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REGULAR MEETING DECEMBER 2, 2002

The Wethersfield Town Council held a meeting on Monday, December 2, 2002 at 7:00 p.m. in the Council Chambers of the Town Hall.

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

Also present: Joseph Swetcky, Jr., Interim Town Manager; and Dolores G. Sassano, Town Clerk; Nancy Stillwell, Director of Social Services and Kathy Bagley, Director of Recreation of Parks.

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

Chairperson Czernicki congratulated the Wethersfield High School Boys Soccer team for their recent tournament win as State Champions.

Chairperson Czernicki called for any unfinished business:

Councilor Cascio moved "**TO REMOVE ITEMS C2a, C2g, and C2h FROM THE TABLE**", seconded by Deputy Mayor O'Connor.

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

PUBLIC COMMENTS

HEARINGS

RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH WINDING BROOK TURF FARM

Peter Maxwell, 117 Maple Street, wished to go on record as being greatly in favor of the agricultural use of parcels of land such as the Winding Brook Turf Farm. However; his concerns are that the location is on a brook that feeds a swimming hole. Water running off the turf farm may contain chemicals that could contaminate the swimming hole.

George A. Ruhe, 956 Cloverdale Circle, shared the history of Millwoods Park, the original purposes for the brook and the water supply. The Town is not getting any benefit from this agreement. The Town wants a 3.5 million dollar refurbishment plan for Millwoods. The Council may set a dangerous precedent. He is not against the Town having open land. His reservations are of accommodations the Town is making for a private business person.

Robert DeRay, Wethersfield Avenue, Hartford, frequently walks the Millwoods Park path with his dog. He first met Paul Aloï down near the brook and the fire truck. He witnessed an encounter with the police and Paul, and he disagrees with the police account. Mr. DeRay was not informed that he was trespassing when the officer asked for his identification. He has not returned to that part of the park since, although he had frequented it in the past.

George Hooker, 65 Highland Place, stated that using ponds for water supply is not unusual for farms along the river. This practice is nothing new.

Attorney John Harvey, representing Doug Morgan and Winding Brook Turf Farm, stated that Mr. Morgan thought the meeting was at 7:30 and that he would like to let Mr. Morgan state his comments when he arrives at that time.

Jim Hughes, 131 Randy Lane, stated his appreciation of Winding Brook Turf Farm for being great members of the Wethersfield community and urged the Council to support the farm in any way it can.

Rich Spinelli, 153 Randy Lane, stated if the town allows Winding Brook Turf Farm to continue to pump water from the brook, they should also make them take all precautions necessary to keep the sound from the pumps to a minimum. He is unclear of what a "temporary building" means. He'd like an explanation of the type of insulation used to keep the sound down. The pump does drone on and on. It is bearable in the summer only when you are inside with the air conditioning on. He understands the pumping of the water is legal; however he'd like sound protection for the neighbors.

Doug Morgan, President of Winding Brook Turf Farm, 240 Griswold Road, apologized for being late and distributed a handout giving an overview and history of what is being requested in terms of the license. He asked Chairperson Czernicki what the purpose of this meeting is for him. Chairperson Czernicki responded that there is a resolution before the Council authorizing the Town Manager to enter into a license agreement with the Turf Farm. Mr. Morgan explained his handout: Item 1 gives a brief history of the pump site and the farming operation. Item 2 is a letter from Bill Pitkin, dated April 10, 1984 with a confirmation on the right to pump the water. Item 3 is the insurance certificate that eliminates the liability to the value on the policy. Item 4 is the registration with the State on that particular pump site and others in the State of Connecticut. Item 5 is a permit fact sheet from the DEP. Item 6 is the DEP water diversion statutes, Section 22a states that so registered may be subject to permit requirements. Item 7 is decibel level readings from the Wethersfield Police Department taken June 28. Item 8 is a letter, regarding compliance, from Winding Brook Turf Farm to the State of CT Oil and Chemical Spill Response Division. Item 9 is a water right preserving the environment from Turf Producers International. Mr. Morgan stated that these documents are the premise of why they feel the farm has the right to pump water. He's asked adjacent property owners to come and speak and that the company's mission is to be cognizant of the environment which is both natural and human. Their business requires water. If they want to promote agriculture in this town it goes hand in hand with water, noise, chemicals and dust. He realizes their obligation to comply both legally and socially. He expressed his desire to be in an environment that is harmonious. He described his passion for his long-standing operation and wishes to continue the legacy to his three sons. He has a sincere appreciation for agriculture and water usage. He asked the Council to look at the big picture of water rights and whether they want to encourage agriculture in Wethersfield. He stressed that non-potable water is infinite as opposed to potable water which is finite. This leads agriculture to use non-potable water.

Attorney Harvey clarified the agreement evolved when the Town expanded Mill Woods Park in the 1960's and took a chunk of land from the Morgan family. At that time there was an understanding, not committed to writing, that they would be allowed to continue to pump from Goff Brook. He was able to find a letter from Bill Pitkin to the Morgan family indicating that there was a prior agreement. We need to honor our prior agreement and the license agreement states that the farm must comply with the noise ordinance which farming is not subject to; however Winding Brook is complying. Mr. Harvey referred to item 5 of Mr. Morgan's packet, which states that Winding Brook will obtain all necessary permits. The State requires that registration for pumping had to be completed by July 1, 1983 with a grace period beyond that with DEP. Winding Brook registered in August, 1983 with no notification since from DEP that pumps aren't registered; although they've been to the site many times. This circumstance is not unique to Winding Brook Turf Farm. Many farms registered late. The State Legislature, this year, approved Public Act 02-102 to address this issue. The Act requires registration, recording and permitting. Winding Brook Turf Farm has to report by January 21, 2003 their pump sites. Permit applications have to be filed by July 1, 2003. The point is that the Turf Farm is going to comply with whatever DEP requires them to do. They thought that they had complied. DEP has never notified them otherwise. The license agreement needs to be approved to provide the opportunity to the Town to honor their prior agreements and to protect the 14-15 acres of open space that provides potential for the expansion of Mill Woods Park in the future. Should the license agreement be violated the Town can simply withdraw it. He urges the Council to act upon the agreement.

Judy Parker, 366 Pine Lane, spoke of how farming is part of the history of this town and it should be our concern to preserve it. It is part of the strategic plan as a goal of the town to try to preserve farmland. Farming needs to be a good business for this town. As for what's in it for the Town, she replied housing developments cost the town a lot of money for sewers, school systems, etc. Farming does not cost much for the Town. Therefore; there is a monetary benefit for the Town. It is also a way of preserving the agrarian history of the town. She urged the Council to keep this in mind if

we want to keep farmland and farming in Wethersfield.

Pete Sposito, private investigator, hired by Mr. Aloï and also now by the Randy Lane Association, stated his concern that there is lack of cooperation in assisting those who may oppose the pumping of water from Goff Brook. The Recreation and Parks Dept. has the only large scale plan of the area showing the proposed area and was told that it would be available at this meeting. He asked that it be obtained for this meeting.

Town Manager Swetcky apologized for not bringing it with him and left briefly to retrieve it from his office.

Mr. Sposito said the residents of Randy Lane were abused by a pump that ran any time, day or night. It was an industrial, pounding, irritating sound. The neighbors had to change their life style so as to avoid the pump noise. The issue has now broadened to the environment of the area and the solitude of a park. The original founders of the park wanted a peaceful enjoyment of the park. The rights and privileges of a farm do not extend beyond the boundaries of the designated land. The issue is occurring on Town property and all Town Commissions should get involved. A more appropriate subject to be discussed should be why Winding Brook Turf Farm has been allowed on Town property. They do not have a permit from the State or the DEP. The permit is not on file with the Town and the Town never asked for a permit. There is no lease between the Town and Winding Brook Turf Farm. If there is no lease then it is not an accurate document submitted in 1983. There is a pending lawsuit between Paula Aloï and Mr. Morgan. He read from a deposition made on September 3, 2002. There are half truths in this entire matter. The right to pump never existed. The Turf Farm has been using the land without permission. The past Town Manager and Town Engineer relied on a right to flood and overflow with water manuscript as permission to pump water. The rights to water were sold to the Town of Wethersfield by the estate of Martha Wells Morgan in 1945. These documents are included in the probate court records. The administrator was Steven Morgan and the Town of Wethersfield paid \$500 for the rights. This is all about substantial amounts of free water. There are no meters to determine how much water is taken from the brook. Who would have rights to this water in the event of a drought? Also, can this water be transported off this property to be used to irrigate some other piece of land? This is the Town's water. He suggested Town Attorney, John W. Bradley, has attempted to make agreements without advising various departments of all the variables. Mr. Bradley has suggested sheds to quiet the noise. Mr. Sposito said the Town Planning & Zoning Committee was never advised of any sheds. Any agreement that does not include a review by all Committees involved would not be fair to the public. The resolution does not indicate the type of generator, fuel supply or replacement equipment in the event of a breakdown. It also does not indicate how much area is to be used or how the area is to be secured. Mr. Aloï was arrested for being near the pump. Shouldn't the area be secured? If so, you'll separate the park. Does the structure mean a one or three-pump, generator, and fuel supply? Who builds, maintains and insures the structure? The pump ran at 160 decibels. The Town allows for 55 decibels daytime and 45 decibels nighttime. This was well over those limits. The farmer's rights and privileges on their property do not extend to other property. The issue is the environment of the area and the right for a park to be a park. Mr. Sposito said there is the careless release of weed-killing chemicals on Town property. These chemicals wash down into the brook. It has been observed that there is a lack of wildlife in the area since this began. There is an abuse of the entire environment. Mill woods Park began in 1939 under the leadership of L. Wayne Adams. A group of eight Townsmen was organized in April, 1939. On July 27, 1949 at a Town meeting, the Town Plan Commission was authorized to secure as much acreage of Mill Woods as necessary for future public use as a recreational center. That is what this land was intended for, not a commercial venture. Mr. Morgan can purchase water from MDC at irrigation rates, he could drill wells and use electric pumps. Engineers and pump specialists have advised that there is ample water in that area because of springs. The Parks Department master plan of Mill Woods Park does not include any mention of this pumping of water or the area involved. Randy Lane Association would like to see the application denied. If unlikely, each Committee should have a review and public hearings on the matter and all neighbors should be notified. If past actions are to be considered the Council should proceed with caution and rely on the facts.

Paul Aloï, formerly of Randy Lane, recognized former neighbors who eighteen years ago sat at a Park & Recreation meeting over this same issue expressing their displeasure of a pump that has now run for eighteen years and Mr. Morgan has done nothing about. Mr. Aloï read a letter from his daughter in which she states concern over the loss of wildlife in the Mill Woods Park area and also the unbearable noise of the Winding Brook Turf Farm pump.

Glenn Turek, Attorney representing Paul Aloï in both criminal and civil actions pending against him, told of how

whenever there is a complaint over the pump, he has been told that farming is exempt. Farming on Town land is not an exemption. Running this pump on Town land is not exempt. This has been the explanation he has gotten as to why the pump does not comply with the noise ordinance. This is the explanation the police gave when asked why a 55-gallon drum of gasoline is sitting in wetlands with a tube running to a pump. An old, abandoned fire truck is not a state-of-the-art solution to the problem. There are no permits. Mill Woods should not appear this way. There are other alternatives for this pump. The state-of-the-art pump would be an electrical pump which would not have the noise and would be considerate of the neighbors. There is plenty of water underneath the ground in this area. Mr. Morgan is not being prevented from drilling a well to tap into this water source. In addition, water can be purchased from MDC at irrigation rates. It's not a question of if you're in favor of farming, you must be in favor of pumping from Town property. This is not the only alternative. Just because this pumping has been done for years and years, does not mean that Mr. Morgan has the right to continue to do so.

Myron Baldwin, a former resident of Griswold Road, whose daughter still resides there, wished to share his appreciation to the Morgan family for their generosity in the use of their property for recreational facilities and also for the donation of land for the Griswoldville Chapel. He said many positive things about the Morgan family. He is concerned that if the water is cut off there is a doubtful future for their farming operation. It is a viable economic operation with good people behind it. He supports the Council going along with the agreement.

Michelle Klausian has lived on Griswold Road for 40 years and has known the Morgan family. She feels that the Morgan family is a symbol of Wethersfield. She feels that satisfaction should be given to these people.

Joan Bigione, 217 Goff Road, shared how years ago the Capitol Region Education Council were good neighbors. They worked with the neighbors and TPZ. They were going to install a generator on her property and built a structure around the generator which muffles all sound. There are solutions to the noise problem pending with Winding Brook. Regarding the wildlife and chemical problems, she feels that the Morgan's, in good faith, will do something about this. There are alternatives to chemicals.. There are solutions that can satisfy both parties.

Theodore Jachym, 147 Randy Lane, wanted to address the environment issue and the effect on the wildlife that inhabit the area. The pumping emptied the brook last summer. What happens to all the wild life?

Richard Warriner, 222 Griswold Road, has lived right next to the Morgan property for 16 years. He states that Mr. Morgan has gone above and beyond on numerous occasions to cater to the neighbors. Winding Brook Turf Farm has been a good neighbor regarding environmental and noise issues. Mr. Morgan has a proven history of resolving issues.

Maria Faricelli, who purchased Mr. Aloï's home, appreciates Wethersfield's wide-open spaces. She appreciates the beauty of the turf farm behind her property. She tolerates the noise of the firehouse and of the pump as it comes and goes and would like to see the parties finding some middle ground. She feels that the Turf Farm is essential.

Paul Courchaine, 481 Main Street, President of the Wethersfield Preservation Trust, can understand the neighbors concerns and thinks that Winding Brook and the Town can come up with a reasonable solution to address the issues relative to noise abatement. There would be a bad precedent set in town if an agreement isn't reached. This could reduce agricultural ventures in Town.

ORDINANCE CONCERNING THE CONTROL OF FERAL CATS

George Hooker, 65 Highland Place, stated that using the word "feral" would imply that the ordinance is not also referring to "domestic cats" that are let out of their home to freely roam.

Carla Aloï, 56 Eastern Drive, shared her concern for the word "control" in the ordinance. She is unclear of its definition. She had information from "Alley Cat Allies" an organization utilizing the trap, neuter, spay and release program to control feral colonies. She also is in favor of the requirement of licensing cats as well as dogs.

Carol Ann Sparvari, 322 Church Street, asked that something be done with the feral cat problem. Her property has been damaged by a neighboring cat lounging on her back deck . People are allergic to cat hair and dander and do not want their neighbor's cat on their deck. She believes that if you own a pet it should be under control at all times

Kelly Weinberg, 480 Brimfield Road, agrees that the cat ordinance is a necessity in town and that she has had problems in her neighborhood. She stated that the ordinance does define a "feral" cat as a wild cat, but also includes a domestic cat that is let to run wild. Owners who let their pets roam wild should be responsible for allergy reasons and for damage to property. She shared the story of baby bunnies in her yard that were killed. Pet owners need to be responsible.

Dr. Colandrea, 28 Hillcrest Avenue, questioned how the complaint regarding the cats came about? Town Manager, Joe Swetcky answered that several Town residents came to the Council meeting approximately three meetings ago asking for an ordinance for the control of cats using the Town of Wallingford as an example for the ordinance. This was submitted to the Council and to the Town Attorney for review and it was written in the correct format and a Councilor agreed to propose it for consideration by the full Council. Dr. Colandrea stated that cats, by nature, are roamers and hunters. He feels that the Town is leaving itself open to a large window of liability in trying to impose such an ordinance. He suggests that the ordinance be reviewed carefully before passing such action.

Patti Silva, 24 Hillcrest Avenue, believes that the feral cat ordinance is to control damage to people's property and to keep property sanitary by not allowing cats, cat hair and cat feces to be left all over their property. Also it is to have people be responsible for their pets. Ordinances control dogs, which were once wanderers, and people who own cats should be held just as responsible for damage created by their cats.

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

GENERAL COMMENTS

Paul Courchaine, 481 Main Street, provided an update on the Silas Deane project stating that significant progress has been made. Initial costing should be complete by the end of the week. The new Town Planner, Ray Carpentino, attended the most recent meeting providing beneficial information. Two local architects have been added to the committee; Mike Liska, Jr. and Bev Pierz, former Chairperson of the 1987 Master Plan. Support is appreciated from the Town staff and EDIC who has added Ken Rizzio to the committee. A public hearing is scheduled for December 9, 2002.

Mr. Morgan wished to verify comments by the Council and was asked by the Chairperson to do so by letter.

Paula Larson, 271 Main Street, reiterated her concern over the opening of the Village Tavern. After a recent meeting of the Old Wethersfield Shopkeepers to discuss the problems, she finds their employees continue to park along Main Street taking spots of would-be patrons. The Village Tavern is in disagreement with her opinion. She'd like one-hour parking enforced on her side of the street as well as the rest of Main Street. Because it is not enforced, patrons and employees of the Tavern are using spaces close to her business. She was told by a police officer that there is not enough manpower to enforce the one-hour parking. There is sufficient parking at the Keeney Center. She'd like signs installed.

Deputy Mayor O'Connor replied that the Traffic & Transportation Committee met on November 21, 2002. Mr. Courchaine shared the fact that a traffic study was done in Old Wethersfield several years back. The Committee suggested that the Town Manager and staff research the study and report the results back to them as to how to alleviate concerns in the area. This cannot happen overnight; however progress is being made. Signs have been ordered to address parking at Keeney Center.

Robert Young, 20 Coppermill Road, commented on the salary of the Board of Education's new Superintendent of Schools. The salary is a substantial increase over the past Superintendent's. He expressed concern that this could also occur with the hiring of a new Town Manager and a new Police Chief. He finds it hard to believe that we have to pay such a premium to hire new people when others in the area (state workers) are being laid off. He urged the Council to stick to the 3.5% or we may have to lay off workers to stay within our budget.

George Ruhe, 956 Cloverdale Circle, strongly suggested that the Chairperson personally go down and meet with the owners of the Village Tavern to try to resolve the parking issue in Old Wethersfield.

The Chairperson suggested that it be made part of the Business Visitation plan.

Kelly Weinberg, 480 Brimfield Road, expressed her thanks and appreciation for the sidewalks at Emerson Williams being fixed. She feels that it will now be a safer place for the kids. She requested information on the project for Mapleside.

Deputy Mayor O'Connor stated the Traffic and Transportation Committee met and discussed the situation with both Mapleside Drive and Rosedale Street. He informed her that Town staff will be providing a cost estimate to do Mapleside on one side of the road as well as rerouting the bus route at Hanmer School. Once dollar amounts are received, an assessment will be made.

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

COUNCIL ACTION

Chairperson Czernicki asked for discussion on the two hearing items, **THE RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH WINDING BROOK TURF FARM** and **THE ORDINANCE TO CONTROL FERAL CATS**.

Councilor Fitzpatrick recommends the discussion be tabled for further studies. There is paperwork, two reports handed out at the meeting, on this particular issue that needs to be reviewed. He suggests it be moved to the Major Contracts Committee, the decision will ultimately be the Council's.

Councilor Sassano stated that the Town Manager has recommended referring this issue to the Recreation and Park and to the Planning & Zoning Commissions. He urges Councilors to defer taking action until their comments are heard. He feels that the parties involved have to work as hard as they can to reach a compromise.

Councilor Fitzpatrick stated Major Contracts would coordinate and meet with different parties involved obtaining information from Recreation and Park Commission and Planning and Zoning Commission before bringing it back to Council.

Councilor Gardow agreed with the suggestion to send the issue to Major Contracts. He referred to a letter from Dick Lasher, Honorary Mayor of Griswoldville, who believes that part of the lease agreement should be that in the event that open farmland be offered for sale, that the Town have the first right of refusal. This would allow for further development of the Park rather than further housing development. This is something that should be worked through with Major Contracts.

Councilor Morin agreed with the motion stating that this is such a complex issue between neighbors and business. He is concerned about the environmental aspects. He stated that the Morgan family is very responsive; whoever regulates it must take the proper containment measures to insure environmental safety.

Councilor Fitzpatrick moved, **"TO REFER THE RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH WINDING BROOK TURF FARM TO MAJOR CONTRACTS"**, seconded by Councilor Gardow.

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

Councilor Morin moved **"TO REFER THE ORDINANCE TO CONTROL FERAL CATS TO PUBLIC SAFETY AND THE DIRECTOR OF CENTRAL CONNECTICUT HEALTH DISTRICT"**, seconded by Councilor Fitzpatrick.

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

UNFINISHED BUSINESS

Street Lighting

Chairperson Czernicki asked the Town Manager to comment on item C2g Municipal Purchase of Streetlights-Financing of CCM Intervention. Mr. Swetcky referred to correspondence from CCM indicating that the DPUC issued a ruling and that 20 towns financed the CCM intervention with the DPUC. They are not looking for additional funding. Therefore he recommends that C2g be removed from the agenda. He suggests a meeting of the Budget and Finance Committee to discuss C2a and come back to the full council with recommendations.

Deputy Mayor O'Connor moved "**TO RETABLE ITEM C2a STREET LIGHTING**", seconded by Councilor Cascio.

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

Agreement with the Greater Hartford Transit District (Dial-a-Ride)

Councilor Fitzpatrick said that the Major Contracts Committee met and the recommendation made is to modify the service to eliminate weekend services and to modify the schedule for non-medical trips outside of Wethersfield to Tuesdays and Thursdays only. There is a projected savings of \$65,000-\$70,000.

Councilor Sassano asked Nancy Stillwell, Director of Social Services, how firm the projected savings of \$22,000 are if weekend services are eliminated and also the \$41,000 by limiting non-medical trips. He asked what the annual fee is for patrons of the service and if they have looked into an increase.

Ms. Stillwell stated that they are fairly accurate estimates within \$2,000 either way. The savings for limiting non-medical trips is probably a slight underestimate because the cost reduction is based on the average cost of all trips, and out-of-town trips cost slightly more than the average. An annual fee of \$25 is charged for the Dial-a-Ride service. There is no charge per trip and she would not recommend it as overhead costs would increase. It has not been proposed to increase the fee. Waivers are provided for those who cannot afford the fee.

Councilor Cascio asked Ms. Stillwell, to explain measures to be taken once this program goes into effect and for a timeline for these measures going into effect January 13, 2003. Also, when was the last fee increase? Lastly he asked what other towns are involved with this program.

Ms. Stillwell has contacted Greater Hartford Transit for a list of all people who use the service for church on the weekends. She has written a letter to the ministers and pastors in town informing them of parishioners affected and asking them to make alternative arrangements for volunteer drivers or the like. There are approximately 11-12 people affected. She also is checking if any of these people are ADA eligible and would be able to make use of the ADA service rather than Dial-a-Ride. Regarding the fee,

there has been no change in the three years since she's been Director. Originally Hartford, East Hartford and Wethersfield were involved. East Hartford recently withdrew which leaves only Hartford and Wethersfield. In terms of both geographic area and hours of operation, Wethersfield is significantly ahead of the curve in comparison with towns who offer a service of their own.

Councilor Fitzpatrick stated that an alternative had been that the Town continue to operate the service as it had in the past. To do this would require a capital investment to obtain 3-4 more busses. The Town would also need to hire drivers.

Councilor Hemmann stated that with the cuts made, Wethersfield still offers a significant opportunity for service. Medical trips are not restricted and are provided to numerous communities. Newington and Rocky Hill do not provide this out-of-town service. She looks at this as a consolidation rather than a reduction. A watch must be kept on this program's budget as it has come in over-budget for the past four months.

Councilor Morin agrees with limiting non-medical trips to Tuesday and Thursday. He's concerned and displeased that Saturday and Sunday service be will be discontinued.

Councilor Fitzpatrick said that making the cuts was a very tough decision. The Committee had to look at where the smallest impact would be. He's hoping that the churches can step-up through their social action committees to remedy this. If the program hadn't been modified, there would be more significant cuts in the future.

Councilor Cascio said that church social action committees do already come together to transport their parishioners to church. He hopes that this will continue in the parishes in the community. A weekend trip costs on average \$50 per person for one-way.

Chairperson Czernicki thanked the Major Contracts Committee for working so hard on this issue. This year's budget allows for \$185,000 and costs through October are over \$225,000. She asked Ms. Stillwell if she thought the clients would continue to be well served with this reduction.

Ms. Stillwell feels the clients will still be well served. She said that the primary purpose behind Dial-a-Ride is getting people to their medical appointments and that will not be affected at all. She feels that this plan is the least painful for those served.

Chairperson Czernicki asked Councilor Fitzpatrick if the recommendations were a unanimous decision of the Major Contracts committee. He said it was.

Councilor Sassano asked how long the current schedule has been in effect. Ms. Stillwell answered that it has been for at least the three years that she has been with Wethersfield. Councilor Sassano asked if Wethersfield is still receiving State money. Ms. Stillwell said that Wethersfield receives approximately \$19,000 per year.

Chairperson Czernicki asked the Manager to verify that as of October 31, 2002, the Dial-a-Ride budget is over by \$41,351.

Town Manager Swetcky stated that even with the proposed reductions, the budget will probably be over by approximately \$78,000.

Councilor Gardow asked the Town Manager if we are breaking any contract and if this decision would be allowed by Greater Hartford Transit.

Town Manager Swetcky said that we have not signed a contract this year with Greater Hartford Transit. He spoke with them today and they indicated that it would not be a problem for them to implement the changes.

Councilor Fitzpatrick said that the Committee had met with Greater Hartford Transit and that they were very helpful.

A motion was made by Councilor Fitzpatrick **"TO MODIFY THE EXISTING DIAL-A-RIDE CONTRACT BY ELIMINATING WEEKEND SERVICES AND REDUCING THE NON-MEDICAL OUT-OF-TOWN TRIPS TO TWO DAYS PER WEEK"**, seconded by Councilor Hemmann.

Councilors Cascio, Fitzpatrick, Gardow, Hemmann, and Deputy Mayor O'Connor voted AYE. Councilors Morin and Sassano voted NAY and Chairperson Czernicki voted to ABSTAIN. The motion passed 5-2-1.

OTHER BUSINESS

BIDS

Councilor Cascio moved **"TO AWARD THE BID TO BIDDER #2 CENTURY INDUSTRIES - IN THE AMOUNT OF \$90,427 TO PURCHASE A SHOWMOBILE"**, seconded by Councilor Sassano.

Chairperson Czernicki asked the Town Manager to explain the monies to be spent over the State Grant amount of \$70,000.

Town Manager Swetcky said that all of the bids came in higher than the State Grant amount. There are additional items

that the Recreation and Parks would like to see on the Showmobile. The staff obtained contributions from various organizations, which leaves the need for \$20,000 from Recreation and Park Capital Improvement Funds.

Councilor Hemmann asked of any incurring costs to this piece of equipment and what the costs may be.

Town Manager Swetcky said that there will be maintenance and usage costs. He did not know what the cost amounts will be and referred the question to Kathy Bagley, Director of Recreation and Parks. Ms. Bagley spoke of general maintenance that will be have to be performed on the tractor-type Showmobile. This involves tires, hydraulics and other general maintenance to a vehicle without a motor.

Councilor Cascio asked Ms. Bagley if training needs to be given for maintenance of the tractor. Ms. Bagley said that Town maintenance employees visited the West Hartford maintenance department and spoke with them about the same Showmobile. The maintenance is fairly easy. There is a warranty and required training for the unit. Councilor Cascio asked if other groups will continue to be contacted for the additional funding or has that ended. Ms. Bagley stated the Recreation and Parks will be looking to make a "deal" with a company to do the graphics on the Showmobile. Councilor Cascio asked if the challenge grant would be received from the Chamber of Commerce if half of donations are given by outside funds and half are Town funds? Ms. Bagley thought that this would still qualify for the Challenge Grant.

Councilor Cascio had thought the Chamber's agreement was that an additional \$5,000 was to be raised from "other sources"; therefore he urged Ms. Bagley to continue seeking outside donations. In response to Council Cascio's question, Ms. Bagley answered that the Showmobile would be kept in the yard of the Physical Services Department.

Councilor Gardow asked if the organizations listed as having given donations were in receipt of Town money for their annual budget. Ms. Bagley answered that the Teen Theater and the Wethersfield Nature Center do not receive any funding from the Town. Councilor Gardow was concerned that the Town is actually contributing to the donations being made by the remainder of the organizations. He urged that donations be sought from organizations that do not receive Town funds. Ms. Bagley said that the fundraising has not stopped. He asked if the price would increase substantially if the Showmobile is not purchased today. Ms. Bagley said that the prices would be held for three months; however, the State Grant can only be held until the end of December.

Chairperson Czernicki asked Mrs. Sparveri, Chairperson of Culture and Arts Committee to comment. She said the additional cost includes a generator that would be built-in at the time of purchase. It would be in an enclosed soundproof compartment rather than a separate generator placed outside which would be noisier. Also, the ADA lift is important for numerous Town events such as Special Olympics events, graduation and the Memorial Day Parade. This lift needs to be installed. She urged that we commit to this before December 31 so that we do not lose state funding.

Deputy Mayor O'Connor asked Town Manager Swetcky if the donation money is actually on hand or if these were just verbal commitments at this point. Town Manager Swetcky said that the \$70,000 is on hand, as well as the American Heritage money, The Capital Improvement money and the \$10,000 from Culture and Arts. Deputy Mayor O'Connor pointed out that the town will have to come up with approximately \$9,000 until donations are received.

Councilor Cascio made Ms. Bagley aware that the Chamber is meeting on Thursday and that she should speak to them about possibly cutting a check for their donation as soon as possible.

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

Councilor Cascio moved **"TO AWARD THE BID TO BIDDER #2 BUSINESS ELECTRONICS INC. - IN THE AMOUNT OF \$28,115 TO PURCHASE A PUBLIC SAFETY VOICE DATA LOGGER AND FOR USE BY THE PUBLIC SAFETY DISPATCH CENTER"**, seconded by Councilor Gardow.

Councilor Hemmann asked if this will replace the machine with the rubber bands. Town Manager Swetcky answered that it does. This logger will be located in the new Police facility. It will have the capability of recording both radio communications and telephone communications. Councilor Hemmann asked if the new logger would be installed in the existing police station or if it would be used if the current one fails. Town Manager Swetcky said that it will be

installed in the new facility; however, if need be, it could be moved to the current facility.

Deputy Mayor O'Connor asked what replacement costs for DVD discs would be after the first year's included supply. This could be a "gotcha" necessity of the system that could be very costly to continue to stock. Also, in the maintenance contract, is there anything in the agreement that protects the Town from substantially increased fees after the third year. Town Manager Swetcky said that the price quoted for the fourth and fifth year has been locked in. He can obtain a price for the replacement DVD's.

Councilor Sassano questioned why vendor #1 was not selected despite their \$5,000 reduction in cost? What is the defense to go with the higher bid? We are obligated to go with the lowest bid. Were the committees convinced of an advantage of going with the high bid? Town Manager Swetcky answered that vendor #1 was not offering a digital interface system which would have been an additional \$17,000. When factoring in software maintenance and licensing, vendor #3's cost is actually higher.

Town Manager Swetcky answered Councilor Hemmann's question that the average life span for this type of equipment is approximately 12 years.

Councilor Gardow asked if all the options are being purchased under bid #2. Town Manager Swetcky answered that the bid price includes the basic unit for \$27,615 and the playback software licenses for \$500. The 4th year maintenance agreement for \$2,032 is not included in the bid price. This would be purchased in the 4th year. Also, we are not taking the UPS for \$450.

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

Deputy Mayor O'Connor moved **"TO TABLE THE BID FOR THE HOUSING REHAB PROGRAM - 46 AMHERST STREET UNTIL THE DECEMBER 16 MEETING"**, seconded by Councilor Fitzpatrick.

Deputy Mayor O'Connor verified with Town Manager Swetcky that there have been some changes made and that the Council needs more clarification and information.

Town Manager Swetcky shared that the homeowner does have some say as to which contractor is selected in this housing rehab program. The Town Manager was informed earlier this evening that the homeowner has concerns with the low bidder. He'd like to straighten this out and delay action until the next meeting.

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

Councilor Cascio moved **"TO AWARD THE BID TO UNITED BLACKBOARD & SPECIALTIES, LLC- IN THE AMOUNT OF \$5,690 TO INSTALL MARKER BOARDS AT SILAS DEANE MIDDLE SCHOOL "**, seconded by Councilor Fitzpatrick.

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

Councilor Cascio moved **"TO AWARD THE BID TO FRIAR ASSOCIATES: ROOF & CANOPY DESIGN SERVICES-IN THE AMOUNT OF \$13,200; RCI ELECTRIC: RELOCATE ELECTRICAL FEEDER CONDUIT-IN THE AMOUNT OF \$6,256.32*; W.J. MOUNTFORD: STRUCTURAL STEEL REVISIONS-IN THE AMOUNT OF \$6,660; AND A&A WINDOWS AND DOORS: TINTED AND LOW E GLASS-IN THE AMOUNT OF \$5,935 FOR SDMS CHANGE ORDERS"**, seconded by Councilor Fitzpatrick. [*approved for time and material work by Building Committee]

Councilor Gardow has attended the Silas Deane Middle School meetings and thanked the contractors for doing a great and thorough job.

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

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

RESOLUTION REGARDING AUTHORIZATION TO EXECUTE A CERTAIN CONTRACT WITH THE STATE OF CONNECTICUT DEPARTMENT OF SOCIAL SERVICES FOR A SSBG SOCIAL SERVICES BLOCK GRANT.

BE IT RESOLVED, that Interim Town Manager, Joseph Swetcky, is empowered to execute, amend and deliver in the name and on behalf of the Town of Wethersfield a certain contract for \$9,837 with the Department of Social Services of the State of Connecticut for a SSBG Social Services Block Grant and to affix the town seal.

MINUTES

Deputy Mayor O'Connor moved "**TO TABLE THE MINUTES FROM NOVEMBER 18, 2002**", seconded by Councilor Cascio. Deputy Mayor O'Connor felt that the Council needs time to review these minutes.

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

GENERAL COMMENTS

Reports

- a. Appointment of Superintendent of Schools
- b. Dept. of Transportation Project Notification
- c. Small Cities Award Letter
- d. Silas Deane Middle School Status Report
- e. Silas Deane Middle School Dust Testing

Small Cities Award Letter

Town Manager Swetcky informed the Council that Wethersfield has been awarded by the State a Small Cities Grant in the amount of \$390,000 for improvements to the Town Hall and the Pitkin Community Center. The town Attorney is reviewing the contract and paperwork will be returned to the State within the next few days so that this project can begin.

Silas Deane Middle School Dust Testing

Councilor Gardow questioned why the time scale was changed for the dust testing averages. For an accurate comparison, he would like to see the time scale consistent. Also, has a date been set for the next batch of comparisons.

Mr. DeMauro, Newfield Construction, answered that he does not know why the length of time was changed for the testing. He can find out, but does not have the answer tonight. Unless there are problems in the building, which there are none at this time, the next round of tests won't be until they start the next interior phase of demolition; sometime around mid-February.

COUNCIL

Councilor Hemmann requested that a letter be sent to the MDC requesting a continuation of open lines of communication between the MDC, Town Engineers, WINA Engineers and the Attorneys involved.

Councilor Cascio reported that Shared Services met earlier this evening and that Superintendent of Schools, Dr. Robert Goldman, will be meeting with Fletcher Thompson on December 5 to discuss the update of the Webb School opening. The Board of Education will be meeting on December 18 to decide on the plan to be taken.

Councilor Fitzpatrick stated that time frame for a referendum is expected to be March or April, 2003.

Councilor Gardow commented that he'd like to see an agreement in Olde Wethersfield where the employees of the Village Tavern would agree to park behind the Keeney Center.

Councilor Fitzpatrick asked the Town Manager about the progress of the new Police facility. There had been some incomplete items the last he was informed. Town Manager Swetcky answered that the contractors were notified that they have ten days to complete their items and that the ten days was up today. Three of the contractors indicated that they will get the work done. Legal action will be pursued if need be. An executive session with the Town Attorney regarding legal action is scheduled for December 16, 2002. Councilor Fitzpatrick wished to be assured that documentation is being made of who is holding up the project and also that the contractors are being charged for attorney fees.

Councilor Cascio commented that the Planning & Zoning Commission is meeting tomorrow at 7:30 p.m. and he is concerned about one of the areas being considered for re-subdivision by Premiere Building & Development of a 1.5 acre parcel from 3 lots into 4. Is design review being brought forward? Also have all parties involved who live on Bermuda Road been notified of this issue. Councilor Cascio asked for an update of the Kelleher Court equipment sheds. Town Manager Swetcky will talk to the Town staff regarding the re-subdivision to see if they have a site plan. Also, at the last Planning & Zoning Commission meeting the Town Staff sought a site plan approval for the equipment sheds at Kelleher Court. The Planning & Zoning Commission tabled the request and asked the Town to do an outreach with the neighbors in the area. Last Tuesday, the Town Staff held a meeting with the abutters in the neighborhood to gain their input. Discussion was made and results will be shared with Planning & Zoning Commission tomorrow. Councilor Cascio asked if there has to be two separate units or can they be housed together. Town Manager Swetcky answered that under NFPA rules, they should be separate buildings and the plan is for separate buildings. Access to fire department radio equipment should not be given to unauthorized individuals.

PUBLIC

Paul Flannery, 382 Ridge Road, asked regarding the Fire Marshall's letter to Town Manager Swetcky, where the backup dispatch center would be as the letter states that it will not be at Firestation #3. Town Manager answered that the new system will be able to work off itself. If there is a default in one part of the system another part will be able to pick up. Also, there are generators involved in the case of power outages.

George Ruhe, 956 Cloverdale Circle, complimented the Mayor for her patience in the discussions this evening. He cautioned the Council the Winding Brook Turf Farm issue is a controversial business action taking place on Town land. A problematic precedent will be set. He asked who put the video cameras in Mill Woods Park. Was it the Police or was it done privately by Mr. Morgan? Chairperson Czernicki responded that she did not have an answer. Town Manager Swetcky informed Mr. Morgan that he would find out.

Ballou Tooker, 65 Harmon Place, commented that he is pleased with the Dial-A-Ride solution but would like to know how many hours a day Dial-A-Ride operates. Councilor Fitzpatrick answered that Dial-A-Ride operates Monday-Friday from 8:30 am-5:00 pm. Mr. Tooker suggested that to save additional money, the hours be cut. Mr. Fitzpatrick clarified that we are charged by the hour according to usage. If no one gets on the bus, there is no charge.

ADJOURNMENT

At 10:35 p.m., Councilor Cascio moved "**TO ADJOURN THE MEETING**" seconded by Councilor Fitzpatrick. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk