

Summary of Town Council MinutesSeptember 24, 1985

Roll call and pledge of allegiance to the flag.	1
Invocation by Reverend Moyer.	1
Mayor's presentation of a plaque on Pistapaug Pond.	1
Ray Smith introduces John Byrne to the Council.	2
Approved an Ordinance Rescinding Ordinance #251.	2-3
5 Minute Recess.	4
Approved an Ordinance Permitting the Police Department of the Town of Wallingford to pursue applications under Title 21, U.S. Code Section 881, Et. Seq. and 19 U.S. Code 1616 Et. Seq.	4-11
Exact reading of above Ordinance.	5
Waived Rule V to hear from Commissioner Worrell regarding Wallingford Convalescent Home converted to Wallingford Health Care Center.	11
Discussion with Commissioner Worrell.	11-27
Meeting continued to Thursday, September 24, 1985 at 7:30 p.m. in Council Chambers.	27

Town Council MeetingSeptember 24, 19857:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:35 p.m. by Chairman Gessert. Answering present to the roll called by Town Clerk Rascati were Council members Bergamini, Diana, Gessert, Holmes, Killen, Krupp, Polanski, and Rys. Councilwoman Papale was absent due to the Jewish Holiday. Also present were Mayor William W. Dickinson, Jr., Town Attorney Vincent T. McManus, Jr., and Thomas A. Myers, Comptroller. The pledge of allegiance was given to the flag and the following invocation was given by Reverend Moyer, St. Paul's Episcopal Church.

Father in Heaven, Father of Abraham, Isaac and Jacob, Father of Jesus Christ, look with compassion upon the world which you have created. Look upon those you have redeemed. We pray especially for those who are suffering this day, from any cause, and you would be with them, especially those who are suffering as an aftermath of the earthquake in Mexico City. We pray for the souls who have died within that terrible tragedy. We also pray for the living. For those who are governing the world we live in. For the President of the Congress, for the Governor of this State, and more especially this evening for our Mayor and the Town Council. Guide and direct them with your spirit and give them wisdom in the decisions they make especially with the particular concerns that are before them this evening. Pray also for those who are celebrating New Year at this time and that you will bless, prosper and keep them. All these things I ask in the name of Jesus. Amen.

Chairman Gessert then explains what the plan is for this evening. He states that the Mayor has some comments, Mr. Smith would like a few minutes of their time, and then they will talk about the 2 public hearing and then Commissioner Worrell from Hartford would like to address the Council on the Department of Health plans. There will be no vote on this but Commissioner Worrell did want to explain what their plans would be and there will be a meeting on Friday at the Convalescent Home.

535
Mayor Dickinson then states that with the assistance of the Department of Utilities and Ray Smith and others, the Town of Wallingford has been commended for making a commitment to protect part of their natural heritage at Pistapaug Pond. There is an area at one end of natural plants and because we are willing to designate that as a protected area, the Nature Conservancy of the State of Connecticut has provided the Town with this Plaque. We will hang it up on the wall, it is very nice, and we thought everyone would like to know that one area of Pistapaug Pond is protected.

Chairman Gessert then again reminds everyone that they do intend to stop after Item 4 on the agenda. He realizes there are some signs in the halls regarding the Taber House but this item will not be up for discussion until Thursday night.

Chairman Gessert then states that Ray Smith, Director of Public Utilities would like a moment of their time.

Mr. Smith then explains that the reason for his visit tonight is strictly social. It is to introduce to them the new Water and Sewer Manager who began with them yesterday on rather short notice and they are very glad to have him. This is John Byrne, he is another New Jerseyite as well as his predecessor, myself and Mr. Nunn. He has about 16 years of experience in water and waste water systems, he has a bachelor's degree in environmental science and a master's degree in public administration. One other item is that he was a Councilman at one time. So, he has had experience on that side also.

Chairman Gessert then states that on behalf of the Town of Wallingford and the Town Council, he would like to welcome Mr. Byrne. They have read of his qualifications in this morning's paper and he obviously seems well prepared for the challenges that he is about to face. This is probably the busiest period that any Water and Sewer Director ever encountered in our history so you know boredom will not be a major factor. He welcomes him again and Mr. Byrne walks around the table to shake hands and formally meet everyone on the Council.

Chairman Gessert then states that there is a couple minutes left for the Public Question and Answer Period and if anyone has any questions they would like to bring up they may do so. There were no questions so he then moved on to Item #3. He then read Mr. Krupp's letter stating that:

For the next Agenda of the Town Council, please establish a public hearing on the attached Ordinance proposal, "AN ORDINANCE RESCINDING ORDINANCE #251", said hearing to be held at 7:45 p.m. September 24, 1985, contingent upon acceptance of the new Zoning Regulations by the Planning & Zoning Commission on September 23, 1985.

The Ordinance reads as follows:

AN ORDINANCE RESCINDING ORDINANCE #251

BE IT ENACTED by the Town Council in Session that, whereas the new Zoning Regulations of the Town of Wallingford contain in Floodplain Regulations (Section 6.5), Ordinance #251, "FLOOD DAMAGE PREVENTION ORDINANCE", is redundant and is therefore rescinded effective as of October 1, 1985.

Mr. Krupp then moved the above Ordinance; seconded by Mr. Polanski.

Mr. Edward Bradley, 2 Hampton Trail, states he has a question on this ordinance. On that Ordinance, it was his understanding that this was there for flood and erosion control at the establishment of the Town Council of before. He also further understood that during the Vumbacco administration this ordinance was implemented to also provide Federal Flood Insurance for homeowners within flood plain areas in Town. He would like a clarification of this and if they do rescind it, he wants to be careful they are not rescinding the rights of the homeowners to still obtain this insurance.

Mr. Krupp then states that the Ordinance Committee is not known for its negligence nor has it ever been. Before they proceeded with this Ordinance, they received correspondence from Federal Authorities through Ms. Bush indicating that the Flood Insurance would continue in effect if they found the New Regulations to be satisfactory. The other two members of the committee received this correspondence and it is on file in the Town Clerk's office.

Chairman Gessert then asks Mr. Krupp if he is familiar with the New Regulations that were passed last night in relation to the flood situation.

536

Mr. Krupp states that this is what prompted this ordinance. This is not an off the cuff type thing. In actuality, it originated last December. They did review the floodplain regulations, they received the assurances that the flood insurance would continue in effect before they continued with this ordinance.

Mayor Dickinson states that a major concern on this was that because the flood ordinance did not appear in the Zoning Regulations, some of the people responsible to see that that ordinance be obeyed, were not familiar with it because it was not in the Zoning Regulations. The effort was to provide all of these construction-type development regulations in one place and thus allow for a more uniform enforcement. He feels this is what it has accomplished by switching it to the Planning & Zoning Regulations from the Ordinance. Chairman Gessert also notes that there is a full time person on staff who is responsible for enforcing those regulations.

Chairman Gessert asks the public if there are any other comments or questions. There are none and he goes back to the Council for their questions and they have none.

VOTE: Unanimous ayes with the exception of Mrs. Papale who was not present for the meeting; motion duly carried.

Mayor Dickinson then comments that the ordinance should have the repeal effective as of Sunday. He is then told that the Ordinance reads October 1, 1985 is the effective date and he says fine. Mr. Krupp then states the reason for this was because the New Regulations would probably go into effect on September 30, 1985.

Chairman Gessert states that he would love to have Commissioner Worrell speak but he doesn't know if she can cover it all in the 10 minutes remaining.

Mr. Krupp then asks Chairman Gessert if they are going to have a presentation by the Commissioner, are they also going to allow public input.

Chairman Gessert states he doesn't know if that would be appropriate. By the show of hands, how many people are here for this item. Most of the public then raise their hands to show they are here for this item.

Mr. Killen then asks on what particular format is this. It is not on the agenda. How are they involved?

Mr. Killen then states that they are not involved in this at this point until someone asks them to take part they have nothing to say one way or the other.

Mayor Dickinson states that in terms of public input, there is a written document that can be utilized. This could be read and then take up the subject if you want to take up the subject.

Chairman Gessert states this would be difficult to take up in the 8 minutes left before the public hearing. He wants to answer Mr. Killen's question by saying that he thinks the number of people that want to express their comments, they will have to come back to it. He then states that he received a call from Commissioner Worrell yesterday saying she would like an opportunity to come before the Town Council to explain her plan of the revision of the Wallingford Convalescent Home for a Mental Health Facility. Not that this Council has any vote on it but just that they would be informed on her position as to what the State wants. He explained to the Commissioner yesterday that they do have a 15 minute public question and answer period prior to the meeting and if she wanted to discuss this at that point she could do so. She is here under that basis. At this point, they can Waive Rule V after the public hearing and entertain her comments and those from the public.

Mr. Killen then states that if they Waive Rule V they will have maintained the decorum and will be alright.

I hereby certify that the above ordinance was enacted by the Town Council of the Town of Wallingford this _____ day of _____, 1985, in accordance with the provisions of the Charter of the Town of Wallingford.

537

ROSEMARY A. RASCATI, TOWN CLERK

Approved _____
William W. Dickinson, Jr., Mayor

Date _____

Mr. Krupp then moved to approve the Ordinance; seconded by Mrs. Bergamini.

Attorney McManus then explains that the Sections of the U.S. Code referred to deal with professional drug trafficking. The purpose of the Congress in the U.S. was to make the trafficking of narcotic substances, somewhat less profitable than it has been in the past by legislating a forfeiture of the real & personal property used in the commission of these violations of federal law. A fact, the Statute set out a procedure by which the Justice Department of the United States in cooperation with the U.S. Attorney's office, brings action against the thing or real & personal property involved in the use of professional drug trafficking. These actions are brought to the Federal Courts. The original law, as it was passed, provides that the Federal Agencies would do it. The Department of Justice themselves or the DEA would bring these actions as they are very heavily involved in the war against drugs. Later on, the statutes were amended to permit the State and local departments who are often very much involved in the providing of information upon which the various drug enforcement agencies operate and make arrests. The way it worked is suppose the Wallingford Police Department developed in a course of its usual investigations, information to the fact that he was a drug dealer who cooperated with the mafia and was a major distributor. On the basis of this information, a warrant was obtained to search his home. With the cooperatation of the local police department, State and Federal people, a raid was put on his home and they found 20 pounds of Cocaine. As a repository, or a place where this narcotic substance was being hidden to facilitate the overall crime and the distribution of cocaine, this law would come into effect. The U.S. Justice department would start and in realm action against the thing. Under this action, the Federal courts would rule on the criteria of the statute as to whether or not the fact that this particular piece of property, whether it be a 60 ft. yacht, a jet airplane or his home, which is being used to facilitate the commission of these federal crimes. This is a civil action. Upon the finding of the U.S. District Court, they exhaust whatever appeals may be available to somebody, that property would then be awarded. Now it has recently been amended to allow local departments to take part in this program and the U.S. Justice Department would divide the proceeds in accordance with the degree of help the various departments have been in effecting the arrest that resulted in the forfeiture of the property. Unfortunately, there have been some articles in some local papers that have totally misconstrued this. Whether or not the Town of Wallingford participates in the proceeds and applies for our rightful part of these proceeds, these actions are still going to take place. This property is still going to get forfeited whether it is in the cases where they are dealing with some houses in Cheshire they are dealing with or Prospect, the investigation has brought much credit on our Police Department where our people were unable to uncover major drug dealers. This is going to happen whether we take, what he considers, is our fair share of these proceeds. It was the intent of the Congress of the United States to make these law breakers, who we know make fabulous fortunes dealing with this poison, make them pay for some of the efforts that the taxpayers pay and try to get this stuff off the street. So they provided that the law enforcement agencies share in these proceeds must use these proceeds to improve and better their police law enforcement facility. So, he is very much in favor. If there is anyone in the audience who would like a copy he does have extra. The point is this. These actions are taking place on a daily basis in this country.

Mr. Krupp then states that in the interest of the remaining 5 minutes, he moves to bring up Items 22, 26, 27 & 29.

538

Mrs. Bergamini then states they are not discussing any other items on the agenda.

Mr. Krupp then withdraws this motion.

It is then decided they will take a 5 minute recess and wait until 8:00 p.m. for the public hearing.

Chairman Gessert then clarifies that in order to have the public hearing, it has to go on at the time it was published. It can be held later than that but it cannot go on earlier. Because the public hearing is scheduled for 8:00 p.m. they cannot legally start this before 8:00 p.m. He then calls a 5 minute recess.

Item 4 is then up for discussion. Chairman Gessert then states that this is about an Ordinance permitting the Police Department of the Town of Wallingford to Pursue Applications under Section 21 U.S. Code Section 881, Et. and Seq. and 19 U.S. Code 1616 Et. Seq.

He then states he will read the ordinance and then allow Town Attorney Vincent T. McManus to explain what is all about and tell us what this ordinance does. They have received a lot of phone calls about this and he would like the Town Attorney to explain exactly what this ordinance does.

The Ordinance reads as follows:

AN ORDINANCE PERMITTING THE POLICE DEPARTMENT OF THE TOWN OF WALLINGFORD TO PURSUE APPLICATIONS UNDER TITLE 21 U.S. CODE SECTION 881, ET. SEQ. AND 19 U.S. CODE 1616 ET. SEQ.

SCOPE AND PURPOSE: The purpose of this ordinance is to promote the general safety and well being of the citizens of the Town of Wallingford and State of Connecticut, by making it possible for the Police Department of the Town of Wallingford to pursue forfeitures pursuant to Title 21 U.S. Code Section 881 et seq. and 19 U.S. Code 1616 Et. Seq. and to cooperate with other law enforcement agencies, including the U.S. Department of Justice in their attempts to uphold the law as it relates to persons trafficking narcotic substances and illegal drugs of any description.

BE IT ENACTED BY THE TOWN COUNCIL in Session that the following ordinance be adopted:

Effective from the date of passage hereof, the Police Department of the Town of Wallingford, through its Chief of Police or his authorized agent, is hereby authorized to make application to the United States Department of Justice to share with other law enforcement agencies pursuant to the provisions of Title 21 U.S. Code, Section 881 et. seq. and 19 U.S. Code 1616 et. seq. in the proceeds of property forfeitures of such property used or intended to be used in any manner or part to facilitate the commission of violation of Title 21 U.S. Code Section 841 et. seq. The disposition of said funds shall be in accordance with Federal regulations requiring that all transferred property, including cash or proceeds must be used for law enforcement purposes as they are from time to time amended. Funds received pursuant thereto shall be deposited with the Comptroller of the Town of Wallingford in accordance herewith. The Town Attorney of the Town of Wallingford is further authorized to cooperate with the Police Department in the preparing and filing of the necessary claim forms with the Justice Department to accomplish the purpose of this ordinance.

Chairman Gessert states that under the current regulations, with the example he gave if they found 20 lbs of cocaine stored in his basement and he was a local distributor and they seized his house and auctioned it off, they would still have to do this under the current law only the Federal government would get the proceeds and the Town of Wallingford would get nothing.

539

Attorney McManus states this is exactly right. Due to the recent amendment to the Code, we now have a right to share in those proceeds. This did get some notariety and he has gotten a lot of calls from other Town Attorney's who would like their police departments to share in these proceeds.

Chairman Gessert then states that one question brought up to him was that if a Wallingford Police Officer stops an individual for going through a stop sign and in the process of writing a summons, the person driving left a marijuana cigarette on the dashboard. This would not be grounds for impounding the car and auctioning it off for proceeds.

Attorney McManus states that an arrest in that particular case would be an arrest of the State Statutes in the State of Connecticut and not under the Federal laws we are talking about. This law is not addressed at some kid smoking his first reefer. These laws are specifically devised and the thought is to get these big dope dealers. They move this stuff by the pound or kilogram or whatever. These are the big guys. This is what these federal laws are here for.

Chairman Gessert then states that this is a public hearing and he will ask the public for comments but please give their name and address when they do speak.

Edward Musso, 56 Dibble Edge Road, states that it is a good thing they crack down on drug dealers but he doesn't like the way they are divvying up the pie. The Federal Government gets something because they do the leg work. He doesn't like it when the Wallingford Police get a piece of the pie. He feels it should go to the General Fund. The taxpayers are paying for the financing of the police to go out and do their work. When they get something, they should divide it with the people that sent them there. He feels it should go right to the General Fund.

Chairman Gessert then states that if the Police Dpartment should need lab equipment or testing equipment for ongoing investigations, if they need it for the operation of the department, the only place they can come to get the money is before the Council. This way, if they receive funds from the source of drug dealers, they do not have to come before this Council to get the money to upgrade their equipment.

Mr. Musso states what a can of worms that would be. Everytime they need a special piece of equipment let the Federal Government and State do this kind of checking. Never mind buying special equipment. Right now without the bonus, they have many things they want to get.

Robert Jacunski, 291 Ivy Street, states that about a year ago, a number of the Wallingford Citizens for Drug Free youth had reported the results of a survey on drug usage among young people in Wallingford. That survey showed that Wallingford has the same drug abuse problem as virtually every other community in America. He is here tonight to speak in favor of this proposed ordinance. Each of you here on the Council tonight has an opportunity to do something significant about the drug problem in our town. Because the Federal Law specifies that this money goes to improve local law enforcement, you people on the Town Council have the opportunity to strengthen our local police force without having to increase the taxes of the Wallingford citizens. In effect, you will be making drug dealers, those people who are causing the expense of our tax dollars, to help finance stepped up efforts against their own illegal activities. By approving this ordinance, you will be sending a strong clear message to those individuals in Wallingford who deal in drugs, and, those who may be considering it as a business. You will be telling them that the anti has been up and that they can lose whatever property they may use in dealing. You

will also be supporting the fine efforts of our Wallingford Police Department spearheaded by Lt. William Butka. You will be telling them to keep up their good work. As a taxpayer and a member of Wallingford Citizens for Drug Free Youth, and as a parent, I urge that you pass unanimously, this ordinance that will be of tremendous benefit to the people of Wallingford's future welfare. - 540

Frank Clark, 6 Steven Street, states that in Attorney McManus's example, if the wife own's the house could it still be forfeited.

Attorney McManus states that this would not be his decision. A U.S. District Judge and the Federal Courts would make the decision. He is the Town Attorney for the Town of Wallingford. All he does is make the application to the Justice Department for a share in the proceeds based upon the work put into the program by our local Police Department. The U.S. District Judge will make the decision as to whether or not under the law the property itself will be forfeited by its use in some illegal activity. He is not here to second an opinion.

Mr. Clark then again asks if the person convicted has to own the property. If it belongs to someone else can it still be forfeited.

Attorney McManus states that the property itself has to be used in the commitment of the crime. It doesn't make any difference who it is owned by.

Mr. Clark then asks if a tenant in an apartment building is committing the crime, can the apartment house be forfeited.

Attorney McManus states no.

Mr. Killen then asks if all of them out there understand that we are not passing a law. The law is already on the books. It doesn't matter if you own the property or not. We have no control over that. All we are doing is that we are going to get a fair share if someone decides we are used in the commission of a crime. Even the fact Mr. Musso says whether or not it should go to the Police Department, we have no control over that. It is already passed on the books. We have no control over anything, only whether or not we want to apply for our fair share. Other than that, there is no other action to take. There is no sense debating if this happens, will this happen. It has no effect on us at all.

Mr. Krupp states that the problem they are facing was because of a totally misleading, erroneous editorial published in one of the local papers. The phone calls he has gotten in the last couple of days have all been along the same line. Are you giving the Wallingford Police Department the authority to seize property and auction it? NO! The Town of Wallingford has nothing to do with it. Apparently, somebody isn't listening to what Vinny is saying. The Town of Wallingford has no part whatsoever in this. Whether the Town of Wallingford participates or not, the property is going to be forfeited and it is going to be auctioned off, and the proceeds are going to go somewhere. The question is whether it goes to the Town of Wallingford or whether it goes exclusively to the Federal Government. As far as its usage goes, there is no option. He doesn't care what anyone says about General Fund or anything else. The State Statute specifically says it must be used for law enforcement. He thinks it is extremely unfair that a lot of these questions and a lot of the misunderstandings generated are because someone who wrote an editorial did not bother to read the ordinance or read the Federal law involved and stirred up a lot of trouble. If you don't understand, read the Federal law and read the ordinance. Don't base your assumption on a false editorial.

Mr. Musso again complains about this ordinance and is ruled out of order. Mrs. Bergamini then states again they did not make this rule. Write to the Senator if he has a complaint. We did not make it here so we can not change it. Can that penetrate. It is people like him and the editorial that create this problem.

Mr. Polanski then states to Attorney McManus that to clarify, this Council in this State has nothing to say about what the Federal Government put into this law. Correct?

Attorney McManus states that this is existing Federal Law.

Mr. Polanski then states that the only people who can change Federal Law are the people in Washington. Attorney McManus replies the Congress of the United States. Mr. Polanski states all they are doing is putting in for our share that we have been losing because we have not put in this ordinance. 5A1

Attorney McManus states this is right. They just recently amended it in order to allow the local governments, the police departments, to participate.

Mr. Polanski then states if anyone has any questions about this they should go see a Federal Judge or an Attorney who works with these offices, Attorney McManus does nothing but make the application.

Mr. Holmes states that he received calls where people were concerned that if their son or daughter were caught with a small amount of marijuana, their car would be confiscated and sold. As you have learned tonight, this is not true and obviously there are a lot of misconceptions here and after reviewing this ordinance and the conversations of the people involved, he firmly believes that this would be beneficial to the Town.

Mr. Killen states that the only comment he has is that he thinks what Steve said is absolutely correct. What bothers him is that people are more concerned about their cars than they are about the fact that their kids have the reefer.

Mr. Diana states that he finds it interesting that over the past 10 years everything they have tried to correct have gotten worse. They have tried to correct divorce, drugs, crime, abortion etc and in the past 10 years they have gotten worse. This is with halfway houses, clinics, centers, etc. He is speaking more of the bill and these are comments that should have been done in Washington and not in Wallingford. Any deterrent that will stop people from, as Vinny said, spreading this poison, should be endorsed and he feels they should endorse this for Wallingford.

Mayor Dickinson states that it should be clear that they do welcome questions. He doesn't think anyone should feel that if they come to a Council meeting or any town office that there is an unwillingness to answer a question. Whether it is a misconception or a misunderstanding, this is what they are all here for. This is the first thing. The second is that when Vinny says that he submits an application, that means that the action for seizure for the property has already taken place under the U.S. Justice Department. The application is only for the funds. It is not an application for auction of the property or the seizure of the property.

Chairman Gessert states that he would like to reserve the last word for himself. Frankly, he is very happy to see this ordinance come before them. As some of you know, I vacation in Florida and it is not uncommon to read down there of \$100,000 boat and \$1,000,000 home being seized and auctioned off. He is glad that Congress passed a law of this sort. The problem with the drugs and the killing of our young people with these drugs is too often that the penalties don't match the crime. You get people who peddle cocaine or heroin and kill people in this country and they don't get charged with murder. They get charged with peddling illegal drugs. Some of them are walking out and killings hundreds of kids and others and walk off with 1 year in jail. \$100,000 fine they could care less. They look at this as a cost of doing business. If we are upping the cost of doing business for some of the scum that deal drugs, we are moving in the right direction. Frankly, he would like to see where when dealing with drugs, whatever you got you take it. This would cut it down, but until Congress passes a law like that at least this is a step in the right direction.

VOTE: Unanimous ayes with the exception of Mrs. Papale who was not present for the vote; motion duly carried.

Mr. Killen then moved to Waive Rule V to hear from Commissioner Worrell; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes with the exception of Mrs. Papale who was not present for the vote; motion duly carried.

54

Mr. Krupp then asks Chairman Gessert if he will allow the public to have their questions answered. Chairman Gessert states yes. He then calls Commissioner Worrell to come up and speak.

Commissioner Worrell states that there are some people here who are available for questions since some of them she will not be able to answer as well as some of the people here. She then states there are 3 families of people who have been treated at the Middletown Center. Mr. and Mrs. Fenemore, Mr. & Mrs. Sweede and Mr. and Mrs. Yager. Also, Mr. Ulatowski is the present administrator of Middletown Health Care Center who does live in Wallingford and he is here to answer any type of technical questions. Tomorrow, anyone who is interested, are invited for a tour of Middletown Health Care Center. She came tonight to talk about just one issue and that is stigma. She has been a Commissioner now for about 5 years and about 2½ years ago they got the Group Home Bill passed. Her 12 year old said you did it now. Nobody is going to talk to me. She said they are starting a group home right across the street. She hadn't gotten her Group Home passed through yet. It must be retardation and she said "Oh, at least they are not going to ask you to pay for the work." This was 3 years ago. They are the best neighbors actually. They are out most of the day and plow the sidewalks during the winter. Mine and 5 others. The reason she came is that she understands the problems in the sense that the unknown is a real scary issue. She wants to talk a little bit about the kind of people who will be at Wallingford Health Care Center if they are able to open the facility and to answer any questions. She has been a commissioner for almost 5 years and she thinks you can tell from a lack of bad PR, they have been trying very hard and with some success to develop community based services for people who are mentally ill and not been able to get out of the hospital and stay out because the community based services that they needed to learn how to function in the community were simply not in place. It costs \$155/day to keep people locked up in a State Hospital. She can talk about humanity, it is not a place where you would want to be or where you would want your kids to be if there were any options. What she would like to tell them is what it is like to be a family member of someone who is chronically mentally ill, who has not been able to get out of a State Hospital or even a Private Hospital because the services they needed in order to get out were not there. Therefore, they became long-term residents of the State Hospital system at the expense of our population. The typical scenario of a person who is in a State Hospital is one out of 10 of us may have a serious mental disorder at one time in our life, but most of us have grown up enough to have work skills, some kind of family, home and friends to accept who we are. However, there is a process of mental illness, that they believe is biochemical. that occurs in late adolescents or early adulthood that these have a problem with stigma with trying to confront the issues of them being mentally ill. She can remember when her neighbors hid people who were retarded or epileptic because of the fear of the unknown. These are very often young people who have had one episode after another of mental illness. During the time when most kids are going to college, leaving home, establishing a career, etc. they do it on a repeated effort. Each time they get going on this, something happens to their nervous system and they wind up back in the hospital. The typical scenario is that the family uses the money that was set aside for college for the first couple of episodes. Our insurance policies are very unique. They drop our children at age 19 unless they are in college. It just so happens that this particular set of diseases occurs at about age 18 or 19 and has an ongoing process throughout the 20's. Very often at the time these kids are just starting college, this is the time these episodes would hit. The insurance drops them the minute they leave school or when they are 19. It is very expensive. The typical day of hospitalization in a private facility is \$250-\$350 per day. Even those with a lot of money cannot buy the services we are trying to provide. The typical person who is in the Middletown Health Care Center is a young adult, probably between the age of 25 and 35, who has had a series of emotional illnesses. Each one with a less long period of time between remission. One of the reasons is that they have not been able to leave the hospital, go home and stabilize. They also have a 5 year history of what has happened with some of these people to have had an opportunity to have a very supervised living environment, learn how to handle their medication, learning how to handle interpersonal relationships and social relationships and with this type of environment, some of the families here

543

know that they have seen their kids do it. They can make real progress and they can return to their home communities and live in a fairly supervised setting. She does say she will not make one cent more if Wallingford Health Care Facility opens or not. Mr. Ulatowski is running the Middletown facility now and he has his hands full. Middletown Health Care Center we want to run in this State because we feel the citizens of this state need it. We put this out for bid, we got requests back and they picked the best one. It happens that they picked Wallingford. They picked it for the very same reasons people are worried about it. It had access to downtown resources, people can get to the church, the library and the bus to ride to work programs, they can get to the hospital for their treatment. These are things we all need to live in a community and it is a supervised step to normal living. She then states that the reason many are afraid of them is because of the dealings they have. She has yet to see a newspaper article that says a person who was never mentally ill commits a crime. She will say that most people who commit crimes are not mentally ill. She will say that people who are mentally ill never do anything unusual but she can say that most people who do things unusual are not mentally ill. We have to give these folks a chance to get back into normal life. She feels that the way they are doing it in a supervised setting can only be profitable. She then states she will be happy to answer any questions she can.

Mr. Krupp then states he understands what she is saying and there has to be some element of compassion on the part of the community but the other question that really has to reside on those in the surrounding area is, is there a problem with risk. Yes or no. Is there an element of risk greater than one would expect from the normal population as far as the potential for someone doing harm to themselves or to other people.

Commissioner Worrell states that she can't say yes or no. She can say that in the 5 years of Middletown Health Care Center, there has been no incidence. People have handled themselves well. One lady said she didn't know they were there except one of them gave her kid a toy. She understands what he is asking and she is not stupid enough to say there is no risk. All she is saying is that she wouldn't be concerned about it.

Mr. Krupp then asks what is the percentage of return to CVH from the Middletown facility.

Commissioner Worrall states that over a 5 year period she really could not say. She will say that this facility, the nursing home with the extended care, which is what she is anticipating putting here is the first level of care after the hospital. These are the people who need supervision. There are psychiatrists, nurses social workers who are on the grounds all the time. The next level of care would be the group home. The next level of care is a supervised or unsupervised apartment, depending on how well the people do. Through this sequence, there is always the opportunity to get worse or get better. People who do get worse go back to the hospital from the nursing home level. Most times if they get to the point where they are not manageable in a nursing home, they would go back to the State Hospital. She would guess that over a 12-month period perhaps between 5-7% of the people might have to go back. They would take them back immediately.

Mr. Krupp then states that one of the interests in this area was the access to churches, downtown, etc. but you also indicated a high level of supervision. These individuals who are accessing public facilities such as downtown shopping etc. would they be doing so under supervision?

Commissioner Worrell states that yes they are under supervision. In the beginning they are under supervision with a high level person always being available to call back to the nursing home if indicated. There are usually no problems. By the time people start having the courage to go downtown, they will handle it. She then states they need to understand what they are dealing with. She would love to have them come take a look at Middletown Health Care Facility. She is sure these people are not what you would expect if these people came from a state hospital being put in the community. You would be surprised. There are people who make afghans just like the rest of us.

Mr. Krupp states he understands but please understand that his job is to represent the interests of the people. They have a strong concern about element of risk, how well supervised the area is going to be, about segregation from surrounding neighborhoods, the potential to injury to themselves and to be quite honest about it he is sure there are some people who will readily agree with the fact that there is some differential in your property values if you say you have a Convalescent Home down the street or if you say you have a mental health facility down the street.

544

Commissioner Worrell states that history has not proven that fact. History proves that property value continues to go up. However, she can understand the concern.

Mr. Polanski comments that these people have been identified as having problems, they have been in CVH, supervised, and they want them to get back into a halfway house and back into the community. He can see where Mr. Krupp is coming from but he feels there are a lot more people who have not been identified who can do as bad if not worse things and probably live right in your own neighborhood here in Town.

Commissioner Worrell states that they are worried about the people in the place hurting the people outside the place. She is worried about the people outside the place hurting the people in the place. The really criminal person can cause harm to our people she states. They really are not able in many cases to stand up and take care of themselves. One of the things they need is a shot to take care of themselves. They are not people who have to be feared. They understand people fear them. She also knows that whenever they have had a chance to live like this and have a chance at being accepted by the community, the fear and anxiety goes away. She states that there are people right here and right now that sometime along the way may need these services. There are people who have kids who needed them when they didn't exist. Most of the problems that have ever occurred to people who are mentally ill was because there was no supervised setting.

Mr. Polanski then asks what percentage of the population has not been identified as having some degree of mental illness that have not been treated.

Commissioner Worrell states that the Government just did a survey of 3 different parts of our country. One of them was in the New Haven area. One out of 10 people in our population at one time or another, have a severe mental disorder and that closer to 1 out of 5 at some time could really use some mental health assistance. She then states that many times people would come up to her and say they are glad she said that because their husband, mother, brother, etc. is mentally ill. She would then ask them what they are whispering about. It is nothing to be ashamed of.

Mr. Polanski then states that there may be people right in the immediate area that need the treatment and they don't know about it.

Mr. Holmes states that one of his chief concerns is for the people who are in the nursing home at this time. There seems to be a lot of discussion about the people living there have developed a certain comradery between themselves, they are established in their ways, and a move of this nature would have to be very traumatic. This is of real concern to him how can this be addressed.

Commissioner Worrell states that the Nursing Home and its present owner have had some real reimbursement problems. That made it quite likely that if it had not been picked up in some format that was different from the one that presently exists, the old folks may have to leave anyhow. This is one of the reasons why when they put the bid out for this particular service, this was an option. There is something called Medicaid/Medicare which is a federal reimbursement for old folks. They had been cited on 3-4 issues that they had not been meeting criteria for. She, nor Middletown Health Care want to see any old folks capriciously moved at the cost of their health. There are very clear laws on the books as to what has to happen when you go about moving elderly people from one Nursing Home to another. They have already made a commitment to Middletown Health Care Center that if they are able to open Wallingford Health Care Center, they will make sure that the old folks are carefully moved and they are placed in appropriate settings as close to their families as can be and

they have every reason to believe this can happen. She feels if you think they don't do this, the old folks are going to be allowed to stay. You have to look at what is real and that is that the Nursing home is having some problems in reimbursement and care.

545

Mr. Holmes then asks who will make the final decision on whether or not the facility moves to Wallingford. Is it a State decision.

Commissioner Worrell states that what comes to mind is HSA for Region 2 which is consumers who put in many hours evaluating health services for your particular area. That meeting is on Friday. After it gets to that level it would have to go through something the state runs called the Hospital Cost Commission. This looks at the validity of the rate reimbursement that is set up by the Department of Income Maintenance that looks at the psychiatric programming for the people who would be going in with the owner of the Center for a viable option. At that level it would be a real thing.

Mr. Holmes states he understands she has a difficult job and he appreciates the residents concern. The people in a facility like this are not the criminally mentally ill. Again, he appreciates the residents concern and wonders how much effect the public concern will have on the public hearing.

Commissioner Worrell states that she wanted to make sure that she had done her part to have people have their questions answered.

Chairman Gessert then notes that there are some people who have questions and comments and the only thing he asks is if someone already made a comment and you agree with them, rather than restating the whole thing, just say you agree with so and so to speed things up but nobody will get cut off if they have something to say.

Mr. Fenemore states that he is the parent of a 34 year-old who is presently residing at the Middletown Health Care Center. He has been ill for 17 years and he had confinement at the Institute for Living for a year. He had 2 years at the Norwich State Hospital. He had several years in between where he worked as a dishwasher, clerk, etc. He is a very intelligent young man. An honor student in high school before this terrible disease struck him. When he got out of the hospital, he was sent home to try and make a life for himself and he did try to work as a dishwasher and all and a number of people got on the roof of the car he was driving and through him and he wound up back at the Norwich State Hospital and at the end of another 6 months which made the 2½ years there, he was transferred to Middletown Health Care and he says thank God for that. He says that for several reasons. Number 1 is in answer to a thing said about his son and the people he has met at Middletown Health Care Center, we talked about their relationship and their going out in the public. He will admit that his son was in a locked ward at Norwich and at the Institute of Living. He was in a locked ward to keep the outside world from getting in. He is not interested in moving up and doing anything to the public. The fact is that he is frightened of the public. When he wound back up at Norwich he talked to a doctor who asked him to try and stay home a little longer. We waited and on the 4th of July the doctor said you better get him back to Norwich because I hear a threat. He said if I don't go back to the State Hospital, I'll kill myself because he was that worried about the outside world. As they were driving to Norwich, he sat in the back of the car and he couldn't sit still. He said look there is Norwich. He would never think he would be so anxious to get to a State Mental Hospital but he couldn't wait to get there. The reason Norwich sent him to Middletown Health Care is because every three or four months they wouldn't know what to do with this lad. He is very passive. He wouldn't kill a fly if it landed on his favorite food. He is a handsome young man, lots of promise, won the award as a newspaper boy in high school but again he can't relay outward. He wouldn't do anything to hurt anyone. He says thank God for the Middletown Health Care Center because since the time he has been there.. Oh, when he went there to be interviewed to be accepted, he said he didn't know whether or not he could stay there because there weren't locked wards and he didn't think he would be able to make it. I encouraged him to try. As he was at Middletown Health Care Center and he began to relax, he told him that there

546

he stayed in one facility. At Norwich, they wouldn't know what to do with him so they would transfer him to another ward. They would hang on to him and move him in another 6 months. During one of these trips, 2 aides walked him from one building to another, he said Dad, I though they were going to take me out and kill me. They moved him to Middletown Health Care Center where after 2½ yrs. he has been able to stay in the same room, on the same floor, with roughly the same staff. The people who care, and with the people who work with him, today he is beginning to relax. The lines of stress are beginning to leave his face. He is starting to go outside. His sense of humor is coming back and he says thank God for this. The 2nd thing that happened is that that staff is so terrific that in 15 years where they have dealt with doctors and all, they knew nothing about support, public reaction, how the Department of Mental Health worked, supports group etc. All they knew is they would go into a closet with a couple of professionals and be told we were lousy parents and to raise this lad lousy. Today, they know that there is a lot of proof that it is biological. The thing they learned was due to the patience of the staff who encouraged us, we learned that we can learn something about the disease and today he knows more about that disease than he ever has in the past 2 years. And more importantly, this lad sat with us a few Sunday's ago as we had a hamburg with him, took him out, he didn't scare anybody. He is more afraid of you than you are of him. When we took him out he said, I have an illness. I have an illness in my brain and therefore I see things that aren't there and I hear voices and it is a mental illness. For the first time in 15 years this lad is able to start to relax and know that he had an illness and it was just as if he had diabetes or Multiple Sclerosis and he learned that at Middletown Health Care Center where people care. He was in a community that cared, things were stable, and it brought this lad a long way. He is going to stop here because he could go on and on but they have really done a fantastic job. They have an excellent staff. He cares about them moving the elderly but he is absolutely convinced that that place has tremendous interest in the people that they handle. He has seen a small miracle on his son and many others in that facility. Thank You.

Wayne McDermott, 22 Cooper Avenue, states he can understand where this man is coming from. But understand he has concern for his 2 small children. He has no problem with this man's son. He has an associate's degree from Middlesex and he spent half his classes at CVH. There are people there he has no problem with and can deal with in his neighborhood. He does have a problem with Federal and State agencies when they can't tell him what patient's may be coming into the facility, then tell him this is between CVH and a halfway house which means these people need a controlled situation. They don't know what is going on. The state has not even given residents an idea of what is going on and he is having trouble finding out what is happening. He doesn't want somebody saying 10 years from now that this is a privately run business, not a state run business. If the state is running it he wouldn't hesitate. In a private run facility, we talk cost effective. This is what scares him. Ten years down the road were going to start saying we cannot afford to keep the other patients in the other facilities and there are no rules from what he can gather for this type of facility. As it stands right now, he is scared stiff for his two small children. Not so much from a person like his son, he can understand this, they have people like that at Gaylord. We are on the east side of town, we are getting 120 patient's moving in and we don't know what kind of conditions these patients will have. How can we allow our children to go out in the yard, how can we allow people to walk the streets. He is not saying everyone they put in there is harmful but understand there are Patients at CVH that are harmful.

Chairman Gessert then states that he feels he has excellent points. Everyone has concern when something is happening right in their own neighborhood. If they see a big foundation being dug. Your questions are valid and he thinks this forum will give us an opportunity to review some of them.

Commissioner Worrell states that 95% of our patients that will be coming to the Wallingford facility have a diagnosis of schizophrenia. They have not had any alcohol or drug abuse. Occasionally they have had some misuse, but not as much as one of my kids.

They have never had any criminal record. Occasionally they will do something like urinate on someone's petunias before they get into the hospital. This is a minor charge. They have not done anything criminally wrong. We have no reason to believe that their coming from the hospital they will do anything wrong. She understands his fears but she will say this, the kind of people that will be going to the Wallingford Health Care Center aren't anymore dangerous than the people at the Middletown Health Care Center. In fact, they will probably be less dangerous. Right now at the Middletown Health Care Center between 55 and 75% of the people are working for pay. The rest are in rehabilitational training. This is a 5-6 hour a day job. There is structured recreation in the program that they do there. There are ongoing groups they attend for things like dealing with medications etc. They go out, generally speaking to work. They pay them by the day so that if the state were not satisfied with the kinds of programs our folks were getting with the controls the nursing home had in place, or if there were problems with the care the patients were getting, they would simply not pay for it. There are rules and regulations that are set by the State. There are 4 levels of care for intermediate nursing homes. She doesn't want them to think there are no regulations. 547

Mr. McDermott states it tends to look that way. The state agencies he has talked to say his fears and his neighbors fears are worthless. The decision is based in Hartford. He feels for the people who are mentally disabled but he also has a family to think of. He is concerned that in 5-10 years, there is no way he can go back and track your patients that go into this facility and maybe it is not his right, but he wants to know that somebody won't be put here from CVH just because they don't have the room at CVH. Ten years down the road it might be, let's send them over there now.

Commissioner Worrell states that she may discharge someone from CVH and they may live in downtown Wallingford anyway. Her predecessors have done this and she is working very hard to make sure that their people get the level of supervision they need. Let me say this, when these people leave the nursing home to go to group homes or supervised apartments etc., they go back to their communities and if any of them are from Wallingford, this is where they will come. She doesn't feel anyone will be ready to leave this type of facility and go to an unsupervised apartment. If they make a mistake and put someone here that isn't ready, she can assure you that they will go right back to the hospital. She understands how he feels. It is a great idea but not here. Everyone feels this way. Find her a place where someone welcomes a mental health facility.

Cindy McDermott, 22 Cooper Avenue, states they did get some bad press themselves. Everyone was talking about the newspaper and not quite getting the right things out. We were a victim of this also. We did have a piece in the paper about how concerned we were. We are not against the mentally ill, we are not against rehabilitation, it is the facility itself. The grounds are of sideline variance, there can't be more than 2 feet from the house next door. There can't be more than 30ft from my neighbor's swingset. Where are the grounds for the people to recreate.

Will they be walking in our neighborhood for recreation? Are we ultimately going to be responsible for the patients as they are coming into the neighborhood to find their way. It is not that we are against them and we need you to understand this. We are against it going into that particular facility. It is too deeply into a residential section. There is nothing around for those patients to do but walk out into the street. We feel there should be more land for the patients and we really don't feel this is the right place. It is not because we are afraid of the mentally ill it is the facility itself. We do not feel it is adequate for what you need.

Commissioner Worrell states that CVA has land coming out the kazoo. Land is not what you need. What they need is a program, in a community where they can begin to enter normal life. We really feel they won't create problems for you. This is our job. All she can say is that at Middletown Health Care Center they go downtown, whether to shop for a blouse or whatever, and they have created no problems there. A lady who was suppose to come tonight and who lives 2 houses away said she did not even know Middletown Health Care Center was there for the past 5 years.

The only reason she did is because one of the patients gave her child a toy.

548

Mrs. McDermott then asks if the Wallingford Health Care Facility is going to be run exactly as the Middletown Health Care Facility, will the staffing be the same, will they keep the same staff they have now and train them in-house? Will they have professional people who have worked with the mentally ill help train the staff there. Are they just going to be thrown into it and say this nurse can help you out here and this one can help you there etc.

Mr. Ulatowski, Administrator at Middletown Health Care Facility, states that the exact same thing happened at Middletown Health Care. This use to be Middletown Haven. When this was taken over there was a comprehensive program to train the staff on the types of services they would be engaging in, there were hiring of expertise in psychiatrists, clinical psychologists, occupational therapists, individuals who knew the field and could be used in training the staff and providing the services to the residents. When you talk about children, he states he has 2 girls age 3, and age 6, and he takes them camping with the residents. Mr. McDermott then states he knows who the patients are and he doesn't. He states he even brought his daughter to work with him for a day to show her what it is like. He also states they ran a brownie troop in the facility. The residents here react the same way a geriatric group would react to children. They light up. They would do anything for them.

Mrs. McDermott then asks if Wallingford Health Care Center will be mandated to hire the appropriate staff.

Mr. Ulatowski states it is in their proposal. They submitted a staffing pattern and committed themselves to that staffing pattern and this has been accepted by the Department of Mental Health. If he then says he is going to bring in 3 psychiatrists, he has to bring in 3 psychiatrists etc. He then states he is actually the Assistant Administrator in charge of Clinical Development & Program at the Middletown center. He will be connected with Wallingford as an individual who will be supervising the development of that program. He was instrumental in the proposal for the management for this new facility. It has the exact same ingredients that the Middletown Health Care Center has. It is basically the same as that program except that it would have an occupational therapy department which Middletown doesn't have.

Mrs. McDermott then states when Mrs. Worrell stated that they can discharge patients from CVH and they may end up back in Wallingford, the chances of 120 patients coming to Wallingford from CVH like that would be fairly slim. We would just like you to look at our side in that it is such a deeply residential area. If you have read the statement we wrote, she states that that represents about 200 people.

Commissioner Worrell again invites anyone who wishes to attend the tour of Middletown Health Care Center tomorrow. She states one look is worth all the talking she can do. Mrs. McDermott then asks Commissioner Worrell if there is a reason why the hearing was scheduled for 10:00a.m. on Friday. Many can't make that time although they do have a lot who are missing work to come. Commissioner Worrell explains that the people from Region 2, HSA scheduled that meeting. Mrs. McDermott states that she spoke to HSA and the person she spoke too was not the person who set the meeting because she too thought that was a strange time. She then says again please understand what she is trying to say. They are not against the mentally ill.

Mr. Diana comments that we are debating mental disorder here. This is not the point. The most important issue that people should be addressing is how this is going to impact the neighborhood. For us to sit here and question whether or not we are going to debate a mental facility we are well out of order. If anybody feels these people shouldn't be treated then they can leave the room. We are debating something that is a reality of life. The saying goes don't criticize a man by the way he walks until you have walked in his shoes. Naturally we will all be asking different questions on how we are effected by this. If he were sitting in the audience and he had a son that had a mental disorder he can bet he wouldn't be anti Wallingford becoming a facility. Nobody wants a prison, an airport, etc. & what we have to address is how it is going to impact the neighborhood and how it is going to impact Wallingford. One thing we are all afraid of is how 120 people going into downtown Wallingford is going to affect us. Well, lets talk about the patients

549

for a moment and how do you think they might feel when they get back into the security of the home and find out that 40,000 people don't want them. This is certainly going to have an adverse effect and something you don't want to talk about during this session. We should contain our thoughts into the one area of how it is going to effect the neighborhood and not debate mental disorder. One thing he would like to know is if there are other facilities similar to the one for Wallingford, he would like to know how it has impacted it by way of (1) Crime, (2) Property value and (3) Town Services. These are the three areas that have to be addressed.

Commissioner Worrell states that none of their patients have committed a crime. One person killed themselves quietly in their own No patient in the facility over the 5 years has committed a crime.

The property values around this facility in Middletown have been spiralling. It is right off Main Street in Middletown and this is a redevelopment area. The nursing home is just as nice as the one here in terms of potential life of the patients. They share 2 to a room, 4 to a bathroom. They have a kitchen on each wing and they can do a lot right there in the facility. During the day most of them are at work or training. The only time they ever do anything in town is in the evening in the summer and on weekends. And then the only way you will be able to distinguish them is unless you look at their shyness. One or two times they were called like when a man who owned McDonald's had called when a group of people who were there looked to him like patients from the Nursing Home but they turned out to be people some people who were drying out from misuse of alcohol who lived in Middletown. They looked shabby and he thought they might have come from the center but they didn't. She doesn't feel there has been any impact on Middletown. There has been a lot of positive impact on the people who live in the Nursing Home.

Mr. Diana then states Mrs. McDermott had one question he feels is important. Because of the proximity of the home versus the rest of the neighborhood, he feels it is important that Wallingford has to keep the character of the neighborhood intact. The last thing they want to do is change the neighborhood. The concern is since there is so little land involved, are they being pushed on the neighbors.

Commissioner Worrell states there is no land around Middletown Health Care Center. There isn't even a lawn. It is a parking lot that sits on the main street. They don't need the land. They need a place to live, they need access to community services and they need transportation so they can get to their day care program or an appointment. Beyond that, it is not a place where people sit on the lawns talking to squirrels. They have work to do called getting along, trying to live right etc. If they can't do this then they would stay in the hospital. These are really young adults who would like to get a shot at a work history and finishing school if they have to. Monday through Friday these people are really busy. She doesn't feel these people will even be noticed. The ones who need the occupational therapy will be working on things like how to make your bed, how to make a meal, how to use the phone, how to write checks etc. They will be working toward getting themselves ready to go off to a work situation.

Mr. Diana comments that what hasn't been said is the nickel-dime process. You're going to be putting patients in there with slight disorders and so forth. Once this is in place, what guidelines are there from all of a sudden bringing in people who are a little more dangerous to society and themselves. Are there safeguards so this doesn't happen.

Commissioner Worrell states that in the 5 $\frac{1}{2}$ years they have been in Middletown, there has not been a change in patient population. The services are geared to a certain level of care. If people need more than that they can't be handled there. If they need less than that they would be in a group home. They only put people there who need that level of care. They will never be any sicker.

Mr. Polanski asks how it will impact Wallingford Services. What will the town be committed for. Will we have to run a bus service up there. How will it impact the Wallingford taxpayers.

Commissioner Worrell states it won't at all. If they need transportation, the nursing home will provide it. They don't need any of the services. The only thing would be if there are city buses, we would expect them to use them but pay with their own money. They do expect the facility to use the recreational facilities such as the YMCA etc. This again would be a pay as you go basis. 550

Linda Shatkovich, Ward Street, states that she works at Wallingford Convalescent Home and she is 5½ months pregnant. She states that she was sceptical about this and she went to Middletown Health Care to check it out. What she saw were people just walking around and half the people you couldn't even tell were patients. They looked like you and I. They were working, in workshops, and they even talked to some of them in the hall and as they talked they realized they were patients. Also, as far as how the patients at the Convalescent home now are going to take the move because working with them so long they seem like family, well if we are so concerned about them, just because they are leaving the facility doesn't mean our relationships have to stop. We can always go to visit them at the other facility.

Becky Blodgett, 32 Cooper Avenue, states that she lives in the immediate vicinity of the nursing home and she also works there. Her concern is for the patients at the convalescent home now. When we have to move them from wing to wing they become confused. This is something that she is concerned with if they are going to be moved directly out of the facility. She is concerned that the present status they have now will deteriorate. The trauma could kill some of them. It could kill many of them.

Mary Farrell, East Main Street, states they will only have one Convalescent Home in Wallingford if this goes. What is happening to all our senior citizens. Where will they go?

Bill Cahoon, 23 Cooper Avenue, states he has a concern with 120 people moving in because she says in the summer time they might go downtown or somewhere like that. The streets that are around there now can't support the kids. There is no transportation or very little during off hours. He works a 12 hour day but he doesn't see the buses running at night. Where are 120 people going to go for recreation. There is no transportation. Is the facility going to provide transportation every night, all day long? It is overcrowded. There is nothing for them to do. There is nothing for our kids to do in the summer. It doesn't look like a facility that can support the occupancy level. Right now it might but you have a lot of people who can't move around. Can that place adequately support 120 people? Can that location, without the transportation, Middletown he believes is within walking distance of downtown. Here, the patients are not going to want to walk that far. It would be a couple miles.

Commissioner Worrell states that the patients don't go out at night. Most of the activity would be supervised activity.

They take day trips just like us. They go to the beach, Mystic Seaport, etc. Sometimes, some of the patients as they get better and get ready to move up to the next level of care, they get the courage to go into town to go shopping and when this happens, they will walk to the nearest bus stop and catch the bus. By the time they get the courage to do this, they can very easily use the schedule. We don't expect 120 people to be out on the lawn.

Mr. Cahoon states it seems they don't want the patients to just go sit in their room if they got out of their job or their training program etc. Is there a place there in the facility to go.

Commissioner Worrell states there are recreation areas on each unit. There are a whole bunch of living room type areas where they play games, watch TV, play the piano, listen to records. These are inside the facility.

Mr. Cahoon asks if this facility will be set up the same as Middletown. Commissioner Worrell explains it will be the same level of care.

Lester Valentine, 34 Summit Drive, states he questions something that has been asked a couple of times and has never gotten answered. What is to stop them from a little while later bringing someone who is a little more mentally disturbed into this home. What are

the guidelines? The commissioner noted that in earlier administration people were allowed to leave with no medication or anything. What is our guarantee that somebody worse off is not going to come in. We know how the State operates sometimes. They do a lot of stupid things. Look at the highways and bridges. What is the guarantee?

551

Commissioner Worrell explains that the State of Connecticut has 3 levels of Nursing Homes. This is the ICF plus a level of care. The level of care that is needed for people in this facility has measurable guidelines which we have identified in the people in the state hospital before we discharge them to this level of care. There are 3 different departments in the State of Connecticut that oversee this. She makes the level of care decision in the State Hospital and she comes up with the decision about what vehicle they use to decide. Something like an IQ test. The Health Department says the ICF can only receive this kind of person and this is what they are opening in Wallingford. The Department of Health draws up all the guidelines for all the nursing homes in the State. These guidelines can never be changed. This is it. In order for them to be changed you have to go through the HSA and the Hospital Cost Commission again and this can never be put through you. There is no way this can happen without you knowing it.

Mayor Dickinson asks Commissioner Worrell where these regulations or guidelines are found. He realizes it is the ICF.

Mr. Ulatowski states this is in the Connecticut Public Health Act. Get a copy of the Codes. He then states he doesn't know the exact section but he can call the Mayor's office in the morning. He is then told by a member in the audience that it is Section 19-13. Under that section you will find Skilled Nursing Homes as well as Intermediate Care Facilities. ICF is Intermediate Care Facility.

He then states that in their proposal they have indicated what kind of clientele they would be willing to accept. That admission criteria specifically spells out who they will take in. Many times they will refuse to admit. They only admit 50% of all referred clients.

Mr. Valentine says the reason he is bringing this up is because he hears about CVH is so crowded just like the prison systems. What if they start shuffling people out who are not so bad and start sending them to this type of facility.

Mr. Ulatowski states that most people won't work in a facility if they feel they are going to get hurt. Also, then he wouldn't have a staff anymore. His job as the administrator is to monitor who comes into that facility and be sure by admission screening. If there are any questions, you take it to the psychiatrist and more times you kick it back to the State Facility.

Mr. McDermott then asks Mr. Ulatowski if someone slipped him \$300 on top of that. It is conceivable that someone else may be in his shoes making other decisions on a cost range basis. Maybe the State would be in a position to say hey we can slip this one through and you will get compensated for it.

Chairman Gessert interrupts to say that Mr. McDermott did have his chance to speak and he feels there are other people who want to speak. There are really many questions on the floor and a lot of good questions. He would like to wrap this up fairly soon. There is additional opportunity to raise some more. There are a couple more people back there who had their hands up and he would like to get to them and adjourn at 10:00 p.m.

William Farrell, East Main Street, questions where the present patients at the convalescent home come from. What areas.

Commissioner Worrell states that they come from this region.

Mr. Farrell then questions where do the 120 patients come from. Again Commissioner Worrell states they come from. She doesn't have a breakdown. Mr. Farrell states that since most come from this area, then there is a need for this facility. Commissioner Worrell states that she thinks so. She states that they have a whole group of empty beds in nursing homes in this area.

Mr. Farrell asks if Wallingford has any empty beds. Commissioner Worrell states that the Wallingford area has empty beds. Another Nursing Home is scheduled to open soon in this area. Mr. Farrell then states that the 120 beds now are filled with people from this area. She did say there is a need here for a convalescent home and if you do away with that we are going to be sending 120 people out of our area to seek care somewhere else. To seek care further. This home is convenient to people who have families here. Commissioner Worrell states that they do not intend to send any patients out of this region. There is a 90 bed nursing home scheduled to open soon in New Haven. New Haven is in this region. She doesn't know how many of the old folks are from Wallingford. She will find this out. 55a

Chairman Gessert states that the Commissioner does not have an answer. She will find out and will let him know.

Bob Gattilia, 12 Cooper Avenue, states he has one question. How many escapees do you have or people who decide they don't like to be in the program and decide they want to go home for example.

Mr. Ulatowski states that this year over a 12 month period the figure was set at 14. These are individuals who consider their rehabilitation over and go back to their families. It is a voluntary facility.

Mr. Gattilia states his property is directly behind the facility and if they are going to escape they are probably going to go right through his property.

Chairman Gessert states that the gentleman used the word "escape". There is a difference between going back and escaping.

Mr. Ulatowski states you have to be incarcerated to escape. They come voluntarily. Some of the individuals decide they are going to go live with their boyfriend who is out of CVH, lives in Middletown or wherever. Some of them call their families and convince them to pick them up. As soon as they find out the individual is thinking of leaving the program and they don't think it is within the best interest because they don't feel they have completed the rehabilitation program. What they will do is sit down with that person and ask questions like where they are going to live, where will they work etc. and then they usually see that it would be better for them to stay.

Mr. Gattilia then asks if they say they are fed up with the program and decide to leave even though it is voluntary can they just go? Do they leave over the fence, do they call their parents to come get them or what?

Mr. Ulatowski states that every individual who leaves the facility AMA (against medical advice) who does not sit down with the doctor and the doctor does not give him a discharge. Most of the people who leave AMA usually have a plan and a place to go. They usually leave Middletown and go back to the community they came from. Therefore, the center usually hears about it because what will happen is they will get a call from a mental health clinic saying John Doe is here and can you give me a rundown on his medications. When they go AMA they know they are going because they ask them to sign a release of information form so they can give this to the hospital they go to. Mr. Ulatowski does state that once in a while they get someone who will not show up back.

Mr. Gattilia then asks if they have access to money or if they have their own money? Mr. Ulatowski says yes they do. Mr. Gattilia says he has 1 more question. 95% are schizophrenic. What are the other 5%? Mr. Ulatowski says bipolar disorder, depression, and manic individuals. They also do have some individuals which suffer from agoraphobia which means they are afraid to go out in the open.

Jim Sweede states he has a daughter in Middletown. He states there were some comments about medications and going off them. He doesn't know what the statistics are but he would think that in the past 20 years many of these mental institutions have been half empty because of these new medications. This is one of the main reasons for the need for these Intermediate health care facilities. These drugs don't cure the disease but they make it possible for these people to adjust to the community and lose some of the fears they have. They are more able to be facilitated.

Chairman Gessert then states that we have listened to this discussion for about an hour and one half and there will be additional time for these people to talk at the public hearing on Friday.

553

Mr. Polanski then asks Commissioner Worrell if anyone interested can go take a look at the facility and the Commissioner replies anyone is welcome. Mr. Polanski then states that might be something for the group to remember. They may want to see how Middletown operates and they are welcome to visit it. They can go to the facility at any time.

Mr. Killen asks Commissioner Worrell what was the exact purpose of the meeting tonight and Friday.

Commissioner Worrell states that tonight she came because she knew the hearing was coming and she knew what peoples fears would be. They have been doing this long enough. She had called Dave before the newspaper article just because she anticipated there would be anxiety about this. Friday's hearing is set up by State. It was originally a Federal Edict and now it has been taken over by the State. The HSA throughout the state have citizen bodies on them and they have an opportunity to hear what the people have to say and base their opinion on what the people have to say and whether or not they feel it is a good program.

Mr. Killen states that if the action on Friday is negative, can you still set up this facility over there regardless of the fact that 90% of the neighborhood is against it. Do you have that authority?

Commissioner Worrell asks if the hearing says no what happens or if the hearing says yes?

Mr. Killen states they are setting up the hearing to see what people think. The point is are they interested in what people think. Regardless of the percentage. Also, regardless of this, do you people have the authority, no matter what the people in the neighborhood think, do you have the authority to establish it anyhow?

Commissioner Worrell states that she has the authority to establish it as a commissioner, if HSA approves it and if the Hospital Cost Commission approves it and only then. To be perfectly honest, this is the first time that she has opened a nursing home Intermediate Level of Care Facility. She doesn't think she has the authority if the HSA or the Hospital Cost Commission said no. She does not know how much public opinion goes into what the HSA or the Hospital Cost Commission say.

Mr. Killen says they should be the ones conducting the hearing and is told by Commissioner Worrell that they are conducting the hearing.

Mr. Killen states he feels these people would feel more assured if you could show them that even though you have the authority to do so, you're trying not to open it regardless if they are against it. Then you are showing that you open to their worries. If the point is that you have to take that into consideration anyhow, then they are going to look a little better at what you say. This has to be taken into consideration. He then states that he commends the gentleman in the rear who spoke about his son. This took a lot of courage. He commends him for coming here. He recognized in his speech a plea. It wasn't a plea for his son who was getting help, it was a plea for people like his son. It takes a lot of courage for him to come up here and do that. He also recognizes on the other side that people have a fear. What they fear is the unknown and nobody fears anything like the unknown. What we have here is we have questions that call for Solomon like answers. He has his age but not his wisdom. He is very grateful that they don't have to make a decision and say you can or you cannot. He would urge all that can to go over and see the facility. No matter what is done, you can't sway them until they go over and see what the original thing is like over there and how it is being run. Finally, if there is anything I can do for any of the people here because it is going to come down to the State, the facility owners and the people in the neighborhood. If there is anything he can do as a Councilman or as a person he would be glad to help because he recognizes the fears of the people in the neighborhood.

Chairman Gessert then thanks Commissioner Worrell for coming here, and her courage for coming here. It takes a great deal of courage to be involved in a situation like this. He feels that the 2 things we want to protect is our family and our home and anything that is different or disturbs the status quo obviously causes alarm. He hopes she will look at this and the situations brought up and the input from the people in the area and either show them that their fears are incorrect and if she can prove that to them or if you can show them guarantees for wherever there is a contract that says we are going to do this and this is how it is guaranteed, and here is how it goes, you will be protected. Their fears are for their families and their neighborhood. He feels it is reasonable to be afraid but if given enough facts, reasonable people will try and sort them out. Again he thanks the Commissioner and says he does hope the people will attend the hearing on Friday and get their questions answered.

55A

Mrs. Bergamini then moved to have the meeting continued on Thursday, September 26, 1985; seconded by Mr. Krupp.

VOTE: Unanimous ayes with the exception of Mrs. Papale who was not present for the vote; motion duly carried.

The meeting ended at 10:05 p.m. and will be continued on Thursday, September 26, 1985 at 7:30 p.m. in the Council Chambers.

Lisa M. Bousquet
Council Secretary

Approved: David A. Gessert
David A. Gessert, Council Chairman

10 - 8 - 85
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

10 - 9 - 85
Date

TOWN COUNCIL MEETINGSeptember 24, 19857:30 p.m.

- (1) Roll call and pledge of allegiance
- (2) Public Question and Answer Period.
- (3) PUBLIC HEARING 7:45 p.m. on AN ORDINANCE RESCINDING ORDINANCE #251, requested by Councilman James A.G. Krupp.
- (4) PUBLIC HEARING 8:00 p.m. on AN ORDINANCE REGARDING ENFORCEMENT OF PROVISIONS OF TITLE 21, U.S. CODE, SECTION 881(a)(7) FOR FORFEITURE OF REAL PROPERTY USED TO FACILITATE VIOLATION OF TITLE 21, U.S. CODE SECTION 841(a)(1), as requested by Vincent T. McManus, Jr., Town Attorney.
- (5) Consider & approve the following requests from Fire Chief McElfish:
 - (a) Consider waiver of bid to purchase and have modified a 1978 Mack single axle cab/chassis with a new steel 2100 gallon water tank.
 - (b) A transfer of \$5,145 from A/C 203R-Capital to A/C 203EW-Capital.
 - (c) A transfer of \$ 455 from A/C 203EC-Capital to A/c 203EW-Capital
- (6) Consider and approve resolution authorizing the Mayor to sign an application for funding continuation prior to October 1, 1985 for the Social Services Block Grant Program (Title XX Program), and act on behalf of the Town should the State offer the grant, requested by Donald W. Roe, State & Federal Program Administrator.
- (7) Consider and approve resolution refunding the Wallingford Community Service Program run by SCOW, requested by Donald W. Roe, State & Federal Program Administrator.
- (8) Consider & approve the following requests:
 - (a) Waiving the bidding to allow Hamden Salvage to dispose both passenger and truck tires, as requested by Donald W. Roe, State & Federal Program Administrator.
 - (b) A transfer of \$1,500 from A/C 503-01 and \$500 from A/C 511-01, a total of \$2,000 to A/C 506-650, requested by Steven L. Deak, Director of Public Works.
- 9) Consider & approve a transfer of \$3,500 from A/C 805-319 to A/C 512-540, requested by Steven L. Deak, Director of Public Works.
- 0) Report on Sale of \$1,325,000 Bond Anticipation Notes.
- 1) Discussion regarding action to be taken on the Taber House.
- 2) Discussion and Action regarding Downtown Renovation, including Municipal Properties and Option to Develop Architectural Information.
- 3) Discussion of Resource Recovery Project with Mr. Philip Hamel.
- 4) Approve Job Specifications for Payroll Clerk.
- 5) Consider and Approve the following requests by Joseph J. Bevan, Chief of Police:
 - (a) Consider & Approve the reclassification of Clerk Typist II to Senior Clerk.
 - (b) Consider & approve the transfer of \$1,668 from A/C 805-323 to A/C 201A-131.
- (16) Consider acceptance of the Fact Finding Report covering the Custodians' Union.
- (17) Consider request of Double A Transportation Company for Insurance Waiver on the school bus contract.
- (18) Consider & approve tax refunds of \$1,761.54, requested by Charles L. Fields, Tax Collector:

Leonard & Linda Boyle	\$ 645.84
Michael Ashley II	9.86
Walter & Eleanor Pinkowski	12.79
Roger & Joan Barnes	1,064.44
Craig Ackerman	28.61
	<u>\$1,761.54</u>

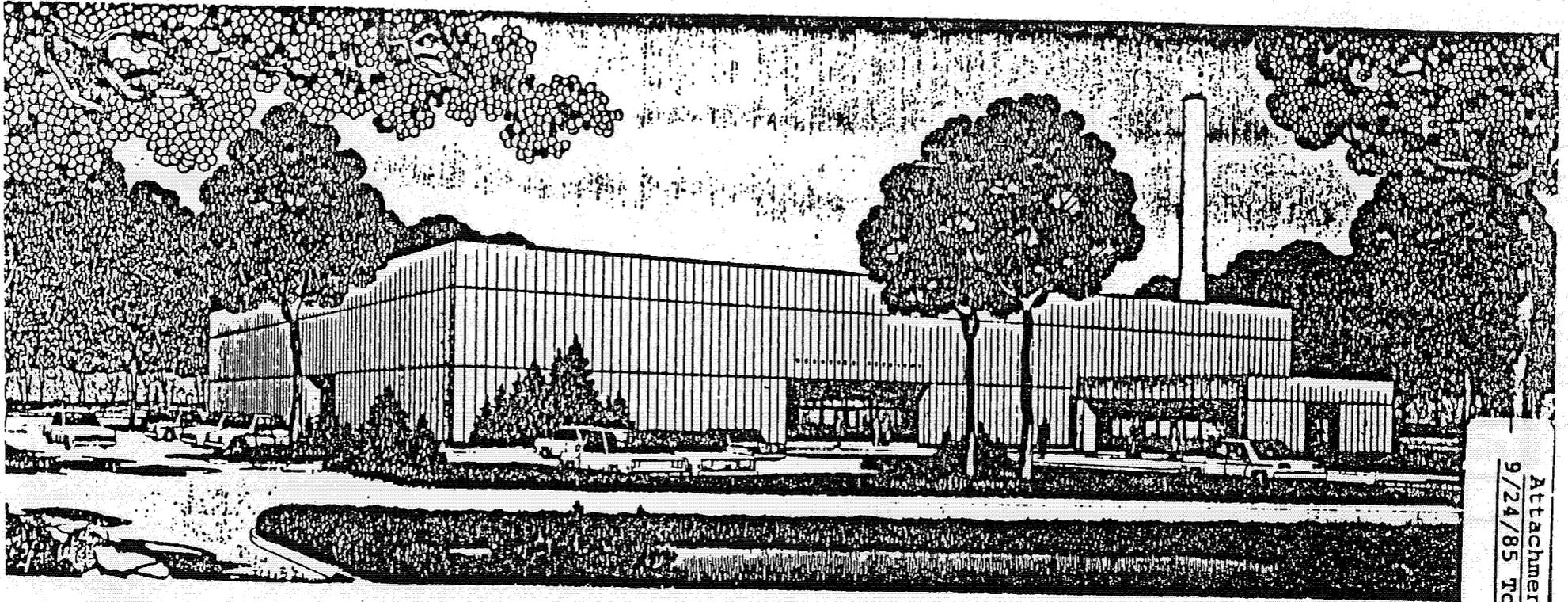
- 556
- (19) Consider the following requests by Thomas A. Myers, Comptroller:
 - (a) Amend General Fund Revenue Budget A/C 101-003
Overpayment of Taxes-----\$18,834.00
 - (b) Amend General Fund Expenditure Budget A/C 142-891
Refund of Overpayments---\$18,834.00
 - (20) Consider & Approve a transfer of \$1,000 from A/C 142-130 to A/C 142-140, requested by Thomas A. Myers, Comptroller.
 - (21) Consider & Approve a transfer of \$245 from A/C 601A-900 to A/C 805-319, as requested by Thomas A. Myers, Comptroller.
 - (22) Note for the Record the monthly financial reports of the Town of Wallingford for the month of August 1985.
 - (23) Consider & approve the following requests by Vincent T. McManus Town Attorney:
 - (a) Establish A/C 132-604, Secretarial Services.
 - (b) Transfer \$2,500 from A/C 132-125 to A/C 132-604.
 - (24) Discussion and possible action pertaining to the following, requested by Councilman Edward L. Diana:
 - (a) Send letter to State Legislature and Governor O'Neil asking that the General Assembly consider putting a ceiling on the amount that a municipality can be sued.
 - (b) Enlist, by way of letter, the help of all Councils of the area towns affected by the recent insurance problem and ask they too send a letter off to their legislatures.
 - (c) Set Up and discuss the possibility of again forming a regional self-insurance consortium.
 - (25) Note for the Record the Ordinance Committee Meeting Minutes of September 4, 1985, Requested by Councilman James A.G. Krupp.
 - (26) Accept Town Council Meeting Minutes of September 5, 1985 (Special).
 - (27) Accept Town Council Meeting Minutes of September 10, 1985.
 - (28) EXECUTIVE SESSION for the purpose of discussing the settlement of claims, requested by Adam Mantzaris.
 - (29) Approve waiving the bid for LaRosa Construction to repave the parking lot and driveway at the North Main Street Firehouse. (Transfer to be mailed from the Mayor's Office).

Exhibit I
Attachment A/Page 1 of 10
- 9/24/85 Town Council Minutes -

CONNECTICUT RESOURCE RECOVERY AUTHORITY

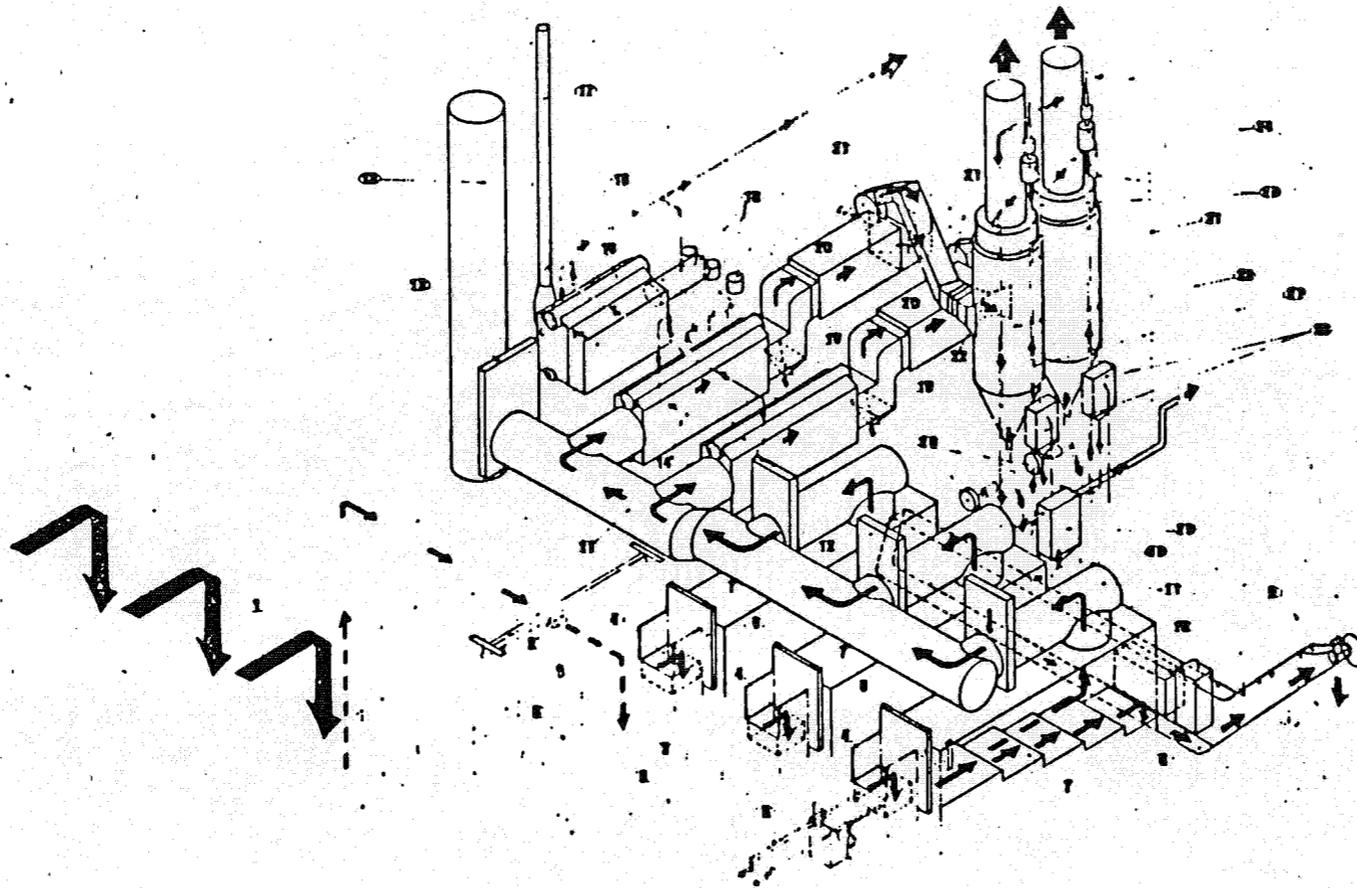
PRESENTATION OUTLINE

1. Overview & History
2. Orfa Comparison
3. Technology Description
4. Environmental Requirements
5. Project Structure
6. Municipal Contract Overview
 - A. Town Responsibilities
 - B. CRRA Responsibilities
7. Project Costs
8. Schedule



Vicon recovery systems inc.

View of
Typical Facility



LEGEND

PROCESS FLOW

- ➔ SOLID WASTE
- ➔ HOT DIRTY GAS
- ➔ ASH WASTE
- ➔ DIRTY PARTICULATE
- ➔ STEAM ENERGY
- ➔ CLEAN EXHAUST
- ➔ CLEAN MEDIA

AREA AND EQUIPMENT

- ① Receiving Pit
- ② Overhead Crane
- ③ Tipping Floor
- ④ Hopper
- ⑤ Loader
- ⑥ Fire Door Assembly
- ⑦ Incinerator
- ⑧ Ash Conveyor System
- ⑨ Ash Conveyor Housing
- ⑩ Ash Conveyor Wash Box
- ⑪ Hot Gas Exhaust Stack
- ⑫ Isolation Damper
- ⑬ By-Pass Stack
- ⑭ Waste Heat Boilers
- ⑮ Steam Energy Pipe Line to Condenser
- ⑯ Auxiliary Boiler
- ⑰ Auxiliary Boiler Stack
- ⑱ Water Treatment Equipment
- ⑲ Dust Collector
- ⑳ Economizer
- ㉑ Motorized Fan
- ㉒ Dirty Gas Inlet
- ㉓ Electroscrubber Gas Emulsion Control Unit
- ㉔ De-entrainment Filter Vessel
- ㉕ Media Add Hopper
- ㉖ Media LIFT Fan
- ㉗ Pneumatic LIFT Pipe
- ㉘ Media Return Pipe
- ㉙ Particulate Separation and Storage Unit
- ㉚ Dirty Particulate Sluice to Water Filled Ash Trough
- ㉛ Multi-Level Platform Tower

SOLID WASTE RECYCLING PLANT
VICON RECOVERY SYSTEMS, INC.

Attachment A/Page 4 of 10
 9/24/85 Town Council Minutes

EXHIBIT I

SUMMARY OF ENVIRONMENTAL DESIGN AND PERFORMANCE CRITERIA
FOR THE WALLINGFORD RESOURCE RECOVERY FACILITY

<u>SOURCE</u>	<u>CONTROL</u>	<u>PARAMETER</u>	<u>PERFORMANCE CRITERIA</u>	
Waste Combustion	Baghouse	Particulate	0.010 gr/dscf @ 12% CO ₂ (Design) 0.015 gr/dscf @ 12% CO ₂ (Operation)	
		Lead	Compliance with NAAQS	
		Beryllium	10 grams per 24-hour period	
	Spray Dryer	HCl		90% HCl Removal (Design) Less stringent of 90% HCl removal or 50 ppmv (wet) HCl (Operation)
				0.32 lb/MMBtu heat input
		SO ₂	0.02 lb/MMBtu heat input	
		H ₂ SO ₄	0.60 lb/MMBtu heat input	
		NO _x	99.8% combustion efficiency (equal to 240 ppmv @ 12% CO ₂)	
		CO	70 ppmv @ 12% CO ₂	
		NMHC	1,500 ^o F for 1 second after overfire overfire air & 1,800 ^o F for 1 second in combustion zone	
Furnace Design & Combustion Air Control System	Furnace Design	Combustion Temperature	Continuous emissions monitoring, recording, and reporting	
	Monitors	CO ₂ , CO, NO _x , SO ₂ , O ₂ , acid gas, opacity & temperature		

EXHIBIT I (Continued)

SUMMARY OF ENVIRONMENTAL DESIGN AND PERFORMANCE CRITERIA
FOR THE WALLINGFORD RESOURCE RECOVERY FACILITY

<u>SOURCE</u>	<u>CONTROL</u>	<u>PARAMETER</u>	<u>PERFORMANCE CRITERIA</u>
Waste Combustion (continued)	Testing	Particulate, SO ₂ , NO _x , CO, NMHC, HCl, etc.	Performance tests at startup of units
Waste/Residue Handling & Storage	Tipping Hall & Storage Areas	Fugitive Dust Odors	Enclosed buildings/containers & clean-up program Maintain negative pressure by drawing combustion air from the area.
Town Water	Cooling Tower, Boiler, Spray Dryer, Process, & Sanitary	Water Use & Consumption	Steam Export: 217 gpm (Average Demand) 225 gpm (Peak Demand) Electricity: 175 gpm (Average Demand) 183 gpm (Peak Demand)
Wastewater Treatment	Sewer Discharge	Wastewater Effluent	Steam Export: 23 gpm (Average) 33 gpm (Peak) Electricity: 7 gpm (Average) 17 gpm (Peak)
Waste Combustion	Quench Trough & Flyash Hopper	Residue & Flyash	106 TPD (Dry Basis)

EXHIBIT I

ESTIMATED SCHEDULE FOR ENVIRONMENTAL PERMITS FOR THE WALLINGFORD RESOURCE RECOVERY FACILITY

PERMIT/APPROVAL	RESPONSIBLE AGENCY	SUBMITTAL DATE	PROJECTED APPROVAL DATE	COMMENTS
Certificate of Environmental Compatibility and Public	Connecticut Siting Council (CSC)	Petition for Declaratory Ruling: August 16, 1985	Negative Declaration August 29, 1985	Certification is not required
Air Quality Permit to Construct (Fuel Burning Equipment & Air Pollution Control Devices) & Prevention of Significant Deterioration (PSD) Permit	Connecticut Dept. of Environmental Protection (DEP) and U.S. Environmental Protection Agency (EPA)	June 7, 1985	Projected: December 1985	Notice of Completion: July 1985. Review process will require approximately 4 months. Projected Approval: December 1985.
Solid Waste Facility Permit to Construct	DEP	August 26, 1985	Projected: December 1985	Review process will require about 4 months. Projected Conditional Approval: December 1985.
State Discharge Permit	DEP	August 23, 1985	Projected: December 1985	Review process will require approximately 2 months. Projected Decision: October 1985.
National Pollutant Discharge Elimination System (NPDES) Permit	DEP	N.A.	N.A.	Permit not required.
Determination of No Hazard to Air Navigation	Federal Aviation Administration (FAA)	N.A.	N.A.	Determination not required.
Coastal Area Management Review	DEP	N.A.	N.A.	Review not required.
Traffic Permit	Connecticut Dept. of Transportation (DOT)	N.A.	N.A.	Permit not required

NET TIPPING FEES

9/25/05

	<u>1988</u>	<u>1992</u>	<u>1997</u>	<u>2002</u>	<u>2007</u>	<u>20 Year Average</u>
<u>Projects Without Transfer Stations</u>						
Wallingford (a)	22.80	30.31	37.27	13.66	18.85	23.26
Bristol (b)	42.94	48.91	57.66	68.13	79.83	59.80
<u>Projects With Transfer Stations</u>						
Bridgeport (b)	39.45	47.05	58.63	73.06	91.04	61.88
Hartford (b)	23.56	46.52	51.38	59.14	70.58	52.81

(a) Year commencing January 1.

(b) Year commencing July 1.

RESOLVED: That the _____ of _____ approve the recommendation of the Board of _____ on the following resolution:

"Resolution of the _____ of _____, Connecticut, authorizing a Municipal Solid Waste Management Services Contract between said Municipality and the Connecticut Resources Recovery Authority.

Be it resolved as follows:

SECTION 1. The legislative authority of the _____ of _____, Connecticut, pursuant to Sections 22a-275 and 22a-221 of the General Statutes, hereby authorizes the form, execution, delivery and performance of a long-term Municipal Solid Waste Management Services Contract with the Connecticut Resources Recovery Authority providing for disposition by the Authority of solid waste of the Municipality through the use of regional facilities providing adequate resources recovery and waste disposal processing and providing for the pledge of the full faith and credit of the Municipality for the payment of all services rendered by the Authority, which Contract shall be generally in the form and have the general terms and conditions of the Contract presented at this meeting and to be attached as an exhibit hereto and authorized by this resolution.

SECTION 2. The _____, the Chief Executive Officer of this Municipality, be, and hereby is, authorized, directed and empowered on behalf of the Municipality to enter into and execute said Contract in generally the form and upon the general terms and conditions as presented at this meeting, with such changes, revisions and amendments as he in the exercise of his judgement may agree to as being in the best interests of this Municipality, and which terms, conditions, changes, revisions and amendments are hereby approved and specifically agreed to, and to deliver the same to the Connecticut Resources Recovery Authority under the corporate seal of the Municipality which shall be affixed and attested by the _____ and the _____ be, and hereby is, authorized and directed to act as the representative of this Municipality on the Policy Board to be established pursuant to such Contract.

SECTION 3. The _____ and other proper officers of this Municipality be, and they hereby are, authorized, directed and empowered on behalf of the Municipality to enter into, execute and deliver such other agreements, certificates and other instruments as they may deem necessary or appropriate to consummate the transactions contemplated by said Contract.

SECTION 4. Copies of said Contract as executed be and shall remain on file as part of the minutes of this meeting.

SECTION 5. The terms and provisions of the Contract and the arrangements contemplated by the Contract for waste handling and resource recovery using the system described in the Contract shall be submitted to the commissioner of environmental protection pursuant to Public Act No. 85-436 as part of a twenty-year plan for the management of all solid waste generated within the boundaries of this municipality, and the _____ and other proper officers of this municipality be, and they hereby are, authorized, directed and empowered to take all such other action as they deem necessary in connection with the preparation and submission of such a twenty-year plan to the commissioner of environmental protection.

SECTION 6. This resolution shall take effect immediately."