

**REGULAR MEETING
MARCH 18, 2013**

The Wethersfield Town Council held a meeting on Monday, March 18th, at 7:00 p.m. in the Council Chambers, 505 Silas Deane Highway, Wethersfield.

Present: Councilors Drake, Hurley, Kotkin, Manousos, McAlister, Montinieri, Roberts, Deputy Mayor Console, and Chairperson Hemmann.

Also present: Thomas Moore, Principal WHS, Michael Emmett, Superintendent of Schools, Fred Bushey, Director M&O, Timothy Howes, Asst. Superintendent for Human Resources & Finances, Sally Dastoli, Director of Curriculum & Instruction, John Cascio, Chairperson, Board of Education, Keith Rafaniello, Director of Technology, Kenneth Slater, Town Attorney, John Eichner, Radio/Phone Consultant, Mike Turner, Town Engineer, Victor Serrambana, Owner VMS, Jeff Bridges, Town Manager, RaeAnn Palmer, Assistant Town Manager and Dolores G. Sassano, Town Clerk.

Deputy Mayor Console led the pledge of allegiance to the flag.

Mayor Hemmann asked for a moment of silence for Joe Coombs and acknowledged that Joe was a very hard working member of the community and served on many different Building Committees and really got us through lots of different activities with those renovations so we really appreciated all his service.

Mayor Hemmann invited Mr. Emmett to the podium to present the school budget.

Mr. Emmett presented the proposed board approved budget for the 2013-2014 school year. He explained that he wanted to focus on providing a global overall perspective of their budget and stated that they submitted it to the town on Friday. Mr. Emmett commented that the budget was about 616 pages complete and that it is available on their website. A copy of Mr. Emmett's PowerPoint presentation will also be included in the minute's record.

At the end of the presentation Mr. Emmett asked if there were any questions.

Deputy Mayor Console commented that we had the same situation a couple years back with student enrollment and then when school did take place they were up like 67 students and people were registering at the last minute. Deputy Mayor Console asked if we are taking any steps to see that this doesn't happen again or is this just the nature of the beast.

Mr. Emmett responded that part of it is the nature of the beast and explained that, for example, we are starting with kindergarten registration this week. In spite of the fact that we communicated as best as we can, we still will inevitably get those kids that will come in at the last moment. He stated that one of the things that we are looking to do is to alter the schedules

during the summer to make sure I have staff available in the office to process registrations throughout the course of the summer and that will decrease the backlog and get these kids in and allow us to plan a little bit more efficiently.

Councilor Drake commented that the new teacher's contract brought the number of personal days down from about 10 to a more reasonable 3 and asked did you take a look at the substitute teacher budget because the last time it ended being a huge number that we added to it and I assume we are going to be a big decrease in that but I didn't see that poke out anywhere.

Mr. Emmett responded that with the substitute budget, we have underfunded that unfortunately. He explained that the substitutes are brought in for a number of reasons. One of the reasons they are brought in is certainly for sick days which we still expect we are going to see a fair number of and in addition to that, we also use substitutes for professional development. He stated that as mentioned earlier, one of the things we have done a lot of this year is focused in on curriculum writing. Mr. Emmett explained that curriculum writing is not something where I hire a consultant and have them come in and do it and explained that we have experts in our district already and those experts are the teachers. So when we are writing curriculum we'll have teachers out of classrooms and we'll need to provide substitutes so that's another area where you'll see that spike in the substitute line. Mr. Emmett responded with regard to the personal days and stated that certainly what we are going to look at is we are going to look at them on a case-by-case basis and the expectation is that teachers need to be in teaching. He stated that we understand that there are going to be time periods where people need to be out, but the expectation is that teachers are in teaching quite frankly.

Councilor Drake commented that his point is that if you dropped it down from 10 to 3, if it was 10 you would have an expectation that a lot of people would take them because that is what they got. I would think that the substitute teacher budget would actually go down pretty well. The last time it went way up and it was very noticeable and I didn't see it here.

Councilor Kotkin asked if Mr. Emmett could provide the Council with a spreadsheet of the background on how the 11 retirements equals the \$244,000 and asked if all 11 of those are teacher positions.

Mr. Emmett replied teacher and administrator positions.

Councilor Kotkin asked do you expect any retirements among the noncertified employees of the board.

Mr. Emmett responded that the potential exists but under the existing contract, they would not have to report that to us immediately and stated that there is an incentive for certified personnel to notify us by January 15th of their intention to retire which allows us the opportunity to prepare and plan. Certainly I think with regard to non-certifiable cease of movement we generally do, but that movement tends to be at the end of the school year, they will decide to resign and take

another position. So it is certainly something that we will look at. As for the spreadsheet that breaks down the retirement savings, we'll be happy to provide that.

Councilor Kotkin asked do you build in custodian or secretary ~~retires~~ retirements. I assume that the person, who comes in, comes in at a lower scale.

Mr. Emmett responded generally speaking, yes, but not always the case and stated that one of the areas where we find that is our areas of shortage. For example, we lost an ELL teacher to a resignation at the beginning of the year. The pool of candidates for the ELL teacher was very slim so we didn't have the luxury of being able to hire somebody at the bachelor's level Step 1 and needed to fill the position and needed a qualified individual, so we try and focus on that but we know full well that that doesn't always tend to be the case.

Councilor Kotkin asked if we have built in any retirements in the non-certified area into your budget.

Mr. Emmett responded no, not at this time.

Councilor Kotkin suggested that in a future meeting it might helpful to know typically how many of those retirements you get per year out of 100 or 200 people.

Councilor Kotkin asked if the Director of Security and Residency is done by a full-time or part-time person right now.

Mr. Emmett responded that we have one part-time individual working 20 hours per week throughout the whole district.

Councilor Kotkin asked does that person remain in the new budget and you have another person above that person or does that person's job get eliminated and replaced by a full-time person?

Mr. Emmett responded that that person remains in the budget and what that person will end up doing as I mentioned earlier in my original budget request, I was looking for five individuals, one each for each elementary school. He stated that what I envision happening is that the part-time residency person would end up being dispatched out to schools to support schools. Is it the optimal, no it's not, because I'm not going to have him in every building at once, however, at least I will have him there and I can rotate him to the elementary buildings to support.

Councilor Kotkin commented that he was surprised that the legal budget went up instead of down since there will be no teacher negotiations going on this coming year.

Mr. Emmett responded that we use a special education attorney quite frequently; we utilize attorneys for expulsion hearings and for other human resources issues. He stated that in Wethersfield, we have a level of accountability here and if people are not going to meet that level

of accountability, we are going to do just that, we are going to hold them accountable and in order to do that, there are times where we need to provide legal support for our district and our administrators and the Board so that is what that represents. In addition to that, the Finance and Information Management Committee has requested us to go forward with an RFP to take a look at legal services for the future as much as we did with transportation in an effort to be efficient and save money. It's still good quality service.

Councilor Kotkin commented that maybe as we get into the details, you can talk about why that part of the budget, labor & negotiations part of the legal budget doesn't result in the decline of the legal budget.

Councilor Montinieri commented about the Governors Report from the subcommittee regarding security of schools in the state in response to what's in Newtown and stated that it talks quite a bit about locked doors and lock down in individual classrooms and there is very little discussion about personnel and there is no indication that the State is going to propose in response to it any funding for, even though this will probably be one of those unfunded mandates.

Councilor Montinieri asked has that been looked at in light of this issue about a staff position being added because it seems like they are talking more about facilities issues versus a security position and obviously a security position is expensive and I'm sure it has been considered, but will you look at that and is that something that in light of no funding coming that is going to impact it and where is that seen in the budget.

Mr. Emmett responded that it is unfortunate that the lack of funding is going to be the issue here and stated that in terms of the facilities, since Newtown occurred back in December, we worked very hard to ensure that our buildings are as safe as they can possible be. Mr. Emmett explained that we are kind of fortunate because we were kind of ahead of the curve with regard to some of the initiatives we already have in place which are cameras, locked doors in all of our buildings, a buzzer system so we have and the key access card system in lieu of using keys which was funded through a previous homeland security grant. He stated that those are the types of things we look at and I will tell you that in looking at the facilities, we have a couple of gaps and one of the areas is doors and door locks. Mr. Emmett explained that we have buildings that were built in the late 60's and 70's and it's not as simple as going to Home Depot, buying a new lock and throwing it on there. Actually it requires having to replace all the hardware or the entire door. Mr. Emmett stated that when he presents the security package, it will break down all of those costs. Mr. Emmett continued to discuss security issues within the district including the possibility of utilizing some used radios from the Police Department.

Deputy Mayor Console commented that he received an email from someone at the State of Connecticut that there was an initiative to set aside \$73,000,000 for school safety and added that he would be happy to share the contact information with him.

Councilor Manousos asked if Mr. Emmett can review some of the Technology initiatives and

stated that he was fortunate enough to sit in on your Finance Committee meetings and appreciate the hard work that the staff and the committee has done to come up with something that you thought was reasonable and which we will certainly take a closer look at and keep asking questions, and appreciates that.

Mr. Emmett responded that one of the things that we can look at within the district with technology is some of the gains that we already made with regards to Smart boards. He explained that have a Smart Board in every single K-6th classroom in this district. He stated that one of the reasons that we are really focusing in on increasing the amount of technology in the budget is to meet the demands of the Smarter Balance Assessment. He stated that we are fortunate through our Director of Curriculum Sally Dastoli, she is always interested in assessments. So we have really embarked upon a lot of pilot testing of this Smarter Balance Assessment. Mr. Emmett explained what technology needs will be necessary for when the Smarter Balance Assessment is in place.

Councilor McAlister commented that he would be interested in seeing a benchmark against the schools who have or have not done the full-day kindergarten program and additionally, of those who have done the full-day kindergarten program which ones do have the summer school or not and then that impacts it because this just reminds me of installing a boiler for a facility and then not putting in maintenance. Councilor McAlister commented that he thinks the summer school program would really allow us to take advantage of the initial investment we did in the full-day program. Maybe it's a limited K-3rd, but not sure we have the appetite for it right now, but definitely consider it for the near future.

Mr. Emmett then gave a brief history of the Summer School Program

Councilor Drake asked about the Athletic Escrow Account.

Mr. Emmett responded that it was something that was in place that they would drain every year and at the end of the year; they were always looking for money to fund transportation. So Mr. Howes has made sure that he has put everything into the budget so they don't rely on that educational escrow. He explained that it might be money, it might be gate receipts, pay-to-play and again they have a policy in Planning Committee tomorrow night and pay-to-play is going to be one of the aspects they are going to be looking at and it all ties into the escrow.

PUBLIC COMMENTS

Barbara Ruhe, 79 Main St. commented that she value's education extraordinarily and is a graduate of WHS. She commented that we need to not overreact and insist on doing something just because of Newtown. She stated that we've all learned and will be more careful but bullet proof glass is not going to make a difference and that children need to be taught in a safe, warm, comfortable environment and that it's always dangerous to react in very emotional situations.

She commented that we will protect our children because we are more aware and we could use the funds in ways other than security. She pointed out that there are people in the community that would be more than willing to volunteer to tutor a child and urged the council to be creative and make sure that education is about learning. Ms. Ruhe also stated that we need to tell our legislature to stop having all those mandates that are not funded.

John Porriello, 49 Dudley Rd., commented against the purchase of the development rights of the Goff Rd. property.

Gus Colantonio, 16 Morrison Ave., commented against the purchase of the development rights of the Goff Rd. property.

Cynthia DesRosier, 67 Dogwood Rd. commented in favor of the purchase of the development rights of the Goff Rd. property.

Robert Cobb, 99 Meadow View Dr., commented against the purchase of the development rights of the Goff Rd. property.

Joel Wagner, 203 Clearfield Rd. commented that he is proud of the schools in town and encouraged the Council to split the land issue into two votes. He asked the Zoning Board to rescind the blasting on Goff Rd. or at least mandate the most stringent restrictions to the blasting to control the situation.

Leigh Standish, 278 Hartford Ave., commented on the 8-24 referrals and the legislative intent behind them.

Jan Maribelli, 195 Goff Rd. commented in favor of the purchase of the development rights of the Goff Rd. property and presented a petition to Town Clerk Sassano.

Robert Young, 20 Coppermill Rd., commented that the Board of Education budget with a 3.5 percent increase is completely outrageous and wrong at this time. He warns of the effect that it will have on our taxes and commented against the purchase of the development rights of the Goff Rd. property.

Ryan Jordan, 22 Burwood Rd. commented that we should have that patch of woods stay woods.

Steve Kelly, 29 Old Smithy Ln., commented that Willow St. and Goff Rd. should have been separate issues. He also commented that the wooded area on Goff Rd. is really not an attractive area with all dead trees.

At 8:35 p.m. there was a pause in the meeting due to audio problems.

At 8:45 p.m. the audio problems were fixed and the meeting resumed.

Joan Biagioni, 217 Goff Rd., read a letter from Gale Griffin of 52 Desmond Dr. urging the Town Council to preserve the integrity of 214 Goff Rd. *Please note, audio problems occurred during Ms. Biagioni's comment period.* Ms. Biagioni also commented in favor of the purchase of the development rights of the Goff Rd. property.

George A. Ruhe, 956 Cloverdale Circle, commented on the blighted area at Cloverdale pond and urged the council to push the people who are the impediment to making this project happen. He encouraged the Council that as they go into the budget to look at the priorities. Mr. Ruhe also commented to make sure this small little park gets the attention the citizens around it deserve.

COUNCIL REPORTS

Councilor Drake attended the High School Building Committee meeting and explained that after more testing the PCB issue, as thought, isn't that big of a deal in terms of the environmental issues involved, but we still have to deal with getting an EPA approval report to go to the State. Councilor Drake explained that they changed their plan and basically what they are going to do to keep the time-frame together is to split the project in two phases. He explained that basically the plan was to go to the State tomorrow and go forward with the parts that have no environmental issues whatsoever which are the three additions, the auditorium, the media center and the extension of the music center. He explained that while they are getting the EPA approval, they will continue with the paperwork and go in again in July. So basically, the project will be split in two and will be seamless to everybody in town but and that is how they are going to go to the State. He commented that based on everything he has seen, they seem to have a good handle on everything. He is pretty pleased that everything is going the way that they think it should, so I think we are good.

Mr. Bridges commented that Councilor Drake is absolutely right and at the next meeting you are going to see a proposal from Fuss & O'Neil who was brought in as the expert consultant on PCB's to do some additional work to get us through the EPA process and you'll see that at the next meeting. Mr. Bridges stated that we are going for the PCT tomorrow and that process is going to take a while and during that process, we will continue to get that EPA planned so by the time that that's done, we'll be ready to submit Phase II.

Mayor Hemmann asked if the State was okay with that to which Mr. Bridges responded that it was their recommendation.

Councilor Manousos reported that the Budget and Finance Committee met and started the budget review process starting with the Library and the Nature Center and we will be continuing that process in the coming weeks.

Mayor Hemmann reported that the Public Works Committee met. There is an item under Other Business, with an error in the wording, it says abandonment of Right of Way on Hang Dog Lane,

it should be Two Rod Highway. She stated that the Committee discussed it and this was just to more or less square off the property for this particular property owner [31 Kimberly Rd] and the Committee recommends that it gets referred to Planning and Zoning for the Section 8-24 review. They will be discussing it at a later time on the agenda.

COUNCIL COMMENTS

Councilor Kotkin commented to Jeff and RaeAnn that he had a call from a resident who noted that during the period of time when we were updating the town's website, there were some temporarily, some weekly management reports and minutes that were not available. He asked if Manager Bridges could provide some update on where we are on the website change and if anything that wasn't temporarily available is now available to the public.

Mr. Bridges responded that we were going to do that under Town Manager comments.

Deputy Mayor Console reported on St. Patrick's Day Parade with Councilor Hurley and Roberts. It was very well attended and nice to see that Wethersfield had a good turnout.

Deputy Mayor Console reported that he and Tony Martino were at the Wethersfield UNICO 2nd Annual Service Awards Dinner. One honoree was Mary Huffman Diversa, a life-long resident, instrumental in getting Mikey's Place going as well as doing other nice things for the Town. Also, Tony Santucci, has lived in Wethersfield since 1956, and his accomplishments were not only in the military, but also do to his long involvement in Wethersfield/Rocky Hill Chapter of UNICO.

Deputy Mayor Console commented that he is glad that the MDC is going to take some action on the issues with Highland Street. Cleaning up that area and moving the worksite to another parcel in town, and stated that I think that will please a lot of the people on Highland Street. Deputy Mayor Console asked that once that is completed if we need to do any Phase I or Phase II study as far as the soil that was brought in from outside towns to make sure there is no contaminants or anything that could leach into the fields and streams that eventually feeds Millwoods Park. He stated that he wants to be sure we take steps to do that, even though it is private property.

Deputy Mayor Console commented that he agrees the Wilkus Goff Rd. properties are two separate issues and stated that it was one issue when it was going to be a land swap with Mr. Drisdelle, at this point, one should have nothing to do with the other and asked that they be separated into two pieces. He stated that there is no link whatsoever with the exception of the funds. Deputy Mayor Console also stated that he did read the Town Charter today and in review it is his opinion we [Council] need some clarification on this. If we do overturn this, he thinks it is possible that the Council very well could be in violation of certain sections of the Charter. With this in mind, he would respectfully request, when the time is right, this second part of B3d which deals strictly with the Goff Rd. issue be tabled. At least until all of the sections of the Charter can be thoroughly vetted by the Town Attorney regarding this vote, if we do decide to

overturn the Planning & Zoning's decision on this. Deputy Mayor Console stated he is not an attorney, but thinks there are some violations, which he would not like to see. He added another point: Mr. Ruhe has been waiting over 30 years to get something done with his piece of property-where do we get money for that. Deputy Mayor Console commented that he doesn't know Mr. Drisdelle, but knows he has built many homes in town and if the town was going to offer me \$200,000 not to build something, I would probably jump at it. He commented that in business, sometimes you win sometimes you lose sometimes you have to cut and run. Mr. Console continued if Mr. Drisdelle was a man of his word and a person that is going to be living in town, and dealing in this town in the future, he should realize what is going on here. Perhaps just build one house up on top of the hill, sell the home and move on to something else and that would save a lot of issues also.

Councilor Drake asked Deputy Mayor Console if the MDC was moving to another spot in town.

Deputy Mayor Console responded that they were talking about the Wilkus property, the Fun Zone and Morris Farm.

Mr. Manousos commented that on Saturday, April 13th, there is going to be a dinner and live entertainment night benefitting Loretta's Dream Foundation to help fund the proposed pavilion at Millwood's Parks, and hopefully everybody will attend.

MANAGER'S REPORT

Mr. Bridges asked RaeAnn to speak about the updated website.

Ms. Palmer explained that we transitioned into our new website not this weekend but the weekend before and what we did was essentially what we call a soft launch and we didn't announce it, we just changed the address to go to the new website and what we discovered in doing that were a couple of problems that were easy to fix. She noted that the thing we are hearing comments about is around the minutes and what essentially has happened we migrated all of the content from the old website to the new website at the end of 2012. That was in the contract with the vendor to do that one migration. She added that since then, we have kept going on with meetings, we have made the switch, but we have not moved off the minutes ourselves. She explained that we are in the process of doing that and it is a long and tedious process and not something that you do every day and we are starting to train more people to help us so I ask the community to have some patience and if there is something in particular you are looking for, you can go to our website and click on either one of our data services people of Jeff or I, and we will find those minutes and get them sent to you and we certainly apologize for that inconvenience. Beyond that, I will say 9 out of 10 comments we are getting are very favorable. We look to make the website a little easier for people to find things and to make it more active and we seemed to have accomplished at least that.

Mr. Bridges commented that MDC did ask the contractor that is working on Highland St. to vacate and stated that they have 21 days to vacate and did meet with town staff on the location. He stated that we have yet to identify a location for them. Ultimately, it will be their decision, but they will have to clean up the area on Highland Street and MDC will oversee that.

Mr. Bridges reported that the Health District's budget public hearing is March 21, 2012 and reported that they have increased the assessment to Wethersfield about \$9,000 which was not unexpected last year. They had a significant increase for all the member towns but they decided to do what was called a soft landing to increase their budget over time rather than one lump sum, so this increase wasn't unexpected but their public hearing is March 21 @ 6:00 in the Community Room at the Newington Public Library.

Mr. Bridges announced that we received a printout from the MDC regarding the Clean Water Project and they are available at the Town Hall.

Councilor Roberts commented that she went by the Fun Zone and that it looks like it is a storage facility now for some big pieces of steel.

Mike Turner responded that no permits were taken for that but it appears that Mr. Neidtz has allowed somebody to lease that space for storage. Mr. Turner stated that they are roof trusses that were on trailers and there are about 8 of them and we have contacted Mr. Neidtz who is managing the property from Mr. Bernstein regarding the situation.

Mayor Hemmann commented to Mr. Bridges that he has talked about the potential for three different sites for MDC.

Mr. Bridges deferred to Mike Turner because he sat in on a meeting with the contractor about those other areas and they spent some time with the Fire Marshal and Police Dept. going over potential possibilities.

Mr. Turner responded he did have an opportunity to meet with the folks from MDC and the contractor and they advised us that they asked the contractor to move within a 21-day window of time. He explained that we started asking about the potential of other sites and one of the sites includes using the actual streets where the contractor is working to place pipes, stones, etc. in the roadway itself which can pose potential problems regarding fire access, police access, things like that. Mr. Turner explained that the contractor has not at this moment identified a particular spot. As was mentioned, there were some emails today floating around about potential other sites that are being investigated, for instance, the Fun Zone. He stated that he believes that the contractor has contacted the Fun Zone and it was taken off of the table due to the price.

Mayor Hemmann asked if the Fairlane/Randy Rd. work and repaving was going to be complete by the end of April.

Mr. Turner responded that he believes that it is true and that they will be doing the pavement restoration work on the balance of Randy Lane across Griswold and up Fairlane. He stated that it is already scheduled for April and the remaining work that he has over on Coleman Rd. and the Chamberlain area will end sometime in May. Mr. Turner commented that it is a relatively short window of time, so we may be spending more time actually transitioning off the work site than he is actually being able to do the work, where he should be.

Mayor Hemmann asked wouldn't it be in our best interest to make sure that he just completes the work and then gets everything off and then be totally done.

Mr. Turner responded that I'm sure it would be the contractor's desire to be able to stay there and pursue his due diligence and get the work done.

Councilor Drake commented that if they are going to be done in mid-May then why are we asking this guy to move to a different site.

A discussion then ensued regarding the MDC/contractor use of the Keisha property. Mike Turner invited Victor Serrambana, owner of VMS Construction to address the Council. Mr. Serrambana stated that he believes that they can be complete with those two projects on or about May 15th if I could have until May 30th, I think we can guarantee we'll have enough dry weather to restore the Keisha site. He stated that right now to try to abandon that site within the next 21 days, I can't restore it because everything is just too wet. We can vacate but the site won't be cleaned up completely until we have dry weather. Mr. Serrambana asked the Council to reconsider and allow VMS to complete their work and believes it is in the best interest of the town. He also explained all the materials that were stored on the site have been environmentally tested. He explained that the MDC does extensive environmental testing at the time they are doing the design and stated that there were no environmental concerns indicated in their contract. After the discussion, it was concluded that in the best interest of the town, VMS should remain at Keisha Farm until the end of May and agreed to provide a project update to the Council on May 15th.

TOWN CLERK

Dolores Sassano read a letter from Tim Tuell regarding the Goff Rd. purchase stating that he is not in favor of the town to purchase the development rights of the property. He thinks it is wrong to spend money on land that he is not able to walk on.

COUNCIL ACTION

Councilor Drake moved **“TO AUTHORIZE THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO THE MASTER DATA SERVICES AGREEMENT WITH DIGITAL BACK OFFICE TO ADD MANAGED OPTICAL ETHERNET POINT TO POINT SERVICE FOR THE TOWN WIDE RADIO SYSTEM TOWERS AND THE POLICE**

DEPARTMENT ” seconded by Deputy Mayor Console.

Ms. Palmer explained that essentially this is a request to expand our town fiber network to include connections with our radio towers. She explained that our radio towers and dispatch centers speak to each other via microwaves and our current microwaves are 10 years old and are no longer supported. She explained that we have had some recent issues with them so the fiber network connections would keep the communications link open between our radio towers and our dispatch center and would allow us to continue to look at a more long-term solution to our aging radio system and it is more cost-effective. She stated that its annual cost is about \$29,000 and it cost \$1,900 to build out. The costs this year would be about \$9,000 and that money is available in the radio budget. The \$28,000 for next year is requested in the Town Manager’s budget at this point. She stated that John and I are able to answer any questions that you may have.

Councilor Drake asked that if some day this gets changed, does this whole thing go away if we do something different. Do we still have this fee no matter what we did?

Ms. Palmer responded this fiber link that we are putting up essentially will act as our main transport right now and it would become part of a redundant system as we move forward with a radio system.

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

Councilor Manousos moved **“TO ADOPT THE ATTACHED EMERGENCY CONTINGENCY PLAN FOR ALL ELECTIONS AS PREPARED BY THE REGISTRARS OF VOTERS,** seconded by Councilor Drake.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0. Councilor Kotkin was out of the room for the vote.)

Mr. Bridges invited the election officials to speak.

Ms. Hurley stated that the purpose is to have a plan in place if there is ballot shortages, absence of poll workers, loss of power, fire or alarm within a polling place, polling machine malfunctions, etc. These are the parameters the plan is based on. This is what the Secretary of State’s office was looking for and we covered it all and then some.

Councilor Drake asked if the Secretary of State had a boiler plate to work from as a sample.

Ms. Hurley responded they had a very extensive plan which they recommended that we did not use, but we had to cover those points. We also shared plans among towns and worked with those parameters.

A discussion ensued regarding emergency election issues. Ms. Hurley explained that the main objective is to have other polling places available if your current polling places are not accessible and to have backup of the machines, extra ballots and pretty much everything is outlined in detail within the plan.

Councilor Roberts suggested to make a couple of corrections. She suggested in Section 2 can we say the registrar's office maintains a multiple history, take out "we" and make it "the office" rather than "we or us" to be consistent with the rest of the document.

Ms. Hurley responded yes.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0. Councilor Kotkin was out of the office at time of vote.

Councilor Hurley moved **"TO REFER THE REQUEST FROM THE PROPERTY OWNER OF 31 KIMBERLY ROAD TO PURCHASE A PORTION OF TOWN LAND ADJACENT TO 31 KIMBERLY ROAD TO THE PLANNING AND ZONING COMMISSION FOR REVIEW IN ACCORDANCE WITH §8-24 OF THE CONNECTICUT GENERAL STATUTES"**, seconded by Councilor Drake.

Mr. Bridges explained that this is a Section 8-24 referral to the Planning and Zoning Commission for the abandonment of a portion. This was a remnant from a prior street that would square up the lot for the property owner.

Mr. Turner explained that the lot at the corner which is now 31 Kimberly was normally vacant; it was part of the Harris farmstead back then and was the last lot to be developed. He explained that Mr. Kevin Martin purchased the property and built a home there and now they have a wide open rear yard across that town owned open space which is the big triangle by Kitts Lane and you can see right through it to their backyard and there is really no privacy at all. Mr. Turner explained that what he has requested is to get a portion of the town right-of-way abandoned and stated that initially he looked to purchase it, but our town attorney actually figured that it would be better off if we just abandoned it in place and that is what he has recommended.

Councilor McAlister asked when you say that we are going to abandon it and sell it are we actually just abandoning it.

Mr. Turner responded that if it gets abandoned, it just gets deeded to him and stated that he has an agreement that he would pay for the legal costs associated with it.

Councilor McAlister asked if this is in line with other parcels of land that we have just given to property owners that we have no use for so it's all in line with what we have done in the past.

Mr. Turner responded yes.

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

Councilor Hurley “**MOTION TO APPROVE THE AGREEMENTS BETWEEN RICHARD NOWAK AND THE TOWN OF WETHERSFIELD FOR THE SALE OF APPROXIMATELY 2.53 ACRES OF LAND ON WILLOW STREET IN WETHERSFIELD KNOWN AS THE WILKUS HOUSE AND BARN AND BETWEEN 214 GOFF ROAD, LLC AND THE TOWN OF WETHERSFIELD FOR THE PURCHASE OF THE DEVELOPMENT RIGHTS OF 214 GOFF ROAD SUBJECT TO FINAL DUE DILIGENCE OF ALL PARTIES AND REVIEW BY THE TOWN ATTORNEY, AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE AGREEMENTS AND SUCH OTHER DOCUMENTS AS NECESSARY TO UNDERTAKE THE SALE AND PURCHASE AS REQUIRED BY THOSE AGREEMENTS,** seconded by Councilor Drake.”

Mr. Bridges explained that before you are two agreements as you requested the town staff to negotiate with these individual property owners. One is to transfer sale 2.5 roughly acres to Richard Nowak who submitted a proposal based on the town’s criteria. Mr. Bridges explained that his agreement with the town would allow the purchase of the original 1.86 acres plus the 30,000 sq. ft. and the town would in turn get the development rights for the entire 2.5 acre parcel which would limit that forever to a one home site and no further subdivision would be allowed. Mr. Bridges stated that in addition, he would have to connect to the MDC for water and he would pay the town \$205,000 for the parcel and assume all liability for the land. Mr. Bridges explained that the second agreement is with Mr. Drisdelle for the purchase of the development rights of Goff Rd. and under those conditions, the town would purchase basically the development rights to four lots, no blasting would be allowed, a conservation strip on the north, west and east side which was what was approved through the Planning Commission based upon the adjacent land owners request. The town will pay \$200,000 for the development rights and there will be an easement or in the deed that is memorialized and put on the town’s land use records. Mr. Bridges noted that Attorney Slater who participated in every aspect of this process over the past year or so is here to answer any questions and discuss in specifics the 8-24 and that role in this process.

Attorney Slater gave a summary of 8-24 referrals and what its role is in the context of these kinds of agreements. In summary, Attorney Slater explained that the Planning and Zoning Commission provides its advice to the Council with regards to the 8-24 referrals and stated that it does not actually make any decision. He added that, in fact, decision on this kind of thing isn’t repealable. It would be thrown out of court because the Planning and Zoning Commission is not really making a final decision on anything and are just giving this Council advice. Attorney Slater explained that this Council is making the decision in the first instance and it does so with that advice. He further explained that if the Planning & Zoning Commission thinks that a particular purchase is a bad idea and they give you an unfavorable report, then you need a super majority, in this case six votes, in order to be able to approve it.

Deputy Mayor Console asked to amend the motion to break this into two pieces and vote on the Wilkus parcel first and then deal with this secondly because of the comments that he made as far as what he interpreted in the Charter to be some very grey areas we have some issues with here. So, he would like to make a motion to amend this motion that we vote on the Wilkus property first and then move on to this piece. There was no second on the motion.

Councilor McAlister commented that from his perspective the whole discussion around obtaining the development rights on Goff Rd. for him, personally, was about avoiding blasting because we've done so much work in Newington to avoid blasting over there. We've done a lot of research and have been relatively successful in influencing that and also listening to the public. Councilor McAlister further explained his position on the issue. He stated that it is still to him about avoiding blasting, listening to the public and making a decision that is consistent with the 2000 Planning of Conservation and Development. With respect to the conflict of interest, he doesn't believe that there is any.

Councilor Manousos commented that we are a group of nine volunteers ourselves and this is a full-time volunteer job if you get involved, so hopefully, the public will respect, and he thinks they will, the decisions that we make even if you don't agree with them.

Councilor Kotkin commented again that through the Town Manager he did ask of the Town Attorney as to whether he had a conflict because he thinks what Mr. Porriello and Mr. Cobb said was a legitimate point. The proximity of his house to this property is something that he should recognize as a potential conflict. His house is outside the legal notice requirement for planning and zoning so when the subdivision proposal was made and ultimately approved, he was never provided with a legal notice because he doesn't live close enough to the property. He explained his home's proximity to the piece of land. Councilor Kotkin wanted to clarify one more time that from what he heard through the Town Manager from the Town Attorney he did not have a conflict. Having said that, he thinks this whole package is in the best interest of the town both with what was done with Wilkus and what was done with the Goff Rd. property. Councilor Kotkin continued to share his view, financially, of the property transaction and believes that this proposal is a win-win for the town and will vote in favor of it.

Councilor Drake commented regarding the gentlemen that brought up the potential for a conflict for myself and stated that honestly I'm not going to abstain from the vote and stated that I grew up in that area. He hasn't lived there for 40 years, but he knows all the neighbors and has friends. As a Town Councilman, he did everything he could to try and make this thing happen because he thinks it is a win-win for the Nowak people, the Wilkus people and it saves the quality of life in that whole neighborhood. Councilor Drake commented that his mother's property abuts the property, she is in her late 80's she has other properties and based on what Planning and Zoning passed, this has no affect on his mother. He is not going to abstain because he thinks his job is to represent the people he knows in town and he grew up with; this area doesn't get the benefits that Old Wethersfield gets, they don't get the benefits of Wilkus Farm. This is their one shot and it affects a lot of people's quality of life. He doesn't believe he has a conflict and thinks this is a

win-win for everybody and it has been going on for too long.

Councilor Montinieri echoed Councilor McAlister's points and added that the advantage, in his opinion, of Wethersfield having the development rights versus purchasing is that we retain some tax benefits on the property for perpetuity which is valuable to the community as well. Councilor Montinieri explained that if we purchased the property, obviously it would be town property and not subject to tax. Clearly, both in the Conservation Plan and in some of the long-range planning, presented two meetings ago, the fact that we would have development rights versus ownership is actually preferable in his opinion. He explained that it also releases us from any liabilities associated with ownership which is one of the issues that got us into selling the Wilkus Farm barns and property of concerns for liability. So it doesn't make a lot of sense to him to incur a liability on a property that has some steep incline and some potential risk transferring this liability that we are trying to release ourselves from on Wilkus is counterproductive. So he thinks those two points are particularly beneficial to us as we look at it. Councilor Montinieri continued to comment and concluded that at the end of the day he supports this proposal.

Mayor Hemmann just wanted to echo the comments made from many different Councilors and stated that she does support this motion and couldn't articulate better what others have said prior to me speaking.

All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-1. Deputy Mayor Console abstained.

BIDS

Councilor Hurley moved **"TO MOTION TO AWARD A BID TO NORTHWEST HILLS DEALERSHIPS IN THE AMOUNT OF \$31,812 FOR THE PURCHASE OF A 2013 CHEVY TAHOE"**, seconded by Councilor McAlister.

Mr. Bridges explained that contained within the current year budget was an allocation to purchase a Fire Chief's vehicle. He stated that we are going to auction off the current Deputy Chief's vehicle which is an older Crown vehicle that we have repainted and it needs a lot of work. Mr. Bridges explained that we are going to hand down the current Chief's vehicle and get rid of the Crown Vic. So this replaces it and noted that it is in the town budget and is going to be paid with cash.

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

ORDINANCES, RESOLUTIONS, APPOINTMENTS FOR INTRODUCTION

Resolution: Connecticut State Library, Public Records, Historic Documents Preservation Program Grant

MINUTES

Councilor Kotkin moved **“TO APPROVE THE REGULAR MEETING MINUTES OF MARCH 4, 2013 WITH CHANGES”** seconded by Councilor Drake.

Councilor Kotkin commented that on Page 5, the word “town” should be “towns”.

All Councilors present, including the Chairperson voted AYE. The motion passed 6-0-3. Councilors Hurley, McAlister and Montinieri abstained.

PUBLIC COMMENT

Robert Cobb, 99 Meadow View Dr. asked why the Conservation Commission did not select the Goff Rd. piece of land as a target property for conservation and should be held accountable in a sense. He commented that the piece of property is dead trees and a semi-blighted piece of property. He also commented that there is a lot of work to be done at the Board of Education. He encouraged the use of drop down menus on our new website.

Leigh Standish, 457 Hartford Ave., commented that Councilor Kotkin and Drake should not have voted on the Goff Rd. proposal because it was a conflict of interest and commented that the property has little value for open space.

Gus Colantonio, 16 Morrison Ave., commented that when it snows and he clears his driveway to the road, two hours later he has to clear his sidewalk again because the snow is pushed back on the sidewalk. He urged plow trucks to go by slower so the snow doesn't go back up onto the sidewalk.

Joan Biagioni, 217 Goff Rd., thanked the Council for their vote and thanked everyone who signed the petition.

George Ruhe, 956 Cloverdale Circle, commented that the Council went in the right direction with the Keisha Farm issue and stated that May 30th shouldn't be a drop dead date. He also commented that the play school that his grandson attends is a great activity and complemented the Kathy Bagley and the Park and Recreation Department for the great program.

Joel Wagner, 203 Clearfield commented that he used to grow sweet corn behind where the VMS guys park. He stated they have been pretty good neighbors and thanked the Council for their decision on Wilkus Farm.

Mr. Bridges commented on a earlier comment about elderly transportation being stopped. It is not elderly transportation it is the alternative fuel vehicles that Hartford Transit is running. They didn't receive a payment from the State--it is a particular bus using alternative fuel that is off the

road until they get paid. Mr. Bridges stated that the Dial-A-Ride is still moving as is any regular bus as well.

ADJOURNMENT

At 10:35 p.m., Councilor Kotkin moved "**TO ADJOURN THE MEETING**" seconded by Deputy Mayor Console. All Councilors present, including the Chairperson voted AYE. The motion passed 9-0-0.

Dolores G. Sassano
Town Clerk

Approved by Vote of Council
April 1, 2013

Minutes were amended on page 3, paragraph 4 to change the word "retires" to "retirements".