

TOWN COUNCIL MEETING

JUNE 24, 1997

6:30 P.M.

AGENDA

Blessing - Rev. Glenn Havumaki, Elim Park Baptist Home

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
  - a. Consider and Approve a Transfer of Funds in the Amount of \$499 from Copier Acct. #2030-999-9962 to Dishwasher Acct. #2030-999-9900 - Dept. of Fire Services
  - b. Consider and Approve Tax Refunds (#349-355) Totalling \$3,254.80 - Tax Collector
  - c. Consider and Approve an Appropriation of Funds in the Amount of \$226 to the Revenues and Expenditures Accts. in the Special Revenue Fund SSBG-26 for F.Y. 1996-97 - Program Planner
4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Consider and Approve a Transfer of Funds in the Amount of \$4,500 from Telephone Acct. #2030-201-2000 to Maintenance of Vehicles Acct. #2030-555-5000 - Dept. of Fire Services
7. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Microfilming Records Acct. #001-6030-401-4000 to Computerized Indexing Acct. #001-6030-901-9024 - Town Clerk
8. Consider and Approve a Waiver of Bid for the Town Attorney to Hire Legal Counsel to Potentially Appeal an Inlands Wetlands Commission Ruling - Town Attorney
9. Consider and Approve Granting a Temporary Easement to Yankee Gas Company to Enter Town Property for the Purpose of Taking Soil Samples and Locating Monitoring Wells at the Site - Town Attorney

(OVER)

10. Executive Session Pursuant to Section 10-153d; 1-18a(e)(5) and 1-19(b)(9) of the CT. General Statutes with Respect to Negotiations and Collective Bargaining - Board of Education
11. Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Educational Secretaries Local #1303-173 AFSCME, Council #4, AFL-CIO Effective October 1, 1997 to September 30, 2001
12. Executive Session Pursuant to Section 10-153d; 1-18a(e)(5) and 1-19(b)(9) of the CT. General Statutes with Respect to Negotiations and Collective Bargaining - Personnel
13. Consider and Approve the Adoption of a Job Description for an Account Clerk Typist in the Electric Division - Personnel
14. Consider and Approve Confirming the Selection of a Senior Center Advisory Committee as Requested by Chairman Robert F. Parisi
15. Report Out by the Habitat for Humanity Council Committee as Requested by Councilor Stephen W. Knight

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TOWN COUNCIL MEETING

JUNE 24, 1997

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, June 24, 1997 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:31 P.M. All Councilors answered present to the Roll called by Town Clerk Rosemary A. Rascati with the exception of Chairman Robert F. Parisi who was vacationing. Mayor William W. Dickinson, Jr. and Comptroller Thomas A. Myers were also present. Asst. Town Attorney Gerald Farrell, Sr. arrived at 6:36 P.M.

The Pledge of Allegiance was given to the Flag.

Rev. Glen Havumaki of the Elim Park Baptist Home in Cheshire bestowed a blessing upon the Council.

Vice Chairman Raymond Rys took a moment to congratulate the recent graduates of Lyman Hall and Sheehan High Schools. He wished them the best of luck in all that they do and asked that they always remember their town.

ITEM #2 Correspondence - No items of correspondence were received by the Council for this meeting.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve a Transfer of Funds in the Amount of \$499 from Copier Acct. #2030-999-9962 to Dishwasher Acct. #2030-999-9900 - Dept. of Fire Services

ITEM #3b Consider and Approve Tax Refunds (#349-355) Totalling \$3,254.80 - Tax Collector

ITEM #3c Consider and Approve an Appropriation of Funds in the Amount of \$226 to the Revenues and Expenditures Accts. in the Special Revenue Fund SSBG-26 for F.Y. 1996-97 - Program Planner

Motion was made by Mr. Knight to Approve the Consent Agenda as Presented, seconded by Mr. Centner.

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

ITEM #4 - Withdrawn

ITEM #5 PUBLIC QUESTION AND ANSWER PERIOD

Patrick Hayden, 212 S. Orchard Street passed information pertaining to the American with Disabilities Act (A.D.A.) and photos of the downtown area of Wallingford to the Town Council and asked, is

there any way that the Town could use the area adjacent to Simpson Court for an outdoor dining area rather than tying up the sidewalk areas?

Mr. Renda asked the Mayor if the Town has an ordinance regarding the placement of items on sidewalks that are Town property?

Mr. Rys stated, the coffee shop and Courtside Cafe have been granted permission by the Town to place tables and chairs outside of their establishments on the sidewalk.

Mayor Dickinson responded, any use of public area requires Town Council approval unless the area has been delegated as jurisdiction for an administrative department. We are looking at whether, for more incidental use, there should be a general approval. If a single table or chair is up against a store front and leaves at least sixty inches (60") of sidewalk space between the brickwork and what ever the object may be, that there be a general permission for that type of use. Otherwise you would have to entertain every instance when someone wants to put something out on the sidewalk, including sidewalk sales. It is up to the Council as to whether or not they wish to encourage that type of volume of activity. I believe that A.D.A. was taken into consideration when granting permission for the Simpson Court vendors.

Mr. Haydon stated, A.D.A. says that the minimum width should be thirty-six inches (36"). We support the businesses in the downtown area, however, does anyone on the Council know what the width of a wheelchair is? The standard wheelchair is thirty-four inches (34") wide. The maximum width in front of some of the downtown businesses is three feet (3') as is the case in front of Consignments Plus. They left only thirty-four inches (34") from the front of their display to the roadscape where the bricks are for the wheelchair to pass by. There are people downtown everyday with a minimum of one person, everyday, downtown. There are people who take themselves downtown with mobilized wheelchairs. It is not easy to get a wheelchair through tight spaces. If people are putting goods out in front of their businesses everyday there should be some kind of approval or someone should talk to them about what they should comply with and whether they should have permission or not.

Mr. Rys asked the Mayor to have the respective people involved in enforcing the regulations speak to the shop owners to make sure they are in compliance .

Mayor Dickinson agreed to check on the distances and pursue the issue within the next day or two.

Frank Wasilewski, 57 N. Orchard Street extended congratulations to those individuals responsible for the plantings on the corner of

Center Street and Route 5.

Mayor Dickinson responded, the congratulations should be extended to the Garden Club and Wallingford Center, Inc.

Pasquale Melillo, 15 Haller Place, Yalesville passed along a newspaper article to the Council on the topic of computers. The article states that Bill Gates, C.E.O. of Microsoft Corp. is donating \$2 million for the purchase of computers for libraries in Canada and the United States. He is establishing a non-profit foundation. In addition to that, Microsoft Corporation will match the personal donation with software programs equal in value to the \$2 million. Perhaps the library could look into this matter to see if we can take advantage of the offer.

Mr. Melillo next asked for an update on the status of the 911 program. When the issue was brought up recently at a Council meeting the impression was given that the situation warranted immediate attention. Since then we have not heard anything. What happened? What is the situation?

Mr. Rys responded, the administration is gathering information for the Town Council and will present it to them at the appropriate time. The Council did vote to keep the system in town.

Mayor Dickinson added, we have been looking to gather information from outside sources as far as what has been done at other places. We cannot be sure at what time this will all come together.

Mr. Melillo next asked, what is the status of the Town-owned Durham land? Has it been sold, has land be found to replace it?

Mayor Dickinson responded, there has been no change in the status of the situation to date.

Mr. Melillo asked, does that mean that no one is working on it? Does that mean that there is something wrong? No change in status could mean a lot of things.

Mayor Dickinson responded, the status is that the Conservation Commission is putting together a report regarding available open space and once that report is received then efforts can be made to acquire open space. That will result in action to sell the Durham land.

Mr. Rys stated, for the public's information, the Chairman is not present because he is on vacation for the next three weeks.

WAIVER OF RULE V

Mr. Farrell made a motion to Waive Rule V for the Purpose of Making Meeting Date Changes, seconded by Mr. Centner.

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

Motion was made by Mr. Farrell to Make the Following Changes to the Town Council Meeting Schedule of 1997:

7/8/97 meeting	-	cancelled
7/22/97 meeting	-	rescheduled to 7/29/97
8/12/97 meeting	-	cancelled
8/26/97 meeting	-	rescheduled to 8/19/97

Seconded by Mr. Centner.

VOTE: Parisi was absent; Zappala abstained; all others, aye. Motion duly carried.

Mr. Zappala stated that he abstained from voting based on the fact that he was not consulted as to when he had planned to take his vacations.

ITEM #6 Consider and Approve a Transfer of Funds in the Amount of \$4,500 from Telephone Acct. #2030-201-2000 to Maintenance of Vehicles Acct. #2030-555-5000 - Dept. of Fire Services

Motion was made by Mr. Knight, seconded by Mr. Centner.

This transfer is being requested to meet vehicle maintenance needs of the last quarter higher than originally expected including Ladder 8 failed its annual aerial test by Underwriter Labs and immediate repairs were necessary. Also, a couple of large orders placed through the Public Works Department earlier this year have been recently delivered and billings have been received at the Fire Department.

Frank Wasilewski, 57 N. Orchard Street asked, what is the balance in the telephone account?

Guy Casanova, Asst. Fire Chief responded, according to the last budget report ending June 20, 1997 the department exhibited an \$8,433.77 balance.

Mr. Wasilewski stated, it appears as though you were over-budgeted in that account because the Mayor cut that account by \$9,000 for this year.

Asst. Chief Casanova explained, we recently finished implementing a new telephone system and we replaced a lot of old phones that the department was renting. Telephone lines were combined as well resulting in quite a savings overall.

Mr. Wasilewski asked, how many vehicles does the department have in its fleet?

Asst. Chief Casanova responded, twenty-three (23) vehicles worth over \$4.5 million. It is very sophisticated apparatus and repairs and parts are very costly.

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

WAIVER OF RULE V Motion was made by Mr. Centner to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Taking Up Nine Transfers for F.Y. Ending June 30, 1997, seconded by Mr. Knight.

VOTE: Parisi was absent; Zappala, no; all others, aye; motion duly carried.

ITEM #V.1 SET A PUBLIC HEARING for July 29, 1997 for an Appropriation and Bond Ordinance in the Amount of \$850,000 for the 1997-98 Capital Improvement Program - 7:45 P.M.

Motion was made by Mr. Knight, seconded by Mr. Centner.

Mr. Zappala complained that the nine extra agenda items were just now handed to the Council and there was no time to review any of the information.

Mayor Dickinson stated, the public hearing for the bond ordinance should have occurred in April during the budget. As a result, in order for us to have an approved ordinance we must move ahead with it. In addition, in order for work to be performed, another item would be the transfer of money to allow Public Works to begin the work otherwise we will lose the summer which is a critical construction period. That action would have to be taken, if not tonight, within the next couple of days. Another item involves the contract for the cleaning of Fairfield Boulevard. The contract came in almost \$8,000 more than what was budgeted for. There has been no experience with the cleaning of a new building so it was based upon an estimate which was short. If we don't act on that prior to July 1st we would not be able to enter into a contract for the cleaning of Fairfield Blvd. All of the other items are end of year housekeeping issues. In order to allow for funds to be spent and the closure of books those matters have to be dealt with. It does not have to be tonight but it has to be before July 1st. It is a question of setting another special meeting or dealing with it tonight.

Mr. Zappala stated, it is not fair to the Council to give us this information last minute.

Ms. Papale stated, she understands Mr. Zappala's concerns, however, in looking through the seven items, they are transfers for amounts that are not very large and the items would most likely have been placed on a consent agenda anyway. The respective department heads are present for their items so we should move ahead with them.

Frank Wasilewski, 57 N. Orchard Street stated, with regards to Fairfield Boulevard, \$70,000+ was appropriated to the contingency account when they started construction. That should have been enough money to handle the incidentals.

Mr. Rys asked that Mr. Wasilewski hold his comments until that item is on the table for discussion.

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

ITEM #V.2 Consider and Approve a Transfer of Funds in the Amount of \$400,000 from New Debt & Financing to Roadway Construction - Highland Avenue from Hope Hill Road to Buttonwood Circle (1997-98 Budget) Mayor's Office

Motion was made by Mr. Knight, seconded by Mr. Centner.

Frank Wasilewski, 57 N. Orchard Street asked, does this mean that you are adding this \$400,000 to the new budget?

Mayor Dickinson responded, when the budget was approved we approved the Capital and Non-Recurring Fund with it, however, an ordinance was not approved. This transfers money within the budget, it does not add new money. This will allow the work to begin and we would look to reimburse ourselves out of the ordinance which would be passed.

Mr. Wasilewski asked, are you taking \$400,000 from reserves?

Mayor Dickinson responded, no, it is being transferred from a line item within the budget, Financing for New Debt. It is part of the Capital and Non-Recurring Budget.

Robert Sheehan, 11 Cooper Avenue stated, is the money for this project coming from the \$850,000 you want from the public hearing for these projects? Is that where the funding is coming from?

Mayor Dickinson answered, the funding is all coming from within the Capital and Non-Recurring program. The \$850,000 was the amount slated for expenditure for the 1997-98 year. The money is coming from that program.

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

ITEM #V.3 Consider and Approve a Transfer of Funds in the Amount of \$7,897 from General Purposes Acct. #001-8050-800-3190 to Purchase Professional Service - Custodial Services Acct. #001-5015-901-9014 - Public Works

Motion was made by Mr. Knight, seconded by Mr. Centner.

This transfer is being requested to fund the Fairfield Blvd. cleaning contract.

Mr. Zappala stated, didn't we go out to bid to know how much we were going to need to clean the place? We have been trying to complete this building for over a year. We come down to the last minute and now we have to accept what ever price comes in.

Henry McCully, Director of Public Works responded, the cleaning contractor of the former Simpson School which housed the Recreation Department transferred his services to the new Recreation Center at Fairfield Boulevard and then quit. Had he not done that we would have had enough money to finish out the contract. We then had to award a contract to the lowest bidder on the new bid which left us with insufficient funds because the new contract was higher.

Frank Wasilewski, 57 N. Orchard Street stated that he was upset with what was taking place tonight, namely adding these items last minute to the agenda. It does not give him time to research what is going on and the different accounts affected by the transfers. It is not right to do this. The Council should have tabled the items and taken them up properly at a later date even if it meant calling a special meeting.

Pasquale Melillo, 15 Haller Place, Yalesville asked, isn't there anyone employed by the Town that could clean the Recreation Center without having to hire an outside contractor?

Mr. McCully responded, you would have to have on-staff janitorial services. We would have to hire full-time custodians to do the work. It is cheaper to have the work contracted with the private sector.

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

ITEM #V.4 Consider and Approve a Transfer of Funds in the Amount of \$300 from Other Pay Acct. #001-2005-101-1700 (Police) to Other Pay Acct. #001-5015-101-1700 (Public Works) - Public Works

Motion was made by Mr. Centner, seconded by Mr. Knight.

This transfer is being requested to correctly "book" one of the Police Department's former employee's longevity pay to the Public Works Department to which she transferred.

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

ITEM #V.5 Consider and Approve a Transfer of Funds in the Amount of \$575 from Regular Salaries & Wages Acct. #001-1301-101-1000 to Contribution YSB Acct. #001-3070-600-6881 - Program Planning

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

This transfer is being requested to cover higher than budgeted costs for telephone expenses this year.

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

ITEM #V.6 Consider and Approve an Appropriation of Funds in the Amount of \$575 from Revenue Acct. #012-1040-60-6000 to Telephone Acct. #012-9000-201-2000 - Program Planning

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

This appropriation is requested in conjunction with the above-mentioned transfer and is necessary to complete the entire transaction.

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

ITEM #V.7 Consider and Approve a Transfer of Funds in the Amount of \$350 from Maintenance of Equipment Acct. #001-1303-570-5200 to Meetings, Seminars & Dues Acct. #001-1303-701-7990 - Program Planning

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

This transfer is being requested to reimburse Scott Hanley, Manager of Government Access Television for costs incurred for attendance at a job-related seminar.

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

ITEM #V.8 Consider and Approve a Transfer of Funds in the Amount of \$49 from Conference Table & Chairs Acct. #8060-999-9904 and \$248 from Telephone Acct. #8060-401-4000 to Office Expenses Acct. #8060-410-4000 (\$297 Total) - Probate Court

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

This transfer is being requested to pay for the department's required microfilming and recording process. The number of pages of documents recorded and preserved each year are varied and unpredictable. As a result, the amount the Court budgeted for this process is not enough to cover our expenses for the rest of this fiscal year.

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

ITEM #V.9 Consider and Approve a Transfer of Funds in the Amount of \$530 from Purchase Services Custodian Acct. #001-6010-901-9014 to Office Expenses Acct. #8060-401-4000 - Probate Court

Motion was made by Mr. Knight, seconded by Mr. Centner.

This transfer is being requested for the same reason as Item #V.8, to fund the Office Expenses Acct. for microfilming and recording.

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

WAIVER OF RULE V Motion was made by Mr. Zappala to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Placing Names into Nomination to Fill Vacancies on the Town Council and the **Zoning Board of Appeals, seconded by Ms. Papale.**

Mr. Rys stated that Chairman Parisi is absent from the meeting due to vacation plans and he would prefer to honor Chairman Parisi's request to keep Dave Doherty's seat vacant for at least thirty days out of respect for Councilor Doherty and his family. I know Mr. Gouveia and certainly respect him but I would like to honor the Chairman's request.

Mr. Zappala stated, the seat will not be occupied for at least thirty days once the next Town Council Meeting is called. It could be effective thirty days from the date Mr. Parisi called for the action of leaving the seat vacant.

Peter Gouveia, 39 Lincoln Drive Ext., respectfully requested that the Councilmembers present focus on the issue at hand. He stated, I have been nominated for many positions before and I have always accepted those nominations with a great deal of enthusiasm, in fact, at times even ecstasy. When I was nominated for this position I must confess that I did not feel those feelings at all, in fact, I felt quite humbled, very saddened, very respectful. I felt very honored that I was nominated because I would feel honored to fill this position vacated by the death of Dave. I believe that Dave's memory and Dave's integrity and Dave's spirit demand that everyone concerned act accordingly, in a very respectful and dignified manner. I believe that the matter at hand is to select

and confirm an individual to complete Dave's term on the Council. His party has chosen an individual. His family, his widow supports that individual. I would hope that my candidacy does not detract at all from the dignified process that I am talking about. I concur with Mr. Zappala and I fully agree that if the Council Chairman suggests that a thirty day grace period be adhered to, I go along with that but I also concur with Tom Zappala in that the next Council meeting will be held on July 29th. The next Council meeting after that would be August 29th. If you wait until July 29th to confirm me then I will not serve until August 29th. I knew Dave very well and I know that Dave would like to have representation on the Council. I think that he would feel that his position would not be represented and his constituency is not being represented. I would like to step in as soon as possible, if I may. If you do not adhere to that dignified process of which I am speaking then I must confess to you that the black ribbon on Dave's chair, the black ribbon in front of Town Hall, the armbands that you wore at the last meeting are all nothing but shallow symbols that do not pay respect to the man as he deserves it. Thank you.

VOTE: Parisi was absent; Papale and Zappala, aye; all others, nay.  
Motion Failed.

Mr. Centner made a motion to Move Agenda Items #13 & 14 Up to the Next Order of Business, seconded by Mr. Knight.

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

ITEM #13 Consider and Approve the Adoption of a Job Description for an Account Clerk Typist in the Electric Division - Personnel

Ms. Papale pointed out that the Council needed to go into Executive Session, Item #12, before it could take action on Item #13.

Motion was made by Mr. Knight to Table This Item, seconded by Mr. Centner.

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

ITEM #14 Consider and Approve Confirming the Selection of a Senior Center Advisory Committee as Requested by Chairman Robert F. Parisi

Motion was made by Mr. Knight to Approve the Names of Madeline Erskine; Robin Wilson; Robert Till; Walter Hahnel; Jack Sheehy; Caryl Ryan; Dianne Saunders; Stephen W. Knight and Robert F. Parisi, seconded by Mr. Farrell.

Mr. Zappala stated, I am going to abstain from voting mainly because, in the past the Council has chosen committees to spend taxpayer's dollars. I am not saying that the people selected are not qualified but I question the procedures. I am questioning the fact that Mr. McCully is being asked to oversee this project. I

am not saying that he isn't qualified, quite the opposite, except that it seems that Mr. McCully is being assigned another task to do and he is doing everything but the job he was hired to do. We are getting him involved in everything else but what he is supposed to be doing. I feel that the democrats should have some say in this also. I realize that we are in the minority and don't have any influence in the matter but I feel we should have a say. I will not vote in favor of this.

Ms. Papale stated, I believe that a committee as concerned as this one is with the selection of a senior center, although merely an advisory committee, this is the first time I recall when there has not been any minority representation on a committee such as this.

Mr. Rys responded, honestly, I had no idea as to which political affiliation anyone is from on this list.

Ms. Papale explained, why there are two Councilors on this committee who are both Republicans...why didn't you have three Councilors names? I am happy with the people's names that are on this committee, however, both Mr. Zappala and myself have shown such concern about what is going to happen with the Senior Center that I am surprised that one of us were not asked to serve on the committee.

Mayor Dickinson suggested adding additional names tonight.

Ms. Papale recommended that Mr. Zappala be named to serve on the committee.

Mr. Rys saw no problem with the suggestion.

Motion was amended by Ms. Papale to Add the Name of Tom Zappala to the Committee, seconded by Mr. Farrell.

Robert Sheehan, 11 Cooper Avenue asked, does anyone here know what you are doing? It looks as though no one knows what they are doing. You have added nine items to the agenda and no one except the Vice-Chairman was privy to that information; the public knows nothing. Now, it appears, "we will make this up as we go along." We don't have a democrat councilmember on the committee, well, we will add two more seeing we are here now. It seems to me that the nine previous items that you took care of all at once just came about yesterday. No one knew anything about any of this until yesterday. You people make the rules that all of us are supposed to abide by. I have been coming to these meetings for three years; I attend Planning & Zoning Meetings and it appears to me that the people who make the rules are the first people who break them. The rules apply to everybody else but that commission or that body. We have people that build parking lots in this town and claim ignorance, they didn't know that they needed a permit. They got

a permit from Wetlands and they figured that was all they needed. Someone else will talk around the issue stating, "In the past Parks & Recreation didn't have to come before us to get permission to do something." If I go out and do the same thing that you do, Planning & Zoning do and half of the officials do in this town or are told to do, I could be in court for the rest of my life. I might not last that long because you would be suing me for breaking your rules but no one does that with you. I sit here tonight and the agenda you have printed up and handed out is worthless. You might as well crumble it up and throw it away. You are doing everything but.

Pasquale Melillo, 15 Haller Place, Yalesville asked, why should the democrats be considered the minority? They should be considered equal to the republicans. During your pledge of allegiance you recite the words, "...liberty and justice for all." You should have as many democratic councilors on this committee as republican to give a good practical balance and represent the town the way it should be.

Rosemary Rascati, Town Clerk suggested that the Council may wish to add Iris Papale's name also so that the number of members on the committee total an odd amount.

It is noted that Mr. Parisi stated at the June 17, 1997 Town Council Meeting that he would prefer an uneven number of members serving on the committee. The addition of Mr. Zappala's name will accomplish this.

VOTE ON THE AMENDMENT: Parisi was absent; Zappala abstained; all others, aye; motion duly carried.

VOTE ON THE MOTION AS AMENDED: Parisi was absent; all others, aye; motion duly carried.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Microfilming Records Acct. #001-6030-401-4000 to Computerized Indexing Acct. #001-6030-901-9024 - Town Clerk

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

Mrs. Rascati, Town Clerk, explained that she budgets \$26,000 per year in this account for indexing all of the land records, deeds, liens, releases, etc. We had an excessive amount of water liens and releases this year leaving the account a little bit short for the month of June.

Mr. Farrell stated, as someone who uses the index on a daily basis in that office, I wish to note that the Town Clerk does an exceptional job of maintaining the indices and we should be very proud of that fact.

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

ITEM #8 Withdrawn

ITEM #9 Consider and Approve Granting a Temporary Easement to Yankee Gas Company to Enter Town Property for the Purpose of Taking Soil Samples and Locating Monitoring Wells at the Site - Town Attorney

Motion was made by Mr. Knight, seconded by Mr. Centner.

Mr. Centner asked, is this operation done in conjunction with D.E.P. oversight?

Paul Ferry, Yankee Gas Co. representative responded, no, this is voluntary action by Yankee Gas Co. which does not warrant oversight by D.E.P.

Mr. Centner asked, is there any liability exposure to the Town in conjunction with the operation?

Mr. Ferry responded, in speaking with Janis Small, Town Attorney, she stated once the project is approved Yankee Gas Co. must forward a certificate of insurance for liability for any/all work performed on Town property.

Mr. Farrell stated, this problem has been ongoing for quite a few decades and I don't have a clear picture as to when this problem will be cleaned up.

Mr. Ferry responded, this problem started back in the 1980s when the company was Northeast Utilities. We conducted a study in 1994 and we had a meeting last year at which it was decided that Yankee Gas Co. would go forth and clean up the site however, there are data gaps. We are trying to fastrack a study and develop a plan to remediate the site.

Mr. Farrell stated, that site was used for decades and it was known for some time prior to the 1980s. There should be a more pressing effort to clean the site up.

Mr. Ferry stated, the gas plant started in 1870 and produced manufactured gas by burning coal. A by-product of the industry was coal tar. A common practice was to bury on site the by-product that was not useable. There were two areas of concern and one of those areas has been removed. The other area has to be characterized and we want to find its potential impacts on the Quinnipiac River. That is what this study entails. It is a matter of approximately two weeks worth of sampling, gathering an analysis and compiling a report. We will then proceed with a remedial plan.

Mr. Farrell stated that he feels Yankee Gas Co. is dragging its feet on cleaning up this mess.

Mr. Ferry responded, the material itself is quite immobile. It is a very thick substance. For as long as it has been in the ground it has not travelled other than a few feet.

Mr. Farrell asked, if that is correct then why did Yankee Gas Co. buy adjacent properties and why was some of this substance found out in the middle of Community Lake?

Mr. Ferry responded, from what I understand the discharge from the manufactured gas plant at the time was legal and entered Community Lake which was also on Yankee Gas Co. property before the dam broke back in 1978.

Mr. Farrell responded, it seems as though it is a problem that has gone on a very long time and I think that Yankee Gas Co. should take the problem a lot more seriously and move forward on it.

Mr. Ferry answered, Yankee Gas Co. is taking the problem very seriously that is why it is in voluntary action. We are prepared to spend many dollars in cleaning it up. If we were dragging our feet the D.E.P. would come down and place a consent order for us to clean up the site. We are voluntarily cleaning up the site which cannot occur overnight. There is a lot of time spent gathering information for you are exploring the unknown.

Mr. Farrell stated, I think twenty to thirty years is long enough.

Mr. Ferry stated, twenty or thirty years ago this was not considered a site that we had to clean up. Yankee Gas has only existed since 1989.

Mr. Farrell responded, it was known as long as fifteen years ago when Public Works discovered the coal tar when dredging the lake.

Mr. Centner asked, who will certify that the site is clean and safe once the clean up is completed?

Mr. Ferry responded, the State will. The State has a remediation standard of regulations which is a list of the regulations and criteria in order for the site to be determined as cleaned. These regulations, as of July 1st, will be one year old. Yankee Gas Co. will be going out to collect samples to see how they fare against the regulations. From there we will know what areas are clean and which ones still need cleaning and to what degree.

Mr. Centner asked, how will I know, in the end, what will be there once the site is cleaned?

Town Council Meeting

Mr. Ferry answered, as far as I know what we have been looking into is a fact that Community Lake is going to be restored eventually. That project has been being looked into for a number of years. We are hoping to clean it up and have it used again as part of the lake community.

William Cominos, 14 Laurelwood Drive asked, will there be any Town official working with Yankee Gas Co. and the D.E.P. to be sure that the Town understands what is going to go on down there?

Mr. Ferry responded, all of our work, as we go through stages with the new regulations, we run by the D.E.P. official. We supply a progress report. A Yankee Gas Co. representative will be on site at all times.

Mr. Cominos suggested that the Town consider having someone from the town working with Yankee Gas Co. and D.E.P. to assure that the Town's best interests are met.

Pasquale Melillo, 15 Haller Place agreed that an expert from the Town should be working with Yankee Gas Co. to coordinate the project. He asked, if this is approved will Yankee Gas Co. commitment themselves to 100% liability to potential lawsuits?

Mr. Rys stated, this is private property. Most of the monitoring will occur on Yankee Gas property. They are offering to place wells on the Town property.

Mr. Melillo stated, the agenda states, Town-owned property.

Mr. Ferry stated, the majority of the work will occur on Yankee Gas property. There is a small portion of Town property that we will have to access to obtain soil and surface water samples. Based on those results we may install a number of monitoring wells, possibly three, and they will all be in one spot. There are eleven wells existing at the site. Some are on Town property now. The ground water samples we would collect at this time would be from existing wells and no new wells would be installed.

Mr. Melillo asked once again, what if something happened in a dangerous way, perhaps some person is hurt or killed, on the small portion of Town land, will Yankee Gas assume 100% liability for covering all legal costs involved?

Mr. Ferry answered, I am not a legal or insurance expert, however, we do have to produce liability insurance certification that will cover anyone working at the site that is injured. They will be covered by Yankee Gas Co.

Mr. Melillo pointed out that there is no coverage for Town property. Before approving this the Town should demand coverage

from Yankee Gas Co. and a commitment from them that they will be 100% responsible for all possible future lawsuits on all properties involved in this matter.

Asst. Town Attorney Gerald Farrell, Sr. stated, Atty. Small left a memo and a copy of the previous temporary easement which had Yankee Gas Co. holding the Town harmless and indemnifying us against claims. Atty. Small stated that she would require that Yankee Gas have the same indemnification and hold harmless clauses in the new agreement besides the insurance certificate.

Mr. Melillo asked, has Community Lake been contaminated at some point from all of this?

Mr. Ferry responded, potentially when it existed. Community Lake no longer exists with the breaking of the dam. What exists now is the Quinnipiac River in its natural watercourse. At the time that the contamination may have happened, it was also legal because the contamination would have occurred during the operation of the manufacturing gas plant which was prior to 1950.

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

Motion was made by Mr. Knight to Move Agenda Item #15 Up to the Next Order of Business, seconded by Mr. Centner.

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

ITEM #15 Report Out by the Habitat for Humanity Council Committee as Requested by Councilor Stephen W. Knight.

Motion was made by Mr. Knight to Hear the Report. There was no second to the Motion.

Samuel Sargent, Co-Chairman of the Site Selection Committee of Habitat for Humanity of Wallingford and Robbie Robinson, representatives from Habitat were present for this discussion.

Mr. Knight stated that one formal meeting was held with Habitat for Humanity approximately ten days ago. Councilors Farrell and Zappala were also in attendance. In light of the fact that Habitat is working under some time pressure because of the wonderful opportunity being afforded them by the Wal Mart stores; a \$20,000 donation plus the help of the store employees volunteering their time plus materials possibly from the organization; we are trying to move as quickly as we can in attempting to meet with Habitat and work with the Council. The first meeting was very fruitful.

Mr. Sargent explained, the drawing in front of the Council is an approximate description of the four lots that Habitat is looking at on East Center Street which is presently owned by the Town. We

visited the site several times and invited a builder out to the to give us advice on which would be the best lot for our purposes. The lot to the west, adjacent to a parcel presently owned by J.J. Bennet was the first lot of choice, however due to site access and line of site on Center Street we felt that the best site for our purposes would be the lot at the other end, adjacent to several two-family duplexes. That is the site that we are concentrating our efforts on at this point. Problems with the site involve access for the other three lots because I am sure the Town is going to be very interested in disposing of those three properties as well. We are trying to come up with a scheme that maintains the value of the remaining three pieces. We are suggesting that when those three pieces are sold some access be granted across the first lot so that those pieces would be easily accessible and you would not be running into the same problems we ran into when looking at the other sites. We are also talking with groups to possibly supplement our finances. The money that we are going to receive from Wal Mart is not sufficient to construct a two-family house on the site and we are presently in negotiations with a Wallingford benevolent group to match the Wal Mart gift of \$25,000. We continue to investigate the financial avenues to prove the financial feasibility of this project. We have no later than the end of next month to prove to Wal Mart that this project is, in fact, viable. I am hoping that we can come away tonight with some agreement in principle that the Council would like to move ahead with this project. Our next meeting might then be with Wal Mart representatives through the Habitat for Humanity of Georgia.

Mr. Centner stated, although I value the service and opportunity that Habitat for Humanity does provide we, as a Council, are also charged with our proper use and disposition of the Town's assets. Do you have a formula or percentage that you use in terms of a target acquisition price? How would you price property of such once we value it in terms of an offer? What are you prepared to spend to acquire?

Mr. Sargent stated, we are trying to put together our financial packet so that we would be able to make a legitimate offer. One of the components of that offer is not an outright purchase but rather a purchase over time that would allow us to pay a reasonable purchase price over a period of ten years. Everything is negotiable and we would like to extend that period and there has been some discussion about that as well.

Mr. Centner asked if the parcel has been appraised?

Mr. Sargent responded, I don't believe so.

Mr. Centner asked, how does Georgia get involved in this? Will they have a representative here? Do you submit it to them, how

do they get involved?

Mr. Sargent answered, we are dealing presently through Cybil Carter at Habitat for Humanity. She is the person who is negotiating with Wal Mart. We are not allowed to deal directly with Wal Mart. We have to convey to them as soon as possible that this is a viable project.

Mr. Zappala stated, I do favor this project personally because I feel that the organization has very good intentions helping the needy and I think that the Town should be helpful in supporting the project. I don't think that the Electric Division has turned over the lots to the Town yet.

Mr. Rys stated, I believe that they were conveyed already.

Mayor Dickinson stated, I believe that the Electric Division has only indicated that there is no need for the property. The lots are available as far as I know.

Mr. Zappala supported the project so long as the Town comes up with a realistic price for the property. There is no reason to delay this matter much longer.

Mayor Dickinson stated, I had requested Frank Barta, Assessor, to give me an idea of what the potential value would be. I believe the lot to be 19,600 sq. ft. in size. A very rough estimate may put the value of the lot at approximately \$40,000. With that stated I do think that the community has an obligation to address the issue of housing and the needs of those less fortunate. It is in the interest of the Town to cooperate with Habitat for Humanity. Representatives from Habitat have spoken to the Housing Partnership group and we would be on firm ground to make the property available without a sale, given that it would be our in-kind contribution to this obligation which is recognized at the State level. It is a necessary part of the municipal arena.

Linda Bush, Town Planner explained, in the Plan of Development providing more affordable housing is one of the goals. In addition, a number of years ago Planning & Zoning adopted its own amendment to allow organizations such as Habitat to build duplexes to give a little leeway to provide additional affordable housing.

Mr. Knight asked Mr. Sargent and Mr. Robinson to update everyone on Habitat's status in the Town of Wallingford.

Mr. Robinson explained that Habitat for Humanity is building office space at St. Paul's Church who has been working with Habitat for some time. They have been kind enough to donate part of a building connected to their church for Habitat's use. In return for

rehabilitating the office, they are supplying all the materials for the space. The project should be completed within the next thirty to sixty days. Habitat has also rehabilitated two two-family houses in Wallingford and placed four families in them.

Mr. Sargent added, when Habitat was working on rehabilitating the property on Wallace Rowe they discovered that they needed a base operation, a location at which they could meet with the various committees and the large volunteer base that they work with. St. Paul's has given us the use of second floor space for a period of five years in return for rehabilitating the space. It is an in-kind gift from St. Paul's that is being augmented with sweat equity. It is basically a place to store our stuff until we get on to the next project.

Mr. Knight asked for an explanation on how Habitat determines eligibility for the program. Is there a component where residency plays a part?

Mr. Robinson responded, we have a Family Selection Committee and they perform a very thorough investigation of the families. We try to fit the families to the units that we have. We receive approximately one hundred (100) calls per year for families in need of three and four bedroom units. We have a long list presently. When we do find a property then we will look at the families more carefully to find one that is most suitable to the units that Habitat is trying to build. There is a lot of competition for the property.

Mr. Sargent further explained, everything is based on the highest need. I believe that we have four Wallingford families in the four units that Habitat has rehabilitated on Wallace Rowe. They are residents of the town that have relocated from substandard housing.

Mr. Robinson added, Habitat is a national organization located in thirty something countries around the world. To date, we are in our twentieth year of service and as of September 1996 Habitat has built 50,000 homes around the world. In Connecticut we currently have eleven Habitats which have built fifty homes and have done at least fifteen rehabilitations in the State. In this part of the country most of the property that is available is old property that is run down. We do more rehab than building in this part of the country but there is a lot of building going on in Connecticut with Habitat. We are one of the largest builders there is. We are number one in the country for building the most economical homes that are strong and suitable.

Mr. Melillo asked, if any other businesses have offered their help?

Mr. Robinson answered, some local banks and private individuals have loaned money and helped us just as Home Depot has.

Mr. Melillo asked, don't the businesses that donate to Habitat receive some sort of tax break?

Mr. Sargent responded, I am not sure but that is probably why they help us.

Mr. Knight stated that he cannot think of a better organization or a more well-managed organization to which we can contribute than Habitat for Humanity. It is the reason that he wanted to serve on the Council Liaison Committee for he highly supports their efforts.

Ms. Papale concurred with Mr. Knight.

Mr. Sargent asked that the Council, in principle, give Habitat a vote of confidence, something that they can take to Wal Mart to let them know that, yes, this is a viable project.

Mr. Rys responded, I believe you have it.

ITEM #10 Executive Session Pursuant to Section 10-153d; 1-18a(e)(5) and 1-19(b)(9) of the CT. General Statutes with Respect to Negotiations and Collective Bargaining - Board of Education

ITEM #12 Executive Session Pursuant to Section 10-153d; 1-18a(e)(5) and 1-19(b)(9) of the CT. General Statutes with Respect to Negotiations and Collective Bargaining - Personnel

Motion was made by Mr. Knight to Enter Into Both Executive Sessions, seconded by Mr. Farrell.

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

Present in Executive Session Pertaining to Item #10 were all Councilors (with the exception of Mr. Parisi); Mayor Dickinson; Atty. G. Farrell, Sr.; Terence Sullivan, Personnel Director; Dale Wilson, Asst. Superintendent of Schools; Karen Hlavac, Chairperson, Board of Education and B.O.E. Member Pat Corsetti.

Present in Executive Session Pertaining to Item #12 were all Councilors (with the exception of Mr. Parisi); Mayor Dickinson; Atty. G. Farrell, Sr.; Terence Sullivan, Personnel Director; William Cominos, General Manager of the Electric Division.

Motion was made by Mr. Centner to Exit the Executive Sessions, seconded by Mr. Farrell.

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

ITEM #11 Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Education Secretaries Local #1303-173 AFSCME, Council #4, AFL-CIO Effective October 1, 1997 to September 30, 2001

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

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

ITEM #13 Motion was made by Mr. Knight to Remove Agenda Item #13 from the Table, seconded by Mr. Farrell.

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

Motion was made by Mr. Knight to Approve the Adoption of a Job Description for an Account Clerk Typist in the Electric Division, seconded by Ms. Papale.

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

Motion was made by Mr. Farrell to Adjourn the Meeting, seconded by Mr. Centner.

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

There being no further business the meeting adjourned at 9:25 P.M.

Meeting Recorded and Transcribed by:

*Kathryn F. Zandri*  
Kathryn F. Zandri  
Town Council Secretary

Approved by:

*Robert F. Parisi*  
Robert F. Parisi, Chairman

8-5-97  
Date

*Rosemary A. Rascati*  
Rosemary A. Rascati, Town Clerk

8-22-97  
Date