

TOWN COUNCIL MEETING

JULY 23, 1996

6:30 P.M.

AGENDA

Blessing - Reverend Baker -- Heritage Baptist Church

1. Roll Call and Pledge of Allegiance
2. Consent Agenda
 - a. Consider and Approve the Minutes of the June 25, 1996 Town Council Meeting
 - b. Consider and Approve the Minutes of the June 27, 1996 Emergency Town Council Meeting
 - c. Consider and Approve the Minutes of the July 10, 1996 Special Town Council Meeting
 - d. Note for the Record Mayoral Transfers Approved to Date
 - e. Note for the Record Anniversary Increases Approved by the Mayor
 - f. SET A PUBLIC HEARING for August 27, 1996 at 7:45 P.M. on an Ordinance Appropriating \$315,000 for the Planning and Design of West Side Tankage and Associated System Improvements and Authorizing the Issue of \$315,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose
 - g. SET A PUBLIC HEARING for August 27, 1996 at 8:00 P.M. on An Ordinance Amending Ordinance #277 Entitled, "An Ordinance Regulating the Use of Public Parks, Playgrounds, and Recreation Facilities in the Town of Wallingford"
 - h. Consider and Approve an Appropriation of Funds in the Amount of \$2,480 to Recovery - Damage Town Property Acct. and to Self-Insurance Claims Acct. - Town Attorney
 - i. Consider and Approve a Transfer of Funds in the Amount of \$2,350 from Contingency Reserve for Emergency Acct. to Regular Salary and Wages (Treasurer) Acct. - Comptroller

- j. Consider and Approve Tax Refunds (#1-7) Totalling \$2,696.10 - Tax Collector
 - k. Consider and Approve a Cost of Living Adjustment (COLA) for Pensioners of the Town of Wallingford - Personnel
 - l. Consider and Approve a Transfer of Funds in the Amount of \$3,054. from Health Insurance Acct. to Medicare Tax Acct. in the F.Y. 1995-96 Budget of the Personnel Dept.
3. Items Removed from the Consent Agenda
 4. Presentation by the Lyman Hall High School Marketing Education Program on the Results of a Town Resident Survey
 5. Report Out by the Public Safety Committee as Requested by Vice Chairman Raymond J. Rys, Sr.
 6. Discussion and Possible Action on the Removal of the Footbridge at Doolittle Park as Requested by Councilor David J. Doherty
 7. Status Report Out by the School Building Expansion Committee as Requested by Councilor David J. Doherty
 8. Consider and Approve the Acceptance of Two (2) Roads Accepted by the Planning & Zoning Commission at Their Meeting of 7/8/96
 - a. Grassy Hill Court
 - b. A Portion of Promontory Drive
 9. Consider and Approve Four (4) Transfers for the Electric Division
 - a. \$3,900 from Purchased Power Acct. to Supervision & Engineering Acct.
 - b. \$29,510 from Purchased Power Acct. to Electric Labor Acct.
 - c. \$22,330 from Purchased Power Acct. to Boiler Labor Acct.
 - d. \$17,120 from Purchased Power Acct. to Fuel Expense Acct.
 10. Consider and Approve a Transfer of Funds in the Amount of \$4,000 from Power Purchased for Pumping Acct. to Maintenance of Miscellaneous Water Source Plant Acct. - Water Division
 11. Consider and Approve a Waiver of Bid for Motor Repairs at the Ulbrich Transfer Station - Public Utilities Commission

12. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Respect to Pending Litigation Involving Tax Appeals and Labor Matters
13. Consider and Approve a Waiver of Bid to Hire Expert Counsel for Pending Litigation - Town Attorney

TOWN COUNCIL MEETING

JULY 23, 1996

6:30 P.M.

SUMMARY

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8. Table Accepting Grassy Hill Court and a Portion of Promontory Drive	20-24
9. Approve Four (4) Transfers for the Electric Division	
a. \$3,900 to Supervision and Engineering Acct.	
b. \$29,510 to Electric Labor Acct.	
c. \$22,330 to Boiler Labor Acct.	
d. \$17,120 to Fuel Expense Acct.	25
10. Approve a Transfer of \$4,000 to Maintenance of Misc. Water Source Plant Acct.	25-27
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TOWN COUNCIL MEETING

JULY 23, 1996

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, July 23, 1996 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert Parisi at 6:35 P.M. All Councilors answered present to the Roll called by Town Clerk Rosemary A. Rascati with the exception of Mr. Zappala who was vacationing out of the country. Mayor William W. Dickinson, Jr. and Comptroller Thomas A. Myers were present; Assistant Town Attorney Gerald Farrell, Sr. arrived at 7:37 P.M.; Town Attorney Janis M. Small arrived at 8:03 P.M. at which time Attorney Gerald Farrell, Sr. left the meeting

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consent Agenda

ITEM #2a Consider and Approve the Minutes of the June 25, 1996 Town Council Meeting

ITEM #2b Consider and Approve the Minutes of the June 27, 1996 Emergency Town Council Meeting

ITEM #2c Consider and Approve the Minutes of the July 10, 1996 Special Town Council Meeting

ITEM #2d Note for the Record Mayoral Transfers Approved to Date

ITEM #2e Note for the Record Anniversary Increases Approved by the Mayor

ITEM #2f SET A PUBLIC HEARING for August 27, 1996 at 7:45 P.M. on an Ordinance Appropriating \$315,000 for the Planning and Design of West Side Tankage and Associated System Improvements and Authorizing the Issue of \$315,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose

ITEM #2g SET A PUBLIC HEARING for August 27, 1996 at 8:00 P.M. on an Ordinance Amending Ordinance #277 Entitled, "An Ordinance Regulating the Use of Public Parks, Playgrounds and Recreation Facilities in the Town of Wallingford" (Withdrawn and sent to Ordinance Committee for Review)

ITEM #2h Consider and Approve an Appropriation of Funds in the Amount of \$2,480 to Recovery - Damage Town Property Acct. and to Self-Insurance Claims Acct. - Town Attorney

ITEM #2i Consider and Approve a Transfer of Funds in the Amount of \$2,350 from Contingency Reserve for Emergency Acct. to Regular Salary and Wages (Treasurer) Acct. - Comptroller

ITEM #2j Consider and Approve Tax Refunds (#1-7) Totalling \$2,696.10 - Tax Collector

ITEM #2k Consider and Approve a Cost of Living Adjustment (COLA) for Pensioners of the Town of Wallingford - Personnel

ITEM #2l Consider and Approve a Transfer of Funds in the Amount of \$3,054 from Health Insurance Acct. to Medicare Tax Acct. in the F.Y. 1995-96 Budget of the Personnel Dept.

Motion was made by Mr. Rys to Approve Items #2a, b, c, d, e, f, h, i, j, k & l of the consent agenda, seconded by Mr. Centner.

It is noted that Item #2g was withdrawn and sent to the Ordinance Committee for review.

VOTE: Zappala was absent; all others, aye; motion duly carried.

ITEM #3 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Wayne McDermott, 22 Cooper Avenue stated that he is opposed to having the American Silver Museum in Wallingford, especially at the American Legion building next door to the Town Hall. It is his opinion that the museum does not represent the workers of Wallingford and Meriden who labored for Wallace and International silver companies. It represents the American silver industry and only exhibits a small number of pieces from the Wallace and International collections.

Mr. Parisi stated that he thinks that Wallingford should get the silver museum but he has not stipulated any specific place for it.

Mr. McDermott reiterated that he wanted everyone to understand that the collection in the museum is "American Silver" and has nothing to do with local silver industry. He wanted to know who is making the announcements and where the interest is originating from.

Mayor Dickinson stated that there are no new negotiations to my knowledge, I think it is an expression of interest that if there is no place for the museum, there is interest in identifying a place in Wallingford. All of the statements have indicated that we are looking to start smaller and if and when interest grew to have a facility to accommodate that interest.

Mr. McDermott pointed out that the Mayor was quoted in the Hartford Courant this morning as proposing a ten year lease of the American Legion Building.

Mayor Dickinson responded, a number of places have been mentioned. Only the Council has the authority to approve a lease. I have never mentioned ten years, at the most I would identify a five year lease for any given site. It is merely an expression of general interest in the subject matter. Everyone has agreed that it would be a shame to have the silver collection go outside of state. Nothing has been decided or technically negotiated.

Mr. McDermott volunteered to serve on any committee that may be formed on this issue.

On a separate matter, Mr. McDermott expressed his dissatisfaction with the recent visit by Mayor DeStefano of New Haven, coming to our Town Hall and calling a press conference. He was disappointed that Mayor DeStefano was downplaying the recent turn of events with regards to the Roller Haven II melee. How did we end up with a press conference being held here?

Mr. Parisi responded, most of us had the same feeling.

Mayor Dickinson stated, I received a call that afternoon and there was an expression of interest to hold a news conference. We should be courteous to other municipalities and when the Mayor expressed an interest to visit and express his thoughts, I was not about to tell him no. It was Mayor DeStefano's concern about the relationship between the two communities that brought him here. Keep in mind that the facility in question is utilized many times during the year by outside groups from a number of different municipalities, including New Haven. Other groups from New Haven have used the facility. It is one incident in a long chain of organizations using Roller Haven. We don't like any incidence of violence and, as such, it is a serious matter. Any time our Police Department has to respond it is a serious matter but we should not look at it as anything other than as an incident where the Police had to respond. I don't think it speaks to how we get along with New Haven or Hartford or the social problems or dilemmas of this state or nation. It is not a pattern of violence.

Pasquale Melillo, 15 Haller Place, Yalesville questioned the status of the supply of electricity and the potential "brownouts" we have heard so much about. How much electricity will Northeast Utilities be getting from our Pierce Plant? Have we organized ourselves to receive the maximum amount of electricity our lines can handle?

Mr. Parisi explained that the plant generates enough electricity to service Cherry Street. Northeast is importing electricity from other sources and we only have a specific amount of line capacity to take the flow of electricity into the state. The Electric

Division has informed me that we are accepting as much electricity as the lines allow.

Mr. Melillo reminded the Council that the Town paid big dollars to hire consultants to study the power needs of the state. The recommendation of those experts was to shut the Pierce Plant down. Imagine if we followed their advice, let that be a lesson to us. We have people on our own staff that most likely could perform a better job than the consultant.

Geno Zandri, 37 Hallmark Drive stated, regarding the special Town Council Meeting held on July 10, 1996, the first item on the agenda was a transfer of funds for \$2,500 from Street Lighting Account to Customer Installation Expense Account, Electric Division. According to the minutes of the meeting that night there was no discussion by any of the Councilors on this item and the transfer was passed unanimously. Could someone explain to me what this transfer was about?

Mr. Parisi responded, that matter was a situation that developed in the office of the Electric Division whereby some accounts were not given the scrutiny that they should have gotten.

Mayor Dickinson stated that there was a backup letter with that item and perhaps a copy of it can be sent to Mr. Zandri.

Mr. Zandri stated, what is puzzling to me is that there was no discussion held on this item, one of a few items for which a special meeting was called and there were no questions asked and the transfer approved.

Mr. Parisi responded, because the explanations given to the Council were acceptable.

Mr. Zandri then asked, with regards to Item #3 on the agenda of the special meeting which was to "Consider and Approve a Waiver of Bid and Authorize the Mayor to Enter Into a Contract with Public Employee Benefits Service Corp. to Provide a Deferred Compensation Plan for the Manager's Union". According to the minutes of the meeting three Councilors abstained from voting on this item, one Councilor voted no and five voted yes and the motion was passed allowing the Mayor to enter into this contract. According to the minutes the Councilors did not receive copies of the contract until that very night of the special meeting. Could any of the Councilors who voted in favor of this item explain what this contract is about?

Mr. Parisi stated, it was for the management union. We did get the plan that night and, in fact, we held the meeting up as all of us looked through the plan.

Mr. Zandri stated, according to the minutes that night, the Council received that contract just at the inception of the item at that meeting. Again, you voted on the contract.....

Mr. Parisi responded, yes we did because there was an arbitration problem with that. We had to act rather swiftly on it.

Mr. Zandri asked, was there a time restraint?

Mr. Parisi answered, basically, yes.

Mr. Zandri stated, I noticed that some of the Councilors abstained from voting because they objected to getting the information last minute.

Mayor Dickinson added, the contract had been completely reviewed and approved by the Law Department and related to the same subject matter that was discussed back in the Fall of 1995 when bid waivers were approved for five different firms. The results of those negotiations were inadequate, that the firms in question at that time were not able to meet our requirements. Another firm came forward or at least this plan that was approved that night through PEBSCO; their representations and documents we found to be acceptable; it was approved by the Law Department and we were here for approval in order to move the subject forward.

Mr. Parisi added, there were promises of delivery that were not carried forward, that is what the problem was. It did come in at the last minute. The Chairman made a very strong statement about last minute materials. We were at the mercy of someone supplying us information. It was made clear that in the future we did not want items to fall that closely. The meeting schedule was posted and held and the individual who was supposed to have the material to us on time did not. The vote of the Council was more to back up the statements made by the Chairman than any other issue, to be frank.

Mr. Zandri stated, it is the responsibility of this Council to scrutinize and oversee these contracts and I think you should allow yourself enough time. This contract has been kicking around for over one year. Another couple of weeks would not have hurt. I don't think you were under the gun, I think you have a responsibility to make sure that you scrutinize these things before voting on them.

Mr. Parisi responded, we were very conscious of the time element as well as our responsibility. We did make it very clear that we would prefer not to have things as closely scheduled as they were. We were assured that it will not happen again. You can have a problem with something and it is the bigger person who will understand the problem but we can also look for a solution to a

situation that says it will not happen again. I think that is the type of judgment that we exercised. We did have to act promptly on that or we would have been in another situation that would not have been any good.

Frank Wasilewski, 57 N. Orchard Street stated, I was at that meeting and I was very surprised that the Council did vote for it but I don't think that any of you (Councilors) know what this is all about. This is a manager's union that is gaining an additional retirement fund that they contribute money to. The Town does not contribute any money but the whole point of this contract is, the Town is going to be responsible for the principle money that is invested in this contract. I don't think that the Town should be responsible for it.

Mr. Parisi responded, I don't think the Town has a choice.

Mr. Wasilewski responded, if they don't have a choice then they should never have gotten into this contract. They have a retirement fund already, this is an additional fund that only the managers can get into. They can defer \$7,500 from their income tax by joining this plan, if they contribute \$7,500. If you are going to allow the managers to get into something like this and the taxpayers are going to back up this plan, if the company that they insure with goes "belly up" the Town of Wallingford is responsible for the principle. I don't want to be responsible for it and neither do any of the taxpayers.

Mr. Parisi answered, that is why it took so long to resolve because the Mayor was very, very insistent that the Town limit its liability to the "nth" degree. I give him a lot of credit for that.

Mr. Wasilewski stated, it is not as though they don't have a retirement plan, this is an additional retirement plan that is deferred until they start collecting from this fund and I don't think we should be responsible for it. How much money is involved in this?

Mr. Parisi responded, I don't know.

Mr. Wasilewski stated, I think that the Councilors should have known how much money was involved in this. The Mayor should have kept the Council abreast of this. I don't think that the taxpayers should be responsible to back the money in this plan.

Mr. Parisi responded, the taxpayers have no choice and neither did the Council. This was negotiated and arbitrated that way.

Mayor Dickinson stated, it was a binding arbitration award that had to be implemented. We don't have a choice. It is a circumstance

where employees can defer income for savings or retirement purposes. We don't know how much money it involves for it is up to the employees as to how much they put aside and put into a 457 plan. We are very active in making sure that to the extent possible we protect the public interest on it.

Mr. Wasilewski asked, what does it cost Wallingford to protect this money for the managers?

Mayor Dickinson responded, up until this point, other than the administrative time; that is the time that I have spent and other Town officials; the Town of Wallingford on the PEBSCO plan will put no money into it. It does not cost us anything other than administrative time.

Mr. Wasilewski answered, you must have to have insurance on the plan, you don't get that for nothing.

Mayor Dickinson responded, the way we are protecting ourselves is to do business with companies with assets and through contractual provisions we are placing the responsibilities and liabilities on those other entities, we are also limiting what kinds of investments are possible to be only in accordance with the Town's investment policy. There will be no speculative type of investments.

Mr. Wasilewski stated, at least four members of the Council would not vote on the contract. The other five who voted for it did not know anything about the plan, yet they voted for it.

ITEM #4 Presentation by the Lyman Hall High School Marketing Education Program on the Results of a Town Resident Survey

Motion was made by Mr. Rys to Hear the Presentation, seconded by Mr. Centner.

Mr. Parisi explained that DECA (no interpretation of this acronym was available to this writer) is the youth group that is attached to the Marketing Education Program at Lyman Hall and Sheehan High Schools. Students compete in DECA statewide and across the country. Beth Souchens, Student Co-Chairman was awarded a medal for placing as one of the top six marketing students statewide. Marketing Education is a two year course for juniors and seniors preparing students for a career in marketing, advertising, sales, merchandizing, retailing, marketing research, etc. The program has been at Lyman Hall since 1963 and has been facilitated by William R. Paquette for most, if not all, of these years.

Annually, the Marketing Education II class at Lyman Hall High School performs a survey on a topic of community interest. The survey is part of a marketing research unit in which students are

required to conduct face-to-face interviews with individuals in shopping centers, industrial parks, and other sites frequented by Wallingford citizens (Appendix I). This year's survey was done as a cooperative effort with Wallingford Town Council Chairman Robert Parisi. The survey topic, which the researchers feel will benefit community leaders and the general public, deals with Wallingford resident's wishes to improve their town and a poll on where to locate the Celebrate Wallingford festival.

The five survey questions were:

1. Are you a Wallingford resident?
2. Are you a lifelong resident of Wallingford?
- 2a. If not lifelong, how long have you lived in town?
3. If you could have three realistic wishes to improve Wallingford what would they be?
4. Now that you have chosen three wishes review the wishes and order them of importance to you.
5. Of the wishes that would require taxpayer spending, would you pay higher property taxes to see your wishes become reality?

Mr. Paquette introduced those students in attendance for this presentation as follows:

Beth Souchens, President, DECA & Co-Chairman of the
research project this year

Carrie Perkins, Project Member

Patrick Canning, Project Co-Chairman

Nelson Gomes, Project Member

Ms. Souchens stated, there were 574 surveys taken of only Wallingford residents. Of that number, 228 respondents (28%) were lifelong Wallingford residents whose number one wish was more activities for teens, children, etc; eighteen percent (18%) stated that their second most important wish was for less traffic and less development on Route 5; and over eleven percent (11.8%) stated that their third wish would be to see more road improvements.

Patrick Canning added, with regards to question #5, "Of the wishes that would require taxpayer spending, would you pay higher property taxes to see your wishes become reality?", forty-three percent (43%) or 246 respondents stated that they would be willing to pay higher property taxes; 245 respondents (also 43%) stated that they would not be willing to pay higher property taxes.

SUMMARY OF SURVEY RESULTS
(See Appendix II)

- Approximately 40% (228) of the respondents were lifelong Wallingford residents.
- Approximately 35.5% (210) resided in Wallingford from 11 to 20 years.
- Nearly 63% of respondents could not come up with a third wish.

First Wish

The majority of respondents indicated that they would wish for more recreation first and foremost followed by more controlled traffic and finally a cut down in development.

Second Wish

(1) More activities; (2) Cleanup; (3) Road Improvements

Third Wish

(1) Renovate Town & Recreation Areas; (2) Recreation & Related Activities; (3) Better Schools and Education

Mr. Paquette stated, if anyone finds a specific topic or response interesting to them and/or would like additional information on any part of the survey, please contact him for all of the data is on computer. The number to call is 203-294-5350, or 203-265-5729.

Mr. Parisi thanked the project committee for their work. The information will be shared with Wallingford Center, Inc. Copies of the survey will be available to the public at the offices of the Town Clerk and Town Council as well as the Wallingford Public Library.

No Action Taken.

ITEM #5 Report Out by the Public Safety Committee as Requested by Vice Chairman Raymond J. Rys, Sr.

Mr. Rys stated that the last meeting held by the committee was in May. At that meeting Chief Dortenzio of the Dept. of Police Services; Chief Lefebvre of the Dept. of Fire Services and Officer Richard Doll of the Traffic Maintenance Dept. were all in attendance. Councilors Rys, Renda and Zappala, Public Safety Committee Members were present as well. Discussed at this meeting was the Oakdale Theatre traffic and the anticipated problems associated with the opening of the facility. We were assured by the Fire Department that they would have the availability to respond to emergencies in the neighborhood around that area and

down the Hartford Turnpike as well. The Police Department detailed their plans for placement of special constables with the committee and since the theatre has opened everything seems to be running smoothly.

The committee also discussed, very briefly, the Redwood Flea Market area since there were some concerns expressed that the traffic was being bottleneck'd at the open air market. The Police Chief indicated that eight to ten signs are posted on the western side of Hartford Turnpike prohibiting parking and the police, at that point, had tagged fifty-six (56) cars already. The police have been vigilant in checking the area on a more regular basis. The major problem with the area is the traffic that drives nose in to park and then backs out onto Hartford Turnpike. There is nothing that can be done to correct the situation except to install barricades which is impossible to do.

The next meeting was scheduled for June 17, 1996 but was cancelled due to a lack of quorum. The committee will meet next in August and as of this time no date has been scheduled.

Wayne McDermott, 22 Cooper Avenue stated that he travels home from Cheshire early each morning down Route 68 and with the sun rising in the east it is very difficult to see the traffic light in front of Yalesville School. He is very concerned with the fact that children will be crossing the street in this location and may not be visible to the motoring public traveling east down Route 68. Can the committee look into placing fins of some sort on the light to block out the sun to make the light much more visible?

Mr. Parisi pointed out that the same problem occurs in the evening traveling west on Route 68.

Mr. Rys agreed to have the committee review this matter.

Lester Slie, 18 Green Street stated that he wished that someone would look into prohibiting a right turn on red at the intersection of Route 5 and S. Elm Street by WaWa's. It is very dangerous when the cars turn that corner without stopping and cut right onto S. Main Street. Another trouble spot is the intersection of Ward St., S. Elm Street and Ward Street Extension. He has waited as long as five to ten minutes on occasion trying to exit Ward Street Extension onto S. Elm Street. Please look into what could possibly be done to free up that bottleneck.

No action taken.

ITEM #6 Discussion and Possible Action on the Removal of the Footbridge at Doolittle Park as Requested by Councilor David J. Doherty

Mr. Doherty asked Henry McCully, Director of Public Works to come forward and report out on the cost to replace the bridge that was recently removed.

Mr. McCully informed the Council that he will present two cost estimates prepared by John Costello, Town Engineer. Mr. Costello contacted a bridge manufacturer who quoted a price for two models, handicapped accessible and non-handicapped accessible. Because of the grade from Backus Court to Doolittle Park, it is over twelve feet and in order to make the bridge handicapped accessible the bridge would have to have a span of 175' and be 9' wide. The cost of the bridge delivered to the site would be \$90,000. With a twenty percent (20%) contingency and cost for installation, including crane rental, etc., the total cost would be \$180,000. We would have to provide extensive handicap ramping on the west side of the brook. The second proposal calls for a non-handicapped accessible bridge and again, to compensate the differences in grades, etc., this bridge would have a 135' span and would be 7' wide at a cost of \$55,000 delivered to the site. When you include the same twenty percent (20%) contingency and cost for installation it would cost approximately \$90,000.

Mr. Doherty asked for clarification from the Mayor regarding the inquiries made about the handicapped accessibility of the bridge.

Mayor Dickinson responded, Joan Stave, Handicapped Access Coordinator, has spoken with the governing board or offices in Hartford. She has been unable to obtain a yes or no with regards to whether or not the bridge must be constructed to be accessible to the handicapped population. The board would like to see fifty percent (50%) of access points to a park be accessible to the handicapped. That assumes that all of the access points serves all parts of the park. That is not true for Doolittle, there are at least four access points and not all of them serve all of the park from a handicapped access standpoint. The S. Elm Street entrance is the only point from which the handicapped could access the playscape from the parking lot located there. It is not a black and white, yes or no situation. It is my guess that we would be required to install a handicapped accessible bridge, in part because the existing pedestrian bridge which is connected to Henry Street on the east side of the brook is not handicapped accessible. It does not meet the requirements of the ADA (Americans with Disabilities Act) by a couple of inches. It is within two inches with what an exact compliance would be. It is arguable that we would comply with the bridge span itself, however, the grade to the bridge does not comply.

Mr. Centner asked, were the costs simply estimates or was the work bid out?

Mr. McCully responded, it is solely estimates. John Costello, Town

Engineer, called the manufacturer of the bridge for cost estimates. It is a quotation obtained over the telephone.

Mr. Centner asked, you are holding a twenty percent (20%) contingency account for all items listed, why would you include the bridge under your formula under contingency? It is pre-constructed, it would be dropped off at the site. It is a difference of \$11,000.

Mr. McCully responded, they deliver it on a truck and we are responsible to remove it off the vehicle.

Mr. Centner stated, but there is a line item here for a crane at a cost of \$4,500. This seems like an awfully large contingency for this project.

Mr. McCully answered, I tend to agree with Mr. Costello on this. Because of the type of structure and the conditions that you are working on, it is not as though you were bringing it to a flat grade or concrete slab. When you are working with high embankments, you encounter rock, you are working in a stream bed, etc. The cost for the bridge that was installed in 1993 which was a forty foot span on Henry Street was just under \$10,000. with an installation cost of \$14,000. That bridge was installed on a relatively flat grade.

Mr. Centner asked if Mr. McCully could find firms who would come in and engineer the bridge and build it on site?

Mr. McCully was not sure if the firms would be willing to do so. It would probably be cheaper to buy one constructed in a factory and delivered. It would be less labor intensive. I would not want Public Works involved in this project, I don't have any experience in the area of installing bridges nor does Mr. Costello. It is better left to the people with the proper equipment and experience.

Mr. Knight asked, is it customary to include twenty percent of the cost of the item as part of the contingency?

Mr. McCully responded, Mr. Costello prepared this information and these are his figures.

Mr. Farrell asked, since Mr. Costello has obtained all of the figures associated with this project, why is he not in attendance this evening for this item? We do not have the opportunity to ask questions regarding the specifications used to obtain said prices. I can't help but think that we can get this bridge for a substantially cheaper price than \$180,000. It is a foot bridge, not an airplane runway.

Mr. McCully responded, you have to give some credibility to John

Costello who is a professional engineer and a Yale graduate. I am not going to sit here and criticize his figures.

Mr. Parisi agreed with Mr. Farrell, it is the Town Engineer who should be before the Council to answer questions on this issue, not Mr. McCully.

Mayor Dickinson responded, Mr. Costello may be on vacation this week, I am not sure of that but we can have another discussion with him. I am not sure he is around, I tried to reach him yesterday and was unsuccessful.

Mr. Parisi stated, it is awkward for the Council. We would like to get into a specific line of questioning and Mr. McCully is not the one to answer.

Mayor Dickinson suggested tabling the item.

Mr. Parisi responded, there are people in attendance for this item and I would rather do the best we can with it.

Ms. Papale stated, it is not necessary to table the item for we won't be making a decision until we hear definitely whether the bridge needs to meet ADA guidelines or not. Hopefully, at our August meeting Mr. Costello will be in attendance and we can get some answers. I have visited the site which has a deep drop and requires a long span on the bridge. Something has got to be done with the area, though, it cannot be left the way that it is. If people can get to Doolittle Park without going over a bridge, there are other ways of getting to the park where these bridges end, why do we have to have an ADA bridge when people can access the park by other means?

Mayor Dickinson responded, all of the park is not accessible from any one spot for a handicapped individual. You would not be able to get to one of the ball fields if you enter the park by South Elm Street way. It is not a question of why someone would want to visit a specific area of the park, the issue is if a non-handicapped person can visit an area then why can't a handicapped person visit also? That is the whole point behind ADA.

Ms. Papale asked, what is the next step?

Mayor Dickinson answered, we can pursue it again with Hartford. In general, they will not tell you what does or does not have to be done. They can give you general guidelines. We can check into it further.

Mr. Parisi stated that the Town should check further into it to try and obtain a definite answer.

Mr. Rys asked, did Public Works Department or the Engineering Department request any funds at budget time to repair the bridge?

Mr. McCully responded, we have repaired the bridge, the west side supports, a couple of years ago. No one could recall when the bridge was constructed. It could very well be over thirty years old. It did not exhibit the proper supports that bridge construction should have...it appears as though the structure was an afterthought. It is not an ideal site to construct a bridge.

Mr. Rys asked, are there any permits that are required by D.E.P. (Dept. of Environmental Protection) when working in a stream bed?

Mr. McCully responded, I believe we would have to go through Inland Wetlands when working in the stream bed. I am not sure we would need a permit. The dam is used to flood the area in the winter for ice skating. The area is a flood plain which keeps the water back from flooding downstream. There are some minor repairs that need to be performed on the dam and Public Works will be in charge of that.

Mr. Rys stated, I received a letter from a resident stating that the bridge needed repair, there were some problems with it and when I called Public Works to ask about the bridge, you informed me that the bridge was to be removed that week. It seemed so quick. I don't know if any other councilors were notified ahead of time but I had just found out about it and it was already scheduled to be taken down.

Mr. McCully responded, it was close to one month after the storm that the bridge was removed. We had to weld a chain link fence across the entrance to block off the path in the back. It took two weeks to engage the services of a contractor to remove the bridge.

Mr. Rys was asked if the Council should be made aware of something like this in the future? If it involved the Hall Avenue bridge the Council would have known about it.

Mr. McCully responded that he did take a call from a resident of Backus Court, did visit the site with Mr. Costello, ran it by the Mayor and did inform the resident that the bridge was beyond repair and for safety reasons it was being removed. He was not aware if there were any plans to replace the structure or not.

Mr. Rys stated that with ADA it depends whether it is new construction vs. repairs vs. realigning. With this project it would be considered new construction and whether or not it will need to meet ADA guidelines is something that the Mayor's Office will have to find out and report back to the Council on.

Mr. Doherty asked, what is the status of the park regarding

accessibility to handicapped individuals presently?

Mr. McCully responded, opposite the Y.M.C.A. are four designated handicapped parking spaces. There is a paved area at the end of Henry Street next to the brick building as well. You would have to take a vehicle to that spot or a wheelchair along the sidewalk and then travel approximately 1/10th of a mile down the paved road for there are no sidewalks after that parking area. Then you would have the Backus bridge which is not there, then you would have the Henry Street bridge on the east side from Simpson Avenue which goes onto Henry Street and across the forty foot bridge. There is a grade problem there on that steep little street and then an opening to a natural grass pathway off of Wall Street which is definitely not handicapped accessible.

Mr. Doherty stated, it seems to me that if we have the main entrance to the park handicapped accessible we would meet the requirements of this particular law; we have four parking spaces designated handicapped; there seems to be paths that a wheelchair can take to the ball field, the playscape, the tennis courts; it seems as though we are meeting the requirements of the ADA. We are also replacing a bridge which I believe is not new construction. I don't see where the law requires the Town to spend double the amount of money to put in this bridge. I feel that the law is way off track if that is what the gist of this is going to be. How can various towns that do not have the financial resources that we have do any of this type of work at all because it is so cost-prohibitive? We have a unique entrance to a park which makes the park a little more unique because of it. The study presented earlier shows that recreation is a big item among the wishes of the residents of Wallingford. I think that we also have a safety concern. As people start to come down the hill and use the embankment to slide down to the dam so as to play there, it creates a liability. We have a lot of other people besides those that live on that street using that bridge. People pass over that bridge to play softball, listen to the concerts on Wednesday nights, for day care access, etc. The bridge was unique to the park and should be replaced with one that does not conform to ADA regulations (applause).

Anna Korb, 18 Backus Court thanked those Council members who took the time to come out and view the bridge. She distributed pictures to the Council of the bridge when it first collapsed, for the benefit of those Councilors who did not have the opportunity to visit the site. The bridge, itself, was not damaged but the pylons at the end of the bridge were where the support and other bank collapsed. Unfortunately, nothing was done at that time. It is Ms. Korb's opinion that if the bridge had been repaired at that point the bridge would have been useful once more. Now that the bridge is removed the residents in that area have no access to the park at all. The dam is exposed and there is a fifteen foot drop

from the end of the walkway to the bottom of the dam. The walkway was blocked by the Town at the entrance of the street but was not blocked where the bridge was removed. The grade drops right off. We have been witnessing people using this access to the park, going into the walkway, jumping down to the dam and crossing at the dam; adults as well as children. At this point it is more dangerous in its present condition than it was when the bridge was damaged. The bridge was constructed in 1969 or 1970 at the request of a Mr. Kellman for the neighborhood children. The use of the bridge has grown extensively over time. The neighbors would like to see the bridge replaced soon. Homeowners living in that immediate area are now experiencing people trespassing on their property to gain access to the park. Those homeowners are afraid that they will be held liable if someone is injured because the bridge is not there.

Ms. Korb presented the Council with a petition that was passed around the park to the individuals who were complaining about the lack of a bridge. Since the Henry Street bridge was replaced only last year she asked the Council and Mayor, why wasn't ADA guidelines a consideration when that bridge was constructed?

Mr. McCully responded, it was built in 1993 and ADA concerns were not being addressed at that time due to the fact that it was not state-mandated until after 1993.

Mayor Dickinson will check to see exactly when the state-mandated ADA rules were placed into effect.

Ms. Korb stated that she has been in contact directly with Mrs. Stave who has called the ADA hotline on this issue. The ADA informed Mrs. Stave that, being a gray area, it would be up to the Town Council to decide whether or not it needed to be ADA accessible taking into consideration the other accessible routes to the park. It is something that can be decided by this panel. She reminded the Council that Wall Street is paved up to the back of the ball park and is therefore accessible to handicapped individuals who would like to watch the ball games.

Brian DeConto, Backus Court resident asked, is there any type of Town flood insurance that covers the replacement of the bridge?

Mr. Doherty reviewed that issue with Mark Wilson, Risk Manager who informed him that we stopped paying for flood insurance in 1989.

Mr. DeConto asked, are there any State or Federal funds available?

Mayor Dickinson was not aware of any grant sources, barring a special act by the legislature.

Mr. DeConto asked, is the dam going to have to be removed? Will

that be an additional expense? Do we need to have the Army Corps of Engineers involved because of the dam and wetlands?

Mayor Dickinson responded, we would have to apply to the Inland Wetlands Commission of the Town for the necessary permits. As long as we follow their suggestions and requirements, work could be done. I don't think the Army Corps of Engineers would get involved.

Mr. McCully stated, the dam will still be used to flood the skating area. There was minor damage to the dam that will be repaired.

Mr. Parisi asked the Mayor that further study be conducted on this; that ADA be contacted; and every avenue be exhausted first on this matter.

Ms. Korb pointed out that the bridge that was demolished was only sixty feet (60') in length. She did not understand why it would have to be twice as long if re-built.

Mr. Parisi reminded Ms. Korb, if it has to meet ADA requirements then it has to be twice the size and if it does not have to be an ADA approved structure, then it is a different ball game altogether.

Pasquale Melillo, 15 Haller Place, Yalesville did not want the bridge replaced. He agrees that further study needs to be conducted on this matter.

Lester Slie, 18 Green Street asked, is there any possible way to "grandfather" the ADA guidelines in?

Mr. Parisi will look into the suggestion.

Wayne McDermott, 22 Cooper Avenue asked, why not make it handicapped accessible in all the other areas of the park and build another footbridge similar to the original design in place? Wouldn't that be a cheaper option?

Mr. Parisi will consider the suggestion.

No action taken.

ITEM #7 Report Out by the School Building Expansion Committee as Requested by Councilor David J. Doherty

Don Harwood, Chairman, School Building Expansion Committee (SBEC) and Dirk van Luling, Project Manager, Gilbane Building Company were present for discussion on this topic.

Mr. Harwood gave the following report:

Yalesville School

This project is tracking on target. The committee is in the process of finalizing miscellaneous items. Approval was obtained from the Department of Transportation to handle the traffic light configuration at Route 68 and Hanover Street. That work is progressing and was under way this week. The civil work on site is going to be completed August 9th. Sidewalks will be completed then also. A final cleaning is being conducted. Walk throughs have been performed with the Building Official and Fire Marshal and a temporary certificate of occupancy will be issued until one handrail is installed. From a code-compliance standpoint the school is in good shape. The site pulled together nicely and meets all the needs of the student population. The budget continues to track favorably. The building will be complete August 9th with substantial completion by August 1st. The Route 68 traffic light and bypass lane should be completed by August 9th. It would be appropriate, at this time, for the process to begin to turn the building over to the Board of Education.

The committee officially stated at this time that the building is going to be substantially completed by August 1st and entirely finished by August 9th.

Moran & Dag Hammarskjold Middle Schools

Most of the demolition was taking place during the first part of the summer vacation. An exceptionally aggressive project schedule is being adhered to for a lot of work has to be crammed into the summer vacation period. Demolition has been completed. Dag is tracking a bit ahead of schedule in some of the work as compared to Moran, especially regarding the new addition. Moran is pretty much catching up. Active construction will continue on those sites up through the end of 1996 and into the first part of January 1997. The occupancy date for existing space is the start of the school year (August 28th). That date has been committed to by Gilbane and it is anticipated that the spaces that should be occupied will be. There is significant site work to be performed at Dag compared to Moran. The driveways have been reconfigured which will have a positive effect on the flow of the traffic in and out of the school.

Mr. Doherty asked, does the Council have to take action at some point in August to turn this building over to the Board of Education.

Mayor Dickinson responded, the Council could pass a motion to turn jurisdiction of the school over to the Board of Education. There is a procedure to comply with in order for the Town to maintain its eligibility for State grants. The Superintendent of Schools is

involved in the process and will be contacted for advice in this matter.

Mr. Doherty asked, does the committee anticipate turning some funds back to the Town from the Yalesville project?

Mr. Harwood responded, yes. The trade contracts proved favorable and although there were some hidden expenses associated with the old existing space, despite that, the committee anticipates an approximate unexpended balance of \$65,000. In addition to that the Comptroller has not utilized a lot of the bonding money which is charged against the master control budget therefore the ending unexpended balance should be in the neighborhood of \$100,000.

Mr. Doherty asked, what is the completion date for Moran and Dag?

Mr. Harwood responded, occupancy of existing space should occur August 28th. Regarding the total completion for the schools, Dag will be ready the latter part of December and Moran will be the first part of January.

Mr. van Luling added, the contract completion date is February 14, 1997. We are tracking ahead of schedule for those additions.

Mr. Doherty asked about the budget on those two schools.

Mr. Harwood responded, currently we are also tracking favorably. We have run into additional asbestos removal, increasing the estimated costs by approximately \$50,000. In visiting the site this afternoon still more asbestos was found which will undoubtedly cause that expenditure to increase again. This is the nature of work associated with older construction. In view of all of this we are still tracking favorably.

Mr. Farrell stated that he was informed that a great deal of money is being spent over the summer months at Moses Y. Beach to make the school accessible for a special education program. He asked, shouldn't we have addressed that over at Yalesville School instead of performing all the work at Moses Y. Beach? Supposedly handicapped bathrooms are being installed, ramping, additional conference rooms, etc. are all part of the project. Why didn't we figure out that perhaps that program could have been held at Yalesville School and we would not have had to incur the expense for the work?

Mr. Harwood responded, I have no idea what is going on over at Moses Y. Beach. As far as the building committee and the specification package and the program that the committee was given, it initially started off as a seven (7) school project identifying a huge amount of work that has to go on once you open a school to comply with current codes. That task was pared down to one

elementary school and the two middle schools. Our focus has only been on those schools. Any work that is going on associated with any of the other schools is an item that would be better directed to the Superintendent of Schools.

Mr. Centner asked, will the furnishings and computers be on the same timeline as the opening of Yalesville School?

Mr. Harwood responded, all the furnishings have been ordered and are coming in currently.

Mr. van Luling explained that he had a meeting this afternoon with the computer vendors. Most of the equipment is coming in next week; the network is going to be fully installed in two weeks so that the staff can receive training August 14th and be prepared to go. Classroom furniture is expected to arrive in the middle of August. Business Manager John Quinn is tracking the furniture outside the purview of Gilbane.

Mr. Centner asked, is there anything outstanding that could cause difficulty with opening day?

Mr. van Luling responded, he is not aware of anything and it is not within the purview of Gilbane to monitor the issue.

Mr. Harwood reiterated that the committee does not have any concerns.

Pasquale Melillo, 15 Haller Place, Yalesville asked if the State of Connecticut has paid for their half of the project yet?

Mr. Harwood explained that it is incumbent upon the Town to submit the proper paper work for reimbursement.

Comptroller Thomas Myers stated that the Town incurred the first series of bonding costs in the form of interest on bonds due June 15, 1996. We received the Town's share of State participation in June. Presently, the State is participating in its cost agreement with the Town.

No Action Taken.

ITEM #8 Consider and Approve the Acceptance of Two (2) Roads Accepted by the Planning and Zoning Commission at Their Meeting of July 8, 1996

- a. Grassy Hill Court
- b. A Portion of Promontory Drive

Motion was made by Mr. Rys, seconded by Mr. Renda.

Mr. Rys asked, where are the boundaries for the portion of Promontory Drive?

Linda Bush, Town Planner responded, when visiting the site you will see where the final course of pavement is down. It is shown on the map filed in the Town Clerk's Office and the legal description is shown that way on the deed. That subdivision was approved in three sections, sections four, five and six. Tonight you are being asked to accept section four and five.

Mr. Rys stated that he viewed the area with Mr. Parisi recently and found that the new section ends with numbers 19 & 24. The old section continues down to the north end....

Ms. Bush stated, the binder course continues on, it is not the old section. It is really the new section. It is a binder course as opposed to a binder course and a final course which is on sections four and five.

Mr. Rys stated, when the Planning & Zoning Commission decided to accept this, the Town Engineer and Public Works Director had to have signed off on it. What is the criteria for accepting the road and curbing, etc.?

Ms. Bush answered, that Mr. Costello (Town Engineer) and Mr. McCully (Director of Public Works) has signed off on it because they are the Town road experts. The roads have to be built to Town standards. There are specific standards that the roads have to be built to. If a person builds the roads to those standards then we have always accepted them because that is what we tell them when we approve the original plan.

Mr. Rys stated that both he and Mr. Parisi noticed a patch of pavement approximately 3' wide by 25-30' long on the south end of the drive that appears as though that portion of the road was dug out and re-patched.

Ms. Bush referred the Council to the accompanying correspondence from Mr. Costello and Mr. McCully which refers to a bond amount. We are keeping a larger maintenance bond on this particular road because of that trench. The normal maintenance bond is usually lower than the \$36,000 bond being requested with this project.

Mr. Rys asked about the curbing around the grassy hill.

Ms. Bush suggested that he check with Mr. Costello and/or Mr. McCully.

Mr. Rys responded, perhaps that is what the Council should do before taking any action for he is not satisfied with the work.

Mr. Parisi agreed for he also views the work as unsatisfactory.

Mr. Doherty asked where the road in question was located.

Mr. Parisi responded, off of Grieb Road.

Ms. Bush stated, we try to get the road accepted so the residents who live there and pay taxes can get all the Town services which they cannot get until the roads are accepted.

Mr. Parisi understood that but reiterated that he feels the road is not acceptable in its present condition. With regards to Grassy Hill Court, the curbing is all scarred and chewed up. In speaking with a homeowner in the area Mr. Parisi found that the resident was also displeased with the final product.

Ms. Papale asked, what needs to be fixed on Promontory Drive so that it can come back before the Council for approval?

Mr. Parisi was not sure what procedure would need to be followed to get it back before the Council for consideration again, he only knows that the road is unacceptable to him in its present state. It has a trench patch in it that is approximately 3' x 25-30' in length.

Ms. Bush explained, after the road was built she assumes that there was a defect in the water/sewer line and they had to dig up the road. A patch was put in the area that was dug. It happens regularly on existing Town roads. You cannot do anything about it. It is patched based on Town standards, the same ones that apply to all Town roads.

Ms. Papale pointed out that one additional month will not hurt to wait.

Ms. Bush reminded everyone that school buses are a part of Town services.

Mr. Rys stated that he noticed that the sidewalks on Grassy Hill Road...if you go down the hill there is a beautiful home right at the bottom of the hill. The sidewalks stop right in the middle of their property. Was there some reason why the sidewalk was not completed to the homeowner's driveway?

Ms. Bush answered, because that is what the plan showed, a sidewalk half-way around the cul-de-sac. The homeowner chose to have their driveway on that side. In that particular zone sidewalks are required on one half of the road, not on both sides.

Mr. Centner asked, has the entire \$36,000 maintenance bond been withheld?

Ms. Bush responded, we have not released any of the bond yet. We don't release any of it until the Council accepts the road. Mr. Costello estimates how much it will cost for the additional work.

Mr. Farrell asked, how many complaints have been called into the Town Planner's Office about the Fairlawn Farms subdivision?

Ms. Bush responded, we don't count. We have not had that many.

Mr. Farrell stated that he has received many complaints and he has referred those people to the Town Planner's and Engineering offices.

Ms. Bush asked, what kinds of complaints?

Mr. Farrell responded, about the road and/or the subdivision, things that have not been completed.

Ms. Bush stated, we have had very few complaints. We have had the same number as any other development, less than a lot of smaller developments. That is a very large development with up to 168 lots. We have not had that many complaints.

Mr. Farrell stated, it should not be assumed that the Council is going to accept the roads, we would like a lot more information.

Ms. Bush responded, if the Council had forewarned me I would not have come to the meeting or I would have asked Mr. Costello to come or Mr. McCully to stay. I am just the messenger and for some reason the job of presenting the roads for approval has always gone to the Planning Office even though we are not the ones knowledgeable about roads and are not qualified to sign off on them. If you need more information you will have to ask Mr. Costello and/or Mr. McCully.

Mr. Parisi stated that the Council did not need any reprimanding. It is an administrative decision as to who should be in attendance to present the item and/or back it up.

Attorney James Loughlin of Loughlin, Henrici, Molloy and Rizzo for Ravenswood. Ravenswood is anxious to finish their project and deliver it not only to the homeowners but also to the Town. They have delivered a road that Mr. Costello and the Engineering Department says is good; the Planning & Zoning Commission says is good. Please give me some guidelines so that I can go back to Ravenswood and say specifically what they should do. They have already patched the road in accordance with Town requirements and what I am hearing is that there may be some scarring along the curb but that was done subsequent to their proper installation of the curb. The bond is currently set at \$300,000. which is a significant amount of cost that Ravenswood will have to incur until

the Council can deliberate on it next month. Ms. Bush has pointed out that there is a \$36,000 maintenance bond that will satisfactorily satisfy whatever work needs to be done. Any scarring along the curb will not certainly require \$36,000 to repair. Because Ravenswood is a good company that has delivered a good product and is prepared right now to deliver a good road, in accordance with Mr. Costello and the Planning & Zoning Commission as well as Ms. Bush, please do not make them wait another month. That is not necessary.

Mr. Parisi appreciated Attorney Loughlin's comments but they failed to change Mr. Parisi's opinion on the matter. He stated that he is getting a little upset with the conditions of many of the roads in town. There is a lack of respect for homeowners and they are the people having to deal with these problems and there is a measurement of responsibility that is due to the people in the area and he does not feel that has been shown.

Mr. Knight commented that he had spent some time last Fall talking to various Town departments about what was going to be done to patch Leigus Road up properly for the winter. From all indications there was a good deal of foot dragging on the part of the contractor that was responsible for doing that. That incident colors his judgment in this matter. He was very dissatisfied with the lack of cooperation the Town received from the contractor last Fall.

Attorney Loughlin stated, it is his understanding that a lot of the work that was to be completed by Ravenswood was held up due to work that was to be completed by the Town of Wallingford. The Town specifically told Ravenswood not to cap the road until the Town's work was completed. Please do not hold that against Ravenswood.

Ms. Papale stated she did not have a problem with tabling the item but she hopes it will not be held up until the next Council meeting in late August. She hopes the Council will consider scheduling a 5:30 p.m. meeting in the near future to address this item. She asked the Chairman to specifically list the reasons the roads are not being accepted so that Attorney Loughlin can bring that information back to the contractor.

Mr. Parisi stated, following this item a short break will be called for. At that time Mr. Parisi will discuss that information with Attorney Loughlin.

Motion was made by Mr. Farrell to Table This Item, seconded by Mr. Renda.

VOTE: Zappala was absent; all others, aye; motion duly carried.

The Chair declared a ten minute recess at this time.

ITEM #9 Consider and Approve Four (4) Transfers for the Electric Division

- a. \$3,900 from Purchased Power to Supervision and Engineering Acct.
- b. \$29,510 from Purchased Power Acct. to Electric Labor Acct.
- c. \$22,330 from Purchased Power Acct. to Boiler Labor Acct.
- d. \$17,120 from Purchased Power Acct. to Fuel Expense Acct.

Mr. Rys stated that the above-listed transfers relate to potentially operating the Pierce Power Plant for generating this summer.

David Gessert, Chairman of the Public Utilities Commission asked the Council to take all of the transfers up under one motion since they all deal with the same issue and are all reimbursable to the Town.

Motion was made by Mr. Rys to Approve the Four Transfers in One Motion, seconded by Mr. Farrell.

VOTE: Zappala was absent; all others, aye; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$4,000 from Power Purchased for Pumping Acct. to Maintenance of Miscellaneous Water Source Plant Acct. - Water Division

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Two General Electric 250 HP motors at the Ulbrich Transfer Station have experienced mechanical problems which appear to be related to defective machining of a motor component in each. Although the warranties have expired on each motor, a possibility exists that General Electric may pick up some or all of the repair costs involved with both motors. In the meantime, Traver Electric/IDC in Waterbury, CT. (authorized G.E. factory representative) has repaired one motor at an estimated cost of \$1,400. A price of \$3,900 has been quoted to repair the second motor which shorted out experiencing a greater degree of damage.

Mr. Centner asked, is there a time element involved in this issue where we can't put forth some money to properly assess whose responsibility the repairs are? Do you have to have all of the estimated repair value first then find out if it is a warranty repair and leave the funds unspent? Is that what you are asking to do?

Mr. Gessert stated, these are General Electric pumps and we have had problems with two of them and there is only two (pumps) out there that provide the pumping from that reservoir up to Pistapaug Pond. The fact that we have had a lot of rain leaves us in fairly good shape right now but we only have two pumps in that pumphouse and they are both down.

Roger Dann, General Manager of the Water/Sewer Division stated, we did have problems with both of the motors, one shortly after the other. The first motor that we sent out has, in fact, been repaired and returned to service so we do have one of the two pumps currently available and in service at this point in time. Obviously we are hoping that motor is fully repaired and will not incur any of the same problems we originally had. We would like to move to have the second motor repaired on a timely basis so that we can get it back in.

Mr. Centner asked, with regards to the oil seal that is leaking, has that led to the cause of the problem? Did it cause it to overheat and cause the windings to fail?

Mr. Dann responded, since we have not yet sent the second motor out to be looked at, we don't know what the problem is. We believe that there is some problem in the lower bearing but what the cause of that problem might be, we don't know. The result was that oil got up into the motor, shorted it out and now we have a rewind situation. It is premature at this stage to speculate.

Mr. Centner asked, with regards to the first motor that has been repaired and returned, does it come with any type of warranty on the work?

Mr. Dann responded, I am not sure, I assume that there would be. We are beyond the manufacturer's warranty on the motors so at this point in time anything that we can recover will be based upon our availability to verify that the defects are manufacturing in nature and convince G.E. that they should participate in the repair. The pumps were placed into service two years ago. It is definitely a premature failure situation.

Mr. Parisi asked, how long will we have to wait to find out if G.E. will participate in the repair?

Mr. Dann responded, we are awaiting a report from Traver Electric and we will utilize that report as the basis to pursue the issue further with G.E. There has been an indication of an offer from G.E. in the amount of \$300 towards the repair on the first one. My feeling is, if this is an original manufacturing defect then that is an inadequate offer although we do have to recognize that we are outside of any stated manufacturer's warranty period.

Mr. Parisi asked, is there anyone else who makes these motors?

Mr. Dann responded, there are other manufacturers of motors in this size.

Mr. Gessert stated that the division will certainly remember the problems that they have experienced should they need to purchase motors in the future.

Mr. Parisi stated, any legitimate company will usually recognize a manufacturing defect, even if it is outside of the warranty period, especially to this degree of failure.

Pasquale Melillo, 15 Haller Place stated that he is opposed to waiving the bid for any items.

Mr. Parisi explained, in order to have any chance at receiving reimbursement toward the repairs, the work must be performed by an authorized factory representative, hence the waiving of the bidding process.

VOTE: Zappala was absent; all others, aye; motion duly carried.

ITEM #11 Consider and Approve a Waiver of Bid for Motor Repairs at the Ulbrich Transfer Station - Public Utilities Commission

Motion was made by Mr. Rys, seconded by Mr. Farrell.

VOTE: Zappala was absent; all others, aye; motion duly carried.

ITEM #12 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Respect to Pending Litigation Involving Tax Appeals and Labor Matters

Motion was made by Mr. Rys to Enter Into Executive Session, seconded by Mr. Farrell.

VOTE: Zappala was absent; all others, aye; motion duly carried.

Present in Executive Session were all Councilors (with the exception of Mr. Zappala), Mayor Dickinson and Town Attorney Janis M. Small.

Motion was made by Mr. Rys to Exit the Executive Session, seconded by Mr. Centner.

VOTE: Zappala was absent; all others, aye; motion duly carried.

ITEM #13 Consider and Approve a Waiver of Bid to Hire Expert Counsel for Pending Litigation - Town Attorney

Town Council Meeting

28

July 23, 1996

Motion was made by Mr. Rys, seconded by Mr. Farrell.

VOTE: Zappala was absent; all others, aye; motion duly carried.

Motion was made by Mr. Rys to Adjourn the Meeting, seconded by Ms. Papale.

VOTE: Zappala was absent; all others, aye; motion duly carried.

There being no further business the meeting adjourned at 9:45 P.M.

Meeting recorded and transcribed by:

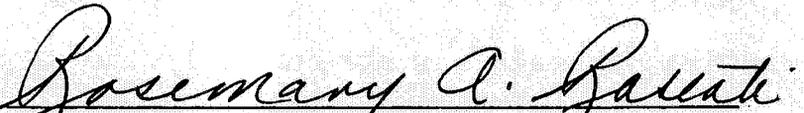

Kathryn F. Milano
Town Council Secretary

Approved by:


Robert F. Parisi, Chairman

8-27-96

Date


Rosemary A. Rascati, Town Clerk

8-28-96

Date