manager Erdmann said this particular Small Cities Community Development Block Grant is a housing rehabilitation grant and requires more effort and expertise to administer this grant than other grants received. Rocky Hill and Newington also use this firm.

Councilor Gardow asked why Wethersfield was getting into this program. Town Manager Erdmann said the town was getting into this because there was a demonstrative need for this in Wethersfield. Several years ago Wethersfield participated with Rocky Hill and Newington in a program called the Tri-Town Community Development Block Grant program and won an innovation award from CRCOG. Some of these funds were used for housing rehabilitation in the three towns identified that there is a need in the Town of Wethersfield for this type of program.

Councilor Gardow asked if this was for public housing or private housing. Town Manager Erdmann said it was for private housing and that Town Planner Popper had a waiting list for this type of program. Councilor Gardow asked who was eligible for this program. Town Manager Erdmann said there are income guidelines associated with this program and if Council approves this he will publish these guidelines along with a formal application program.

Councilor Hemmann asked if the grant funds funded this position. Town Manager Erdmann confirmed this and said it allowed up to 16% of administrative costs and 9% for soft costs or a total of 25% maximum of the \$300,000 could be spent to administer the program.

Chairperson Czernicki asked if these funds were used by seniors to do adoptive changes to their homes. Town Manager Erdmann said it would be an eligible use for these funds.

All Councilors present, including the Chairperson, voted AYE and Councilor Gardow voted NAY. The motion passed 7-1-0.

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

RESOLUTION CONCERNING AN APPLICATION TO THE STATE OF CONNECTICUT TO OBTAIN LOCAL CAPITAL IMPROVEMENT GRANT FUNDS FOR THE CHURCH STREET RECONSTRUCTION PROJECT, PHASE I: DRAINAGE IMPROVEMENTS

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WETHERSFIELD, that Lee C. Erdmann, Town Manager, is hereby authorized to execute for and on behalf of the Town of Wethersfield, a public entity established under the laws of the State of Connecticut, an application and to file it with the State of Connecticut’s Office of Policy and Management for the purpose of obtaining financial assistance under the Local Capital Improvement Program. Said application shall be made to obtain financial assistance in order to undertake the Church Street Reconstruction Project, Phase I: Drainage Improvements

Chairperson Czernicki asked which portion of Church Street this project dealt with. Town Manager Erdmann thought it was from Silas Deane to Rosedale Street

Councilor Fitzpatrick left the meeting.

MINUTES

Councilor Morin moved **“TO APPROVE THE MINUTES OF THE REGULAR MEETING OF JULY 1, 2002”** seconded by Councilor Cascio.

All Councilors present, including the Chairperson, voted AYE. The motion passed 7-0-0.
Councilor Fitzpatrick returned to the meeting.

GENERAL COMMENTS

Reports

- a. FY 02/03 State Adopted Budget
- b. Trash/Litter Pickup Program
- c. Transfer Station Sales
- d. Preliminary Report on the American Heritage Festival
- e. Nepotism Policy
- f. More Hands, More Voices – The Greater Hartford Civic Participation Project

COUNCIL

Councilor Gardow requested information about a mandatory referral as it pertains to Planning & Zoning. Town Manager Erdmann said he would provide a written report for their next meeting. He further stated that Town Planner Popper indicated mandatory referral items do not require a public hearing as indicated in the State statutes which is what the commission follows. Councilor Gardow asked if the Council could request the Planning & Zoning Commission to include neighbors when an issue requires it. Town Manager Erdmann will look into this.

Councilor Gardow said the Griswoldville walk was being rescheduled for Thursday, July 25th at 6:30 p.m. at the entrance to Mill Woods Park on Griswold Road.

Councilor Cascio said he inquired about the Library being open on the weekends and was informed by staff members that they did not have the funds in order to provide this service. This is still being reviewed. He was also asked why the staff in the Library works 35 hours while town employees work 37.5. He said the reason was because under the Connecticut Library Association it keeps them at the minimum wage requirement.

Councilor Cascio asked what the age requirement was for summer help operating equipment. Town Manager Erdmann said he believed the town uses 18 years old as a guideline. Councilor Cascio asked if summer help could operate equipment or only regular full time employees. Town Manager Erdmann said it depended upon the equipment. Councilor Cascio asked if all the town's equipment was currently in operation or was any in need of repair or damaged. Town Manager Erdmann was not sure and asked if there was anything specific. Councilor Cascio said no but

wanted to be sure that all the new equipment purchased was operational and requested Town Manager Erdmann to look into this. Town Manager Erdmann recalled funding of \$20,000, in this year's budget to repair a Scat machine, which was used to turn the leaves for composting. He only recalled one piece of rolling stock in this year's budget. Councilor Cascio wanted to be sure the use of equipment was age appropriate and all the equipment was operational.

Councilor Hemmann asked Town Manager Erdmann to remind all Physical Services employees to wear safety gear when operating equipment.

Councilor Morin wished to recognize the Girls' Softball program in which the 13-14 year old girls had won the district Seven all-star's and are moving to Middletown to play in the regional. The 11-12-year-old all-star's team won the district and are in Granby playing. The 10-year-old all-star's team won the district.

Councilor Morin, Council Liaison to the Open Space Committee, thought this committee would be drafting something asking the Council to continue with its efforts to acquire open space. He requested a meeting to continue to look at some of properties in town.

Councilor Morin read in the *Hartford Courant* about a new restaurant moving into the Deming Standish House. He understood this issue would be sent to the Major Contracts Committee for review and now it appears under Unfinished Business because the Council took no action. He supported selling this building rather than leasing it and supported the individuals running this new business but he wished he were given the opportunity to get involved. He would prefer to see this property on the tax roll.

Councilor Fitzpatrick said he had spoken with the Historical Society's new President Judy Parker and had requested a meeting in order to bring the financial information required for the last five years. The Historical Society felt there was a lack of communication between the Council and the Historical Society. He did not feel the town had eliminated any possibilities. He also understood the deal had not been consummated and that there was still an opportunity for the town to discuss taking the property back and possibly selling it. Councilor Morin asked if this was discussed in a formal meeting or a committee meeting. Councilor Fitzpatrick said he had called Mrs. Parker. Councilor Morin thought it would be more appropriate for the Town Manager to have this discussion. Councilor Fitzpatrick said he was not suggesting negotiations but the need for the Council to sit down and understand the situation. He asked Mrs. Parker if she would be willing to meet with the Major Contracts Committee so that they could start the discussion as to what they wanted to do. He mentioned there was still a contract in place in which the town would lease it for 100 years. The Town Attorney provided his opinion with regard to this issue. Councilor Fitzpatrick felt it was important to keep the lines of communication open and be up-front. Town Manager Erdmann said when this matter was referred to the Major Contracts Committee they contacted Mrs. Parker and Mrs. Milkofsky to let them know that the Major Contracts Committee did want to meet with an appropriate subcommittee of the Historical Society to explore these issues. He had received a list of the society members that wished to meet with the committee and he will follow up with a committee meeting within a couple of weeks and have a report for its August 5th meeting. He was not sure if the sublease was executed on Friday. Councilor Morin felt if the sublease were executed this was now a moot point.

Councilor Fitzpatrick did not wish to jeopardize any agreement, but wanted to understand what the Historical Society intended to do with this building and review the manner in which it had run this property. He felt this was an appropriate time because a new Board of Directors and President was recently elected and were just getting onboard.

Deputy Mayor O'Connor asked the Town Manager if research had been done on the Pyquaug Village and the Association and if the individual had gotten back to the Town yet. Town Manager Erdmann said some staff work had been done and would be presented to the committee. He would follow-up with this issue. Deputy Mayor O'Connor requested a list of the properties identified as part of the request from the Conservation Commission. Councilor Morin said open space that could be available was identified in the past. Deputy Mayor O'Connor requested this for the next meeting.

Deputy Mayor O'Connor asked about the blight ordinance and property maintenance and Town Manager Erdmann to summarize what has been done for a resident who had spoken earlier about this issue. Town Manager Erdmann said:

- Former Town Attorney Bradley had previously done that the work and town staff has been referred to the current Town Attorney.
- He believed the Town Attorney had been in contact with former Town Attorney Bradley.
- The Town Attorney was reviewing material received from former Town Attorney Bradley.
- He said he would be prepared to assist the committee as the Council moves forward.
- He had indicated to Council and Mr. Nacht that a fair amount of work had been done and he felt the committee would see that there was not a lot of additional work which needed to be done. He hoped to have a specific recommendation for Council on how to proceed.

Deputy Mayor O'Connor mentioned a recent new technique for crack sealing using mulch and it appeared mulch was still on the streets. Town Manager Erdmann said he had received a lot of complaints. Deputy Mayor O'Connor asked if the material would be swept up. Town Manager Erdmann said a sweeper would cleanup the streets, but that this has not been done in a timely manner. This process will be reviewed and based upon the complaints received the town might not utilize this process in the future.

Deputy Mayor O'Connor asked for a report on the status of the drainage projects in town, which would include:

- what has been done
- a timetable
- a summary of expenditures.

Town Manager Erdmann said he would provide this and believed it had been provided in the past.

Deputy Mayor O'Connor understood a report was to be done within 20-days from R2D and asked if there was a penalty clause built into contract or an explanation for the delay. Town Manager Erdmann did not believe there was a penalty clause and Finance Director Swetcky had been communicating with the firm. Finance Director Swetcky said the original proposal was to have the report within 20-days. That motion failed and the Town Council reconsidered the award of the contract. R2D had received other projects, but agreed to try to commit to the 20 days as long as the town provided the necessary information. Unfortunately the information was not sent all at once. The plans and specs that had been presented to the State were provided four days later. The cost information was mailed to them at the end of June, which was a key component of the project. The reason the proposal was so high was because they intended to start the project from scratch. The cost was decreased because the town provided cost estimates. R2D has committed to get the Phase I portion done by next week and Phase II shortly after. Phase I would include a cost estimate to renovate the Silas Deane Middle School if it were vacant and Phase II was the cost to use Webb as swing space.

Deputy Mayor O'Connor mentioned an Insurance Committee meeting scheduled for Thursday, July 18th and that he was going to resign from this committee and Mayor Czernicki would appoint a new liaison. He asked if the meeting could be rescheduled so those new members appointed tonight would have an opportunity to be brought up to speed. Town Manager Erdmann asked Finance Director Swetcky to contact the Chairperson and try to reschedule the meeting.

Deputy Mayor O'Connor said the reason he was bringing up this issue was because he wanted it on the record so that he can refer the next phone calls to this set of minutes. He asked Town Manager Erdmann to explain how a Town Clerk was appointed in the Town of Wethersfield. Town Manager Erdmann said the Town Council appointed the Town Clerk. Deputy Mayor O'Connor asked if he was correct that the appointment was a lifetime appointment unless something changes. Town Manager Erdmann did not wish to refer to it as a life-long appointment, but rather an indefinite appointment. He was unsure if this was the same language as for a Town Manager in the Charter. The Town Clerk and Town Manager serve at the pleasure of the Town Council. Deputy Mayor O'Connor confirmed if the appointment was indefinite, how does a new Council appoint a Town Clerk. Town Manager Erdmann said it was a complex question and said traditionally certain appointments were expected to change when Councils change such as Town Attorney, Assistant Town Attorney, Treasurer and Assistant Treasurer. He said this is not usually the case with

full-time positions like the Town Manager and Town Clerk. He referred to a section in the Charter that refers to due process. Deputy Mayor O'Connor asked if it were safe to say barring illegal activity, the Town Clerk was appointed indefinitely. Town Manager Erdmann said generally speaking in order to remove a full-time appointed individual there would need to be cause for this. Deputy Mayor O'Connor said the Charter does not outline cause for removal. Town Manager Erdmann confirmed this. He felt there was case law for the types of reason for removal. Deputy Mayor O'Connor asked how the pay was determined. Town Manager said there was no salary range similar to the Town Manager's position. He said it was common in many communities so the Town Council has considerable discretion when determining the salary. Deputy Mayor O'Connor confirmed the Town Clerk was paid \$49,000 a year and the prior Council felt this was justified. He mentioned an Assistant Town Clerk in the office was State certified, qualified and had over seven years of experience. He asked what her salary was. Town Manager Erdmann thought it was in the low \$40's. Deputy Mayor O'Connor said the Council had the right to determine the pay parameters for the Town Clerk. He further pointed out the Town employs an Assistant Town Clerk with State certification, qualifications and over seven years of experience who earns in the low \$40's, while the Town Clerk with no prior experience, is not State certified and is making almost \$8,000 more. He felt the town needed to exhibit parity and equity in the workforce. He said the town was looking to hire a new Superintendent and may be looking for a new Town Manager and wanted to attract the best talent to Wethersfield. He wanted the public to know that the town exhibits parity and equity based upon qualifications and experience. He said he did not intend to do this but because it was this council's decision and it has the opportunity to vote on this he thought the salary for the Town Clerk should be \$41,000. He also felt that the salary should be reviewed when certification takes place and asked Town Manager Erdmann to research how other towns pay Town Clerks that have similar qualifications. Town Manager Erdmann said town staff could survey other communities and find out what other Town Clerks are paid with comparable qualifications.

Deputy Mayor O'Connor moved **"TO PUT THE PAY PARAMETER FOR THE TOWN CLERK AT \$41,000,"** seconded by Councilor Gardow.

Councilor Flynn mentioned this was not on the agenda and he questioned whether it was appropriate to bring this forward. He said if it were appropriate, he believed it was illegal to reduce the compensation paid to a public official during the term of office. He felt it should be researched and the Council should receive an opinion from the Town Attorney. He stated on the federal level officials were protected with regard to compensation, but was unclear if State law provided protection. He said this Council considered the pay ranges for the Administrative Group, which included the Assistant Town Clerk, and if it was determined that an employee was not receiving sufficient compensation it should have been made at that time to adjust it. He said if it was determined the Assistant Town Clerk was insufficiently compensated, it needed to be examined rather than reducing the pay, for no cause identified of an existing employee.

Deputy Mayor O'Connor asked for clarification so that he could explain it to the individuals calling him how the Council justified paying the Town Clerk \$49,000. Councilor Flynn said if he attended the session he would know. He explained the decision was made based upon the fact that it was hiring an employee that did not have the same level of experience as the individual retiring. That individual was making about \$62,000 and it was the judgment of the former Council to set a salary of \$49,000.

Deputy Mayor O'Connor said he did not hear an explanation as to why it was set at \$49,000 when there was an Assistant Town Clerk that was certified, qualified and had over seven years of experience and being paid \$7,000-\$8,000 less. He was trying to understand the justification of bringing someone in that possessed none of these credentials. Councilor Flynn said it was because they were appointing a Department Head and a Department Head is traditionally paid more than the subordinates that work in that department.

Deputy Mayor O'Connor asked if this was irregardless of qualifications. Councilor Flynn asked if the issue was that he did not like the appointment and felt it had already been debated at some length. He stated the public had heard the debate and this discussion had already taken place. He said they would have to agree to disagree on this issue and felt the question was whether this action was legal and appropriate. He felt he raised significant questions concerning this, but said if the Council wishes to take an action which might be illegal and not justified based upon performance or conduct in office, he thinks it is inappropriate.

Deputy Mayor O'Connor felt the need to send a message as it searches for a new Superintendent and possibly a new Town Manager that Wethersfield has equity and parity in the workforce and pays individuals based upon experience and qualifications. He did not think it was appropriate or sends the right message to pay someone without these credentials over a current town employee that possesses these credentials.

Councilor Flynn questioned whether this was legal.

Deputy Mayor O'Connor said he understood the Town Clerk was not an elected individual and that his argument was this could not be done to a public official. Councilor Flynn said she was a public employee and did not feel the Council was empowered to reduce the compensation paid.

Deputy Mayor O'Connor said he understood from the Town Manager that the Council did control the pay parameters for the Town Clerk. Councilor Flynn did not know if the pay parameters include reducing compensation without articulation of cause. He did not feel that this has been identified. He understood Deputy Mayor O'Connor wished to pay a salary based upon qualifications. He felt reducing an individual's pay was a punitive act and that it was not identified what in the Town Clerk's performance justified this action. He also raised the need to have the Town Attorney address this issue.

Deputy Mayor O'Connor understood that when the Town Clerk was appointed, the former Town Council chose not to change the Assistant Town Clerk's salary. Councilor Flynn said this determination was just recently made when the pay parameters were established for the Administrative Group. Deputy Mayor O'Connor said he was referring to when the salary for the Town Clerk was awarded, the former Council chose not to increase the salary for the Assistant Town Clerk who had the qualifications and skills outlined earlier. Councilor Flynn felt the Council had the opportunity to increase the salary when the Council set the pay parameters for the Administrative Group. Deputy Mayor O'Connor was trying to justify how the Council arrived at \$49,000 when another employee was certified and was paid \$41,000. Councilor Flynn said it was the judgment of the former Council. Deputy Mayor O'Connor was unsure what the judgment of this Council was but was suggesting the pay should reflect the qualifications and skills with the understanding when certification was obtained and a survey from surrounding towns that the town does what is equitable.

Councilor Flynn suggested that this action may be illegal. Deputy Mayor O'Connor said it was the Town Manager's opinion that this was not illegal. Town Manager Erdmann said he was not an attorney and could not comment on the legality of this. He said the Council has the authority to set the parameters and in his experience this action has never been taken before.

Councilor Morin said the Town had Town Clerks that served for many years under many administrations. He never recalled anything like this and that this was the will of the Council as to how to handle a situation like this. He pointed out the majority party could do whatever it chose within legal boundaries, but as was pointed out this issue has been debated at length. He said two weeks ago the Council held an Executive Session in which it began a review of the Town Clerk, but had required additional information from the Director of Personnel so that a more thorough review could be done. Councilor Gardow felt because this was discussed in Executive Session it should not be mentioned. Councilor Morin wanted to be fair and identify an issue prior to decreasing the salary. He wanted to give the Town Clerk a fair review and then the Council could do whatever it chose within the legal boundaries. He mentioned many Town Clerks that are elected do not have qualifications or certification and work in offices where the staff has more experience than they possess. He asked to go through the process already started.

Deputy Mayor O'Connor said he wanted to be fair to the Town Clerk and the Assistant Town Clerk. Councilor Morin said this is a common occurrence in the State or private where a boss is hired with less qualifications and experience than a current employee. He wanted to go fairly about the process, but did not support this action.

Deputy Mayor O'Connor respected his opinion and that this was not being done randomly. He further stated receiving many phone calls from taxpayers for the last year and the difficulty of trying to respond to these questions. Councilor Morin asked why he did not bring this issue up two weeks ago. Deputy Mayor O'Connor said that in the last

two weeks he had received more phone calls than in the previous six-months. He felt it was an important issue and the need to show parity and equity in the town and felt this was one way to show people that experience and qualifications count. He said these can be obtained, but an employee should not start at the top and then receive a higher salary after obtaining these qualifications. Deputy Mayor O'Connor asked Town Manager Erdmann if he advised getting a legal ruling and defer this to the next Council meeting otherwise he would move forward with his motion. Town Manager Erdmann said he believed Councilor Flynn raised legitimate issues and was not an attorney and would not comment on what was discussed tonight as to whether it was legal or illegal. He thought Councilor Flynn's cautions were appropriate to have an opinion. He added that he recalled staff had done a salary comparison at the time the Town Clerk was appointed and Council had this information when making this decision. Deputy Mayor O'Connor and Chairperson Czernicki indicated they did not have this information. Town Manager Erdmann said a survey could be done.

Chairperson Czernicki said one of the concerns when looking at salaries during the past budget was the idea of compression. If the salary of the Assistant Town Clerk with certification, qualifications and experience were raised that was comparable or close to the salary of the Department Head, according to Councilor Flynn, the salary of the Department Head would also have to be raised in order to avoid compression. She asked if this statement was correct. Councilor Flynn said this issue would be present even if the salary were reduced. Chairperson Czernicki felt the Deputy Mayor was trying to point out that some members on this Council had no part in the appointing or of the setting of the salary. She further stated that this was by choice because there were issues with the process at the time. Chairperson Czernicki assumed he was looking for a way to correct an inappropriate situation. The best information from the Town Manager was that the one thing the Council can do is to determine the salary range. She felt it was clear that an individual in the office has State Certification for this position, qualifications, and experience and earns a salary considerably less than an individual that was appointed to a position. The Town of Wethersfield does not elect a Town Clerk, nor was there a set salary for this position. She agreed Councilor Flynn brought up some valid points and supposed the Council could vote on this and determine the salary be effective pending legal opinion from the Town Attorney.

Deputy Mayor O'Connor moved **"TO AMEND HIS MOTION TO READ THE TOWN CLERK'S SALARY BE REDUCED TO \$41,000 WITH THE APPROVAL FROM THE TOWN ATTORNEY CONCERNING THE LEGALITY OF THIS ACTION"** seconded by Councilor Gardow.

Chairperson Czernicki called for a roll call vote. Councilors Cascio, Gardow, Hemmann, Deputy Mayor O'Connor and Chairperson Czernicki voted AYE, Councilors Flynn and Morin voted NAY and Councilor Fitzpatrick vote to ABSTAIN. The motion passed 5-2-1.

PUBLIC

Ballou Tooker, 65 Harmund Place, was pleased the Council was not going to rush into making a decision concerning a K-6 configuration at the Webb Building. He felt the former Superintendent of Schools did not wish to relocate from the Webb Building and may have inflated some of the reasons for not relocating. He mentioned she had 192 file cabinets, which would not fit into the Stillman Building. He suggested storing these cabinets in another location.

Robert Young, 20 Coppermill Road, mentioned attending a meeting in which interim Superintendent Goldman made many logical recommendations. He mentioned a total of 24 classrooms, which could house 480 students. He agreed with comments by Dr. Goldman that this was a good place for the students and should not cost a lot of money. Dr. Goldman suggested since the auditorium was not being used enough to convert it into a media center. He did not agree with this suggestion.

Robert Garrey, 66 Park Avenue, said the smartest thing might be to sell the Deming Standish House but the right thing might not be to sell the Deming Standish House. He mentioned the Keeney Center needed to be maintained. He did not support telling a restaurant how to run its business. He suggested renegotiating the lease with a portion of the rental money to go towards maintaining the Deming Standish House. He felt Wethersfield owned too much real estate

and was not sure if the Stillman Building would be a good place to house the Board of Education. He supported going to court if the Historic District would not allow the town to tear down the Stillman Building. He felt the Moeller Home was an overpriced storage shed and could also be torn down.

George Ruhe, 956 Cloverdale Circle, felt it was an interesting meeting tonight. He asked when the town applied for a Grant if forms needed to be filed. Town Manager Erdmann said an application had to be submitted and identify how the money would be used based upon the population of the Town. Mr. Ruhe asked why a town employee could not fill out this form rather than hire a consultant. Town Manager Erdmann said town staff prepared the application, but Council's approval tonight was to have a firm implement the program, which does require a set of skills and experience. Mr. Ruhe said he thought the Charter said the Town Clerk served at the pleasure of the Council. He said it was true the former Town Clerks had served under a wide range of administrations, but the difference was the current Town Clerk appointed was the former Mayor's wife which was why there was so much concern raised over the past year.

Rocco Orsini, 95 Broad Street, spoke on behalf of the Wethersfield Taxpayers' Association Inc. on the following:

- o There are so many important issues and the town should not rush into making a decision on them.
- o He suggested looking at the Board of Education administrative offices and the need to do a study of the Town Hall, Webb Building, and Stillman for possible locations.
- o He was glad the council was looking for recurring costs associated with utilizing space.
- o The rule for reimbursement on a school renovation was the town would recoup 45% of the eligible costs. He asked what other towns had received following renovations to their school.
- o He mentioned an ad hoc meeting tomorrow night pertaining to the 44' wide road to build on the East Side of the Silas Deane Highway. He was disappointed with the Council's enthusiasm on economic development and felt the meeting was about economic development. He wanted to see more done with the facade on the Silas Deane Middle School.
- o He mentioned the need to utilize the summer help at Physical Services in a more effective manner to clean up the Cove.
- o He felt there was something wrong with the bid process in light of the misunderstanding with Catco. He suggested Finance Director look at the form and see if it can be made more business friendly.

Deputy Mayor O'Connor asked Mr. Orsini if the parking lot at the Silas Deane Middle School was landscaped using stone and shrubs, which would hide the pavement, if his organization would support this. Mr. Orsini thought \$75,000 was too expensive to pay for shrubs and asked who would maintain it. His organization did not support the roadway and was concerned with safety but that there had not been any accidents in the past.

EXECUTIVE SESSION

At 11:10 p.m., Councilor Fitzpatrick moved **"TO GO INTO EXECUTIVE SESSION TO DISCUSS TOWN MANAGER POSITION AND A LEASE AGREEMENT"** seconded by Councilor Flynn. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0. Also present were Town Manager Erdmann, Dolores G.

Sassano, Town Clerk, and Attorney Jack Bradley. No motions were made and no votes were taken during executive session.

At 12:00 a.m., Councilor Flynn moved **"TO GO OUT OF EXECUTIVE SESSION"** seconded by Councilor Fitzpatrick.

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

Councilor Fitzpatrick moved **"TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE LEASE AGREEMENT WITH AT&T ON BEHALF OF THE TOWN OF WETHERSFIELD AND TO REFER IT TO THE PLANNING AND ZONING COMMISSION FOR COMMENT UNDER § 8-24 OF THE CONNECTICUT**

GENERAL STATUTES", seconded by Councilor Flynn.

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

ADJOURNMENT

At 12:05 a.m., Councilor Flynn moved "**TO ADJOURN THE MEETING**" seconded by Councilor Cascio. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk