

TOWN COUNCIL MEETING

AUGUST 21, 2001

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Recognition of Yalesville Little League All Star Team State Champions - Mayor
4. Consent Agenda
  - a. Approve and Accept the Minutes of the June 12, 2001 Town Council Meeting
  - b. Approve and Accept the Minutes of the June 26, 2001 Town Council Meeting
  - c. Approve and Accept the Minutes of the July 17, 2001 Town Council Meeting
  - d. Consider and Approve Tax Refunds (#24 - 179) Totaling \$32,393.21 - Tax Collector
  - e. Consider and Approve Accepting a Donation of One Hundred (100) Gunlocks from the North Haven Aircraft Club, an Employee Club of Pratt & Whitney – Dept. of Police Services
  - f. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of CT. for a State Drug Enforcement Grant to be used for Law Enforcement and Education Activities Including DARE – Mayor
  - g. Consider and Approve Demolition of the Caretaker's House at Bertini Park - Public Works
  - h. Consider and Approve Granting Permission to the Wallingford Council for the Arts Use of the Parade Grounds on October 6, 2001 from 11:00 a.m. to 5:00 P.M. and October 7, 2001 from 12N – 5:00 P.M. to Conduct an Arts Festival – Wlfd. Council for the Arts

- i. Consider and Approve a Transfer of Funds in the Amount of \$126 from Education & Training Acct. #001-5010-501-5700 to Maintenance of Equipment Acct. #001-5010-570-5200 in the F.Y. 00-01 Budget of the Engineering Dept.
- j. Consider and Approve a Budget Amendment in the Amount of \$4,826.10 to Appropriation 00/01 Fund Balance Acct. #232-1043-900-1001-00 and to Project Graduation Contributions Acct. #232-3070-608-9061-00 - Youth & Social Services
- k. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Purchase Professional Services – Waste & Compost Acct. #001-5015-901-9022 to Purchase Professional Services – Hazardous Waste Acct. #001-5015-901-9020 in the F.Y. 00-01 Budget of the Dept. of Public Works
- l. Consider and Approve Accepting an Adult Education Technology Implementation Grant and Corresponding Appropriation of Funds in the Amount of \$150,000 From State Grant Revenues to Program Expenditures in the Adult Education Technology Implementation Grant Budget of the Board of Education
- m. Consider and Approve Accepting an Adult Basic Education Grant and Corresponding Appropriation of Funds in the Amount of \$9,225 from State Grant Revenues to Program Expenditures in the Adult Basic Education Grant Budget of the Board of Education
- n. Consider and Approve Accepting a Family Literacy Grant and Corresponding Appropriation of Funds in the Amount of \$6,458 from State Grant Revenues to Program Expenditures in the Literacy Grant Budget of the Board of Education
- o. Consider and Approve Accepting a Private Industry Council (PIC) Grant and Corresponding Appropriation of Funds in the Amount of \$7,142 from State Grant Revenues to Program Expenditures in the PIC Grant Budget of the Board of Education
- p. Consider and Approve Accepting an Individuals with Disabilities Education Act (IDEA) Grant and Corresponding Appropriation of Funds in the Amount of \$115,055 From State Grant Revenues to Program Expenditures in the IDEA Grant Budget of the Board of Education
- q. Consider and Approve Accepting a Pre School Grant and Corresponding Appropriation of Funds in the Amount of \$2,652 From State Grant Revenues to Program Expenditures in the Pre School Grant Budget of the Board of Education

- r. Consider and Approve Accepting a School to Career System-wide Grant and Corresponding Appropriation of Funds in the Amount of \$37,367 from State Grant Revenues to Program Expenditures in the Career System-wide Grant Budget of the Board of Education
- s. Consider and Approve a Transfer of Funds in the Amount of \$650 from Self-Insurance Workers' Compensation Acct. #001-8035-800-8310 to Fire Heart & Hypertension Acct. #001-8035-800-8410 in the Fiscal Year 00-01 Budget of the Personnel Dept.
- t. Consider and Approve a Transfer of Funds in the Amount of \$1,125 from Regular Salaries & Wages Acct. #2030-101-1000 to Continuous Education Acct. #2030-501-5700 in the F.Y. 00-01 Budget of the Dept. of Fire & Emergency Services
- u. Consider and Approve Granting Permission to the First Congregational Church of Wlfd. Use of the Parade Grounds on September 9, 2001 from 8:00 a.m. to 12N to Facilitate a "Catch the Spirit Sunday" Church School Program

5. Items Removed from the Consent Agenda

PUBLIC QUESTION AND ANSWER PERIOD

- 6. Consider and Approve One Appointment to the Board of Education to Complete an UnExpired Term Vacated by Pamela Mangini
- 7. Consider and approve a Transfer of Funds in the Amount of \$6,500 from General Purpose – Cont. Acct. #001-7060-800-3190 to Consultant Services – Addition to Dog Pound, Pent Road Acct. #001-2020-999-9918 – Public Works
- 8. Consider and Approve a Transfer of Funds in the Amount of \$60,400 from General Purpose Contingency Acct. #001-7060-800-3190 of which \$16,700 is Transferred to Property & Casualty Ins. – Gen. Gov't. Acct. #001-1603-800-8250 and \$43,700 is Transferred to Property & Casualty Ins. – Bd. of Ed. Acct. #001-1603-800-8260 – Personnel
- 9. Consider and Approve a Budget Amendment in the Amount of \$2,500 Increasing Cash for Rate Stabilization Acct. and Property Insurance Acct. #431-8920-924  
- Water Division
- 10. Consider and Approve a Budget Amendment in the Amount of \$9,000 Increasing Source of Funds – Appropriation From Cash for Rate Stabilization Acct. and Injuries & Damages Acct. #431-8920-925 – Water Division

11. Consider and Approve a Budget Amendment in the Amount of \$6,250 Increasing Source of Funds – Negative Appropriation from Cash for Rate Stabilization Acct. and Property Insurance Acct. #461-8920-924 – Sewer Division
12. Consider and Approve a Budget Amendment in the Amount of \$2,000 Increasing Source of Funds – Negative Appropriation From Cash for Rate Stabilization Acct. and Injuries & Damages Acct. #461-8920-925 – Sewer Division
13. Consider and Approve a Budget Amendment in the Amount of \$300,000 Increasing Maintenance of the Collection System Acct. #461-8661-673 and Maintenance Reserve Acct. #461-271-216 – Sewer Division
14. Consider and Approve a Transfer of Funds in the Amount of \$5,746 From Salaries – Admin. & General Acct. #920 to Property Insurance Acct. #924 - Electric Division
15. Consider and Approve a Transfer of Funds in the Amount of \$14,344 from Salaries – Admin. & General Acct. #920 and \$16,000 from Outside Services Acct. #923 for a Total of \$30,344 to Injuries & Damages Acct. #925 – Electric Division
16. Consider and Approve Acceptance of an Electric Transmission Line Easement From WES Realty Trust to the Town of Wallingford – Director of Public Utilities
17. PUBLIC HEARING to Conduct a Public Hearing and Consider and Act Upon a Proposed Ordinance Amending an Ordinance Appropriating \$1,200,000 for the Planning and Design of Town-Wide School System Renovations and Authorizing the Issuance of \$1,200,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such purpose (The purpose of the amendment is to increase the appropriation and bond authorization therein by \$1,000,000 from \$1,200,000 to \$2,200,000 and to Ratify, confirm and adopt all prior authorizations and ordinances in connection therewith – 7:45 P.M.
18. Report Out from the Comptroller on the Revaluation Committee Project
19. Consider and Approve an Agreement Between the Town and Comunidad Hispana de Wallingford, Inc. “SCOW” for the Use of Town-Owned Property Known as 284 Washington Street, Wallingford, CT. for a Term of One (1) Year Commencing July 1, 2001 at a Cost of \$1.00 per year – Mayor
20. Consider and Approve Granting Permission to Choate Rosemary Academy to Construct a Handicapped Pedestrian Sidewalk on Town Property – Engineering

21. **Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Property - Mayor**

TOWN COUNCIL MEETING

AUGUST 21, 2001

6:30 P.M.

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Town Council Meeting

August 21, 2001

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20. <b>Approve</b> an Agreement Between the Town and Comunidad Hispana de Wallingford, Inc. "SCOW" for the Use of Town-Owned Property Known as 284 Washington Street, Wallingford, CT for a Term of One (1) Year Commencing July 1, 2001 at a Cost of \$1.00 per year - Mayor	44-50
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TOWN COUNCIL MEETING

AUGUST 21, 2001

6:30 P.M.

A re-scheduled meeting of the Wallingford Town Council was held on Tuesday, August 21, 2001 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Vice Chairman Raymond J. Rys, Sr. at 6:34 P.M. It is customary for the Town Council to conduct one meeting during the summer months of July and August. This meeting has been scheduled to replace the August 14<sup>th</sup> and August 28<sup>th</sup> Town Council Meetings. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Brodinsky, Farrell, Knight, Papale, Rys, Vumbaco and Zappala. Councilor Centner was unable to attend due to a business obligation; Council Chairman Parisi was ill. Mayor William W. Dickinson, and Comptroller Thomas A. Myers were also present. Town Attorney Janis M. Small arrived at 8:01 P.M.

A blessing was bestowed upon the Council by Margaret Jay, Minister, Outreach Program Coordinator, First Congregational Church.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence – no items presented.

ITEM #3 Recognition of Yalesville Little League All Star Team State Champions – Mayor

Mayor Dickinson individually recognized each of the fourteen (14) players as the team that won the State Little League Championship and went on to participate in the National Little League Championship competition, finishing the season with an impressive 16-1 record.

Manager Ken Walch, Coach Mitch Cullis, Coach Don White, and \_\_\_\_\_ Gomes, President of the League were each on hand to accept certificates acknowledging the team's victory. Each member was also presented with a similar certificate.

Applause.

ITEM #4a Approve and Accept the Minutes of the June 12, 2001 Town Council Meeting

ITEM #4b Approve and Accept the Minutes of the June 26, 2001 Town Council Meeting

ITEM #4c Approve and Accept the Minutes of the July 17, 2001 Town Council Meeting

ITEM #4o Consider and Approve Accepting a Private Industry Council (PIC) Grant and Corresponding Appropriation of Funds in the Amount of \$7,412 from State Grant Revenues to Program Expenditures in the PIC Grant Budget of the Board of Education

ITEM #4p Consider and Approve Accepting an Individuals with Disabilities Education Act (IDEA) Grant and Corresponding Appropriation of Funds in the Amount of \$115,055 From State Grant Revenues to Program Expenditures in the IDEA Grant Budget of the Board of Education

ITEM #4q Consider and Approve Accepting a Pre School Grant and Corresponding Appropriation of Funds in the Amount of \$2,652 From State Grant Revenues to Program Expenditures in the Pre School Grant Budget of the Board of Education

ITEM #4r Consider and Approve Accepting a School to Career System-wide Grant and Corresponding Appropriation of Funds in the Amount of \$37,367 from State Grant Revenues to Program Expenditures in the Career System-wide Grant Budget of the Board of Education

ITEM #4s Consider and Approve a Transfer of Funds in the Amount of \$650 from Self-Insurance Workers' Compensation Acct. #001-8035-800-8310 to Fire Heart & Hypertension Acct. #001-8035-800-8410 in the Fiscal Year Budget of the Personnel Dept.

ITEM #4t Consider and Approve a Transfer of Funds in the Amount of \$1,125 from Regular Salaries & Wages Acct. #2030-101-1000 to Continuous Education Acct. #2030-501-5700 in the F.Y. 00-01 Budget of the Dept. of Fire & Emergency Services

ITEM #4u Consider and Approve Granting Permission to the First Congregational Church of Wlfd. Use of the Parade Grounds on September 9, 2001 from 8:00 a.m. to 12N to Facilitate a "Catch the Spirit Sunday" Church School Program

Motion was made by Mr. Knight to Approve Consent Agenda Items #4a-g and #i-u as Presented, Seconded by Mr. Farrell.

NOTE: Centner and Parisi were absent; all others, aye; motion passed

ITEM #5 Items Removed from the Consent Agenda

ITEM #4h Consider and Approve Granting Permission to the Wallingford Council for the Arts Use of the Parade Grounds on October 6, 2001 from 11:00 a.m. to 5:00 p.m. and October 7, 2001 from 12N – 5:00 p.m. to Conduct an Arts Festival – Wlfd. Council for the Arts

Motion was made by Mr. Knight to Approve Granting Permission, Seconded by Ms. Papale.

Mr. Farrell explained, I requested this item be removed from the Consent Agenda because the Council has had a number of items (on the agenda) in the past where people have asked to use the parade grounds and I am personally aware of other groups that have been denied use of the parade grounds, not by the Town Council but by other offices in the Town Hall. Why don't we have a standard policy like we have enacted for the Senior Center that basically says what the policy is on using the parade grounds? I notice that there is one other item on the agenda this evening where it does allow the Congregational Church to use the parade grounds but they are an "abutter" if you will, of the parade ground. Why don't we have a standard policy on this?

Mayor Dickinson replied, there is a standard policy and only the Town Council can give permission to an outside group to use the parade ground. If it is a Town-sponsored event, then it does not require the Council approval where, it is also a government-sponsored event, although when WCI (Wallingford Center, Inc.) and Celebrate Wallingford comes forward with plans, certainly that is on the Town Council agenda. The Church is always on for permission because it is a private organization. The parade ground is different from most parks. Parks receive permission from the Recreation Department but the parade ground is not under Recreation so only the Town Council has the authority to dedicate space on the parade ground for a private group to use for its own purpose for a specified period of time. Usually WCI comes in for the winter festival and other things, where we grant permission and I suppose you can argue that is government-sponsored but we still do it because WCI is a private organization. That is the policy. I am not aware of anyone getting permission other than from the Town Council.

Mr. Farrell stated, we have clarified it tonight for anyone who is interested. Thank you.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

#### PUBLIC QUESTION AND ANSWER PERIOD

Frank Wasilewski, 57 North Orchard Street stated that he has noticed the number of flags that are flown on Main Street that I think should be taken down because they have lost all their color and it certainly does not represent our flag of this country. Someone should take them down or replace them with new flags. Also, down on the green on Colony Street, Johanna Manfreda Fishbein Park, that flag is in bad shape plus the flagpole is rusting away and I think it should be maintained a little better than it is. I was wondering, what kind of guarantee did we get when we got all these lights taken down and re-painted? We have lost all the color in them. Not like the ones we have on Church Street or further down on Quinpiac (Street) or Center Street. They are not the same color anymore, they just faded away like old soldiers. Did we get a guarantee on that paint job, Mayor? They were all taken down and shipped back to the factory where they came from.

Mayor Dickinson answered, there were problems with the lights. We asked the manufacturer to cover it. I think we re-painted them. I don't have the final answer on that. The poles on Quinnipiac Street are much newer and were just put in this past year. These are probably as many as ten years old.

Mr. Wasilewski stated, the poles on Center Street have not lost their color and they were put in around the same time we were doing these over.

Mayor Dickinson stated, I think they were a different manufacturer.

Mr. Wasilewski felt the manufacturer should stand by their work.

Mr. Rys asked, what will be done about the flags and flagpole mentioned by Mr. Wasilewski?

Mayor Dickinson stated, I will check with Henry (McCully) on that. That would be part of standard maintenance.

John Beecher, 65 Seiter Hill Road stated, on Saturday there was an article in the Record Journal indicating that the Water/Sewer Division would be petitioning the Town Council for \$300,000 to repair some sewage pipes. I didn't see that on this agenda so I don't know if it is an item for tonight.

Mr. Rys replied, it is an item for tonight; it is on the agenda.

Mr. Beecher stated, in the newspaper they didn't mention anything about any costs or any relationship other than what appeared to be a denial that this might be related to past water problems. I wonder when the problem was resolved and how we can make ourselves be comfortable that, in fact, this problem wasn't, in fact, one of the reasons that there was sewage in the water on Seiter Hill Road and Grieb Road. This appears to abut our property; appears to be inline between the North Farms Reservoir and our property and when we ask questions about this when we had the problem, no one knew anything. Now it appears to me that we are entitled to hear the proof that it wasn't part of the problem. One of the best things that ever happened to us is, we went on city water and it cost me less for city water and sewer than it did sewer alone.

Mr. Rys pointed out that the item is on the agenda and the Council does try to discuss the matter when it comes up.

Mr. Beecher replied, the Mayor won't be here...

Mr. Rys answered, he will be here for the agenda item.

Mayor Dickinson answered, yes. I will be upstairs, at the most about a half an hour.

Mr. Beecher stated, I never mean to be disrespectful at any time. I feel there is a conflict between public utilities and Water/Sewer and my government and I want to make sure that my government is representing me with a vendor of services that I buy. That is my concern; that is why I want to make sure that you, Mr. Mayor, are present to see if we can get to the bottom of this. It is awfully coincidental, from our perspective.

Jack Agosta, 505 Church Street, Yalesville asked if there has been any action on the Former Simpson School building?

Mayor Dickinson answered, there have been two scheduled visits to the building for interested parties. The date for opening the proposals was pushed back and I am not sure what that date is. This week one visit was scheduled for the building. It is proceeding. Since we received interest, there was a desire to accommodate those who thought they didn't have enough time and wanted another opportunity to review the building.

Mr. Agosta asked, how much money was spent on the building to bring it up to snuff since one of the neighbors filed a blight ordinance complaint against the Town due to the condition of the building?

Mayor Dickinson replied, other than the broken window we looked to repair, I don't believe much in the way of funds have been spent on the building. Is that correct, Henry?

Henry McCully, Director of Public Works responded, the only funds that we are spending on the building is for broken windows, removal of graffiti, we mow the lawn and pick up any trash that is there and keep it as clean as we possibly can. We don't want to spend any unnecessary funds on it.

Robert Sheehan, 11 Cooper Avenue asked, has there been a decision on who owns the West Dayton Hill Road dam?

Mayor Dickinson answered, I am not aware of any decision.

Mr. Sheehan stated, I thought it was last month, then this month; I guess I will have to wait a couple more and ask you again.

Philip Wright, Sr., 160 Cedar Street stated, I see that we have decided to tear down the caretaker's house at Bertini Park. How is that going to be handled from now on?

Mayor Dickinson answered, anyone wishing to use Bertini Park can do so....they can receive a permit from the Recreation Department as they did in the past. There won't be any change in the way the park is utilized, there just won't be anyone living there.

Mr. Wright asked, who will maintain it?

Mayor Dickinson answered, Public Works.

Mr. Wright stated, a certain amount of work was performed by the caretaker, correct?

Mayor Dickinson answered, a certain amount of work was expected to be done by the caretaker.

Pasquale Melillo, 15 Haller Place, Yalesville stated, there is a trend around the country whereby power plants are starting to pound the municipalities for the purpose of being granted huge property tax breaks because of deregulation. Mayor, is the new power plant going to be able to get huge property tax breaks with us because of this deregulation factor they are emphasizing?

Mayor Dickinson answered, I am not aware of any property tax break that would be available to the PPL project here, in Wallingford. If the contract is amended to allow it, which would be after negotiations and public discussion, it could happen but, at this point, I am not aware of any tax break in the agreements that we have with them.

Mr. Melillo stated, I am concerned when you say that it could happen. Do you mean that it could happen that they could eventually end up with a huge tax break? That is what they are looking for the most. You know what that means, the homeowners will get socked with taxes.

Mayor Dickinson explained, the only way that could happen is if the Public Utilities Commission and the Mayor and most importantly, the Town Council agree with it. There is nothing before us that would have us making that kind of decision. At this point there is no small tax break and there is no huge tax break.

Howard Greenberg, 205 Center Street stated, we are all aware of the enormous amount of money that went into funding the period lighting and bricks and underground utilities around town but the one thing I have noticed, recently, is all of the metal or plastic display boxes all over the downtown area. There are real estate booklets and freebies in these boxes and it looks like they are chained to telephone poles, light poles, anything that will stand. There are eight to ten of them right in front of the post office. They are on North Colony, Center Street and I think that they are hideous. They really detract from the effort that the Town has put forward downtown. I don't know if there is an ordinance or should be one...they are an eyesore.

Mayor Dickinson replied, if my memory serves me correctly, at one time it was discussed about limiting that by the Council and I believe issues of free speech were raised and it was

determined that we were not able to prevent the placing of literature out in dispensers of that kind.

Mr. Farrell stated, I did ask the Town Attorney's office to review the very same issue. I pointed out to them that a number of these boxes are actually chained to our property. They are chained to our gas lamp poles and electrical poles and are actually causing damage. What I asked the Town Attorney's office to research was, whether we had the authority to basically go out there and cut the chains and maybe that would stop....

Mr. Greenberg stated, we should ask the companies to remove them. We don't have to damage their property. It is an eyesore; you see the same thing I do.

Mr. Farrell reiterated, the Town Attorney's office is working on it. I spoke with Adam maybe a week ago.

Wes Lube, 15 Montowese Trail stated, at the last Council meeting, the minutes you approved earlier for July 17<sup>th</sup>, quoted the Mayor remarking on the Committee on Aging as an incorporated entity. That was a deliberate course of action. They are to be completely separate as a legal entity. Membership was deliberately set out to be very separate from the Town government control. I was ill-prepared to meet that assertion because I did not expect it, to be honest with you. Tonight, I brought with me, the actual agenda and bylaws, as you (the Council) originally approved them. Interestingly, back in October of 1987, the Town Clerk as young lady by the name of Rascati and the Town Attorney was the same Adam Mantzaris that you are familiar with; our Comptroller was Tom Myers and our Mayor was William Dickinson. What I am about to highlight everyone should be able to recall. You, yourself, Mr. Rys, were on the Council that night as well as Iris Papale; two of the old-timers. One of the things I was vague about at the last meeting that I want to be more particular of is, Madeline Erskine, Atty. Randy Erskine's wife, who was Chairman of the Committee on Aging at that time, was quoted in the minutes as saying, each year as two people go off (the committee), the Town Council would appoint two people so that there would always be six members of our body of fifteen who have been appointed by the Council; six of the fifteen. We see a real, ongoing relationship with the Council and an opportunity for the Council to continue to have a very strong influence on the Wallingford Committee on Aging. Mrs. Papale asked if it was possible for someone to stay on the committee after their three year term expired? Mrs. Erskine explained that they have put in the bylaws two concurrent three year terms which would mean that people could serve only six years. They may go off (the committee) for a year and if they have been outstandingly good people, they may be invited back. That was interesting background because the bylaws, themselves, that were approved that night, said that of the fifteen members, there shall be a representative of the public health agency, the clergy and at least two persons from the elderly population of Wallingford sixty years of age or older. The Town Council shall appoint six members, two each year at their first meeting in February. Going on to Article IV, it adds, "All the directors shall be elected for a three year term. No director shall serve more

than two consecutive terms. If a board member had been elected to an unexpired term and the portion that had left to expire was less than 1 1/2 years, then that person was appointed to fill that vacancy would be entitled to another two, full three year terms. It is possible to have as much as seven and one-half years under the original bylaws. Here is what has happened to this organization. Councilman Brodinsky, at the last meeting, mentioned something, a figure, that was astounding to me. If I heard correctly, it was something like \$600,000 that we are now spending on this Committee on Aging on the building and so forth. Is that figure right?

Mr. Brodinsky answered, that is right. It is the contribution to operations and principal and interest on the building combined.

Mr. Lube stated, I could not believe it. The thing that has happened to this Committee on Aging which has become somewhat adrift from the Town Council, even though they are spending over half a million of our taxpayers' dollars; where we used to have two three years, we now have a potential of ten and one-half years service on that board. What has happened is, they have even been so bold in some of their meetings as to suspend the bylaws in order to allow people to violate those provisions. They seem to have no self-conscious about doing that. If you can suspend bylaws, you might as well not have them, they are meaningless. The original bylaws called for a maximum of three absences in any one year. They had eleven meetings and you were expected to be there for at least eight of those eleven meetings. But, in December of 1998, a motion seconded by our current president, Ray Cooley, allowed the automatic removal to be reduced to only four meetings per year that you must attend. You were allowed to have seven absences and these are unexcused absences. It is very difficult, I might add, to have an unexcused absence on the Committee on Aging because they have a policy of excusing absences and if you excuse, then you are not really absent, in terms of this provision. If you look at the minutes, they average 4-6 excused absences at every meeting. It has become a runaway-type of situation that is self-perpetuating and I don't think it bears up well if the Council really does care, as they expressed an interest at the last meeting. I would ask that you give further attention to this particular area of your expenditures. What is going on with that \$600,000? Thank you.

Mr. Agosta asked, where do we stand on the American Legion Building? Why was it taken off agenda? There was a big article in the newspaper which stated that there is an architect working on the plans on that. Why was that taken off the agenda?

Mr. Rys answered, the Chairman took it off and he is not here to explain why. I have no idea at this point.

Mr. Agosta stated, were any of you, the Council, aware that an architect had been hired to work on plans for the area? The plans were displayed in the newspaper; it took up half a page. It showed what the bandstand was going to look like.

Mr. Rys stated, the Mayor had that done.

Mr. Agosta asked, were you aware that he did this?

Mr. Rys answered, we all had a copy of it didn't we?

Mr. Vumbaco stated, I received a copy of the plan with my packet after the work was done. I, personally, as a Councilperson did not know that was being investigated.

Mr. Agosta stated, the Council has been trying to do something with that building for quite some time and the Mayor takes a step forward on his own before he came to the Council. Does anyone have an answer for that?

Mr. Rys answered, no.

Mr. Melillo asked, the final costs for the school renovation is not known at this time. What if the Board of Education comes before the Council for additional monies for this project? Will the Council grant it to them?

Mr. Rys answered, it has to be bid out. We will discuss the architect on this project at the public hearing. The Board of Ed does not come back for more money. The committee in charge of this project would be asking the Council.

Mr. Knight answered, it is premature to start speculating on what the final cost would be. The project hasn't even been designed yet. Right now, they are in the process of designing it. That is a multi-million dollar task in itself. The questions will be asked and answered in the process of designing the project. Then the project, if the final design is approved, will be put out to bid. After the bids come back then, and only then, will the Town really have a pretty clear idea as to how much the project is going to cost, as it is designed. If it is designed and comes in at a great deal more money than the \$62 million that we are estimating... then we have to decide a multitude of things; whether to accept the bids; to go back to the drawing board and re-design some of the elements out of the project; that is all part of the process. You are asking a hypothetical that is quite premature at this point. I think we need to go through the processes of design and bidding before we have our arms around exactly what this project is going to cost. There are a million variables that are going to affect that final cost.

Mr. Melillo questioned the architect's fees. Will the committee come back for more money for the salaries of the architects?

Mr. Knight answered, those fees are part of the final cost of the project. Yes, there is some connection between the amount of money the architects receive and the total cost of the project.

Mr. Melillo felt that there should be a fixed cap on architectural expenses.

The Public Question and Answer Period was concluded at this time.

ITEM #6 Consider and Approve One Appointment to the Board of Education to Complete an UnExpired Term Vacated by Pamela Mangini

Correspondence from Republican Town Committee Chairman Karen Hlavac was read into the record (Appendix I) by Mr. Knight informing the Town Council that said committee has endorsed Thomas Hennessey to fill a vacancy on the Board of Education.

Motion was made by Mr. Knight to Appoint Thomas Hennessey to Fill the Vacancy, seconded by Mr. Farrell.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

Town Clerk Rosemary A. Rascati performed the Swearing-In Ceremony at this time.

(Applause)

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$6,500 from General Purpose – Cont. Acct. #001-7060-800-3190 to Consultant Services – Addition to Dog Pound, Pent Road Acct. #001-2020-999-9918 – Public Works

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

This transfer is being requested to cover additional architectural fees that are a result of an increase in the scope of the work of the project. The project has developed into a complete renovation as opposed to an addition as originally desired. The architectural fees quoted for the 500 sq. ft. addition were \$9,300. The project has increased by more than 200 sq. feet.

Mr. Zappala questioned what the \$16,300 in architectural fees were for, specifically?

Mr. McCully, Director of Public Works explained, the fees are for designing the renovation, preparation of construction documents for public bidding, and construction administration.

Mr. Zappala did not expect the work to develop into this size a project.

Mr. McCully replied that the renovation will not increase substantially; it will stay within the original footprint. Our original intent was to live within a 500 sq. ft. addition. While performing an inspection of the building dry rot was discovered; a new truss roof needs to be installed; there are ADA (Americans with Disabilities Act) issues with regards to the bathrooms. The building has been piece-mealed together and is fraught with all kinds of

deficiencies. Both the Law and Purchasing Departments have reviewed the request and have found it to be justified.

Philip Wright, Sr., 160 Cedar Street asked when the architectural services were placed out to bid?

Mr. McCully answered, May, 2001.

Mr. Wright asked who the architect is?

Mr. McCully answered, Edificio, Inc., Hamden, CT.

Jack Agosta, 505 Church Street, Yalesville was pleased that the addition is larger than originally planned for he has been an advocate of remodeling the animal shelter for quite some time. He asked if the project will cost approximately \$50,000 as originally estimated?

Mr. McCully answered, the bids will reveal what the true cost will be. The original estimate was approximately \$50,000 for the addition however, the overall scope of the project has become more involved.

Pasquale Melillo, 15 Haller Place, Yalesville asked if it was absolutely necessary to put the architectural services out to bid? Why didn't we just put it out to bid for a carpenter, electrician, etc.?

Mr. McCully answered, you need architectural services to cover everything. There are building codes to adhere to; national standards; ADA compliance issues, etc., that you would not just hand that responsibility over to someone who specializes in carpentry or electrical. We need someone to write specifications that will fully cover all the compliance issues and local, state, and national standards for building codes also.

Mr. Melillo asked if the building will be geared just to dogs or other animals?

Mr. McCully answered, the Animal Control Officer handles cats and dogs right now and no other animals.

Wes Lube, 15 Montowese Trail asked, how large is the existing building?

Mr. McCully answered, approximately 2,400 sq. ft. The addition will be 726 sq. ft., bringing the entire facility to slightly over 3,000 sq. ft.

Mr. Lube stated, the increase in architectural fees equates to approximately 67%. Can you explain, in detail, how that large a percentage was arrived at?

Mr. McCully explained, originally, the Animal Control Officer required additional storage because she had taken on the burden of the cats. Feral cats were becoming a problem and she was getting more of them. Rather than just simply getting into building out a wall and creating the storage space, we wanted to look further into the building. She had complained to me, although I am not in charge of maintaining the building, about the roof leaking and we had the architects and structural engineer take a look at that as part of the job. We found that the roof had dry rot because there was no provision made when it was originally made for any type of ventilation in the rafter area. We have gone from the existing roof line, if you wanted to keep that and patch that up, and adding 500 sq. ft. which would address existing problems with the bathroom being right next to the Animal Control Officer's office and also her helper and also sitting right next to a furnace. The whole management of the space was never conceived as an original design. It sort of grew by itself. The increase is basically...the job has become more complicated than the original charge was to the architect. This is why we feel that the request for the additional \$6,500 is justified.

Mr. Lube stated, the only problem is, the architectural fees are working out to be approximately \$22 per sq. ft. for the 726 sq. ft. project which is awfully, awfully high, don't you agree?

Mr. McCully answered, no.

Ms. Papale asked, will the addition be entirely in front of the building?

Mr. McCully answered, yes. We are also going up with the roofline. If you go down there you will notice that the roof is very, very flat. We are creating a new roofline, bumping up a little bit.

Mr. Zappala stated, what bothers me is, last year we just did the roof. That bothers me. Last year they were working on putting a new roof on that section on the right side and now we are going with a new roof. I think it is needed but why didn't we wait to do what we did last year?

McCully answered, the Animal Control Officer did approach me and I said that I wouldn't budget for a new roof but rather go for a renovation.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #17 PUBLIC HEARING to Conduct a Public Hearing and Consider and Act Upon a Proposed Ordinance Amending an Ordinance Appropriating \$1,200,000 for the Planning and Design of Town-wide School System Renovations and Authorizing the Issuance of \$1,200,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose – 7:45 P.M.

The purpose of the amendment is to increase the appropriation and bond authorization therein by \$1,000,000 from \$1,200,000 to \$2,200,000 and to Ratify, Confirm and Adopt all Prior Authorizations and Ordinances in Connection Therewith.

Motion was made by Mr. Knight to Read the Title and Section 1 of the Following Proposed Ordinance, in their Entirety, and to Waive the Reading of the Remainder of the Ordinance, Incorporating its Full Text into the Minutes of this Meeting, seconded by Mr. Farrell.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

Mr. Knight read the title and Section 1 of the proposed ordinance into the record at this time.

AN ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$1,200,000 FOR THE PLANNING AND DESIGN OF TOWN-WIDE SCHOOL SYSTEM RENOVATIONS AND AUTHORIZING THE ISSUANCE OF \$1,200,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

An ordinance entitled "An Ordinance Appropriating \$1,200,000 For The Planning And Design Of Town-Wide School System Renovations And Authorizing The Issuance Of \$1,200,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" adopted by the Town Council on December 14, 1999, which ordinance is hereby ratified, confirmed and adopted, is amended to increase the appropriation and bond authorization therein by \$1,000,000, from \$1,200,000 to \$2,200,000, as follows:

Section 1. The title of the ordinance is amended to read as follows:

"AN ORDINANCE APPROPRIATING \$2,200,000 FOR THE PLANNING AND DESIGN OF TOWN-WIDE SCHOOL SYSTEM RENOVATIONS AND AUTHORIZING THE ISSUANCE OF \$2,200,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Section 2. The first sentence of Section 1 of the Ordinance is amended by substituting the amount of \$2,200,000 for \$1,200,000, thereby making the first sentence of Section 1 read as follows:

Section 1. The sum of \$2,200,000 is appropriated for the planning and design of Town-wide school system renovations, approximately in accordance with the project summary approved by the Board of Education at a special meeting held May 24, 1999, to various school buildings including Lyman Hall and Sheehan High Schools, DAG Hammarskjold and Moran Middle Schools, Moses Y. Beach, Cook Hill, Highland, Parker Farms, Pond Hill, Rock Hill and Stevens Elementary Schools, and for appurtenances and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid.

Section 3. The first sentence of Section 2 of the Ordinance is amended by substituting the amount of \$2,200,000 for \$1,200,000, thereby making the first sentence of Section 2 read as follows:

"To meet said appropriation \$2,200,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date."

Mr. Melillo stated that the public should be given a full explanation as to why an additional \$1 million is being requested at this time.

Jon Walworth, School Building Renovation Committee Member replied, we came before the Council in April with a full budget, several hundred page, line item cost budget for the entire project. At that time the Council approved the design with the understanding that the project would again come before the Council at various intervals with both design funding and construction funding however, there is a detail budget which was made available to the Town, the Town Council and posted with the Town Clerk's Office.

Mr. Melillo stated that \$1 million is a lot of money and wanted more specifics around the request.

Mr. Walworth explained, this was discussed at a meeting before the public in April where the book was presented with all the costs for the project. This meeting tonight is just for a very small portion of that and will be in accordance with that total \$62 million 200 page budget. We will be coming before the Council for public hearings to approve various portions of that. This is just to approve another segment of the design as we proceed through the project.

Mr. Melillo asked, how much more is this going to cost us in bond interest?

Comptroller Thomas Myers stated, as a general rule of thumb, for every dollar we borrow, we pay back \$1.50. If we borrow \$1 million, we could end up paying back \$1.5 million. Of

course, there are so many complicated factors that enter into a financial analysis of this type, including market conditions, economic conditions, social conditions that it is impossible to forecast. I use a general rule of thumb of 50%. In managing the debt for a municipality, you want to take into account planning over time. The bonds on a project of this magnitude would not have to be issued all at once and, you would try to look toward favorable conditions both financially for the Town and what market conditions are at any given time before you proceeded in issuing debt. It is a very complex matter however, to assist the public in interpreting what the costs would look like, I use the 50% rule. That way all projects are viewed and reviewed and analyzed equally.

Mr. Walworth explained, the project would be bid on a three-phase basis; various schools at various times. Specifically, in accordance with the legislation, the project will be bid in the open marketplace and we will advertise heavily to secure the best advantage to the Town. The Town will be reimbursed, eventually, to a limit approaching 50% of the entire project costs.

Mr. Melillo asked, will there be a cap of any kind placed on the number of bids that will be accepted?

Mr. Walworth answered, no. We will look for as many firms that are qualified, as possible. This is a major project and we will be looking for contractors that can produce and they will be encouraged to go to the subcontractor community.

Wes Lube asked, when do you think the first package will be ready to go to bid?

Don Harwood, Chairman of the School Building Expansion Committee replied, we will be going to the State Department of Education in December for a plan completion test. At that point hopefully the state will give us a favorable nod. I will anticipate that we will be out to bid the first quarter of 2002 and then we will have a better feel for the numbers. Preliminary reviews, as we have gone through schematic design to design development, the numbers seem to tracking o.k., based on the current market conditions. Again, you don't know what the economy will do between now and the first quarter. It is the projection, not only from the first quarter but through the construction timeline that the contractors will have to target. We are anticipating, based on our contingency allocations, our re-visit to the numbers that we brought forward, that we should continue to track on line. What we will know is, because it is a three-phase project, we will get a better fix on the first phase of how that is tracking, and that is only two schools, before we engage the rest of the schools.

Mr. Lube stated, that is only going to tell us how closely our architects had estimated. In addition, as a committee, have you found that in doing the actual work, you are dropping off or adding to the itemization that was originally encompassed?

Mr. Harwood answered, if you are addressing project scope, we are very focused on trying to maintain the project scope, as defined, by the Board of Education and approved by the Council. There is always project creep that seems to happen and there's thing that may come up as a result of hidden conditions that we would obviously want to address because of their relationship to the areas in which we are working. Any magnitude change to project scope must go through the Board of Ed, recommended back to the Council and then approved by the Council and brought back to the committee. We are pretty focused on trying to stay right on project scope and, with any amount of luck, under budget. That is always a goal.

Mr. Lube asked, is it possible to make the comparison for us which shows the portion of the project's original budget and what we thought it was going to be, without any creep or shrinkage, and what it has, in reality, turned out to be, including shrinkage or creep; not just architect estimate versus bid?

Harwood stated, if we find that market conditions are driving the numbers up and we see a \$2 million variance, it would be prudent for all parties, Board of Ed, Council, Administration, to get together with the committee and see how the numbers are tracking; do we anticipate seeing that same percentage creep in phase II or phase III? Because then, at that point, so as not to take away from the first phase or to take away from the third phase because they are on the back end and we are out of money, we may want to perform a reassessment. By phasing this, it gives us a better opportunity to do just that.

Mr. Walworth added, we had some early numbers from our architect. Since then the design has been moved from the very early phases to a point where we are into final design and we have measured the cost at least two other times and we are within pennies of what our original budget was. We don't know if that will stand up to the bids.

Mr. Lube answered, that sounds great. That is the comparison I will be looking for. Thank you.

Pasquale Melillo, 15 Haller Place, Yalesville asked if the committee has been aggressively pursuing federal funds and grant monies for the project?

Harwood answered, correspondence was sent to initiate a review. It does not appear, to my knowledge, that there is any federal funding that will support this project. The one favorable element was the reimbursement rate that was secured with the State of Connecticut.

Mr. Melillo encouraged the committee to continue seeking federal assistance especially since President Bush recently announced his plans to support education with additional funding.

The public hearing was closed at this time.

Motion was made by Mr. Knight that the Ordinance entitled, An ordinance amending an ordinance appropriating \$1,200,000 for the planning and design of Town-wide school system renovations and authorizing the issuance of \$1,200,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose, be adopted, seconded by Mr. Farrell.

Mr. Brodinsky asked, our present rate of expenditures or "burn rate" of soft costs, is the total amount or is our "burn rate" such that we will come in within anticipated budget limits or are we burning it faster than we thought we might given where we are with the project?

Mr. Harwood replied, I think we are moving on schedule. We actually have multiple phases engaged at this point. We are into the overlap inspection where we are now spending money on the first phase, which is Lyman Hall and Moses Y. (Beach) and now we are spending money on the second phase because we are into design development there. The overall cost of our architectural firm, our professional consultants that are on board, seem to be tracking in what we budgeted. We are not burning through money any faster, we are just tracking along a time line.

Mr. Brodinsky asked, based upon what we know now, you are not expecting any soft cost overruns?

Mr. Harwood answered, not at this point. I think we are doing o.k.

Mr. Walworth stated, if we were going faster through those funds, it would only be because we are going faster through design; they are locked in.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

Chairman Rys declared the ordinance adopted.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$60,400 from General Purpose Contingency Acct. #001-7060-800-3190 of which \$16,700 is Transferred to Property & Casualty Ins. – Gen. Gov't. Acct. #001-1603-800-8250 and \$43,700 is Transferred to Property & Casualty Ins. – Bd. of Ed. Acct. #001-1603-800-8260 – Personnel

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

Correspondence from Personnel Director, Terence Sullivan, due to conditions in the market and losses incurred, the Town has experienced higher than anticipated increases in premiums for this coverage. The information was received well after the budget was adopted.

Mr. Knight asked, how is it that we bid out these insurances at the time when you would be wanting this information to be pretty hard yet, we are now in the new fiscal year and are getting this information?

Mr. Sullivan answered, we bid out the agent of record services. We do not bid the actual property and casualty coverage. Our agent has a five year contract with the Town and he shops on behalf of the Town for the best price. A number of changes in the insurance industry has occurred statewide and probably nationally. Notwithstanding the fact that Reliance Insurance; if you recall we talked several months ago about that insurance company going out of business and the impact it would have on the market; the lower number of insurers that are out there; times have changed and we are swinging back to where we were in the 1980s when costs went way up. We had a good ride for the past several years but it is getting more expensive. We only received this information somewhere in early July. We tried to nail those amounts down. We had our agent working on our behalf to get those rates as low as possible, looking at averages and losses. It was only recently that we got this actual data in. We would normally get this in the January/February timeframe but, we have had so many changes in the last 6-8 months that it was hard to pin down.

Mr. Knight stated, one of the things you mentioned in your memo was, "losses incurred" seemed to have been affecting these rates. Are we trending up on losses? Is this the reason we are having higher premiums?

Mr. Sullivan answered, we have increased exposure with such a high fleet (of vehicles). When an insured comes in, they look at what the exposure is and part of that is our rolling stock.

Mr. Knight asked, we have an increase in the amount of rolling stock, hence an increase in the premium?

Mr. Sullivan answered, we have not drastically increased our rolling stock over the last few years but we do have a very high number of vehicles. There are fender benders, collisions and losses have trended upwards.

Manager, Kurt Treiber added, not so much the losses but the underwriting, the way the account is underwritten, the losses, but past and current, while they are renewing the application or review it, the insurance industry is changing in the way they underwrite accounts. The attract data from approximately 17 other municipalities that vary in both size and population and the average increase across the board in those municipalities, including a regional school district was 56% from expiring premium to renewal. This is not just unique to the Town of Wallingford, it is an industry trend that is tracking. In the early 1990s we saw a softening of the market, the Town took advantage of that and we went to the market and reduced our premiums. Now we are starting to track where the market is hardening and the insurance companies, where they were writing accounts just to write premium dollars, have

now shifted to write the accounts to make them more profitable for the insurance companies. When that happens, we are on the losing end of that because they price the account according to what the risk is. Wallingford is rather a large town, having the Water, Sewer and Electric Divisions, we have a large exposure although our overall increase was not 56%, that is one of the reasons why the industry views us as a larger loss risk. Overall, we did fairly well, based on the fact that our agent did go back to the market several times and dished out our coverages around and presented us with several options to reduce the overall increase for the entire town which is significantly lower than other towns. It may look like a large increase at this one particular time but, when they renew these applications, we don't get the information in until almost the last minute, hence the reason why we are into August.

Mr. Vumbaco asked, what is the percentage of increase?

Mr. Treiber answered, for Wallingford, approximately 24%. The average was 56%, with some as high as 100%.

Mr. Vumbaco asked, what is the total cost?

Mr. Treiber answered, town-wide which includes Water, Sewer and Electric, is approximately \$1,054,000. covering all lines.

Mr. Sullivan explained, Items #9, 10, 11, 12, 14 & 15 are all here for the same reason; it is the utility end of it.

Pasquale Melillo asked, does the CT. State Insurance Board have some sort of cap they allow for increases?

Mr. Treiber answered, as I understand it, the CT. State Insurance Board does not set, nor do they have guidance over insurance premiums. Those are set by the particular accounts and the way they are underwritten that determines the increase.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #9 Consider and Approve a Budget Amendment in the Amount of \$2,500 Increasing Cash for Rate Stabilization Acct. and Property Insurance Acct. #431-8920-924 - Water Division

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

Mr. Brodinsky asked for an explanation of the source of the funding; is this part of your reserves?

Roger Dann, General Manager of the Water & Sewer Divisions responded, yes.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #10 Consider and Approve a Budget Amendment in the Amount of \$9,000 Increasing Source of Funds – Appropriation From Cash for Rate Stabilization Acct. and Injuries & Damages Acct. #431-8920-925 – Water Division

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

Geno Zandri, 37 Hallmark Drive asked, are we transferring funds from an account to another account?

Mr. Dann answered, no, we are appropriating funds from unappropriated cash of the division. We are increasing the appropriation from cash to offset the increase in operating expenses.

Mr. Zandri asked, that doesn't decrease that line?

Mr. Dann answered, in the Water Division it does not. The Water Division was already budgeted for an appropriation from cash for rate stabilization purposes so it will increase that amount of that appropriation.

Mr. Zandri stated, it seems as though you are making money from nothing here. If you have an expense line, which I am sure your insurance is, and you have to increase that line because your costs went up, I would only assume that it had to come from somewhere else and I would then assume that that line would decrease.

Raymond Smith, Director of Public Utilities answered, you're increasing the money you are taking from reserves, the cash appropriated from reserves; you increase the amount you use from reserves, and also increase the budget expense. What you are saying...you are right, we are decreasing the money that is left in reserves, but increasing appropriation of cash from reserves.

Mr. Zandri asked, nowhere is there a line that says what your reserves are and, if so, does that decrease?

Mr. Smith answered, no, it doesn't.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #11 Consider and Approve a Budget Amendment in the Amount of \$6,250 Increasing Source of Funds – Negative Appropriation from Cash for Rate Stabilization Acct. and Property Insurance Acct. #461-8920-924 – Sewer Division

Mr. Brodinsky asked for an explanation of "negative appropriation from cash" from positive appropriation from cash.

Mr. Dann explained, when the budget was presented to the Council and approved for the current year, the Sewer Division was actually generating a slight excess of cash over and above all of the operating capital and other needs. We were projecting that we would have a slight appropriation to the cash reserves. As a matter of presentation, it was presented in the budget differently than it had been in the past. It was shown as an appropriation from cash however, because it was, in fact, not an appropriation from cash, but rather to cash, it had to be shown as a negative appropriation from cash.

Mr. Brodinsky asked, it is actually coming from reserves, basically, is that right?

Mr. Dann answered, the actions we are asking for are, to take the money ultimately from reserves but first we would utilize the excess funds that were being generated and once we had utilized all of those then, in fact yes, we would be appropriating from the cash reserves.

Mr. Brodinsky asked, the first source is from surplus or excess of operating income over operating expenses and after that you go into the reserve account?

Mr. Dann answered, in the course of these transactions, that situation actually reverses so it goes from an appropriation to cash to an appropriation from cash as a result of this and the following budget amendments.

Mr. Brodinsky stated, I am looking for the amount of your reserves on some document and I had trouble finding it either in the audit or in the computer-generated sheets that Tom Myers gives us. Where do we find what is left there?

Mr. Dann answered, typically, that number would show up in the year-end financial statements. We, at the end of the financial year, generally do an internal calculation, some of what is in that reserve, if you will, is there for other specified purposes and may be set aside for workers compensation purposes or to provide operating funds for a fixed period of time. We go through a calculation and try to determine how much, if you will, unappropriated and unreserved cash remains at the end of every year and then that is utilized when we prepare the subsequent year's budget as a matter of some rate planning. I do not have those numbers for you as of the close of the last fiscal year yet.

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

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #12 Consider and Approve a Budget Amendment in the Amount of \$2,000 Increasing Source of Funds – Negative Appropriation From Cash for Rate Stabilization Acct. and Injuries & Damages Acct. #461-8920-925 – Sewer Division

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

Mr. Vumbaco asked, how often do you pay the premiums, quarterly?

Mr. Dann answered, we have not seen the premium schedule for this current year. What we have seen in the past is usually a large payment up front followed by a series of monthly payments to total out for the remainder of the year.

Mr. Vumbaco asked, these are hard numbers now that you have for the premium costs?

Mr. Dann answered, we believe they are, based on what the Risk Manager has indicated. The only thing that we anticipate could change is, if during the course of the year, we were to add or subtract a vehicle or facility or something else that would alter the coverage.

Mr. Vumbaco stated, you are just bringing your accounts up to balance to meet the costs that you are going to have to pay for premiums for the year?

Mr. Dann answered, yes.

Philip Wright, Sr., 160 Cedar Street asked, who dreamed up this term, “cash for rate stabilization” for the slush fund? Who dreamed up this name? It seems to me that that is what it is, a slush fund. How much more is left in there? Can I get a piece of it? This sounds like Mickey Mouse stuff.

Mr. Dann answered, this is not something that is new or different in neither the Water or Sewer Division budgets. For a number of years we have been utilizing cash reserves as they are available to supplement the operating income in order to sustain the rates at the current levels. I think that has also been done in the Electric Division. I don't think this is something that is new or different than what has been shown in previous years.

Mr. Wright answered, that does not make it any better for me.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #14 & 15 Motion was made by Mr. Farrell to Move Agenda Items #14 & 15 up to the Next Order of Business, seconded by Mr. Knight.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #14 Consider and Approve a Transfer of Funds in the Amount of \$5,746 From Salaries – Admin. & General Acct. #920 to Property Insurance Acct. #924 - Electric Division

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

Mr. Brodinsky asked, in the last line of your letter it reads, "...delays in the inception of consolidated cash receipts through the Finance Department (account 923)."; what is meant by that?

Electric Division Office Manager, Thomas Sullivan responded, we budget for certain services that the Finance Department provides us. It was initially planned that they would be providing the centralized collection; collecting the bills for the utilities as well as the tax bills. That has not moved forward yet. They are still working on that. The delay has meant a lower payment to the Town. The Finance Department are providing less services to us than originally budgeted for.

John Beecher, 65 Seiter Hill Road asked, there was a new computer installed in town, is this related to the installation of that computer system? I think there was an effort to consolidate all of the accounting in the town and it sounds like there may be... is that project done?

Mr. Smith answered, no, it is not done at this point.

Mr. Beecher asked, is this related to delays? Is there an expectation that that problem will be resolved anytime soon? How long has this system been being installed?

Mr. Smith answered, I do believe the project started in late 1999.

Mr. Beecher asked, it is two years? This was a Y2K problem and it is two years and still not fully installed?

Mr. Smith answered, there are a number of elements to the project; the first was to accomplish Y2K issues so that we could produce electric, water and sewer bills. On top of that, we wanted to go off into different areas and consolidate finance and collections and put that under the jurisdiction of the Finance Department. The project is much broader than the original intent.

Mr. Beecher stated, sometimes a little item is the tip of the iceberg and it is two years later... was this originally planned in the project to have all of this consolidated?

Mayor Dickinson answered, yes.

Mr. Beecher asked, what was the schedule for consolidation? How far behind are we and what is the prognosis for it being fixed?

Mayor Dickinson answered, I believe that it is supposed to be fixed by... (response could not be heard since the audio system in the auditorium was malfunctioning.)

Mr. Beecher stated, obviously it is behind schedule because there would not have been a transfer.

Mr. Smith explained, this is for insurance that is coming from monies that was freed up as a result of being available.

Mr. Beecher asked, if we have money that was freed up because something we expected to be done wasn't done, and having dealt with a lot of computer installations in my career, it is very worrisome because we have a project that is two years old and isn't fully implemented. My question really was, when do we expect not to have so many funds available, because we expect the computer system to work as it was originally planned?

Mayor Dickinson answered, I am not going to try and guess when it will be finished. Much of it has been implemented but, at this point, we have not implemented centralized cash receiving which is a large component. Until we finalize some other aspects, we won't get into that. I don't think we are going to get into centralized cash receiving until maybe December or January. That is a component that will be into the year 2002.

Mr. Beecher asked, how far behind the original schedule is that?

Mayor Dickinson answered, my guess is 9 months anyway, if not more.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #15 Consider and Approve a Transfer of Funds in the Amount of \$14,344 from Salaries – Admin. & General Acct. #920 and \$16,000 from Outside Services Acct. #923 for a Total of \$30,344 to Injuries & Damages Acct. #925 – Electric Division

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

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #13 Consider and Approve a Budget Amendment in the Amount of \$300,000 Increasing Maintenance of the Collection System Acct. #461-8661-673 and Maintenance Reserve Acct. #461-271-216 – Sewer Division

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

Mr. Knight read correspondence into the record from Raymond F. Smith, Director of Public Utilities which details a very serious pipe deterioration problem on the Grieb Road sewer line (Appendix II). Hydrogen sulfide formation led to significant damage to the asbestos concrete pipe that requires immediate slip lining (insituform), before a potential catastrophic failure takes place. The hydrogen sulfide formation is a result of the Grieb Road pump station force main and excess detention time in several hundred feet of pipe. Mr. Smith has learned recently that several locations are experiencing hydrogen sulfide formation; all at the outfall of lengthy force mains. The Grieb Road line will need several thousand feet of insituform installed, along with a substantial amount of repairs on impacted manholes.

Mr. Farrell stated, if I understood the prior discussion of this matter at the PUC meeting, this is somewhat of a preventative measure as much as it is a repair measure? That it is trying to take into account the fact that there is a much more increased capacity need here than was prior expected? Would that be correct?

Roger Dann, General Manager of the Water & Sewer Divisions answered, I don't think that is entirely accurate. Based on our assessment of this length of pipe, we believe that we need to move quickly to rebuild the structural integrity of the pipe. A couple of segments are in very poor condition and other segments show evidence of hydrogen sulfide-related corrosion and, without actually digging to the pipe and testing it, we don't know how significant the deterioration is but, given the evidence on some of the upstream sections, we believe it is prudent to get a structural liner in there now. That will have little impact on the capacity of these sewers. There are two segments that are currently budgeted to be outright replaced. We had planned that and budgeted that in the current year because of capacity issues. Ultimately, much of this run will also have to be upgraded, either through a parallel gravity or potentially a parallel forced main discharge and that is somewhere out in the future but we didn't feel that we could afford to wait until those projects were budgeted, before we moved ahead with repairs in this particular run of pipe.

Mr. Knight asked, how did you discover this problem?

Mr. Dann answered, through our routine television inspection. We try to get through the entire system on a frequency of not more than ten (10) years. We have probably done a little bit better than that. They may have prioritized this because, if you recall last year, we experienced a similar sort of situation in another location downstream of the Pond Hill discharge pump station. That led us to look at this and we found that we needed to move immediately. What we have done in the interim is, we have gone ahead because there is adequate funds in the budget, and authorized the contractor to mobilize and get ready to go ahead with the work. We are asking for funds in order to replenish the funds that were allocated in the budget for other operating needs of the division.

Mr. Knight asked, what is the basic cause of this problem?

Mr. Dann answered, where this occurs is a situation where you have low dissolved oxygen in the wastewater. When that occurs, you can form hydrogen sulfide. When the hydrogen sulfide is then discharged from the force main into a gravity main, some of it gets into the air, is absorbed on moisture on the pipe walls and then bacteria will take the hydrogen sulfide, break it down to sulfuric acid and it is actually the sulfuric acid which will attack the pipe. It is a multi-step process. The way in which we believe we can solve that is, one is to reduce the retention time in the pipeline such so that the dissolved oxygen does not have a chance to fall too low. The other option and one that I think we will probably be pursuing and I will advise you that I may very well be back within the next month or so asking for some additional funds for is to install air compressors at the pump stations so that we can aerate those stations and keep the dissolved oxygen levels high enough that we preclude the hydrogen sulfide formation in the first place. At the result of what we have found here, we are out monitoring discharges from all of the other pump stations in the system and, based upon what we see there, I may very well be back quite soon asking for some additional funds so that we can get air compressors to put in those stations where we have identified the possibility of a similar situation.

Mr. Knight asked, is this a design flaw? When this sewer line was built, obviously this is not supposed to occur ever. This is designed not to occur. Was it a design flaw? Did they underestimate the amount of flow or overestimate how much sewage was going to go into it such that you have slow moving sewage running through this?

Mr. Dann answered, right now that may be the case. The pump station at question here is the Grieb Road pump station which was installed in the late 1980s. It was designed based upon the expectation of a build out within the drainage area. That build out has yet to be experienced. In the short term you have a lot less flow going through that pump station than it is ultimately designed to handle. In the short term you have conditions that are sort of suited to this problem where, at the point in time where it is actually pumping as it was intended to at the design point, then the problem would most likely be mitigated. That is not unique. When you build a pump station you are designing it for the future peak flows that you might experience and in the short term you may have considerably lower flows and therefore this type of situation can occur.

Mr. Knight stated, in the current budget you are showing a \$94,000 item for the Grieb Road parallel sewer line. Is that what you were speaking of a few minutes ago?

Mr. Dann answered, there are two segment of pipe that fall within this run that we have identified as needing repair which were already budgeted for an outright replacement. We deducted that from the lining project and we intend to go ahead and do the replacement that we had previously planned to do there. Down the road, the remaining segments of this, as build out occurs, may be under capacity and we may, at that time, have another project either in

phases or a single project to parallel the entire run with either another gravity main or our current thinking is that we may just bring the discharge of the force mains further downstream and that may be the simpler and cost-effective project. That is somewhere out there in the time frame of anywhere from five to fifteen years, depending on how build out occurs in these drainage areas.

Mr. Brodinsky asked, how long does it take for this sulfuric acid process to begin eating away at the pipes?

Mr. Dann answered, I don't have an answer for that. It is a question that I have asked because this is the second instance where, it appears, that this deterioration has occurred relatively fast in between inspections. Based on that alone, it seems as if, once it begins, it may occur relatively quickly. It is a question I am still exploring a little bit because I am concerned that if we are televising the system at a ten year frequency, that this can occur over a three year period, obviously, we are going to miss it.

Mr. Brodinsky asked, why is it happening now? You said the pump station was installed in the late 1980s; when did you first discover the condition of this particular sewer pipe?

Mr. Dann answered, we televised this, I believe it was June of this year.

Mr. Brodinsky asked, any theories as to why it is happening now? Could it have been happening all along?

Mr. Dann answered, this may have been happening all along and the last time it was inspected, it hadn't progressed to a point where it was identifiable. At this point in time it is readily apparent that there is a problem so it may be that the cycle of deterioration may be in the time frame of ten years or thereabouts but during the first five or six years, it may not be readily identified through a television inspection.

Mr. Brodinsky asked, do you have a mental inventory of locations where the same conditions pertain so you are highly suspect that the same deterioration is going on but we just haven't checked it out yet?

Mr. Dann answered, we are working on that now. We are monitoring now the discharge from every pump station for hydrogen sulfide. If we see concentrations that are similar to what we saw in this case, those certainly would be candidates for some accelerated inspection.

Mr. Brodinsky asked, according to your mental inventory, which is just an estimate, what potentially are we looking at in terms of....what is the scope of this project potentially?

Mr. Dann answered, I wouldn't hazard a guess. We are working towards that. The first order of business is to identify which discharges this might be associated with and then to inspect those runs of pipe. It will depend upon hydrogen sulfide concentrations, it will depend upon pipe materials. It may depend upon other factors that are within each individual sewer that is being discharged, too. I hesitate to put a number on it because it is a step by step process.

Mr. Brodinsky asked, do you have an idea as to the percentage of our sewer pipe that is made out of this same material that is being eaten away by the sulfuric acid?

Mr. Dann answered, I hate to guess. I don't know on the Sewer Division side but it is this type of pipe but also any other type of concrete pipe and potentially metal pipe as well.

Mr. Brodinsky asked, is that figure calculatable? Do you have records to go back and check that out?

Mr. Dann answered, we regularly do that sort of inventory on the Water Division side. I don't know that we have any easy way of generating the same records at this point in time for the Sewer Division.

Mr. Smith stated, we can look into it and see if we can get an inventory of the different types.

Mr. Brodinsky stated, if you couldn't do that then you would have no way of knowing the scope of the project anytime, ever.

Mr. Dann answered, the scope would not be the entire portion of the system with this pipe material because as it goes downstream there seems to be a natural tendency for the problem to dissipate somewhat. I think the problem would be confined to those stretches of pipe that are approximate to the discharge from a pump station. I think in each case, how much is affected would be unique to the situation where that discharge is taking place. We would almost have to inventory it on a case by case basis. That is the process that I expect to go through. I may find, in this process, that there are other segments that need immediate attention and, if so, we will have to be back in again.

Mr. Brodinsky asked, are these pipes leaking?

Mr. Dann answered, there are two segments in particular that are significantly deteriorated and in the videotape we observed leakage in a couple of spots coming in. But certainly, given the condition, they are not water-tight.

Mr. Brodinsky asked, they are leaking; at some point; at some place?

Mr. Dann answered, there is the potential. Whether or not they are or not, I couldn't say. Other than if we observed water coming in.

Mr. Brodinsky asked, are some of them above the water table?

Mr. Dann answered, to the extent that we don't observe water coming in at that moment in time, I would have to assume, yes.

Mr. Brodinsky stated, by inference, there is some leaking sewage in those pipes that are above the water table?

Mr. Dann answered, I think there could be.

Mr. Brodinsky continued, and we don't know when that started; it could have started three, four, five years ago; your cameras just weren't there to detect it.

Mr. Dann answered, this run was inspected in 1998 and...

Mr. Brodinsky asked, I thought you said that you did it every ten years?

Mr. Dann answered, in this case, as I said in response to Mr. Knight, we probably accelerated a look at this because we experienced a problem previously at the Pond Hill area from a discharge there so, yes, normally we wouldn't come back quite that quickly but we did in this case.

Mr. Brodinsky stated, back to Mr. Knight's problem; what was it about this section that made you televise this out of order?

Mr. Dann answered, it is an area that we knew had been subject to some odor complaints in the past, therefore an indication that hydrogen sulfide formation was a possibility there.

Mr. Brodinsky asked, when did these complaints first come in?

Mr. Dann answered, they have been coming in for a number of years, off and on. We associated them with a drop manhole situation, we thought what was the cause of the problem all along.

Mr. Brodinsky asked, the first such complaint could have been in 1997 or 1998?

Mr. Dann answered, or earlier, I couldn't say when. I think it has probably been something that has been noted from time to time over a number of years.

Mr. Vumbaco stated, your letter says that an earlier video was done six or seven years ago. Was it six or seven years ago or was it 1998 which is three years ago?

Mr. Dann answered, I think that when Mr. Smith wrote the letter, I had not yet found any records from that. He was going on what we thought had been the prior frequency, however, I had subsequently found the records and it indicates that it was done in 1998.

Mr. Vumbaco asked, you said that this is the second time this has happened? When was the first?

Mr. Dann answered, last year. We identified a similar problem on a section of sewer on Pond Hill Road. We came back, if I recall, it was the early part of last fiscal year and appropriated funds to do a lining project there.

Mr. Vumbaco asked, can you describe, briefly, the type of pipe you are talking about here? It is not that corrugated cardboard-type that was used years ago?

Mr. Dann answered, no it is ACP, asbestos concrete pipe. It is essentially a concrete pipe material.

Mr. Vumbaco asked, does this type of pipe have a history of leaking? I don't mean a history of leaking in Wallingford, I mean the history of the pipe, in general.

Mr. Dann answered, I am not aware that this type of pipe has a history of leaking that is any different than any other pipe. There is at least some indication, and we have this pipe material in both the Water & Sewer Division; I would say our experience with this pipe material has been that it probably won't give us the life expectancy that the older say, cast iron pipes did. It seems to me that we are having more difficulty with this pipe material for its age than we have experienced with some other pipe materials that have been in the ground a good bit longer.

Mr. Vumbaco stated, to follow up on the first incident; this second incident involving the Grieb Road sewer line, pretty much follows the same scenario as the Pond Hill one did; low flows; turbulence from pump station, etc., etc.?

Mr. Dann answered, I think it is comparable in terms of being immediately downstream from a discharge from a pump station which is probably running at less than the engineered capacity and has a fairly lengthy force main associated with it, such that the turnover of sewage in the force main is relatively infrequent so that is a condition, whereas I described the dissolved oxygen levels can drop, leaving to the initial formation of hydrogen sulfide so they are certainly similar in that regard.

Mr. Vumbaco stated, they are similar situations. At the time, why didn't we look into, knowing full well that we had a similar situation on Grieb Road? Why didn't we start investigating it then? Why did we wait a year to a year and one-half until, for what ever reason you decided to televise it again?

Mr. Dann answered, we were actually working on a solution at the other pump station; Wildlife Drive. We were attempting to implement that there. At Grieb Road we were attempting the same thing and, in fact, one of the items that was in the budget, again, last fiscal year was pipe modifications at Grieb Road that were designed to allow a better turnover of the force main. We were linking it in with another piece of pipe, with the anticipation that we would get a better turnover in the force main and minimize the problem. We were working on a solution for that but I think that our recent experience suggests that we may go further and we want to put compressed air into all the pump stations where we see this problem, than just cut it off completely as a possibility.

Mr. Vumbaco asked, did we do any research, not just in Wallingford but world-wide or nationally, on the internet or anything to research if these conditions exist in other, within your societies or whatever you are actively involved in to see if, in fact, this is an issue?

Mr. Dann answered, we have done some; I wouldn't say extensive; research. Certainly enough to know what the nature of the problem is and the cause of the problem is. Once we have gotten to that point, now it is a matter of identification as to whether or not causal factors that can lead to this exist in the other stations.

Mr. Vumbaco stated, my concern is, in 1998 you indicated that there was some deterioration; not severe, according to Ray's (Smith's) letter, situation. I am assuming that, by making this statement that it did not indicate a severe situation, there was a situation that had to have shown some kind of, something might be wrong.

Mr. Dann answered, there were several sections where leakage was indicated. Now, we do not have those videotapes. The videotapes are not kept perpetually, they are used again in other areas so we do not have the benefit of those tapes to look at but we do have paper records that are kept by the operators of the equipment. Based upon current condition, I do not believe that in 1998 they observed the same condition without bringing it forward for an immediate repair, seeing this is a....

Mr. Vumbaco answered, I was not indicating that. I was just saying, it may not have been a severe condition but it most likely shows some kind of condition. My concern that I am leading at is, we had the Seiter Hill situation a few years back before I was on this Council and I remember sitting in this chambers and listening to the debate back and forth and I think that if we go back into the minutes of your PUC meetings, as well as the Council meetings, it was emphatically stated, that there was no way any kind of sewer leaking could have caused any of

that problems. Now, here we are, 2001, knowing full well that we have an issue with leaking pipes that would be directly downstream towards the Seiter Hill neighborhood. It is between the reservoir and the flow downhill. It is the perfect condition for leaking sewer to potentially pollute some people's wells. We had a situation two years ago; "no way"; now all of a sudden; "yeah they are leaking and they could have been leaking for a while and maybe back in 1998 they were leaking" when it was emphatically stated by yourself and Mr. Smith that there was no way those pipes would leak or cause any deterioration. I would like an answer for that.

Mr. Dann answered, when we looked at Seiter Hill, we looked at the pipes, the sewer mains, particularly in the Seiter Hill subdivision, itself, looking for those sewers that were most proximate to the problem as well as in the section of Grieb Road that fronted upon the area where they had had some other problems. We did not observe, in those sewers, problems – that is factual. I don't think we were aware that there could be problems in this upstream section. Certainly that didn't come to my attention at that point in time. When you look at this and look at the locations and the distances involved, you can't conclude one way or another. I think that would be a subject of study unto itself as to whether or not this area would even be an area that was contributory towards Seiter Hill. You have to look at the surface geology out there, you would have to look at some of the other conditions. For example, there is a stream that runs in between this area and the Seiter Hill area that might function as an interceptor for any ground water flow coming down in that direction. You would have to go back and look at the array of possibilities that were identified when the Seiter Hill study was going on. You would have to look at the well test records in Seiter Hill and see whether or not; to my recollection and I would have to go back to the Health Department and specifically ask them to verify this but, to my recollection, there were no other indicators within those wells that suggested sanitary sewage contamination. Again, if necessary, we could go back and request that the Health Department review that and confirm whether or not that is factual but that is my recollection.

Mr. Vumbaco stated, that there was nothing that could have come out of the sewer that could have polluted those wells?

Mr. Dann answered, there were no indicator parameters; no chemical indicator parameters found in those wells that suggested a sanitary sewer contribution.

Mr. Vumbaco stated, I am not a health director so I could not answer that. I would like to get that information. My question is, you had just laid out a series of testing procedures and elimination procedures that you would have gone through. You also indicated that it is inconclusive either way whether this sewer problem could have caused the problem at Seiter Hill so why did we not take on the task to eliminate this leaking sewer when, in fact, in 1998 there was indications that there was a potential for sewer leakage? I don't want to re-visit the whole situation but, it is our responsibility as a public utility as well as people who govern this community to provide the people with clean water, good sewers, etc. If there was a situation that could have existed, even if there was a 10% chance, I think it would have behooved us and

the Public Utilities Commission to perform those tests; to verify that that is not what was causing the problem. If it was, it would have been our responsibility immediately to correct that situation. Why did we not follow through a series of at least some sort of test to indicate whether there was a problem or not, or whether this particular sewer line could have been a problem?

Mr. Dann replied, as I indicated, I believe, I don't recall that this particular stretch of sewer was in fact brought up as part of that discussion. I think the view was that it was too remote from the source of the problem. It certainly was not brought to my attention that there was a serious deterioration of that sewer which would have gotten our attention that it needed to be looked at further. The observations at the time, from what I can see of the records, would be that it was taking inflow, that it was leaking and taking in water rather than the opposite condition. Had there been more information in front of us at the time, would we have looked at it more carefully?; potentially we would have. But I think we also were looking at the time at what would have been a fairly wide ranging environmental study out there to try and determine what all of the potentials were and there were a number of others that had been indicated for their potential as well, some quite possibly more likely. Ultimately the decision was made that, rather than invest the money in studies, that the money should be invested in getting a water main out there and that was the direction we were instructed to go in terms of a water main extension.

Mr. Vumbaco asked, if this pipe is deteriorating now, three years ago or whenever we had the Seiter Hill situation, would the tests had been done or would you still have assumed that it was too far of a remote situation that could have caused the problems with the wells?

Mr. Dann answered, as I indicated, I am not sure the tests were not done. It was my recollection that they did, in fact, look for evidence of sanitary sewer contamination in there. Even though we inspected the sewers in Seiter Hill and indicated that they were in good condition. My recollection is that they did still look for those things, that is a natural process for a health professional looking at a well contamination; to look at those things that might be associated with sewage. I would have to go back and verify that because it has been some time and I don't want to misrepresent that that was done, that is my recollection but before I say anything that is definitive on that, I think it would be fair to go back and discuss that with the Health Department and confirm that that was the case so, in fact, if that was done, what you are requesting was done as part of the study that was done there in the first place.

Mr. Vumbaco stated, thanks, I have no other questions, you have been very helpful, Roger, thank you.

Ms. Papale asked, I would like to know what could be done to prevent something like this from happening again? What could your department do to stop this problem?

Mr. Dann answered, it looks to us as if the easiest solution is probably to put air compressors at those pump stations where this is a potential problem with the idea of adding enough oxygen so that hydrogen sulfide formation does not occur. That, basically, should stop the problem. That is what we are in the process of investigating. I may very well be back within the next month's time asking for funds for the purchase of compressors to deal with that so that, to whatever extent this problem has existed elsewhere in the system, at least to the point that we are aware of it and we stop it, and then we are going to have to deal with inspecting the other sewers to see whether or not any of the other runs have to be corrected or not. Perhaps we will have caught it early enough, maybe we will have different pipe materials, maybe the degree of hydrogen sulfide formation will be lower or the conditions in those downstream sewers will be less favorable to this sort of problem occurring.

Ms. Papale asked, would it make a big difference if you did the videos more often to catch the problem earlier?

Mr. Dann answered, I guess there is a cross-benefit trade-off. Ideally, I suppose you would look at them more often but, in order to accomplish that, it requires additional equipment, personnel or outside contractors to come in to accelerate the cycle. I think on a scale of comparison, if you look at how we manage and operate our system versus others out there, I think we do pretty well in terms of our inspection program. I certainly don't feel at this point as if our inspection frequency is more than what would be normal, it is quite possibly already less than what many systems are able to accomplish.

Ms. Papale stated, I thought that it would be less money to video these places more often than to have to go through what you are going to have to go through now. You said to weigh it. I look at it different, I balance it. It is going to cost more money for this situation than if you video it more. I am not in the business, I have no clue.

Mr. Dann answered, it is a good question and goes back to the earlier question from Mr. Brodinsky as to how quickly does this sort of deterioration take place? We are still trying to find out how quickly it does occur. If it occurs at a frequency or rate that could cause a pipe to go from acceptable to totally unacceptable condition over a five year period, then it seems to me we should be trying to look at the system that frequently.

Mr. Zappala asked, are there projects that you have scheduled for the year that vital that you cannot put some of them aside so as to address this problem?

Mr. Dann answered, some of those (projects) are to make repairs where the television program indicates problems. We budget a certain amount of money on the expectation that, on any given year the inspection program will reveal deficiencies that will have to be corrected. Some of that is for that purpose; for those areas where problems have yet to be observed during the course of this year. Some of it is there to line other segments of pipe. One of the things we are

trying to do is to rehabilitate a certain amount of pipe each and every year. Keep in mind that is in the ground has been in the ground for a long period of time. One of the issues facing us and this is true in both the wastewater and the water business is, the ultimate replacement of significant segments of pipe that have been in the ground since beginning around the turn of the century. We need to continue to be making investment in pipe replacement and repair or we are going to face a time when we have many, many miles of pipe all deteriorating simultaneously. In fact, I would like to be able to do more than we are currently able to do but that is part of our program, to at least allocate a certain amount of money each year to do some footage of pipe so that we can try and stay ahead of it to some extent. Could you defer that for another year? It depends upon the condition of the pipe that you want to line. Is it wise to do that? My feeling is that we could easily do more than we are already doing. I would hate to defer and do less.

Mr. Zappala stated, I am just concerned that if you are using all the money up for one project which you are planning on using for other things, that would be putting the capital budget at risk for not getting projects done?

Mr. Dann answered, my recommendation is that we not defer other work that we had planned to do.

John Beecher, 65 Seiter Hill Road stated, I am not a hydrologist but I am a little bit concerned about one of the comments I heard; did I hear that water was leaking into the pipe?

Mr. Dann answered, yes.

Mr. Beecher replied, most things that I deal with; water can leak in; fluids can leak out. Is there a possibility that there actually was; when you say the structural integrity of the sewer was damaged, does that mean there is broken pipe and that there is a potential for contamination going into the ground? Is that what that means?

Mr. Dann answered, when I refer to structural integrity, I am looking at the pipe and I am concerned as to whether or not the pipe is at risk for a collapse that, structurally it may no longer be able to support the soil loads that it is normally required to operate under. Having said that, we did observe hole sin the pipe and if water can flow in, you're correct, water can certainly flow out. To the extent that we observe water coming in, that is an indicator that, at least at that point in time, groundwater conditions are such that the direction of flow is into the pipe. The other factor there has to do with what the normal flow scenario inside the pipe looks like versus where those observed openings might be so that you have to look at whether there is an opportunity for \_\_\_\_\_ to take place.

Mr. Beecher asked, that means that if the hole were at the bottom of the pipe things will probably leak out but if it is on the top of the pipe, it is less likely.

Mr. Dann answered, if it (hole) is in the bottom, the likelihood is greater than if it were at the top of the pipe.

Mr. Beecher asked, do you know precisely when the integrity of the pipes were breached? Is there any way to know, precisely?

Mr. Dann answered, I don't believe there is any way to know precisely. We can only look at the snapshots that we have...

Mr. Beecher asked, could the integrity have, in fact, been breached before we had the problems on Seiter Hill & Grieb Roads? Is there any way to rule that out?

Mr. Dann answered, I don't believe we can rule that out.

Mr. Beecher stated, my recollection is that there was coliform found and E Coli and those are consistent with human waste. Does human waste flow through the pipes that has the problem?

Mr. Dann answered, by design.

Mr. Beecher asked, as it does through the sewer pipes on Seiter Hill Road which we know were not a problem, based on your inspection at that time.

Mr. Dann answered, that is correct.

Mr. Beecher stated, we contended at that time that there was good potential for the contamination to come to our neighborhood from other places and we were told, "nope, it is easier for us, rather than spend money on studies, let's have the people who live there spend money to fix the problem", that is how that happened. We paid for it, 100%. We came to the Town Council and we asked if there could be any participation at all on the part of the Town and we were told, "nope, it is your problem; you will pay 100% of the cost of that problem." Is there any way we can definitively say that this problem had no relationship to the problem we had on Seiter Hill and Grieb Road?

Mr. Dann answered, I don't believe there is any absolute way of saying that.

Mr. Beecher stated, so it is possible. It is not like this was a problem five miles away across town. This problem occurs in a topographical area that is between North Farms Reservoir and Seiter Hill Road and Grieb Road where we had the problem a couple of years back., does it not?

Mr. Dann answered, you would have to look at the surficial geology to determine whether or not there was a likelihood of flow from this area actually going in that direction or whether, in fact in between, as is the case here, you have a low point, a valley, and a stream that would

perform as an interceptor therefore creating hydraulic boundary conditions so that, in fact, flow coming from the west side of that stream towards Seiter Hill is intercepted and discharged into the stream rather than being transmitted in the other direction. What I am suggesting is that you would have to do some fairly study just for the purposes of seeing whether or not it is even a potential. If you go back and recall at the time that this was being looked at, there were a number of other potentials that were also identified that could have been the subject of a similar extensive study.

Mr. Beecher stated, yes, we had people coming around to people in the neighborhood asking if we had our wells capped properly and the like. My point is, if you knew about this problem at the time we had the problem at Seiter Hill, would you not be looking; wouldn't this be a highly suspicious area? Wouldn't it demand a study to say, is this a cause of any part of the problem? I have lived on Seiter Hill since it was built, 1972. There was not a problem one, until two years ago; that we know of. We had one neighbor who left every year and I guess the proper procedure was for him to disinfect his well. But my whole family grew up there and not a problem one. Would you had studied this area had you known there was this problem?

Mayor Dickinson answered, probably only if there were chemical indicators in the wells indicating sanitary sewer reaching the wells. E coli and coliform by themselves are not sufficient. I think the tests are detergents, phosphates, nitrates, the indicators of sanitary sewer are well known and the tests are there to determine whether it is sanitary sewage or not. Without that, the other bacteria in it was probably a surface contaminate; a contaminate that is not related or you can't show that it is related to sanitary sewage.

Mr. Beecher added, I think it would also be true that the further away from that sanitary sewer, the less likelihood that you would find those traces because of the filtration and light. We certainly don't want anyone to have the problems that we have... the question is, can anyone even think about the possibility of revisiting the way that we were assessed, given the possibility that there might be some culpability on the part of the Water/Sewer Division to grant us to some relief. Never ever have I talked about a lot but, just to acknowledge, that it wasn't 100%, "hey, you guys live here; it was your problem." I don't know who to ask that question to, but it would seem to me that any kind of money that is being expended you maybe ought to consider some acknowledgment of the people in the neighborhood who dealt with this problem and paid for the solution a couple of years back and who now are customers of the Water/Sewer Division; one of us is very happy; that would be me.

Mayor Dickinson answered, we need to know if the sanitary sewage tests were done on the wells. My recollection is, like Roger's, there has been too much going on since then for me to be very sure about it. If those tests were done, that is the prime indicator of whether or not sanitary sewage is the problem. Lacking that, there just isn't the connection. There has to be evidence, not the possibility of something because, to rule out a possibility is a virtual impossibility. You can't rule out the possibility of anything but, if there is direct evidence of

something, then that is a different question. We need to know what was tested for from the Health Department. Short of that, it is difficult to answer this question. But, there has to be evidence of something, not the mere possibility. You can't prove a negative.

Mr. Beecher answered, with all due respect, I hope you'll understand how I sort of feel like, well, we couldn't prove there was involvement. A couple of years ago we couldn't prove unequivocally what the source is and now since we can't prove that a breach in the sewer system that we don't know when it happened, which is very approximate to where we live and where we experienced the problem, since we can't prove it unequivocally, sounds like, no matter what happens, we come up with 100% of the cost and 100% of the responsibility for proving that it is someone else and as I said a couple of years ago, when I come before this Council; when I talk to the Public Utilities Commission, I had an expectation, this is the Town of Wallingford; this is not New Haven Water; this is not the U.I., this is my utility. I expect my utility wants to reach out and do things for me in my town. Certainly, considerations can be made and considerations can be taken, given that it is a town utility that might not be taken if it were serving a larger area and, quite frankly, I feel underserved in that regard. Again, I don't mean to be disrespectful but it sure is awfully suspicious this close to when we had our problem, to have a sewer problem this close that is, of course, totally unrelated to our experience. I don't know what is possible in the way of relief. It sounds to me that no one is of the mind to hear about it but, me for one, it is another instance where we were confused and we had the problem at first, we got the estimates that were way out of line and now all of a sudden we have a problem that is very near to our neighborhood. That is three strikes in my book and the credibility is very low for me. I hope the problem is resolved fairly quickly, whatever it costs, because the public's health is so important to us. But if you have it in your mind, Seiter Hill is really close to where this problem occurred. Thank you very much.

Mr. Brodinsky commented, Mr. Beecher there are some of us on the Council that are quite sympathetic to your position. You made a comment that it appeared that no one was, but there are some of us who are.

Mr. Beecher replied, thank you. I am quite aware from the questions that the concern is properly placed. That is, public safety first but then the issue of what the Town's responsibility; a couple of years ago we talked about this. We said that we had a problem with the water; there were two problems before the problems at Seiter Hill, I think there have been two problems since. The public water supply is precious and we are not going to be the only one that is going to see this. So whatever policy you folks come up with, you are going to be dealing with this again and again. I think maybe the policy of being very sure that there is no culpability on the part of ourselves would be very important but, I certainly appreciate that even though others aren't speaking, that our problems don't fall on deaf ears. Sometimes I know it is very difficult. Thank you very much.

Pasquale Melillo, 15 Haller Place, Yalesville asked, wouldn't it be helpful to use the services of a hydrologist, a geologist and a chemist; professionally skilled people, since we have never had this problem before? Why don't we have them look into this complex situation because you still haven't really figured out what the cause of all of this is?

Mr. Rys explained how a televised inspection has been carried out and now they want to fix the line, that is all that is being requested. Why would you want to hire professionals?

Ray Smith, Director of Public Utilities stated that he would take Mr. Melillo's suggestions into consideration.

Mr. Melillo asked, who installed the pipes the Town is having trouble with?

Mr. Smith answered, someone some fifty plus years ago.

Mr. Dann answered, in all likelihood it would have been installed by a private contractor under contract with the Town. We are installing PVC pipe today and, in some situations we also use iron pipe.

Mr. Melillo asked, will the work be sent out to bid?

Mr. Dann answered, the lining of the pipe has already been put out to bid. We have a multi-year bid with a vendor who can come in and do pipe lining as requested during the course of the year.

Wes Lubee, 15 Montowese Trail stated, we heard that water was seen leaking into the pipe and I assume that would be above the surface of the sewage flow, is that correct?

Mr. Dann answered, that is correct.

Mr. Lubee asked, are you able to detect with these television cameras whether or not there is any leakage below the surface of the sewage?

Mr. Dann answered, unless it were so substantial that it actually created a visible rippling effect in the sewage stream, no.

Mr. Lubee asked, how soon with this contractor break ground for the lining?

Mr. Dann answered, he is in the process right now of mobilizing to the area and we are expecting him to begin the lining work within the next several weeks.

Mr. Lubee asked, when they put a dye in a sewer line, how far into the ground does that dye survive if it is leaking into the pipe?

Mr. Dann answered, I wouldn't hazard a guess. I think it depends upon the soil conditions probably around the pipe. If you are in a coarse soil material that allows flow to move readily through it, it would likely move a lot further than it would in a tight clay or impervious sort of soil. It depends upon the specific conditions at the point you are looking to study.

Mr. Lubee stated, if such a dye experiment was undertaken could it possibly prove the extent of the leak invasion of the area?

Mr. Dann answered, I think, and we have looked at this in other circumstances, I think that if you are going to try and determine whether the sewer is the source of a bacterial contamination, that you probably would need to model something that would move through the soils in the same way that bacteria does and I would believe that dye would likely not go through the soils in the same manner that bacteria goes through the soils. I don't believe that it would be a valid way of trying to determine if bacteria was migrating to a particular point.

Mr. Lubee answered, I can accept that but you mentioned that a more suitable model might be available.

Mr. Dann answered, we have looked at this 'cause it has come up in other circumstances and I am not aware at this point of a model that has been suggested.

Mr. Lubee asked, there is no conclusive way of taking advantage of these two weeks to try and expand on our knowledge of possible damage? Is that your conclusion?

Mr. Dann answered, I think that you look for some chemical parameters. Certainly, chemical parameters are indicative of sanitary sewage so those are the things that you would look for. I am just not sure that you would go out and put dye into a sewer and wait to find out if and when or where it might show up, particularly to the extent that it may go through the ground in a very different way. I would hate to go through and have dye show up in a well, not contaminated by any sort of bacteria but because of the way it goes through the groundwater actually starts showing up in wells that never had a problem.

Mr. Lubee stated, I can accept that but I just wanted to know if you knew of any more suitable or more appropriate model to use in lieu of dye?

Mr. Dann replied, I am not aware of any other than as I indicated, to look at the chemical parameters; those things that are indicative of sanitary sewage, rather it be detergents, I think that is one of the primary ones. You might look for fluorides if the water that was in the sanitary sewer was, in fact, a municipal supply and had fluoride which is higher than normal

groundwater levels, ammonia levels, nitrates, nitrites, things like that. Those are the chemical scans that are typically done to try and find out whether or not it is coming from a sanitary sewer or sanitary sewage source. It does not have to be a sanitary sewer, it could be a sanitary lateral or a septic system, all of which would have the same parameters.

Mr. Lube asked, you have been sympathetic to this possibility but you have no way of trying to confirm that it actually did happen?

Mr. Dann replied, as I suggested, now having had this discussion, there is a need to go back to the Health Department and just confirm what my recollection, and I believe also the Mayor's, that they did, in fact, look for those parameters in the initial study. I think that warrants another look to make sure that that was the case. It was my recollection that it was but I can't say that with certainty, without going back to the Health Department.

Mr. Beecher asked, does it behoove the Water/Sewer Division to prove that they are at fault in any of this cross-contamination? Essentially, that is what we are asking you to do; that is why I get confused about the public health department; we are asking the public utility here to do a study to find out if they are at fault. That sounds to me like there might be a slight conflict of interest although I am not impugning anyone's integrity but you don't ask the person who might be the source of the problem to give you the evidence about who is the source of the problem. The other thing is, is there any way to conclusively prove that simply the absence of laundry detergent and nitrites, that does not unequivocally prove that it isn't a sanitary sewer problem, is that correct Mayor? If you can't prove that that way either; simply the absence doesn't mean...

Mayor Dickinson replied, you're dealing with analyzing evidence and to the question, is it caused by sanitary sewer, as far as I understand, the most accepted evidence to support or answer that question is to look for the presence of ammonia nitrites, phosphates, whatever it is associated with the materials that are put into the sanitary or septic sewage systems. Lacking those things, it becomes less likely that there is sanitary sewer involvement. To say that something completely rules something out, short of digging up the entire area and doing hundreds of test borings and doing a very expensive analysis, I don't know that anyone; and even then, I don't know that anyone can say, "absolutely, 100% guaranteed there is no involvement." You are dealing with a preponderance of evidence. You are dealing with analyzing what is there and what it means and the primary way of doing that, again, I am going by what I am told by the Health Department, is to look at the well tests and determine what is in the well water. We are right now looking at a review of the area; a very cursory review of the Yale Avenue area and determine whether in a variety of things whether anyone can determine what the evidence supports. But, there again, to go into a complete analysis to do this, in depth, you are talking about hundreds of thousands of dollars and, at that point, the return may be nothing and, again, you are left with lack of proof as to what is causing it; just a variety of causes out there. And, as you know in the Seiter Hill area, we had a variety of things that were identified as possible and it becomes a judgment; do you really go after an answer that may

never be achieved and still not have the problem corrected? Again, it is the evidence issue; what evidence is there and what does it cost you to get additional evidence. The evidence I believe we had indicated that sanitary sewer was not a likely cause of it. It does not rule it out.

Mr. Beecher answered, I understand. Yet, the net effect of the decision was; even though there might have been a 10% chance; say a 5% chance, that there was a sanitary sewer cross-involvement, without doing the study which may have cost more than the solution; I agree, the cost benefit isn't there; the full brunt of the cost of the repair; the ingoing assumption based on who paid for it, was it was all of our problem. And, I know I am belaboring the point but I keep coming back to; there certainly is some possibility that, given the contamination this close; given this timeframe; given the fact that there are some notes but no videotapes; given that there is a possibility that some of the problems we are faced with were, in fact, tied to this but there is no acknowledgment of that, in terms of the financial ramifications of what happened. Again, I don't want to belabor that point; we are going to be dealing with this again and again. I do hope that if we do find, when digging or when you put in the liner, you may get more information. If the information indicates that culpability is a tough word because I certainly don't think anyone did anything wrong but, I think that if damages were such that it might have been part of the cause of the problem at Seiter Hill, that we would do the right thing, which is, in my mind, not to leave all the costs on the people who now have city water installed in their homes and who paid for all of that. That is my point. Mr. Mayor, I understand that we can't prove either one 100%, but we certainly were able to assess the costs 100% and I am not so sure that was the proper way to do it and I hope re-visiting a decision is something that people are open to, if it is possible. Thank you, again, for your patience.

Philip Wright, Sr., 160 Cedar Street asked, this problem has occurred only in the transite piping? Is that correct?

Mr. Dann answered, in the two instances that we have observed it, yes, that is the case.

Mr. Wright asked, and you are now using PVC?

Mr. Dann answered, currently we utilize PVC or if the pipe is deep enough that the soil loads excessive, then we go to ductile iron.

Mr. Wright asked, when transite came out, it was a fantasia. Now, PVC is. Is there anyway of knowing whether we are going to have the same kind of problem with PVC down the road? Has it been tested?

Mr. Dann answered, there has been testing done on PVC; they have attempted to simulate aging of PVC; they have done a lot of things but, can we say definitely? I think experience over time will be the best verification that that pipe material is a good material. To this point in time, I am not aware of any problems occurring with PVC pipe materials.

Mr. Wright asked, since this deterioration seems to be occurring much more rapidly, is there any possibility that the eating habits of the people in the Town of Wallingford has had an affect on this?

In good humor Mr. Wright asked, maybe we should stop eating broccoli and eggs, it might help.

Mr. Dann responded in good humor, perhaps you may want me to hire a nutritionist also?

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #16 Consider and Approve Acceptance of an Electric Transmission Line Easement From WES Realty Trust to the Town of Wallingford – Director of Public Utilities

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

Correspondence from Public Utilities Director, Raymond F. Smith, explains, during the course of construction, a new 115kv transmission line connecting the East Street substation to the North Haven/Devon high voltage circuits, PP&L was required to obtain an easement across the property of WES Realty which fronts South Cherry Street. Since the lines hang over the property, the easement is for an aerial trespass as there are no structures on the parcel. In accordance with the Wallingford Energy and Town of Wallingford agreements, the new power line is to be turned over to the Electric Division as part of the consideration for the development. In turning over the transmission circuit to Wallingford, the easement then becomes the property of the Town. Wallingford Energy secured the easement in the name of the Town and has forwarded the documents to Mr. Smith's Office. The Town Attorney has reviewed the papers for legal appropriateness and finds them to be acceptable. The matter now requires that the Public Utilities Commission and the Wallingford Town Council accept the easement as a part of the process. (Appendix III)

Mr. Rys stated, the easement is being paid for by PP&L.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEMS #19 & 20 Motion was made by Ms. Papale to Move Agenda Items #19 & 20 Up to the Next Order of Business, seconded by Mr. Knight.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

ITEM #20 Consider and Approve an Agreement Between the Town and Comunidad Hispana de Wallingford, Inc. "SCOW" for the Use of Town-Owned Property Known as 284

Washington Street, Wallingford, CT. for a Term of One (1) Year Commencing July 1, 2001 at a Cost of \$1.00 per year –Mayor

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

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

Mr. Farrell stated, let me start by saying that my comments, while they may be perceived as negative this evening, that that negativity has nothing to do with SCOW; it has to do with the process with how the lease comes before the Council. My problem here with the process is, we are being asked to approve a lease; the lease has never been discussed before, to my knowledge, in executive session. Last time I read the Town Charter, particularly Chapter III, Section 5, the Town Council, itself, has the exclusive jurisdiction over what happens with real property that is needed by the Town. Here, it is my understanding, if I am correct, that SCOW has moved into 4 Washington Street. Is that correct?

Blanca Santana, Director of SCOW, answered, that is correct.

Mr. Farrell stated, it is unfair to the Council, and I hope it would not be done in the future, that we are being asked to vote upon a lease where, in effect, the tenant has already moved in and, to some degree, this was known two months ago. I guess I have to rap the Administration on their knuckles a little that, in the future, I think that if this is going to happen, that we should have a little more lead time on this.

Mayor Dickinson replied, as you know, this isn't a new usage of Town facilities. SCOW is utilizing a part of the railroad station and their facility there was far, far inadequate for the services and programs, the number of people who are coming to them for assistance. Given that the old senior center is also a Town facility with someone moving out, there was a transfer of an existing use from one place to another which is why I didn't feel it was anything new or out of the ordinary. Representatives of SCOW have, over the past couple of years, indicated a problem with a space at the railroad station, needing more space. There had been some contact with Adult Education as to whether they needed all of the space they were using. Basically, not much more space was available so, we needed a tenant in the old senior center, given that a building comes under rapid deterioration if we have no one utilizing it and we are keeping that building. Switching them from one location to another; their old space has not been given to anyone else but they were in very difficult circumstances and I felt that under the total picture of shifting them; they are already an agency that the Town funds, they provide a service for the Town. They are an outside organization but they are, under state statute and by agreement with the state, a subcontractor for us in providing the service. They are a quasi-department in that sense; they are outside but providing a service for us. The space they have is inadequate and that is why I didn't see this as a major difference at all. If it were a totally new use, that would

be one thing, but they aren't a new use and they definitely were under very difficult circumstances.

Mr. Farrell stated, I don't disagree with your portrayal of the details. I guess that I do have a problem with the process. In effect, what I have come to the same conclusion as you did? Yes, I would have but, the problem I have is that I didn't have a chance to come to that decision on my own. When the Charter very specifically points out that it is within the exclusive jurisdiction of the Council to make that decision, that we can't really have any debate on any of this because, in effect, the tenants are already in the premises at this point.

Mayor Dickinson answered, I understand but, again, you have to look at, this is an existing Town-authorized use of the railroad station. It is not a new use. In my mind it is more like moving a department from one building to another, as far as the use involved. It is a subcontractor who performs a subcontracting service for the Town and that would not require the Town Council's approval to move a department from this building to the Senior Center or somewhere else because it is under the control of the Town of Wallingford. I hear what you are saying; we do have a lease involved but it is not quite the same as where it is a new use.

Mr. Farrell replied, I am not rapping you too hard on this, I just want it clear that, in the future, I don't think that this is the way to go about it.

Mr. Knight supported Mr. Farrell stating, what he is arguing about has nothing to do with SCOW, it truly doesn't, and their contribution to the Town is very well known. It does hinge on the prerogatives of the Council and it is; we have a few, it would seem sometimes, and one of those is, indeed, lease of real property. I have to support Mr. Farrell for bringing it up and, for signing leases, I would like to see us sign leases when there are alternatives. I think the whole Council has no problem with SCOW or your decision to move them in there.

Mayor Dickinson answered, I would just like to point out that the Senior Center was moved into the new building before the lease was signed.

Mr. Knight answered, touché, Mayor.

Ms. Papale asked the representative from SCOW to give her name and title to all present.

Blanc Santana, Executive Director, Spanish Community of Wallingford as known as Comunidad Hispana of Wallingford.

Ms. Papale stated, I am very happy to be one of the directors of the Board and I hope you understand what the gentlemen are saying; it is nothing against SCOW because they know how important SCOW is to me.

Ms. Santana answered, I understand, but I think the fact that we have been going back and forth for a couple of years with the space matter and with the community growing as fast as it did, I am serving about 200 families right now. I have been with the organization for 7 ½ years now and we have occupied one office. We did have an upstairs at the railroad station but the privacy was not there for me to service the families; that came into play. We really didn't know when we would be able to move into the old senior center and it happened so fast that I didn't even know what the process was. I spoke with the Mayor's Office and everything just fell into place. We are going to make real good use of the space. The comments that I have received from a lot of the clients is, now they don't have to have a special appointment to come and see me after hours. They can actually come and have a private session with me since they come in with their families because we will now have the space available.

Mr. Vumbaco stated, I support this lease and I also support Mr. Farrell's contention. The answer to the issue with the senior center is; two wrongs don't make a right, Mayor.

Philip A. Wright, Sr., 160 Cedar Street stated, there is absolutely no justification for the Mayor usurping the Council's powers. You can dance around it all you choose, but there is no justification. I don't care if it were Mother Teresa going down there; there is no justification for the Mayor usurping the power of the Town Council. What is going to happen to the Railroad Station now that SCOW has moved out?

Ms. Santana replied, we just use one room on the south end. Adult Education uses the majority of the space.

Mayor Dickinson answered, there has not been a decision on that. At this point, I don't know. It is one room so it is not a large area but I don't have a decision.

Mr. Wright asked, doesn't Adult Education want that space?

Mayor Dickinson answered, I don't know, at this point, if we have received a request for it or not.

Wright stated, this is rather strange; for months we have known, according to you, that SCOW is going to be moving out and now we don't know what is going to happen to the space. That is strange. Who pays for heating and maintenance of that building?

Mayor Dickinson answered, the heating and maintenance, in general, is handled by Public Works.

Mr. Wright answered, that means that I pay for it, correct?

Mayor Dickinson answered, that is correct.

Mr. Wright asked, who is going to maintain and heat the old senior center; same thing?

Mayor Dickinson answered, that is correct.

Mr. Wright asked, is all of that big building going to be used by SCOW?

Mayor Dickinson answered, no. The rear portion will be utilized by the Police Department and Public Works for storage.

Mr. Wright asked, what happens to the other two buildings that are still standing?

Mayor Dickinson answered, those buildings will be used by the Police Department and Civil Preparedness.

Mr. Wright asked, those other two buildings are going to remain on site?

Mayor Dickinson answered, that is correct.

Mr. Wright asked, and the large area where it used to be a dining hall; that is going to be used for storage?

Mayor Dickinson answered, that is correct.

Mr. Wright asked, is that going to cost us money to provide rack space; shelving; what is going to happen?

Mayor Dickinson answered, it is possible. I believe that Public Works installed or plan to install large doors on that wall of the area facing the Police Department sign shop to gain access. I don't know if they have done that; that is the plan.

Mr. Wright asked, has there been an approval to go ahead and expend that kind of money?

Mayor Dickinson answered, the money would have been in their budget.

Mr. Wright asked, has anyone tested that floor to see what the load bearing characteristics of that floor are?

Mayor Dickinson answered, I believe the floor is a concrete floor.

Mr. Wright stated, some concrete floors you can drive Mack trucks over and some of them you can't.

Mayor Dickinson answered, I don't think we are going to be driving heavy equipment.

Mr. Wright answered, that is just an example. Someone ought to determine what the characteristics of that floor is. Maybe you can only put six books there and not sixty, you know?

Mayor Dickinson answered, I believe it is a concrete slab and Public Works would be responsible for determining what can be stored there and in what quantities.

Mr. Wright stated, I assume that since Henry (McCully) reports to you, you will find out about that. Is that a fair assumption?

Mayor Dickinson answered, while I would not think of that as a question to ask him but, if you are interested in an answer, I can inquire of him.

Mr. Wright answered, I am interested.

Kathryn Zandri, 37 Hallmark Drive stated, someone has brought to my attention who works with the Mexican population in town that there is a larger number of Mexicans moving into town and, historically, the Mexicans and Spanish do not get along very well with each other is the scenario that has been presented to me. Do you find that you are meeting the needs; do you service the Mexican population as well?

Ms. Santana answered, run that by me one more time; who does not get along with whom?

Ms. Zandri asked, do you service the Mexican population in town?

Ms. Santana answered, yes.

Ms. Zandri asked, is there representation on the Board?

Ms. Santana answered, I represent a large majority of the Mexican community as well as Spanish.

Ms. Zandri asked, and there are programs offered to each?

Ms. Santana answered, for everybody.

Ms. Zandri asked, have you noticed an increase in the Mexican population in your programs?

Ms. Santana answered, in the seven years that I have been there, yes?

Ms. Zandri asked, do they have representation on your Board as well?

Ms. Santana answered, we have tried to attract as many members from the Mexican community. They will come for a year or two and then they would drop but, the door is open for anybody.

Ms. Zandri asked, but there isn't currently any representation for them on the Board?

Ms. Santana answered, yes, we have one individual.

Ms. Zandri stated, I have been asked to ask those questions, thank you.

VOTE: Centner & Parisi were absent; all others, aye; motion duly carried.

ITEM #19 Consider and Approve Granting Permission to Choate Rosemary Academy to Construct a Handicapped Pedestrian Sidewalk on Town Property – Engineering

Motion was made by Mr. Knight, seconded by Ms. Papale.

The proposed new handicap sidewalk ramp will be constructed on Town property along the west side of North Elm Street, in the vicinity of their campus chapel. It is intended to supplement an existing but very steep ramp at its location. As Choate's proposal entails the construction of appurtenances on Town property, similar to the brick crosswalk on Christian Street and the post and rail fence system on North Elm Street and Christian Street, the Law Department suggested that Town Council approval be secured prior to authorizing Choate to undertake this construction. Recognizing that Choate's request to construct this ramp is technically feasible and it will be constructed in conformance with the Town's standard construction procedures, the Engineering Department recommends that the Town Council approve the ramp's construction, subject to the execution of a legal agreement satisfactory to the Department of Law which makes Choate fully responsible for the installation of the proposed sidewalk ramp and holds the Town harmless for any damages arising from the construction or subsequent use of the proposed ramp.

Mr. Farrell asked, the only reason we are being asked for permission on this is that, in effect, it is an unusual sidewalk because it has to be a handicap ramp?

John Thompson, Town Engineer answered, that is correct.

Mr. Farrell continued, and the Town is not spending any money on this; Choate is paying for this?

Mr. Thompson answered, Choate is committed to paying for the cost of it.

Mr. Zappala asked, why wasn't this done when the sidewalk work was done earlier?

Mr. Thompson answered, we did not do any sidewalk work. We did not do any sidewalk construction where the ramp was proposed. This came about at the request of Choate, in evaluating the circumstances associated with an individual student who is wheelchair bound and in working on her class schedule to get from location to location, it was determined that this location suited their needs to get her from one side of the street to the other in the most effective way. The Town of Wallingford did not sidewalk construction in this particular area.

Mr. Vumbaco asked, this ramp will be available for use for all citizens?

Mr. Thompson answered, absolutely.

Vumbaco asked, is this going to cause a safety problem there?

Mr. Thompson answered, no...it is to make it at a flatter grade. There is an existing ramp that is directly adjacent to the proposed ramp. It is just a very, very steep; you and I, as ambulatory people could probably use that ramp without any problem but, an individual in a wheelchair or other handicapped individuals would have a very difficult time using that ramp. The ramp would be designed to meet full ADA (Americans with Disabilities Act) compliance.

Mr. Vumbaco asked, having this crosswalk here will not cause a safety problem?

Mr. Thompson answered, no, there has always been a crosswalk at that location.

Jack Agosta, 505 Church Street, Yalesville asked, would the Town be responsible to build this sidewalk ramp is Choate asked us to?

Mr. Thompson answered, I would think not because there is an existing ramp directly adjacent to it that would serve the typical public needs. I suppose Choate could have come to the Town and asked us to build it. They chose not to; they chose to approach us with a request just to w them to construct it.

Mr. Agosta asked, if they did not want to build the ramp or sidewalk, would the Town be liable to build it? We had to build the sidewalks in front of Choate School. Are we liable to build the sidewalk if they wanted it built but did not want to pay for it? Would we be responsible for it?

Mr. Thompson asked, if they asked us to build it, would we have to build it? Is that what you are asking?

Mr. Agosta answered, right.

Mr. Thompson answered, I honestly do not know the answers to that.

Mayor Dickinson answered, we would have to know the entire set of facts and as to whether there are any other reasonable accommodations. I don't think we could form an opinion based upon what information we have, as to what the Town's responsibility would be.

Mr. Agosta asked, do they have to go before Planning & Zoning for that?

Mr. Thompson answered, no.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

Mayor Dickinson stated at this time, if there are questions regarding Harrison Road, we could waive Rule V and take it up. I can report to you that we are moving ahead with Mizzi Construction on Monday. Assuming that they are going to go ahead with it, there won't be a problem with anything else. If Mizzi does not come through then, of course, there is a fall back position. That is the status of the matter.

Mr. Vumbaco asked, it is my understanding that this is a special meeting, isn't it not? We posted the Council meetings in January; we revised that posting and, according to the rules and regulations, it is my understanding that these two Council meetings that we held in July and August are considered special meetings, even though it wasn't posted on the agenda. If they are special meetings, you cannot waive Rule V for special meetings.

Mayor Dickinson stated, I don't believe they are special, the Council secretary posted a notice of meeting cancellation in May, 2001 that, under Freedom of Information, indicated that they four meetings for July and August were cancelled and replaced by two meetings; July 17<sup>th</sup> and August 21<sup>st</sup>. It is all in accordance with F.O.I.

Mr. Vumbaco stated, it is my understanding that we have to set the meeting dates in January and anything beyond the meeting dates set in January are considered special meetings.

Mayor Dickinson answered, you can revise that schedule and, at the point you revise and re-post it, they become regular meetings.

Mr. Vumbaco disagreed with the Mayor's opinion on the matter.

Mayor Dickinson suggested that the Town Attorney, Janis Small, consider the matter.

Mr. Vumbaco stated, that's fine if the Town Attorney can rule tonight. If she can't rule tonight, then we should not have this discussion.

Atty. Small stated, I don't know that a re-scheduled meeting constitutes a special meeting under Freedom of Information. Just because it was scheduled for a different date, I don't think that makes it necessarily a special meeting. Is that what you are saying?

Mr. Brodinsky answered, the concern is, that if the Rule V motion is proper, fine. If it is not proper because it is a special meeting, then the discussion should be deferred. I am just raising the point because this meeting was not listed in January pursuant to the Freedom of Information Act, anything that happens subsequent to that would be a special meeting. If you don't agree with that and rule this as a regular meeting, that is fine.

Atty. Small answered, I don't believe that re-scheduling constitutes a special meeting, that's my understanding. If you post that you are changing your meeting dates, I don't think that makes it a special meeting under F.O.I. to the best of my knowledge.

Mr. Brodinsky stated, the issue of Harrison Road involves more than questions and that is fine and I am prepared to go forward with it. It appears as though the Harrison Road contract is a fete compli, a done deal, a little unfortunate.

WAIVER OF RULE V Motion was made by Mr. Brodinsky to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Discussion and Possible Action on Harrison Road, seconded by Ms. Papale.

VOTE: Centner and Parisi were absent; Farrell and Knight, no; all others, aye; motion duly carried.

Mr. Brodinsky stated, I don't think we have two-thirds. If we have six we are o.k.

Ms. Papale stated, no, there are only seven of us here tonight, figure it out that way.

Mr. Brodinsky stated, I think we need six; Attorney Small, would you agree with that? I think we need two-thirds to waive Rule V. In referring Rule V, paragraph B of the Town Council Meeting Procedures (rev. 3/14/2000) Mr. Brodinsky read, "business not included on the agenda may be discussed and acted upon, upon the affirmative vote of two-thirds majority but not less than five of those councilors present and voting. Based upon that, I don't think we have it so the Rule V motion fails. I don't want to take control of the meeting, Chairman Rys, I just want to move it ahead.

Mr. Rys replied, that is alright.

Mr. Brodinsky stated, we will just bring it up at another agenda meeting; there are some substantive issues we really need to discuss.

ITEM #18 Report Out from the Comptroller on the Revaluation Committee Project

Comptroller Thomas Myers stated, it is our pleasure to present to the Council, Mayor and public an overview of what has transpired, to date, with the Wallingford revaluation. We are in the midst of setting new market values on all real estate in the Town of Wallingford, that includes residential, commercial and industrial properties. Some time ago, a contract was awarded through the bid process, Division Technologies of Northboro, Ma. to assist us in conducting this project. We would also like to inform you that, since the project has been awarded and work has started, we have an internal committee in the Finance Department which meets weekly, every Tuesday morning, and we have stuck to that schedule with very rare exceptions. The committee consists of Shelby Jackson, Assessor; Dennis Hlavac, Chief Appraiser in the Assessor's Office; Norman Rosow, Tax Collector; Bob Ronstrom, Internal Auditor; Gary Fields, Project Mgr. assigned by Vision Technologies to the Wallingford project; and Robert Rockwell, Sr. Appraiser with Vision Technologies. Mr. Jackson and Mr. Rockwell are here, tonight, to help answer any questions you may have. We would like to give a ten minute overview of what we have done, where we are, and where we are going.

Shelby Jackson, Assessor, Town of Wallingford, stated, approximately thirteen months ago (7/00) we began what is referred to as the data collection phase of the project. It is simply a very methodical process whereby we go house to house and physically examine the exterior and interior of every dwelling in town. During this process we check measurements, record various factors and physical characteristics about the property. As of this month, August 2001, the data collection phase is complete. During this period, data collectors from Vision Appraisal Technology visited some 14,000 residential dwellings within the town. Of the 14,000 dwellings, Vision Appraisal was successful in performing close to 11,000 interior inspections. Interior inspections will continue as homeowners continue to call in and schedule an appointment. Along with the data collection of residential properties within the town, we have also completed data collection phase for all commercial and industrial properties as well. Our presentation tonight is geared mainly towards the residential property in town but I want to make it clear that everything regarding the project also includes commercial and industrial property as well, essentially every real estate parcel within the Town of Wallingford. It is to a homeowner's advantage to have the interior inspection done because, without it, we still have to assign market value but we will have to base our figures on incomplete information and we would much rather do a thorough inspection and record accurately those physical characteristics that I referred to earlier. For those properties that did not receive an interior inspection, a certified letter was sent to the property owner requesting that an appointment be scheduled. The mailing went out June 15th and since that time, many homeowners have responded to our request and have scheduled an inspection. We have compiled all of the information gathered from the data collection phase in the form of a data verification report and, last week, Vision Appraisal Technology began mailing a data verification report to every Wallingford homeowner, providing them with information about the data that was collected on their

residence. Homeowners are urged to view this report to ensure that the information is correct. If they find there is an error or mistake or, if they just have a question, we urge them to mark that and send it back. Instructions are included on how to note mistakes or corrections to the information. A postage paid envelope was provided as part of the report for the convenience of the residents to respond. All of the responses will be processed by Vision Technologies and the Town will receive a report of any changes that have occurred, as a result of the process. Homeowners should only respond to the report if they are making a correction or change. If the information appears to be correct, homeowners should keep the report for their records. Currently, Vision Appraisal Technologies are in the process of conducting a market analysis; reviewing recent real estate sales. The process of analyzing market sales will continue right up until and through October 1<sup>st</sup> which is the date of assessment; six weeks away. Out of this process we will verify all of the sales information; we will determine whether each sale is a valid or good sale that we can utilize for our study. We will begin to compare and correlate these properties to other similar properties that have not sold. Sometime in late November, Wallingford property owners can expect to receive a notice of the new market value for their property. This notice will provide the new 2001 market value and the 2001 assessed value. It will also provide the 1991 market and assessed values as well. We are trying to provide all of the information that the homeowner needs to evaluate their assessment and the new market value of the home. We are trying to focus our attention on that area and urge Wallingford residents to do the same. Market value is the object of the revaluation. When a resident receives their notice in November, they should look at that notification; look at the market value and ask themselves this question, "would I accept this price for my home if I were to sell it today?". Instructions will also be included with the notice so that homeowners can call for an informal hearing, if they have questions or they just wish to review the value with Vision Appraisal representatives. Throughout the project, the Assessor's office and revaluation committee has maintained a watchful eye over all aspects of the process. Meanwhile, in addition to monitoring the progress of the project, the Assessor's office is preparing a 2001 Grand List, non-revalued. This is important because the preparation of a non-revalued Grand List will provide us an absolute comparison so that we can measure the impact of the revaluation at the appropriate time. Tonight, we would also like to present to the Council, and we will soon be making it available to the public, a booklet which we have samples here and will distribute to the Council. Revaluation is a process that is not easily understood by residents. We are trying to take the mystery out of the process. Many residents may have questions about the process therefore the committee for the 2001 revaluation has taken the time to prepare a booklet that answers many of the most commonly-asked questions. A copy of this book entitled, "Assessment and Revaluation" will be sent to every Wallingford property owner sometime during the month of September. Booklets will also be available in the Town Clerk's Office in the Town Hall as well as the Wallingford Library and Assessor's Office. Care has been taken to present the material in a fashion that is easily understood to all who review it. This concludes my presentation at this time. I thank you for the opportunity to present this information to you. We are happy to answer any questions you may have.

Mr. Brodinsky asked, how are you coming with assessing the new power plant?

Mr. Jackson answered, Vision Appraisal Technologies will be responsible to assess the real estate portion of the power plant such as the land, buildings; valuations pertaining to that aspect of the power plant. In addition to that the power plant is also comprised of personal property, machinery, equipment and alike. The owner of the power plant will be required, like any other Wallingford business owner to file what is known as an annual declaration of personal property with our office. Once we receive that, and that must be filed by November 1<sup>st</sup> and no later than December 15<sup>th</sup> if, for good cause, they request an extension. Once that return is received in our office, we review it for accuracy and make a determination at that time.

Mr. Brodinsky asked, they will be on the Grand List for October 2001?

Mr. Jackson answered, yes sir.

Mr. Brodinsky asked, has Vision Appraisal Technologies had any experience appraising power plants?

Mr. Rockwell, Vision Appraisal Technologies answered yes, there are other senior members and myself who have had some experience involved with appraising this type of property.

Mr. Brodinsky asked, are you planning on appraising that on a similar sales basis? On an income basis? What is your approach going to be?

Mr. Rockwell answered, I will more than likely look at the validity of all three approaches, both cost, incomes and sales. Sales would be a little more difficult because once they are up, they usually don't sell.

Mr. Brodinsky asked, is that going to be by way of a special document or report or just notes put together? Frankly, why I ask is, I want to see it. What might be available?

Mr. Rockwell answered, at this point in time I believe we might be working within the boundaries of what we were provided to do for the Town. As far as doing a specific fee appraisal for that perspective, we are not planning on doing some on that at this point in time. There will be documentation to the effect as to how we arrive at certain values, obviously.

Mr. Jackson added, an appraisal will be conducted on the real estate portion of that site. I must tell you that it is my opinion that the real estate is, although significant, is not the most complex portion of that assignment. Personal property, by far, will be the most complex portion of that appraisal assignment. Yes, there will be a file in which we will compile, in the Assessor's Office, some of which may be protected as confidential under CT. law. If the company provides proprietary financial information to us, we would be obligated to hold that as

confidential, however, anything that is open to the public is certainly available to anyone who wanted to see that. The assessment will be published in the Grand List and will be available to anyone.

Mr. Brodinsky stated, it may be, and this is not an expert's opinion, that land that is cited and actually has an operating power plant on it may be more valuable than land in the same zone that has a warehouse on it because of all the permits, siting, amenities with transmission lines coming in with location, location, location and permits, permits, permits. I am interested in how that is going to come in. I just want end with that that I have an interest in looking at that because Wallingford has been promised and quietly or expressly tax revenues of about \$1.6 million although that has been bounced around in the press. I think the taxpayers and Council have been relying on that when it voted to approve the power plant, so again, I have a very keen interest in the methodology and just the results of that.

Jackson answered, let me assure you that we will be considering all those factors. In fact, any factor that we believe would have an impact on the valuation of that plant, we will consider any variable factor that we believe to be pertinent. That Assessing Office did do a report, as you may recall a year ago, which set out the methodology that we would employ when and if this plant did come to fruition. We have not changed our plan at this point. We are going to continue as we originally anticipated and we are going to treat them like any other Wallingford business. They are going to declare to us their equipment and we are going to verify that through actual records and costs for the plant. Although what may have been published in the media may be one thing, however our report, may not be exactly what was published in the media.

Mr. Farrell stated, I had a chance to quickly read through the booklet that you are going to mail to residents and I think it is very good and lays it out very nicely. What I would draw peoples' attention to is, when they receive the booklet and when they ultimately receive the information from your office, what the new value is, it is extremely important that they follow the steps here in the booklet. If they have a disagreement, they really need to refer back to the booklet and make sure that they take all of those steps, otherwise that at a certain point they may be out of luck; there may be no way that the value can be changed after a certain period of time. I hope ple will read this carefully. You did a nice job on it.

Mr. Jackson acknowledged that he had a lot of help from within the Department of Finance on it. He urged residents to read the booklet and keep it handy for future reference. There is a process for reviewing their assessment and if they feel their assessment is wrong, or even if they just have a question, they should follow the process that is described in the booklet. Their other option, of course, is they can just call our office and we will be glad to assist them.

Mr. Vumbaco asked, how far along are we on the commercial/industrial aspect of the revaluation?

Mr. Jackson answered, it is typical of any revaluation project for the commercial/industrial to lag behind a little bit. The residential component is usually a little bit ahead of the other. We are right on schedule. Bear in mind that we are analyzing market sales right up through October 1<sup>st</sup> and it is really not until that point or after that we really begin to refine our valuation and we really begin the valuation process. It is during the month of October we will be busy doing those things and it won't be until sometime in mid to late November that we will actually have the final values.

Mr. Vumbaco stated, this is my third revaluation that I have been through as a homeowner and I found this one to be the most professional, well-run valuation as a citizen that I have ever seen, from the gentleman who initiated contact to the person who showed up to look, to the information that has been provided back to me as a citizen. I even got a follow up phone call on an issue so, I think the entire team should be congratulated, including the firm you contracted to perform the service. I might change my mind when I get the assessment in November but, all kidding aside, you did a great job.

Mr. Myers reiterated, when people receive the notification of their 2001 market value, that is the number they should really concentrate on. Every one of us, as a homeowner, has a pretty good idea of what the value of our home is. The assessment is a by-product; seventy percent of the market value. The key number is the market value. Ask yourself the question, "if someone knocked on my door today and said they would write me a check for the market value of my home, would I accept it?" It is too high, you might want to question it. If it is too low, you should question it. Hopefully it will be right on target; that is our goal.

Mr. Brodinsky stated, the booklet is a real class act; a really classy document. I am glad to see some suggestions to the seniors on the last page; the avenues of tax relief. The gentleman who knocked on my door was very professional and polite. It was handled well by everyone, congratulations.

Mr. Myers stated, we did this booklet in 1991. Some of us were here and some weren't. We improved on it and I think it is an important aspect of a project such as this; to get the information out in as easy to understand manner as possible. I think we have accomplished that.

Jack Agosta, 505 Church Street, Yalesville concurred with Mr. Vumbaco and Mr. Brodinsky's statements with the professional manner in which the revaluation was conducted.

#### No Action Taken

ITEM #21 Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Property – Mayor

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

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

The Council entered executive session at 10:50 p.m.

Present in Executive Session were: Mayor Dickinson, Atty. Small and all Councilors with the exception of Mr. Centner and Mr. Parisi.

Motion was made by Mr. Farrell to Exit the Executive Session, seconded by Mr. Knight.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

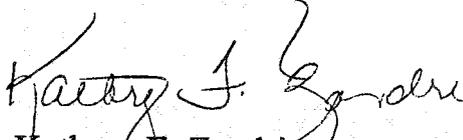
The Council exited executive session at 11:00 p.m.

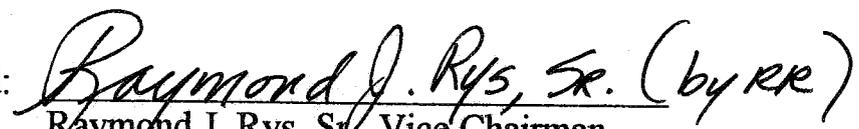
Motion was made by Mr. Farrell to Adjourn the Meeting, seconded by Mr. Knight.

VOTE: Centner and Parisi were absent; all others, aye; motion duly carried.

There being no further business the meeting adjourned at 11:00 p.m.

Meeting recorded and transcribed by:

  
Kathryn F. Zandri  
Town Council Secretary

Approved:   
Raymond J. Rys, Sr., Vice Chairman

9-26-01  
Date

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

9-26-01  
Date

RECEIVED FOR RECORD 9-11-01  
AT 4:45 P M AND RECORDED BY  
Rosemary Rascati TOWN CLERK

## **Wallingford Republicans**

Karen A. Hlavac, Chairperson, 85 Saw Mill Drive, Wallingford, CT. 06492  
William Choti, Vice-Chairman - - Dawn Pello, Secretary - - Jared McQueen, Treasurer

Mr. Robert Parisi, Chairman  
Wallingford Town Council  
45 South Main Street  
Wallingford, CT 06492

TOWN COUNCIL OFFICE

09-08-01P03:38 RCVD

09-08-01P03:37 RCVD

August 9, 2001

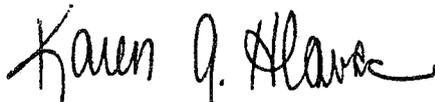
Dear Mr. Parisi:

Please be advised that Mrs. Pamela Mangini has resigned from her position as a member of the Wallingford Board of Education effective July 20, 2001. Mrs. Mangini has relocated out of town as a result of her husband's new career. Mrs. Mangini has been a valuable member of the Wallingford Board of Education for the past five and one-half years. During her tenure Mrs. Mangini has served in a number of leadership positions including Chairperson of the Board of Education. She has been a strong advocate for the children of our community and she will be missed. Please see the attached copy of her letter regarding this action.

At the most recent meeting of the Wallingford Republican Town Committee on August 8, 2001, Mr. Thomas Hennessey, 1 Laurel Drive, Wallingford, CT was endorsed for the unexpired term on the Wallingford Board of Education created by Mrs. Mangini's resignation. Mr. Hennessey has been a resident of the town for twenty years. Mr. Hennessey is married, has four sons and is employed by Sikorsky Aircraft. He has been actively involved in serving the youth of Wallingford for many years. He was instrumental in the formation of the Pop Warner Football League, has served as a high school athletic coach from 1989 to the present, and is currently the President of the Babe Ruth League. His years of dedicated service to the children of our community make him an excellent choice for this position.

Thank you for your attention to the aforementioned matters. If I can be of further assistance please do not hesitate to call me.

Sincerely yours,



Karen A. Hlavac, Chairperson  
Wallingford Republican Town Committee



# *Town of Wallingford, Connecticut*

Appendix II  
MAY RECEIVED  
01 AUG 7 16  
RAYMOND F. SMITH, P.E.  
DIRECTOR  
DEPARTMENT OF PUBLIC UTILITIES  
100 JOHN STREET  
WALLINGFORD, CONNECTICUT 06492  
TELEPHONE 203-294-2563  
FAX 203-294-2267

August 2, 2001

Public Utilities Commission  
100 John Street  
Wallingford, CT 06492

SUBJECT: GRIEB ROAD TRUNK LINE

Gentlemen:

The staff of the Sewer Division has identified a very serious pipe deterioration problem on the Grieb Road sewer line. Apparently, hydrogen sulfide formation led to significant damage to the asbestos concrete pipe that requires immediate slip lining (insituform) before a potential catastrophic failure takes place.

The hydrogen sulfide formation is a result of the Grieb Road pump station force main and excess detention time in several hundred feet of pipe. This situation is described in the attached section of a book of sewer construction matters provided by Sewer Superintendent Jim Kirkland. Recently, we have learned of several locations that are experiencing hydrogen sulfide formation. They are all at the outfall of lengthy force mains.

According to the excerpt attached, this is not a problem when dealing with PVC pipe, but is an extremely serious matter with transite type materials or metallic piping. The bottom line is that arrangements are underway to solve the problem on a long-term basis with the addition of a compressed air system that will provide the oxygen to prevent hydrogen sulfide build-up. The recent finding of the extreme deterioration of the piping was a surprise to many, since an earlier video of the area performed six or seven years ago did not indicate a severe situation.

The Grieb Road line will need several thousand feet of insituform installed, along with a substantial amount of repairs on impacted manholes. Monies are available in the current year's budget that will cover these repairs, however it will exhaust funds that were earmarked for projects throughout the fiscal period. Arrangements are being made for an additional appropriation from the emergency reserve fund that was established many years ago for this purpose.

Those funds will allow for the balance of repairs planned for 2001 - 02. That appropriation request will be placed on the PUC agenda for August 14<sup>th</sup> and the Town Council agenda for the following week. In the meantime, if you have any questions regarding the subject or wish to

Grieb Road Trunk Line  
Page 2

view the videotapes of the lines in question, please contact my office or Water/Sewer Manager Roger Dann.

Yours very truly,



Raymond F. Smith  
Director - Public Utilities

RFS/kaw

Attachment

C: Mayor Dickinson  
R. Dann  
J. Kirkland

Appendix III**ELECTRICAL TRANSMISSION LINE EASEMENT**

For a valuable consideration, receipt of which is hereby acknowledged, EDWARD J. SMITH, TRUSTEE OF WES REALTY TRUST under Declaration of Trust dated December 23, 1988, having an address at P. O. Box 933, Londonderry, New Hampshire 03053 (hereinafter called the "Grantor"), does hereby grant to the TOWN OF WALLINGFORD, a municipality situated in the County of New Haven and State of Connecticut, its successors and assigns (hereinafter the "Grantee"), with WARRANTY COVENANTS the perpetual right, privilege and easement to construct, maintain, repair, replace and remove above ground electrical transmission lines, guys, wires, cables and conduits (the "Lines") which shall be used for the delivery and transmission of electricity through the Lines, across, over and above the land of the Grantor described on Schedule A attached hereto (hereafter the "Easement Area"); together with (i) the right to enter the Easement Area and the Grantor's lands around the Easement Area for the purpose of inspecting, maintaining and repairing the Lines, and (ii) the right to remove and dispose of any obstruction or hazard which in the judgment of the Grantee impedes, hinders, interferes with, endangers or obstructs the Lines or jeopardizes the effectiveness of the Lines including, without limitation, the right to trim, cut and remove plants, trees and shrubbery, provided that in such event the Grantee shall restore the land to its prior condition (hereinafter the "Easement").

The rights, privileges and Easement herein granted shall continue in perpetuity and shall run with the land of the Grantor constituting the Easement Area.

The Grantor agrees, that it shall not: (i) cause or allow anything to be attached, temporarily or permanently, to the Lines; and (ii) erect, install or construct within the Easement Area any structure or improvement which may touch the Lines or in any way hinder, interfere with or impede the use or jeopardize the effectiveness of the Lines or the exercise by the Grantee of the Easement rights herein granted.

The Grantor shall indemnify and hold the Grantee harmless from and against any and all losses, damages, costs, expenses and liabilities resulting from or arising out of any acts or omissions of the Grantor resulting in damage to the Lines or to persons or property which indemnification shall include attorney's fees and any costs incurred in litigation.

The Grantee further agrees, by the acceptance of this Easement, that as long as and to the extent that the electric transmission system Lines constructed and maintained pursuant to this Easement are located within the Easement Area pursuant to this Easement, and are used to deliver electricity and electrical current including high voltage current, through the Lines and to provide electrical transmission, communication, signal and streetlighting service, the Grantee will repair, replace and maintain such facilities at its own expense (except as otherwise provided herein) and in connection with any repair replacement, or maintenance of said system or the Lines, the Grantee shall promptly restore the Easement Area to substantially the same condition as existed prior to such repair, replacement or maintenance, provided, however, nothing herein shall require the Grantee to repair, replace, restore or maintain any structures or improvements made by the Grantor in violation of the terms of this Easement.

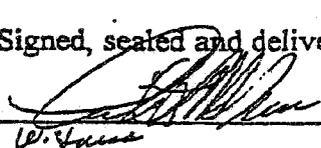
This Easement or any right herein described or granted, or any interest therein or part thereof, may be transferred and assigned by the Grantee to any communication or signal company or any company in the electrical generation, transmission or distribution business.

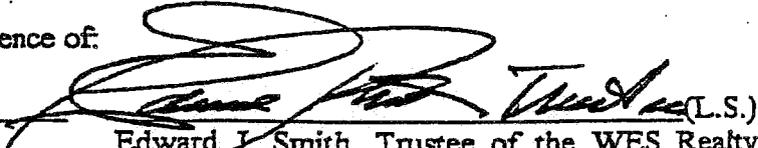
The words "Grantor" and "Grantee" shall include lessees, heirs, executors, administrators, successors and assigns, where the context so requires or permits.

TO HAVE AND TO HOLD the above granted rights, privileges, authority and Easement unto the Grantee, its successors and assigns, to its and their own proper use and behoof in perpetuity.

IN WITNESS WHEREOF, the Grantor has executed this Easement intending to be legally bound hereby, this 13<sup>th</sup> day of June, 2001.

Signed, sealed and delivered in the presence of:

  
W. Young

  
Edward J. Smith, Trustee of the WES Realty Trust under Declaration of Trust dated December 23, 1988 (L.S.)

  
Laurie C. Stoddard

STATE OF NEW HAMPSHIRE )  
COUNTY OF Rockingham )

ss:

On this the 13<sup>th</sup> day of June, 2001, before me, Anita L. McQuinn, the undersigned officer, personally appeared EDWARD J. SMITH, Trustee of the Wes Realty Trust under Declaration of Trust dated December 23, 1988, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained as his free act and deed.

IN WITNESS WHEREOF, I hereunto set my hand.



Notary Public ANITA L. McQUINN, Notary Public  
My Commission Expires My Commission Expires September 15, 2004  
Seal

**SCHEDULE A****EASEMENT AREA**

All that certain piece or parcel of land situated in the Town of Wallingford, County of New Haven, and State of Connecticut, consisting of 26,040 +/- square feet, and shown and designated as a shaded area within the parcel designated as "n/f Wes Realty Trust Edward J. Smith Trust 419 Cherry Street" on that certain map entitled "115 kV Transmission Line Easement Summary Plan dated December, 2000, revised to January 17, 2001, Scale 1" = 100 ft., made by P. B. Power, Inc., a Parsons Brinckerhoff Company of Boston, Massachusetts" and which premises are more particularly bounded and described as follows:

- NORTHERLY: 214 feet by property now or formerly of the Borough of Wallingford;
- NORTHEASTERLY: 61 feet by property now or formerly of Rucol, LLC, 413 Cherry Street;
- EASTERLY: 380 feet by other property now or formerly of the WES Realty Trust, 419 Cherry Street;
- SOUTHWESTERLY: 57 feet by property now or formerly of the Town of Wallingford;
- WESTERLY: 87 feet by property now or formerly of the Town of Wallingford;
- NORTHWESTERLY: 100 feet by property now or formerly of the WES Realty Trust, 419 Cherry Street.

## SCHEDULE A

A certain piece or parcel of land together with all the improvements thereon situated in the Town of Wallingford, County of New Haven and State of Connecticut, bounded and described as follows:

Being shown as Parcel "B" on a map entitled, "Map of portion of Property of Borough of Wallingford, South Cherry and Ball Streets, Wallingford, Conn., June 16, 1952, Scale 1" equal 50' " certified correct by Russell I. Boyce, Borough Engineer, on file in the Office of the Town Clerk of Wallingford.

Said piece or parcel is further bounded and described as follows:

Commencing at a concrete monument set in the Westerly street line of South Cherry Street at a point 449.75 feet southerly from the South Street line of John Street; thence running at an azimuth of  $209^{\circ}-12'-22''$  along the west street line of South Cherry Street for a distance of 389.01 feet to a concrete monument; thence running along a line parallel to and 25 feet distant from the South Main Street 18" Trunk Sewer along property of the Borough of Wallingford at an azimuth of  $305^{\circ}-20'-30''$  for a distance of 523.73 feet to a concrete monument; thence continuing along property of the Borough of Wallingford 25 feet distant from said trunk sewer, at an azimuth of  $326^{\circ}-27'-15''$  for a distance of 134.76 feet to a concrete monument; thence continuing along property of the Borough of Wallingford at an azimuth of  $28^{\circ}-23'-37''$  for a distance of 271.34 feet to a concrete monument; thence running at an azimuth of  $299^{\circ}-12'-22''$  for a distance of 644.38 feet along property of the Borough of Wallingford shown as Parcel "A" on said map, to the point of beginning.

Containing 5.16 acres.

**SCHEDULE A****EASEMENT AREA**

All that certain piece or parcel of land situated in the Town of Wallingford, County of New Haven, and State of Connecticut, consisting of 26,040 +/- square feet, and shown and designated as a shaded area within the parcel designated as "n/f Wes Realty Trust Edward J. Smith Trust 419 Cherry Street" on that certain map entitled "115 kV Transmission Line Easement Summary Plan dated December, 2000, revised to January 17, 2001, Scale 1" = 100 ft., made by P. B. Power, Inc., a Parsons Brinckerhoff Company of Boston, Massachusetts" and which premises are more particularly bounded and described as follows:

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- EASTERLY:** 380 feet by other property now or formerly of the WES Realty Trust, 419 Cherry Street;
- SOUTHWESTERLY:** 57 feet by property now or formerly of the Town of Wallingford;
- WESTERLY:** 87 feet by property now or formerly of the Town of Wallingford;
- NORTHWESTERLY:** 100 feet by property now or formerly of the WES Realty Trust, 419 Cherry Street.

**AFFIDAVIT REGARDING PAYMENT OF MORTGAGE**

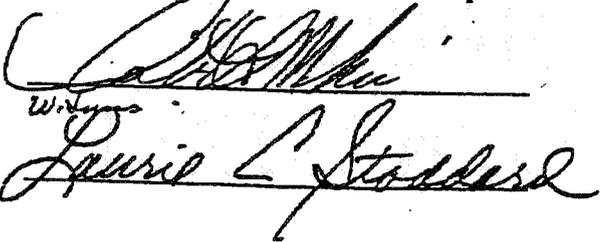
STATE OF NEW HAMPSHIRE }  
COUNTY OF Rockingham } ss:

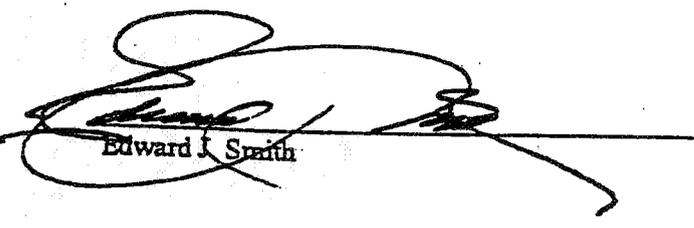
The undersigned, EDWARD J. SMITH, being duly sworn, deposes and says as follows:

- 1. As Trustee of W.E.S. Realty Trust, under Declaration of Trust dated December 23, 1998, I am the owner of premises known as 419 South Cherry Street, Wallingford, Connecticut, more particularly bounded and described on Schedule A attached hereto and made a part hereof (the "Premises").
- 2. On March 11, 1985, as Treasurer of W.E.S. Enterprises, Inc., the owner of the Premises at that time, I executed a Mortgage Deed in favor of JAMES E. MUTRIE, of Vero Beach, Florida (the "Mortgage Deed"). The Mortgage Deed secured a Promissory Note in the amount of \$200,000.00 and is recorded in Volume 543, Page 709 of the Wallingford Land Records. The maturity date of the Promissory Note was December 31, 1987.
- 3. I hereby represent and certify that the Promissory Note in the amount of \$200,000.00 secured by the Mortgage Deed was satisfied in full prior to the maturity date, and there is currently no outstanding balance owing on the indebtedness.

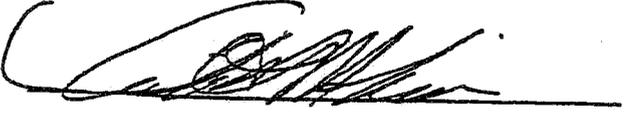
Dated: June 13, 2001

Signed, sealed and delivered in the presence of:

  
Witnes  
Laurie L. Stoddard

  
Edward J. Smith

Subscribed and sworn to before me this 13<sup>th</sup> day of June, 2001.



Notary Public  
My commission expires:

Seal

ANITA L. McQUINN, Notary Public  
My Commission Expires September 15, 2004

## SCHEDULE A

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being shown as Parcel "B" on a map entitled, "Map of portion of Property of Borough of Wallingford, South Cherry and Ball Streets, Wallingford, Conn., June 16, 1952, scale 1" equal 50' " certified correct by Russell I. Boyce, Borough Engineer, on file in the Office of the Town Clerk of Wallingford.

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Containing 5.16 acres.

TOTAL P. 01

STATE OF CONNECTICUT  
REAL ESTATE CONVEYANCE TAX RETURN  
OP-236 (Rev. 10/99)

STATE OF CONNECTICUT  
DEPARTMENT OF REVENUE SERVICES  
25 Sigourney Street, Hartford CT 06106-5032

FOR TOWN CLERK USE ONLY		
TOWN CODE	LAND RECORD	
	Vol.	Page

1. TOWN  
▶ Wallingford

2. LOCATION OF PROPERTY CONVEYED (Number and Street)  
▶ 419 South Cherry Street

3. GRANTOR/SELLER (Last Name, First Name, Middle Initial)  
▶ Smith, Edward J., Trustee

4. TAXPAYER IDENTIFICATION NUMBER (IMPORTANT: See Instructions)  
▶ 012-24-8224

5. ADDRESS (Number and Street)  
▶ P.O. Box 933

6. (City or Town) State ZIP  
▶ Londonderry NH 03053

7. IS GRANTOR A PARTNERSHIP, S CORPORATION, LLC, ESTATE OR TRUST?  
 YES  NO (If "YES", see instructions)

8. IS THIS CONVEYANCE BETWEEN SPOUSES?  
 YES  NO

9. IF THIS CONVEYANCE IS FOR NO OR LESS THAN ADEQUATE CONSIDERATION, WILL FEDERAL AND STATE GIFT TAX RETURNS BE FILED?  
 FEDERAL ONLY  STATE ONLY  BOTH  NOT APPLICABLE

10. GRANTEE/BUYER (Last Name, First Name, Middle Initial)  
▶ Town of Wallingford

11. TAXPAYER IDENTIFICATION NUMBER (IMPORTANT: See Instructions)  
▶

12. ADDRESS (Number and Street)  
▶ 45 South Main Street

13. (City or Town) State ZIP  
▶ Wallingford CT 06402

14. DATE CONVEYED  
▶ 4/ /01

15. DATE RECORDED  
▶ 4/ /01

16. TYPE OF INSTRUMENT  
 WARRANTY  QUITCLAIM  EASEMENT  OTHER

17. THE GRANTOR CLAIMS THAT NO TAX IS DUE BECAUSE: (If applicable, check one)  
 ▶ 17A.  CONVEYANCE WAS FOR NO CONSIDERATION (This conveyance may be subject to federal and/or Connecticut Gift Tax) (See Definitions)  
 ▶ 17B.  CONSIDERATION WAS MORE THAN ZERO BUT LESS THAN \$2,000 (See Definitions)  
 ▶ 17C.  CONVEYANCE IS EXEMPT PURSUANT TO CONN. GEN. STAT. §12-498 (Exemption Code must be entered from reverse) 03  
 17D. IF 17C EXEMPTION CODE IS 01 OR 08, ENTER APPROPRIATE DATA: \_\_\_\_\_

COMPUTATION OF TAX (Enter consideration for conveyance on the appropriate line)

▶ 18. Consideration for Unimproved Land	\$ _____	x 0.005	= \$ _____
▶ 19. Consideration for Residential Dwelling	\$ _____	x 0.005	= \$ _____
▶ 19A. Portion of Line 19 that is \$800,000 or less	\$ _____	x 0.005	= \$ _____
▶ 19B. Portion of Line 19 that exceeds \$800,000	\$ _____	x 0.005	= \$ _____
▶ 20. Residential Property other than Residential Dwelling	\$ _____	x 0.01	= \$ _____
▶ 21. Nonresidential Property other than Unimproved Land	\$ _____	x 0.005	= \$ _____
▶ 22. Property conveyed by a Delinquent Mortgagee (See Inst.)	\$ _____	x 0.01	= \$ _____
▶ 23. TOTAL TAX DUE (DO NOT STAPLE CHECK TO RETURN)	\$ _____	x 0.005	= \$ _____

GRANTOR, GRANTOR'S ATTORNEY OR AUTHORIZED AGENT DECLARATION  
 I, Edward J. Smith, Trustee, do hereby declare that the information furnished on this return is true and correct to the best of my knowledge and belief and that I am not a delinquent on any tax liability of two thousand dollars or more.  
 Name (Type or Print) Title Signature Date

GENERAL INSTRUCTIONS

1. All entries must be printed legibly or typed.

2. GRANTOR, GRANTOR'S ATTORNEY OR AUTHORIZED AGENT: A completed tax return must be submitted to the City or Town Clerk with a check payable to the COMMISSIONER OF REVENUE SERVICES. A Taxpayer Identification Number is required for each Grantor or Grantee name listed on the deed, instrument or writing. If a Social Security Number or Federal Employer Identification Number, as the case may be, is not entered, this return will be incomplete. If the conveyed property is located in more than one town, complete a tax return for each town in which the property is located.

3. LINE 7. If you answer "YES" to this question, you must attach a list of names, addresses and Taxpayer Identification Numbers for each partner, member, shareholder or beneficiary, as the case may be.

4. Real estate conveyance tax returns or copies of the real estate conveyance tax regulations and special notices call the Department of Revenue Services at 800-382-9463 (Connecticut callers) or 860-297-5962 (Greater Hartford and out-of-state callers). TDD/TT users call 860-297-4911. If you need additional information for assistance, please call the Excise/Public Services Taxes Unit at 860-541-3225, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m.

5. CITY OR TOWN CLERK: Mail this tax return and check to the Commissioner of Revenue Services (address listed above) not later than 10 days after receipt. Volume and Page reference in the box marked "FOR TOWN CLERK USE ONLY" must be completed. Please do not staple check to return.

DEFINITIONS

TAXPAYER IDENTIFICATION NUMBER: Social Security Number or Federal Employer Identification Number, as the case may be.

CONSIDERATION includes money paid and the fair market value of other property, real or personal, transferred directly or indirectly, to the grantor, whether or not expressed in the instrument. By way of example and not of limitation, consideration includes the amount of any liability of the grantor assumed by the grantee and the amount of any liability to which the property is subject.

UNIMPROVED LAND means land that has no improvements thereon.

RESIDENTIAL PROPERTY OTHER THAN RESIDENTIAL DWELLING includes apartment buildings, duplexes and other multi-unit properties, whether or not the grantor resides on the premises.