

Summary of Town Council Minutes

January 28, 1986

Roll call and pledge of allegiance.	1
Public Question & Answer Period.	1-6
Approved the following vacancies:	
Mr. Raymond Havican, Zoning Board of Appeals alternate	6-7
Mr. Joseph Pavlick, Planning & Zoning Alternate	7
Mr. Robert Prentice, Housing Authority	7
Mr. Timothy Reardon, Board of Tax Review	7
Waived Two week waiting for Mr. Robert Prentice for the Housing Auth.	7
Corrected transfer from meeting of 1/14/86 to read \$2,500 from A/C 514-201 to A/C 514-540.	7-8
Approved the transfer of \$5,000 from A/C 306-701 to A/C 306-700.	8
Waived Rule V. (Handicapped & Asbestos Renovations)	8
Letter from Mr. Chicoski regarding Handicapped Access and Asbestos Removal.	9
Discussion of Above.	8-12
Established Accounts 111-604-02 and 111-601-02.	12
Approved the transfer of \$2,075 from A/C 805-319 to A/C 111-604-02, \$1,875, and \$200 to A/C 111-601-02.	12
Accepted the following peices of property for highway purposes:	
Smith/Mansion Road	
Pirovane/Clintonville Road	
Rebeschi/Anderson Road	
Tartaglia/North Airline Road	
Rose/Mansion Road	13
Removed from the table acceptance of Beaumont Farms, Sections 4,5 & 6, Farm Hill Road & Briarwood Lane.	13
Accepted Beaumont Farms Sections 4,5 & 6, Farm Hill Road & Briarwood Lane.	13
Accepted Meadowview, sections 2,3 & 4, Mellor Road, Bernadette Lane and Saw Mill Drive.	13-14
Approved putting Research Parkway/Carpenter Lane item on the agenda of February 25, 1986.	14-15
APPROVED AN ORDINANCE AMENDING ORDINANCE NO. 320 APPROPRIATING THE SUM OF SEVEN HUNDRED TEN THOUSAND DOLLARS (\$710,000) FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS, 1984-1985, BY INCREASING THE AMOUNT AUTHORIZED THEREIN FROM \$710,000 to \$811,000.	15-17
Discussion of Research Parkway/Carpenter Lane.	17-19
Removed Research Parkway/Carpenter Lane from the table.	18-19
Rejected motion to accept deeds for Research Parkway/Carpenter Lane.	19
Approved RESOLUTION: RESOLVED, That the Town Council of the Town of Wallingford hereby authorizes and directs the Mayor of the Town of Wallingford to sign and file with the office of Revenue Sharing the Statement of Assurances for Entitlement Period 17.	19-20
Approved the transfer of \$2,000 from A/C 506-140 to A/C 506-650.	20-21
Removed from the table an appropriation of funds of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827.	21
Approved the appropriation of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827.	21
Approved the following Tax Refunds:	
Pasquale Muli	\$ 44.86
Frank A. Pappas	84.10
David L. Robinson	64.89
Paul Pannone	11.67
Jerzy Kaluzka	14.04
Total	<u>\$219.56</u>

Approved the transfer of \$1,000 from A/C 1-142-130 to A/C 1-142-890.	22	07
Approved the appropriation of \$1,095 from A/C 159-001, Capital-Computer to A/C 159-001, Capital-Typewriter.	22	
AWARDED and funded the project to the one and only bidder being Motorola along with their recommendations on options and status board with a total cost of \$122,384.	22	
Accepted the bid submitted by Videoplay Systems, Inc. in the amount of \$11,150, Public Bid #85118.	22	
Waived the bid and awarded the bid to Marlin Controls to move the Master Controller for \$14,500.	22	
Established A/C 201-651-20.	22	
Approved the transfer of \$14,500 from A/C 805-319 to A/C 201-651-20.	22-23	
Approved the transfer of \$5,000 from A/C 804-828 to A/C 132-421.	23	
Approved the transfer of \$20,000 from A/C 804-828 to A/C 132-901.	23	
Approved the transfer of \$400 from A/C 140-130 to A/C 140-200.	23	
Noted for the record a reallocation of budget amounts for part-time help in the accounting and control office.	23	
Noted for the record the monthly financial reports of the Town of Wallingford for the month of December, 1985.	23	
Accepted Town Council Meeting Minutes of 12/10/85.	23	
Accepted Town Council Meeting Minutes of 1/6/86 & 1/14/86.	23	
Tabled Town Council Meeting Minutes of 1/16/86.	23	
Noted for the Record the financial statements and accompanying narratives of the Electric, Water & Sewer Divisions for November & December.	23	
EXECUTIVE SESSION for the purpose of discussing Pending Litigation with Public Utilities.	24	
Adjourn.	24	

TOWN COUNCIL MEETING

January 28, 1986

7:30 p.m.

- (1) Roll call and pledge of allegiance to the flag.
- (2) Public Question and Answer Period.
- (3) Consider and approve the following vacancies to be filled:
 - Mr. Raymond Havican, Zoning Board of Appeals alternate
 - Mr. Joseph Pavlick, Planning & Zoning alternate
 - Mr. Robert Prentice, Housing Authority
 - Mr. Timothy Reardon, Board of Tax Review
- (4) Correct the following transfer made at the January 14, 1986 meeting for Steven L. Deak, Director of Public Works:
 - \$2,500 from A/C 805-319 to A/C 514-510 should read
 - \$2,500 from A/C 514-201 to A/C 514-540 (514-540 is the account being changed.)
- (5) Consider and approve a transfer of \$5,000 from A/C 306-701 to A/C 306-700, as requested by Francis Francesconi, Welfare Administrator.
- (6) Consider acceptance of the following properties for highway purposes as requested by Linda A. Bush, Town Planner:
 - Smith/Mansion Road
 - Pirovane/Clintonville Road
 - Rebeschi/Anderson Road
 - Tartaglia/North Airline Road
 - Rose/Mansion Road
- (7) Consider acceptance of the following roads as requested by Linda A. Bush, Town Planner:
 - Beaumont Farms - Sections 4, 5 and 6 (TABLED 1/14/86)

1. Farm Hill Road.
2. Briarwood Lane

Meadowview - Sections 2, 3 and 4

1. Mellor Road
2. Bernadette Lane
3. Saw Mill Drive

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- (8) PUBLIC HEARING, 8:00 p.m., on an Ordinance Amending Ordinance No. 320 Appropriating the sum of Seven Hundred Ten Thousand Dollars (\$710,000) for various municipal capital improvements, 1984-1985, by increasing the amount authorized therein from \$710,000 to \$811,000.
- (9) Consider and approve the following resolution as requested by Donald W. Roe, State & Federal Program Administrator:
 RESOLVED, That the Town Council of the Town of Wallingford hereby authorizes and directs the Mayor of the Town of Wallingford to sign and file with the office of Revenue Sharing the Statement of Assurances for Entitlement Period 17.
- (10) Consider and approve the transfer of \$2,000 from A/C 805-319 to A/C 506-650 as requested by Donald W. Roe, State & Federal Program Administrator.
- (11) Consider and approve an appropriation of funds of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827 (TABLED 1/14/86), as requested by Charlotte C. Collins.
- (12) Consider and approve the following Tax Refunds as requested by Norman Z. Rosow, Tax Collector:
- | | |
|-------------------|--------------|
| Pasquale Muli | \$ 44.86 |
| Frank A. Pappas | 84.10 |
| David L. Robinson | 64.89 |
| Paul Pannone | 11.67 |
| Jerzy Lakuzka | <u>14.04</u> |
| TOTAL | \$219.56 |
- (13) Consider and approve the transfer of \$1,000 from A/C 142-130 to A/C 142-890 as requested by Norman Z. Rosow, Tax Collector.
- (14) Consider and approve the transfer of \$1,095 from A/C 159-001 to A/C 159-001 as requested by Stanley A. Seadale, Personnel Director.
- (15) Consider and approve the following as requested by Joseph J. Bevan, Chief of Police: (Paperwork on this item to follow.)
- (a) Discussion and approval of Funding for Communications Console System Public Bid 85-119.
 - (b) Discussion and approval of Funding of Closed Circuit Television Equipment Public Bid 85-118.
 - (c) Discussion and approval of Movement of Master Controller.
- (16) Consider and approve the following transfers as requested by Vincent T. McManus, Jr, Town Attorney:
- (a) \$5,000 from A/C 804-828 to A/C 132-421.
 - (b) \$20,000 from A/C 804-828 to A/C 132-901.
- (17) Consider and approve a transfer of \$400 from A/C 140-130 to A/C 140-200 as requested by Thomas A. Myers, Comptroller.
- (18) Consider and approve the reallocation of budget amounts for part-time help in the accounting and control office, as requested by Thomas A. Myers, Comptroller.
- (19) NOTE FOR THE RECORD the Monthly financial reports of the Town of Wallingford for the month of December, 1985.
- (20) Accept Town Council Meeting Minutes of 12/10/85, 1/6/86, 1/14/86 and 1/16/86.
- (21) NOTE FOR THE RECORD the financial Statements and accompanying narratives of the Electric, Water and Sewer Divisions of the Town for the months of November and December, 1985.
- (22) EXECUTIVE SESSION as requested by Public Utilities.

Town Council Meeting

January 28, 1986

7:30 p.m.

A regular meeting of the Wallingford Town Council was held on this date in Council Chambers. Chairman Gessert called the meeting to order at 7:35 p.m. Answering present to the roll called by Town Clerk Rascati were Council Members Bergamini, Diana, Gessert, Gouveia Holmes, Killen, Papale, Polanski and Rys. Also present were Mayor William W. Dickinson, Jr., Town Attorney Vincent T. McManus, Jr. and Comptroller Thomas A. Myers. The pledge of allegiance was then given to the flag. Chairman Gessert then asked all to remain standing to have a moment of silence for the astronauts who lost their lives at Cape Canaveral.

PUBLIC QUESTION AND ANSWER PERIOD

Gloria Pocobello, Clintonville Road, then says in the past she has complained about the road repairs done on Clintonville Road. She then says the road is now finished and it is a job well done. Also, she thanks Councilman Killen for standing up for the young man who tried to speak at the public hearing on the 16th. He was trying to teach us something and she says she was ashamed at the behavior of some of the people. She then says she hopes they won't use that as retribution, or let that get in the way of their sound judgement. This is her town and she does not want it turned into a Love Canal.

Kathleen Avery, 70 Masonic Avenue, then says they wanted a hearing to ask the Council members questions on an incinerator. They wanted it to be educational. It was not that. They would like to sit down with the Council members and the same number of their group and have a meeting with no experts, DEP or Vicon. The Council should have read the contracts and should know them and be willing to sit down with the 9 of them and be willing to answer questions on a one to one basis and not feed them to Vicon, DEP or CRRA. The Council made the decision, you should defend it. They want their questions answered openly and honestly. They signed the contracts, they should know them.

Chairman Gessert says he does not have plans for a meeting of that sort. The meeting on January 16th was an opportunity to let the people ask questions from 7:30-11:00 p.m. It was a public hearing and this was to allow public input and ask questions. We will have another session February 10th and anyone may submit a question to the Town Council for that meeting. There will be people there from the Air & Water Compliance, the State Health Department, Vicon, CRRA and Phil Hamel and all others involved.

Mrs. Bergamini then says she doesn't know what the Town expected when they put the Council members in office. They did not get attorneys or accountants. Whenever she has a problem or needs legal advice she calls the Town Attorney. If she doesn't like something in a financial report, she calls the Comptroller. This is their job. Also, when she heard about Resource Recovery, she had to get someone to explain it all to her. She is not here as an expert in finance, cement or a Resource Recovery Plant. When she has a question she goes to the person that she feels is a good source. She has a friend who can tell her all about dioxins. This is the way she does it. She doesn't read a 100 page contract. The three Town Attorney's are who she expects to read it. She expects Phil Hamel who has degrees in this type of thing. That is his job. That is what he is paid for. Nine people elected at large can't have degrees in everything that comes before them. You're dreaming. She can tell you why she voted for it but she can't tell you what paragraph 6 on page 67 says in the contract, forget it. That is not her expertise. You are expecting too much from the people elected. She does her homework and she studies. If she is not sure she will pass or say no. She is not going to say she is that knowledgeable about everything that plant will produce. Her sources tell her and that is what she has gone on.

Ed Bradley, 2 Hampton Trail, says on the CRRA hearing he presented his concerns. At that time during his presentation he made the comment that he had been before them on several occasions with his concerns but as usual no concern was shown but then again, he was just one person speaking. At that time, Mrs. Bergamini called him a liar and then she followed that up with where was I at Planning & Zoning. He doesn't know what she meant by Planning & Zoning, the comment he made was for the Town Council. If you look through your minutes on July 11, 1985 he has a page and 1/2 of comments. On October 8, 1985 he again has a page and 1/2 of comments. Not once was he interrupted but three times. Twice he tried to pass it off. The third time he could no longer tolerate it. He was embarassed in front of 600 residents, in front of his colleagures, and his own family including his 4 year old daughter. He then says he believes Mrs. Bergamini owes him an apology.

Mrs. Bergamini then says he said he came before them and no concern was given to him. By his statement, he implied that none of us listened to him and none of us even paid any attention to you. She then says she remembers sitting watching a slide presentation by him, a videotape, they listened to him on every occasion that he mentioned and he had those people that night, who were applauding tremendously, he had them believe we weren't listening to you. That is when she said he lied. You said we did not listen to your concerns and we did listen to you. That doesn't mean they agree with him. She has his entire packet. She can punch holes in half of it. She then tells him he mixed CRRA with Bristol-Myers. He has been on a campaign against Bristol-Myers since the beginning and he told an audience of 600 that they did not listen to him. You have the proof in the minutes that we did listen.

Mr. Bradley says he was addressing CRRA. He would have rather been booed or jeered but to call him a liar, he is not a liar and his statement was not intended to be. He still feels an apology is in order and Mrs. Bergamini says she is sorry but he is not getting one. He then says fine, he will handle that another way. He then says that on the meeting of the 10th at the Library, is there a problem there?

Chairman Gesert then says he talked to the freedom of information commission and they told him that if they allowed the public in, they allow the press in, and they televise it, they said nothing could be more in the interest in informing the public than in putting it into 10,000 households on the same evening. He asked them about the difficulty of the size of the room and the amount of people who wanted to attend and they saw no difficulty with that. There are 11,000 houses in Wallingford wired for cable TV and it will be broadcast live and rebroadcast several times the following day and videotaped at the meeting and will be at the library for anybody that doesn't have cable access to go in and view the meeting. We don't have a room big enough to hold all the people interested in this subject. This room will seat 20-30 people in addition to the press and the people involved, there is no problem with that.

Mr. Bradley then says he talked to an attorney up there and told her about the 600 people turn out and all and she felt it was definitely against FOI regulations to limit the crowd. Especially when you are made aware of 400-500 people interested.

Chairman Gessert then said if 5,000 veterans wanted to stand on the floor in the House of Representatives when they discussed Veterans benefits, do you think they would say lets open the floor of the house to let all those people sit in. Pure Democracy is a great form of government but we don't have it in this town. Mr. Bradley then says he feels we are limiting democracy here in not allowing the people. Chairman Gessert says we have a republic where people are elected to represent. If we would like to have pure democracy, we have 34 items on tonights agenda and technically they should mail an agenda to everyone in Wallingford and have a room that would hold 38,000 voters so we could go through item by item. The town of Wallingford can not afford to do this.

Mr. Bradley then says as far as public input at a public meeting, Section 1-21 of FOI, conduct of meetings it says "during a meeting or hearing, the commission should insure that public participation is not limited in any way." Chairman Gessert then says that this is one of the few Council's in the State of CT that provides a 15 minute public question & answer period. This is more input that they have in many other communities.

Robert Avery, 70 Masonic Avenue, says how will the February 10th meeting work. How will the questions have to be in, who will review will there be some questions not answered? Who will make these decisions and will there be time constraints. Suppose it takes 5 hours to answer all the questions. 71

Chairman Gessert says the meeting will not last 5 hours. The meeting will last 2½ hours. The Council will review the information they have, the minutes from the meeting on the 16th. Anyone writing a question into the Town Council, we will take a look at. If a number of people ask the same questions, we will certainly try to address. Any question they get that they don't have time to answer, if it has a name and address on it, they will see that that person does get an answer in writing.

Mrs. Papale then says if they get 100 questions, who is going to screen them? Chairman Gessert says they could have a committee of the Council do this. He thought he would look at them and if 10 people ask the same question, then obviously a lot of people are concerned about it. If it is a highly technical question, he would direct it to the proper person and have that person direct a response to that particular individual. Mrs. Papale then says who will decide who will answer the questions. We as Council people or Phil Hamel. She doesn't want to see chaos like the last meeting. She then says maybe someone on the outside should do this like the League or someone. This will save the flak.

Chairman Gessert says no matter what they are going to get flak. We will do the best we can with the resources we have to address the questions and any question they can't get to will get a written response.

Frank C. Totz, Jr., 51 Pine Street says he was here on October 8th when the official vote was taken on the plant and he wished there were more people here that night. Unfortunately there weren't. He says that night that if the Council Voted for this, is there a possibility that traffic could get to that plant off Toelles Road to a right-of way across Cyanamid and at the time you remarked that it sounded like a good idea. Where do we stand with that. There is no residential area whatever on Toelles Road and it would be the ideal way to go if we have to have it.

Chairman Gessert agrees. They looked at a couple of options. First, locating the plant on Toelles Road and piping the steam to Cyanamid. The problem was the drop in temperature and pressure over the distance. The other was bringing a separate road in from Toelles road and across Cyanamid was also explored. The problem was it was dissecting the property and cutting them off their wellfields and treatment plants. Mr. Totz then says there was a gentlemen from Cyanamid and he felt they would go along with it that night. Chairman Gessert says the top officials the Mayor talked to would not. Mr. Totz then says he will be worried about all this traffic. Chairman Gessert says the concern was bisecting the property with a road so maintenance of the pipelines to wells and treatment facilities wouldn't be accessible to their people. Also, people would be going on their property and they would want to prevent any damage from getting done. It would also make it more difficult for their maintenance people. It was explored and he is under the assumption that it is not acceptable. That doesn't mean they have stopped looking at all options. They are still looking.

Ben Avallone, 1 Ashford Court says they are all concerned about information on the proposed incinerator. You indicated about the meeting and we are glad to get some questions answered however Mrs. Papale just questions you as to what the procedure is. Was this set up with the Council or who is responsible for setting up this meeting and what procedures are being followed?

Chairman Gessert says it was his decision. He had a number of people indicate they were not satisfied with the public hearing. They came to learn and did not learn anything. They wanted questions asked and answers from everyone involved. He saw this as a viable alternative. He discussed it with the Council and they agreed with the TV Broadcast to open it up to a lot more people and he had agreement with the Council members to go ahead. He then organized it. Mr. Avallone then wonders who is responsible for the decision as to how questions will be answered and who will

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screen them. Chairman Gessert says they have not set up a procedure yet. This is the first time something was done so they can't go to a handbook and look up procedures. Mr. Avallone says if they are going to submit questions, he feels they have a right to know whether or not or how or what chance they have of their questions being answered, who is going to answer them, and who is going to select them. Chairman Gessert says he can't estimate how many questions or what they will be. Mr. Avallone says there seems to be a problem where they want their questions answered. If it gets to the point that the Council members have called a meeting and are not sure what questions are going to be asked, they might know how those questions are going to be screened and determined. That is the responsibility of the Council.

Mrs. Papaleo says they will know. Chairman Gessert just got all the information from the FOI and the library. That is the only night the library is open. After tonight's meeting the 9 of them will sit down and get more information. She didn't want to put any of the Council on the spot. Mr. Polanski says he feels Dave said he will look at the questions coming in and the ones that show the most interest from the public will be answered on the show and that any questions not answered will get a personal response. If one person has a question that needs a one hour response, there is no way to do that.

Mr. Avallone says if there is one member of the Council who is concerned, what if he were the one to decide what questions are answered. At least one member of that Council does not know how the questions are going to be screened. If Mr. Gessert decided to call this meeting than maybe Mr. Gessert is the one who will decide that he will screen these.

Mr. Polanski says that there are nine of them here that will decide on the procedure. Not just Dave Gessert. Mr. Avallone then says if he is saying that all nine members of the Council will screen those questions and that the Council will decide in total what questions will be asked, that is all he is asking. Mr. Avallone says the problem is they don't know.

Mr. Gouveia says he found out in the paper this mornings paper that the meeting is the 10th and right now he might not even be able to make the meeting because of a previous commitment. He doesn't agree with the format of the meeting. The Wallingford Town Council is in a very compromising situation. They all voted for this plant. It seems to him that if Wallingford Town Council is now going to ask questions of these people, it is an affirmation on their part that they didn't ask those questions to begin with. This meeting he feels will be a fiasco like the last one. He would hope that maybe the best thing to do since the Wallingford Town Council has a vested interest in this, have an impartial body, The League of Women's voters, The Press, etc. to give out some information. He is afraid some of the questions were not answered.

Mr. Holmes says there is a feeling out that the Council and the Administration is deliberately avoiding answering the questions. This is not true. He has tried, he has talked to many of them. They are trying to set up this meeting to get information out to the public. Who they get the answers from is not relevant as is the information they are looking for. Whether he agrees or disagrees with the format of the meeting, it is the questions they want answered and this is what they are attempting to do. Mr. Avallone then again says questions picked by they don't know whom. Mr. Holmes then says perhaps they could have a committee select the questions. Mr. Avallone says they want all the questions answered. Not even debate it, just present the question and answer it.

Chairman Gessert then says every question submitted if it has a name and address on it will be answered. If it is not answered on TV a written answer will be sent from the particular person responsible.

Mr. Killen says they are asking questions in a short period of time and seem to give us the impression that we did not ask enough questions. This thing took 10 years because of all the questions. Part of the problem and asked tonight is why doesn't the Council answer all these questions and how are we going to be sure all the questions are

answered. Each of those could spawn 10,000 more answers. No matter what format we come up with you accuse us of being biased. You people are just as biased against it. No matter what answers we come up with you can come up with more questions. As long as life has existed, there has always been more questions than answers. We are trying formats we don't have to. We have a routine, our procedures are set out and that is what we have to follow. This is going to go up there. We are trying to answer your questions, but if you are going to be dissatisfied and look at us that everything we do is bad, there is no way we can satisfy you. We really would like to satisfy you.

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Chairman Gessert then says the Public Question and Answer Period has gone on for $\frac{1}{2}$ hour and they will stop now. Mrs. Bergamini then says like Mr. Gouveia, she has other commitments for February 10th and there is no way she can be in town and she will not be able to attend that meeting.

Item 3 is then up for discussion and Mrs. Papale moves the name of Raymond Havican as a Zoning Board of Appeals alternate; seconded by Mr. Diana.

Mr. Killen then comments as the people in the audience leave the Council Chambers that these people don't know if the next things on the agenda have to do with their health or anything else. They came to get certain questions answered and then they leave and they call us SOB's because we don't have the information.

A member of the audience then says he wishes Mr. Killen had that same attitude when he came around looking for votes. That is why he is voting for Republicans. Mr. Killen then says that doesn't disturb him and he says he made that point because those people are leaving and don't know if we are going to be discussing something just as important or not. He can sit here until hell freezes over as long as someone will talk to him. He can debate with the best of them when they want to debate facts. Just don't blow smoke.

The man from the audience says he is concerned because he lived 3 years in Bridgeport and they built a trash incinerator that was suppose to be the solution that cost the town \$85 million dollars and it worked 3 years. $1\frac{1}{2}$ of those years it was down.

Mr. Killen says this man is staying here but the other people leave and then say afterward they don't know the facts. The entire press is here and they leave at a certain time. If you don't read the Council minutes, you don't know what transpired here.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale then moved the name of Mr. Joseph Pavlick as a Planning and Zoning alternate; seconded by Mr. Gouveia.

Mrs. Papale then explains he wanted to be here but is out of town.

VOTE: Unanimous ayes with the exception of Mrs. Bergamini who passed; motion duly carried.

Mrs. Bergamini then moved to appoint Mr. Robert Prentice to the Housing Authority; seconded by Mr. Rys.

Mr. Killen then moved the appoint Mr. Quentin Goodrich to the Housing Authority; seconded by Mr. Diana.

VOTE: Council Members Bergamini, Gessert, Holmes, Polanski and Rys voted for Mr. Prentice; Council members Diana, Killen Gouveia and Papale voted for Mr. Goodrich.

Because of the majority of the votes, Mr. Prentice was then chosen for the Housing Authority.

Mr. Gouveia then moved the name of Mr. Timothy Reardon to the Board of Tax Review; seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Mr. Holmes then moved to waive the two-week waiting period for Mr. Robert Prentice to the Housing Authority; seconded by Mr. Rys.

VOTE: Unanimous ayes; motion duly carried.

Town Clerk Rascati then swore in Mr. Prentice.

Item 4 is then up for discussion and Mr. Polanski then moved to Correct the transfer to read \$2,500 from A/C 514-201 to A/C 514-540; 74 seconded by Mr. Holmes.

Mr. Myers says to be honest if there is an incorrect account number, he just corrects them. Mr. Killen says they changed it in the minutes an this is how he would pick them up. Mr. Myers says the next day he goes back and does the books by his notes. He can't wait and they have to process the transfers by these actions. Mr. Killen says technically until the minutes are corrected, the action is not legal.

VOTE: Unanimous ayes; motion duly carried.

Item 5 is then up for discussion and Mrs. Bergamini moved the transfer of \$5,000 from A/C 306-701 to A/C 306-700; seconded by Mr. Holmes.

Mr. Francesconi comments that last year he had decreased his budget by about \$15,000. Then the legislation went in that he knew would cost them more money so he went to the Mayor, explained this to him, and asked if maybe they shouldn't put the \$15,000 back in but at that time he felt they really didn't have any history on what it was going to cost them so they left the budget as it was. The \$5,000 is just about what they would have had back in there.

Mr. Holmes then asks what was the legislative change and Mr. Francesconi replies that in the past all medical vendors, doctors, had 7 days to notify them they were treating somebody. Now they have 60 days to come in and apply for this assistance.

Mr. Polanski asks how much money we got from the state for these medical services in your department and Mr. Francesconi replies 90%.

Mr. Killen then says he stated he may run short in this particular account but he does have quite a bit in the General Hospital Account. Mr. Francesconi says the General Hospital account, under this legislation as well, they now have to send the clients to try for 3rd party statement which is really state. We don't pay the hospital bills until they deny that and at the moment he has about \$25,000 to \$30,000 in pending bills so it doesn't show in the account. Also, Mr. Killen then says on the transfer page it shows General Maintenance and it should state General Necessities.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale then moved to Waive Rule V to transfer funds for secretarial services for the Handicapped and Asbestos Renovations; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Tom Chicoski, acting chairman who was appointed recently, is then called up.

Mr. Chicoski then reads the following letter:

Wallingford Town Council
Municipal Building
Wallingford, Connecticut 06492

ATTN: David A. Gessert
Town Council Chairman

Dear Mr. Gessert:

The newly appointed Handicapped Access and Asbestos Removal Building Committee will be conducting weekly meetings from January through the end of June 1986. After June the frequency of our meetings will be determined by the amount of work that remains to be done. A meeting schedule is attached to this letter for the Council's reference. The Town Council members are cordially invited to attend any or all of these meetings.

We as a committee feel that it is imperative that we begin both projects no later than the end of the current school year, so that work can start and hopefully be completed during the summer recess.

In order to provide administrative support to the Committee, we will need interim funding for the remainder of this current fiscal year. The remainder of funding required will be submitted for inclusion in the new fiscal budget.

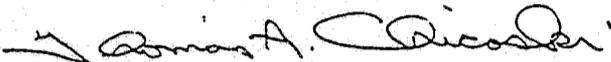
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Our funding request for the remainder of the current fiscal year is as follows:

<u>Item</u>	<u>Amount</u>
Secretarial Services for Meeting Minutes, Notices, Correspondence, for 22 Meetings	\$1,650
Additional Secretarial Services for Recording, Transcribing Architect Interviews	250
Postage for Minutes and Correspondence	175
Travel and Miscellaneous	200
<u>Total</u>	<u>\$2,275</u>

We greatly appreciate your assistance and support in this project. If you or the Council have any questions, at any time, please feel free to contact either myself, our Vice-Chairman Charles Fields, or any of the other Committee members.

Sincerely,



Thomas A. Chicoski
Committee Chairman

Mr. Chicoski then says there is a mandate that they complete the handicapped access construction by October of this year. The asbestos removal may also be having some type of mandate. The handicapped access committees have been meeting for about 7 years. The asbestos removal right now will probably have between 60 & 65% reimbursement from the State level. We have a lot of work to do from now until June. We hope to have bid specification packages for the asbestos removal project over to purchasing by the first part of March. At that same time they hope to meet with all the architects and work on the completion of the handicapped access project so they can go shortly thereafter for solicitation of contractors for that project. They don't feel that they can do this without some type of secretarial help. This is the same type of service used in the Police Station Building Committee.

Mrs. Bergamini then comments she thought they had done the asbestos removal in the schools during previous Councils. She is then told by Don Roe that the only asbestos removal project was the asbestos removal at Sheehan High School. That was about over \$1 million to do that. There is still part of the facility that still needs attention and that is the boiler rooms. This new project has asbestos activities in he believes all the schools.

Mrs. Bergamini then says she thought that she recalled Rock Hill and Highland didn't have any problems and that is why it was not included.

Mayor Dickinson then says the asbestos we are talking about is the asbestos identified by the Health Department as causing a problem. Don brought to his attention that the scope of the work invisioned does not include removal of all asbestos. All would be an unbelievable project. This is just what has been identified by the health department what they call friable or exposed in areas such as the boiler rooms that could be regarded as potention problems. If it is buried in the wall we are not going to touch it unless it poses a problem. There will be future asbestos projects because as time goes on more and more of it may become a problem. To undertake all of it now is beyond belief.

Mrs. Bergamini again comments that she feels this was all looked at years ago. Mr. Roe comments that that is the problem with asbestos. We are going to have to live with it not just now but in the future. The only complete solution is total removal. That is not always practical or feasible.

Mrs. Bergamini then asks how they came about the fee for secretarial services. Mr. Chicowski says that was based on the hour experience, with the Building Committee to both cover the meetings and the amounts to transcribe, handle correspondence etc. This is an estimated amount. Mrs. Bergamini says this is about \$75 per meeting and that is a little high for her. 76

Chairman Gessert then notes that it is an estimated amount and he just got some figures from Tom Myers that have changed this amount when they get to the transfer.

Mr. Polanski then asks if there is a local group in town for the handicapped. Mr. Chicowski says the previous committees had various people on them that were very involved with the Title, Section 504. They do have a handicapped person on the committee with them. They do have people on the committee that are very interested in this project. Mr. Polanski then says he doesn't want to hear from anyone that they did not know about this project going through and they want to change it. He hopes the media lets the people know that this committee is formed and if they have any input on what they feel is needed in the schools they can have some input.

Allen Bulmer, 53 Saw Mill Drive, comments that at the time of closing Parker Farms they said that every building didn't have to have access for the handicapped. Can they get one grammar and one high school.

Don Roe says that is correct. He comments that in the beginning they wanted many done but they found if they went that way, they would break the piggy bank. To make all the old building accessible was the approach. What evolved from that was make programmed accessibility. What we needed to make sure that there was access for all the programs that were offered to students, parents, public, etc. This did not mean all the buildings. What is involved at the State level is guidelines and what the proposal to the Town Council when they established the building committee was that one high school, Sheehan High School, and they had done the work on that. Lyman High School is largely accessible anyhow and there is only a small amount of work to be done. Of the two Middle Schools, a lot of money has been put into Dag as it has the elevator and Moran would be very difficult and expensive to do so Dag would be completely accessible. And at elementary it would be 2 or 3 depending on whether Parker Farms comes back. Of the elementary the one that stands out in his mind is Stevens Schools because this also houses the Board offices and this would make them accessible also.

Mr. Bulmer then says if we put the programs at a school that is accessible then we are clear correct. Mr. Roe says yes.

Mr. Killen then notes that the transfer form has to be signed by the Mayor and the Department Head. This is then taken care of.

Mayor Dickinson then notes that Bob Prentice just mentioned to him that EPA is suppose to come up with new standards on asbestos in the next 2-3 months so in talking with architects, he wants Mr. Chicowski to make sure they are aware of that so that any work incorporates that in their work schedule. There are standards now but if EPA comes out with new standards we don't want to have to change everything done.

Mr. Diana then questions Mr. Chicowski on \$200 for transportation. Mr. Chicowski says as was true for the Police Station Building Committee there were numerous trips to look at locations where designs had been prepared by various architects and worked upon by the various contractors and companies being considered. They were planning to go to a number of schools where access had been made for the handicapped or where asbestos removal had been done.

Edward Musso, 56 Dibble Edge Road, then asks if they are going to make only one school accessible for the handicapped. As Don Roe had said, if there is a program that a handicapped person wanted to take, wouldn't be more wise to transport this man to the program than complete a whole school?

Chairman Gessert says the degree of how much we can do at the schools varies as to how much we are going to serve the needs of the handicapped. In some schools it may be just one entrance doorway or one or two parking spaces. In another situation, where it has been designated as heavy use by handicapped people, it would be doorways, toilets, and other things necessary. Every building is not going to get totally equipped.

Mr. Musso says there may be a student attending the school for only 2 years. He feels they could make arrangements for this. Chairman Gessert says by law, we have to make the buildings accessible. The degree varies. In this case they will make determinations as to which buildings need what. Not all will be equipped. 77

Mr. Holmes does comment that there is a study prepared by the handicapped committee noting their different plans as A, B & C and detailing them.

Chairman Gessert then asks Mr. Myers if we have bonded money for this and Mr. Myers replies no. Therefore there is no other source of funds other than reserve for emergency. Mr. Myers says the way he perceives this happening is the committee at some point will have to come back to the Council with a recommendation as to what the costs are going to be and what amount is reimbursable. They will have to work closely with the superintendent of schools who has the mechanism with the State Board of Education to find out the amount of grants and when they will kick in. This may end up like Parker Farms. You have to follow this whole procedure through legislature. It is a complicated and time consuming process. At the point the amount of the project is known and it comes back to the Town Council, we would have to make arrangements for a funding ordinance. Then this would let us know how we were going to pay for the debt. Bonds, notes whatever. Mr. Myers also comments these are new accounts for a new department. He has made it a subdepartment of the Council because the committee is an agency of the Council and reports back to them.

Mr. Rys then moved to establish account Number 111-604-02 and Account Number 111-601-02; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Mr. Rys then moved to transfer \$2,075 from A/C 805-319 to A/C 111-604-02 \$1,875 and to A/C 111-601-02 \$200; seconded by Mr. Holmes.

VOTE: Unanimous ayes with the exception of Mr. Killen who voted no; motion duly carried.

Mr. Killen then noted that the bottom of the certification had to be changed and Mr. Myers did that.

The Council was then given a list of the Handicapped Building Committee.

Item 6 is then up for discussion.

Mr. Holmes then moved to approve the following pieces of property for highway purposes:

- Smith/Mansion Road
- Pirovane/Clintonville Road
- Rebeschi/Anderson Road
- Tartaglia/North Airline Road
- Rose/Mansion Road

This was seconded by Mr. Polanski.

John Costello then says the P&Z Regulations require adjustments in the property and street line when a subdivision comes in depending on the street classification and how far the property should be. Most of these are a small sliver of land 4 or 5ft wide and 500 feet long. It is a minor adjustment of the property line to comply with P&Z regulations.

Mrs. Bergamini asks what part of Mansion Road an Mr. Costello says the intersection of Mansion Road and Hartford Turnpike. Both on the corner of Mansion Road and Hartford Turnpike. North Airline is at the intersection of North Airline and East Center Street on the West Side.

Mr. Polanski then says this property is being deeded to the Town and Mr. Costello replies yes at no cost.

A resident of Clintonville Road then asked to be explained about that and Mr. Costello says this is the Pirovane Subdivision of Clintonville Road on the west near Pond Hill. It is a minor adjustment of the street line to conform to P&Z regulations.

Chairman Gessert then says when they widened the street if the Town has to own lets say 10ft in from the edge of the road and they widen the street, they have to change the 10ft marker. Mr. Costello then comments the measurements are taken from the center of the road.

VOTE: Unanimous ayes; motion duly carried.

Mr. Holmes then moved to remove from the table the acceptance of Beaumont Farms-Sections 4,5 & 6--Farm Hill Road and Briarwood Lane; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale then moved to accept Beaumont Farms Section 4,5 & 6--Farm Hill Road and Briarwood Lane; seconded by Mr. Rys.

Mr. Costello explains that this item was discussed at a previous meeting and now all the paperwork is in order.

Chairman Gessert then asks Mr. Myers who lives up there if the road is fine and Mr. Myers says yes.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale then moved to accept Meadowview--Sections 2,3 & 4--Mellor Road, Bernadette Lane, and Saw Mill Drive; seconded by Mr. Holmes.

Mr. Costello then explains where this is located.

Mrs. Bergamini then asks what part of Saw Mill. Mr. Costello says it was the original part and the Ashley part and this part. Mrs. Bergamini then questions the condition of the Ashley Part and Mr. Costello says that has been accepted already. Mrs. Bergamini says she had gotten complaints that the manholes were causing problems. Mr. Bulmer from the audience then says he feels the road is alright. This is near his house.

Mr. Killen says this is a subdivision and it is more than one road. Mr. Costello replies 3 roads. Mr. Killen comments that in the correspondence it says this road and Mr. Costello replies it should be these roads.

VOTE: Unanimous ayes; motion duly carried.

A woman from the FIP Corp. then question s the item tabled at the last meeting on the acceptance of Research Parkway/Carpenter Lane. She says there was some questions at the last meeting as to legal aspects and she believes this is resolved.

Attorney McManus says there was a question about acceptance of the deeds and acceptance of the roads. The engineering reports had all been made but going back to the original contract, FIP took an extremely favorable interpretatin of some loose language in the contract that he does not feel will prevail in the long run. The question came down to there is all the roads and easements and can we accept what is there on the grounds that it was given the seal by John without prejudicing any claim we have against MedWay for the breach of the contract as far as the rest of Carpenter Lane to High Hill Road. We had a meeting today with the Mayor and Neil Jordan but they did enter into an agreement with MedWay today that says that if the Town Council under their own discretion should feel that these roads are acceptable in that they meet all our regulations, and according to John they do, the fact that we integrate these roads and utilities into our system cannot be used to indicate a waiver or release or any other rights we have under the contract for the original work to be done. The bottom line is let them take the roads. It was tabled last time and you can bring it back up. Mr. Polanski then comments he felt there was a financial matter involved and Attorney McManus says they still owe \$140,000 to finish the road. However, that money will not be forfeited by accepting these roads as said by Mr. Holmes. Attorney McManus says they worked it out with the Vice-President of FIP and the secretary for MedWay that should you decide that these were acceptable, that fact could in no way be put as part of this case as a waiver or lease or anything negative to our claim.

Chairman Gessert then says do they want to discuss this tonight and remove it from the table or put it on the next agenda or what.

Mr. Holmes then moved to put this on the agenda for the second meeting in February, February 25th, to accept Research Parkway and Carpenter Lane; seconded by Mrs. Papale.

Mrs. Papale asks if this will present a problem.

Mr. Bulmer then says he thought the thinking on this was they would not accept this until they got the money up because by accepting it we would have to start plowing it and taking care of it.

Attorney McManus says unless something is worked out they will be in arbitration or litigation with this. What they have done is get an agreement that runs 4-5 pages and says if they accept it, this has nothing to do with the claims one way or another. The Mayor did not feel further delay was in the best interest of the town.

The woman from FIP then says she does not see what delaying this matter will do since Attorney McManus has explained that they now have the agreement that protects the Town's interest. Right now they are just accepting the road as built and right now it does meet the Town standards.

Mr. Polanski then comments that if we accept this road FIP might say they can sweat it out for another two years and do nothing on Carpenter Lane. This is why he would like to wait until the 25th of February.

VOTE: Unanimous ayes; motion duly carried.

Item 8 is then up for discussion and Mrs. Bergamini reads the following Ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 320 APPROPRIATING THE SUM OF SEVEN HUNDRED TEN THOUSAND DOLLARS (\$710,000) FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS, 1984-1985, BY INCREASING THE AMOUNT AUTHORIZED THEREIN FROM \$710,000 TO \$811,000.

Be it Enacted by the Town Council in Session:

I.

Ordinance No. 320 entitled "An Ordinance Appropriating the Sum of Seven Hundred Ten Thousand Dollars (\$710,000) for Various Municipal Capital Improvement, 1984-1985, and Authorizing the Issuance of Bonds and Notes to Defray Said Appropriation" is hereby amended by increasing the appropriation for "East Main Street-Old Durham Road-Phase II" as contained in Section I of Ordinance No. 320 from \$150,000 to \$251,000. Such additional sum of \$101,000 shall be expended for the costs of such East Main Street-Old Durham Road roadway improvements as set forth in Ordinance No. 320. The total amount appropriated by Ordinance No. 320 as hereby amended is \$811,000.

II.

The additional sum appropriated by this amending ordinance is to be defrayed by an appropriation from the general fund of the Town of Wallingford and is not to be defrayed by the issuance of bonds of the Town of Wallingford or, pending the issuance of such bonds, temporary notes.

III.

The present ordinance shall not in any manner affect the ability or legal authority of the Town of Wallingford, its Mayor, Comptroller or Treasurer, to issue bonds and notes to defray the appropriation of \$710,000 for the purposes set forth in Ordinance No. 320 or otherwise affect the legality of any bonds or notes issued or to be issued pursuant to such ordinance. All other terms, conditions or authorizations contained in Ordinance No. 320, specifically those contained in Sections II, III and IV, shall remain in full force and effect with respect to the \$710,000 portion of the ordinance which may be defrayed by the issuance of bonds and temporary notes.

Mrs. Bergamini then moved the above ordinance, seconded by Mr. Rys.

Edward Musso, 56 Dibble Edge Road then asks if the extra money is because the bids didn't come in for what they intended to spend.

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John Costello then says the bids came in and were for \$101,000 over the funds that had been appropriated at that point in time. In future budgets, additional money will be appropriated, it was felt that we could move on the project now by using some of the surplus money to finance that first contract.

Chairman Gessert says basically there was money anticipated in several years capital budgets to do this road in stages. Seeing as we anticipated budgeting money in next years budget toward this project, it was a question of waiting until June for additional monies to do this first phase and then put it out to bid in July and wait for the bids to come in etc. or change the sum, appropriate an additional \$101,000 and get the project started now. Hopefully they will get working on it in the spring and into the summer.

Mr. Rys then questions where the money from the State comes in. This is new funding. Does that go into the General Fund? Mr. Rys says the indication was that it would be about \$210,000 to the Town of Wallingford. Mr. Costello replies that the intent was not to use any of that money for this project but toward other town projects. Mr. Costello says that it has not been decided what that money will go for.

Mr. Killen then asks if the contractor agreed to hold the price at \$302,000. Mr. Costello says that is his understanding until January 31st. Mr. Killen then asks Mr. Myers that in Section II it says "by this amending ordinance is to be defrayed by an appropriation" is this ordinance making the appropriation? Mr. Myers says no. They will have to vote the appropriation separately. Mr. Killen then says the excess money will not be appropriated by January 31st. Mr. Myers says they will have appropriated the money in the Capital & Non Recurring Fund by the ordinance.

Mr. Myers says he is right. You have to appropriate the money in two places, the Capital & Non Recurring Fund in the ordinance, then you have a 21 day referendum. Mr. Killen says the \$710,000 has already been appropriated. The question is the \$101,000. Mr. Myers says the reason he didn't put the appropriation for the \$101,000 on this agenda, this amending ordinance is subject to referendum so this is not effective until 21 days after the date of advertisement in the newspaper so no way will this money be available January 31st. It will be available closer to the end of February. At the time the ordinance is effective he would then bring the appropriation to pass General Fund cash through the Capital and Non Recurring Fund. Mr. Killen then asks if the contractor is aware of this.

Mr. Costello then says he sent a revised form of agreement to the purchasing agent to say the initial contract value will be equal to the funds currently available with the dollar figure. It is anticipated that additional funds will become available in the near future and in a timely fashion and not interfere with the contractor's operations. However, if those funds should not become available, then the amount of work in the contract will be adjusted so that the final contract sum is equal to the initial contract value today.

Mr. Myers explains to Mr. Killen that that is a common technique used in municipal government that is called a funding clause. You don't have all the money available at a certain time and both parties know this. Mr. Killen says they are not being made aware of all these things and that is why he has these questions. Mr. Myers says he thought he had made the Council aware of this at the last meeting. Mr. Killen says the question brought up then was about waiving and he said he would go along with it then but in the future he wished it would not be done this way. He just wants to make sure everyone understands that we are not binding ourselves and we still have the right to refuse to appropriate \$101,000.

VOTE: Unanimous ayes; motion duly carried.

Mayor Dickinson then says he understands that the FIP matter came up for Research Parkway/Carpenter Lane. He feels it would really be in the best interest of the town to act on this matter. He says they have met and they have an agreement that holds the town in a good position as far as our claims on Carpenter Lane. He would like to avoid the problems with snow plowing etc. Mr. Costello is satisfied with the deeds and we do have the signed agreement both with FIP & MedWay. There is little reason to hold off on it. We are protected as far as the work to be completed on Carpenter Lane and the connection of High Hill Road.

Mrs. Bergamini then says she does not go along with this and she is really not in the mood to do them any favors. Mayor Dickinson then says he is not here to say they are doing them a favor. They have wanted their transfer of title for a couple of months. John has done his job going through all the documents and it has now reached the point where the rightful exchange of ownership should take place. It is our responsibility really once the road meets engineering specifications to be taken care of. Our concern at the last meeting was the work that still had to be done. There is a disagreement as to the funding of the rest of the work on Carpenter Lane up to High Hill. This agreement however, protects us. This is not a waiver of any claim we may have to the additional work. Otherwise all we are doing is accepting title to roads that are contractually part of the whole arrangement. We are not going out of our way in any way. Mrs. Bergamini then says once we accept it we have to take care of it. Mayor Dickinson says that is true but if it meets our specifications what is our reason not to accept it. The money they owe us will not be resolved by the title to the road. Mrs. Bergamini says she feels they don't give a damn for Wallingford. We have had to fight them for everything we get. They get what they want and they are laughing all the way to the bank. Mayor Dickinson says he is interested in protecting all interests that the Town of Wallingford has. By the same token, he is not interested in being arbitrary or capricious as far as our meeting our obligations under our regulations as well as the contracts. At this point I think we become arbitrary by saying they don't do everything we like so we won't meet our obligations. It meets our specifications and they are well aware that if we have to take them to court we will.

Mrs. Papale then questions what the whole problem is about and Mayor Dickinson says the issue with the Town of Wallingford involves the rebuilding of Carpenter Lane from the Water Tank to the Intersection of High Hill Road. We feel that the contract indicates the entire length of Carpenter Lane should be rebuilt. They feel it was only Carpenter Lane. The contract is read different ways depending on who is reading it. We feel that the entire length should be involved with the sharing of costs. That is one issue. The other is the acceptance of the work that has been completed thus far.

Chairman Gessert then asks when this is going to be wrapped up. Mayor Dickinson says we are waiting for the payment of bills. What is also in the background that does not involve Wallingford is a dispute between the contractor and MedWay on some aspects of the work. We have been waiting for payment of the bills. Most have been paid but some \$230,000 is left. That we are probably going to have to put toward Carpenter Lane as it was anyway and look for reimbursement down the line. The Attorney that met with them today on behalf of MedWay and FIP indicated they are going to take a look at the whole thing again and they have had a change of personnel and they will be back to us. Chairman Gessert then says it would be nice to have them take a look at it before we accept the road. Mayor Dickinson says he doesn't feel that will accomplish a great deal. We are involved in a joint exercise with them that involves many other aspects. We can make this difficult or we can stick to what the specific controversy is and look to also the cooperative under the terms of our overall agreement.

Mr. Diana then says they have wasted enough time on this since it is not even on the agenda. Are we going to look like complete fools.

It is then decided that this was a tabled item and they could remove it from the table and then take a vote on it.

Mr. Holmes then moved to remove Research Parkway/Carpenter Lane from the table; seconded by Mrs. Papale.

VOTE: Council Members Gessert, Holmes, Gouveia, Papale and Rys voted aye; Council members Bergamini, Diana, Killen and Polanski voted no; motion duly carried.

Mr. Holmes then moved to accept the deeds for Research Parkway/Carpenter Lane; seconded by Mr. Rys for discussion.

Mr. Killen then comments that there may have been someone who wanted to comment on this item but if they called one of us or they got an agenda, it was not on there. If we vote tonight, there goes their chance of discussing it.

Mr. Rys then questions if this involved the old section of Research Parkway passing by Thorp Avenue, all the way up to Rt. 68. Mr.

Costello says it starts at Rt. 68, goes north across Carpenter Lane, continues north and then joins the old portion of Research Parkway a couple hundred feet south of the Meriden town line. Mr. Rys then questions who had the idea of making that curve so sharp that traffic has trouble negotiating it at night? Mr. Costello says the road layout was developed by FIP and their consultants. The radius isn't substandard for that posted speed limit. Mr. Rys says when the town accepts that road and there is a fatality, he can not accept that road as the town will be hit with a lawsuit. There has already been one fatality. 82

Mrs. Bergamini then says all they did was create a hazard that has already had one fatality and this is her point. Mr. Costello says their plans were accepted by the Town in the Planning & Zoning process.

Mrs. Papale says if we wait one month are they going to look any better? What does one thing have to do with the other.

Mr. Polanski says this was not on the agenda, it is an important issue. Waiting for another month won't make a change.

Mr. Costello then says the vote would be to accept Research Parkway and Carpenter Lane deeds; the deeds for the water tower; giving up some surplus right of way and the sewer easement across the Bristol-Myers site.

VOTE: All Council members voted no; motion does not pass.

Item 9 is then up for discussion and Mrs. Bergamini reads;

RESOLVED, That the Town Council of the Town of Wallingford hereby authorizes and directs the Mayor of the Town of Wallingford to sign and file with the office of Revenue Sharing the Statement of Assurances for Entitlement Period 17.

Mrs. Bergamini then moved the above resolution seconded by Mr. Holmes.

Mr. Roe then comments that in order to get their money they have to send to D.C. the Statement of Assurances. It is standard policy that they have followed in previous years.

Mr. Killen then asks what the quarterly periods are that we receive this.

Mr. Roe replies that February would be the first payment. The first quarter is October, November, December. Federal fiscal year is October 1 through September 30. Mr. Killen then says what will we be getting in our fiscal year. How much. Mr. Roe says assuming no Gramm-Rudman which is probably not a safe assumption, we are looking at \$674,427. Gramm-Rudman, again this is not gospel, the projection that he did based on a news article was to a three period total of \$638,457. Mr. Killen then comments about the article in Sunday's paper on Revenue Sharing and they had a figure of \$800,000. Mr. Roe says 4 quarters is projected at \$824,077 without Gramm-Rudman. That would not come in in our fiscal year. That would be the next fiscal year. The word is that the president will recommend that that payment not be made. Mr. Killen says we lived with this in our budget deliberations the last time and we cut our budget to the bare bottom and said we weren't going to get anything and now we have this. Mr. Roe says Revenue Sharing expires as of 1986. The other thing is that Gramm-Rudman does not just affect Revenue Sharing. It is going to cut across everything. He does anticipate coming back to them on meals on wheels in carrying them through this fiscal year.

VOTE: Unanimous ayes; motion duly carried.

Item 10 is then up for discussion and Mr. Holmes moved \$2,000 from A/C 805-319 to A/C 506-650; seconded by Mr. Polanski.

Mr. Polanski then says they are getting a second opinion on disposing of tires correct. Mr. Roe says that this is another experimental program. This man was not in that business up until the beginning of January. What he did is get out of the business and this is his new alternative. There still are only about 4 people who do this. This is a very small program. We have spent \$2,000 and we are proposing to spend another \$2,000 in nine months worth of activities. The only one they didn't look at was the reef program. Mr. Polanski then asks if we don't get money from people dropping off tires and Mr. Roe says that is correct. Mr. Polanski then comments why we can't take it out of our tire fund rather than this fund. We are charging to get the tires chopped up we should take it out of that account. Mr. Roe says that is probably a revenue account. He doesn't

know there is an expenditure account. Mr. Myers says it just goes into the dump permits. Under the landfill permits. Mr. Polanski then suggests we take it out of landfill permits because that is what we are doing with those tires. Mr. Myers then says it is going to the General Fund. 83

Mr. Polanski then comments that the cost we put on the tire dealers for dumping the tires has been covered by the expense of getting the tires cut up? Yes or no? Mr. Roe says no. Mr. Roe says obviously the court case supported our \$80 per ton.

Mr. Killen then says they could get this money from the General Surplus account as this is where the excess from the landfill is coming in anyhow.

Mr. Rys says he was looking at the landfill wages. Overtime account is only expended 37.7% with an unencumbered balance of \$12,725.84. You can take that and figure out what the history has been and multiply it out over a 12 month period it would come in about \$14,000.

\$5,000 under what the total appropriation is so he thought that might be a good account to take it from. The account number is 506-140.

Mr. Rys then made a motion to take it from A/C 506-140; seconded by Mr. Polanski. This was a friendly amendment to the motion.

Edward Musso, 56 Dibble Edge Road comments that this is going to cost \$800 per load. Is this wiser and cheaper for the town?

Mr. Roe says there is a range with the 30 yards because it depends on the size of tires you are dealing with. We have been getting a large amount of truck tires and tires that stand 5-6ft. tall. The range went from 137 to 206. The proposal before us estimates that by their salvaging the tires they can use for recapping, this system will do approximately 2,000 tires. He checked with the Town of Clinton who has done business with them and they thought that has reflected their service. He says if that holds true for us, and he feels we have a higher percentage of truck tires than Clinton, it would be cheaper and this is the idea.

Mr. Killen then says when they talk about salvage, is this tires he feels he may be able to recap? As he takes them out it still leaves us the excess space? Mr. Roe says it is the combination of what we can put in his 40ft trailer and how many tires he will pull out as good will total approximately 2,000 tires. Mr. Roe says even at 1,000 or 1,500 tires, we were still coming out ahead. This would carry us through June. This would be 2 trailer loads.

VOTE: Unanimous ayes with the exception of Mr. Diana voted no; motion duly carried.

Mr. Roe then questions that in authorizing this are they also authorizing him to do that salvaging and Chairman Gessert replies yes.

Chairman Gessert then calls a 5 minute recess.

From this point on in the meeting the tape malfunctioned and the rest of the motions and votes will follow.

Mrs. Bergamini then moved to remove from the table an appropriation of funds of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827; seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Bergamini then moved to approve the appropriation of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827, Self Insurance Deductible; seconded by Mr. Rys.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale then moved to approve the following tax refunds:

Pasquale Muli	\$ 44.86
Frank A. Pappas	84.10
David L. Robinson	64.89
Paul Pannone	-11.67
Jerzy Kaluzka	14.04
Total	\$219.56

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This was seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Item 13 is then up for discussion.

Mr. Killen moved the transfer of \$1,000 from A/C 1-142-130, Clerk Wages, to A/C 1-142-890, Tax Refunds; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes; motion duly carried.

It is noted that this item was voted on before they voted to approve the above tax refunds.

Item 14 is then up for discussion and Mr. Holmes moved to appropriate \$1,095 from A/C 159-001, Capital-Computer to A/C 159-001, Capital-Typewriter; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes with the exception of Mr. Rys who voted no; motion duly carried.

Item 15a is up for discussion and Mrs. Bergamini moved to award and fund the project to the one and only bidder being Motorola along with their recommendations on options and status board with a total cost of \$122,384; seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Item 15b is then up for discussion and Mr. Rys moved to accept the bid submitted by Videoplay Systems, Inc in the amount of \$11,150, Public Bid #85118; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Item 15c is then up for discussion and Mr. Rys moved to waive the bid and award the bid to Marlin Controls to move the Master Controller at a price of \$14,500; seconded by Mrs. Papale.

VOTE: Unanimous ayes with the exception of Mr. Killen who voted no; Motion duly carried.

Mr. Rysthen moved to establish A/C201-651-20-Outside Contract, Move Topics Equipment; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Mr. Rys then moved the transfer of \$14,500 from A/C 805-319 to A/C 201-651-20; seconded by Mr. Holmes.

It was then decided to take this money from the General Fund Unappropriated Cash Balance and Mr. Rys amended his motion along with Mr. Holmes.

VOTE: Unanimous ayes with the exceptions of Mr. Gessert and Mr. Killen who voted no; motion duly carried.

Item 16 is then up for discussion and Mr. Holmes moved the transfer of \$5,000 from A/C 804-828, Self Insurance Claims, to A/C 132-421, Legal Expenses; seconded by Mr. Rys.

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

Mrs. Bergamini then moved the transfer of \$20,000 from A/C 804-828, Self-insurance claims, to A/C 132-901, Professional services; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Killen who voted no and Mrs. Papale was not present for the vote; motion duly carried.

Item 17 is then up for discussion and Mr. Rys moved the transfer of \$400 from A/C 140-130, Clerk's Wages to A/C 140-200, Telephone; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes; motion duly carried.

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Item 18 is then up for discussion and because no transfer was involved Mr. Killen moved to Note for the Record a reallocation of budget amounts for part-time help in the accounting and control office; seconded by Mrs. Bergamini. VOTE: Unanimous ayes; motion duly carried. Item 19 is then up for discussion and Mr. Holmes moved to Note for the Record the monthly financial reports of the Town of Wallingford for the month of December, 1985; seconded by Mr. Rys.

VOTE: Unanimous ayes; motion duly carried

Item 20 is then up for discussion and Mr. Holmes moved to accept the Town Council Meeting Minutes of 12/10/86; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana who voted no and Mr. Gouveia passed; motion duly carried.

Mr. Killen then moved to accept Town Council Meeting Minutes of 1/6/86 and 1/14/86; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

It was then noted that the Council would not accept the Minutes of 1/16/86 until after the meeting held with CRRA at the library on February 10th. Mrs. Bergamini also commented that she did have some corrections of these minutes.

Mr. Killen then moved to table the Town Council Meeting Minutes of 1/16/86; seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Mr. Rys then moved to Note for the Record the Financial statements and accompanying narratives of the Electric, Water & Sewer Divisions of the Town for the months of November & December, 1985; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Item 22 is then up for discussion and Mr. Rys moved to go into EXECUTIVE SESSION for the purpose of discussing pending litigation with the Public Utilities; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried

The meeting then went into EXECUTIVE SESSION at 10:57 p.m. and stayed in Executive Session until the meeting adjourned.

A motion to adjourn was then duly made, seconded and carried and the meeting adjourned at 11:47 p.m.

Lisa M. Bousquet
Council Secretary

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

2-11-86
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

2-13-86
Date