

TOWN COUNCIL MEETING

MARCH 12, 2002

6:30 P.M.

AGENDA

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#696-715) Totaling \$14,109.34 – Tax Collector
 - b. Consider and Approve Merit Increases (2) Approved by the Mayor
 - c. Consider and approve a Transfer of Funds in the Amount of \$4,000 from Contingency Fund Acct. #7060-800-3190 to Public Works Capital Projects Fund Acct. #001-5015-999-9176 – Director of Parks & Recreation
 - d. Consider and Approve a Transfer of Funds in the Amount of \$399 from Office Expenses and Supplies Acct. #001-3010-401-4000 to Typewriter Acct. #001-3010-999-9901 – Dept. of Health
 - e. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of CT. Office of Policy and Management for a State Drug Enforcement Grant used for Law Enforcement and DARE Education Activities - Dept. of Police Services
 - f. Consider and Approve an Appropriation of Funds in the Amount of \$2,141 To Revenue Highway Safety Acct. and Police Overtime Acct. in the Federal Highway Safety Fund – Dept. of Police Services
 - g. Consider and Approve an Appropriation of Funds in the Amount of \$7,232 From Revenue to Expenditures in the Preventive Health Block Grant 2001-02 Fund - Health Director

h. Consider and Approve a Transfer of Funds in the Amount of \$290 from Purchased Professional Services – Secretarial Acct. #001-2050-901-9000 To Telephone Acct. #001-2050-201-2000 – Building Department

4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Consider and Approve New Voting Districts – Registrars of Voters
7. Discussion and Possible Action on Waiving the Bid to Allow the Board of Education to Hire a Consultant to Recruit a Replacement for the Superintendent of Schools as Requested by Councilor Mike Brodinsky
8. Consider and Approve a Bid Waiver Request from the Board of Education for the Purpose of Selecting and Hiring a Consulting Agency to Assist the Board with Finding a Replacement for the Superintendent of Schools who will be Retiring Effective 11/1/02 – Bd. of Education
9. Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Contingency Acct. #7060-800-3190 to Purchased Services – Negotiations Acct. #001-1300-901-9002 - Mayor
10. CONTINUANCE OF A PUBLIC HEARING to Consider Adoption of a Proposed Ordinance Entitled, “Noise Ordinance” – 7:45 P.M.
11. SET A PUBLIC HEARING for March 26, 2002 at 7:45 P.M. for an Ordinance Entitled, “An Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issue of \$1,285,000 Bonds of the Town to Meet Said Appropriation and Pending The Issuance Thereof the Making of Temporary Borrowings for Such Purpose” To Correct an Error in Publishing the Notice of the Public Hearing – Mayor’s Office
12. Discussion and Possible Action Regarding the Implementation of a \$5.00 Notarization Fee for Notary Services Provided by the Town Clerk’s Office as Requested by Councilor Gerald Farrell, Jr.
13. Discussion and Possible Action on the Town-Owned Former Wooding/Caplan Property as Requested by Councilor Mike Brodinsky

14. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes with Respect to Strategy and Negotiations in Collective Bargaining and with Regard to Strategy on a Pending Claim in a Binding Arbitration Award and a Grievance Matter - Personnel
15. Discussion and Possible Action Regarding an Appeal of a Binding Arbitration Award as Discussed in Executive Session – Personnel
16. Discussion and Possible Action Regarding an Appeal of a Grievance Award as Discussed in Executive Session – Personnel
17. 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

MARCH 12, 2002

6:30 P.M.

ADDENDUM TO AGENDA

18. SET A PUBLIC HEARING for March 26, 2002 at 8:00 P.M. to Consider and Act Upon an Ordinance Appropriating \$510,000 for Park Improvements to Vietnam Veterans Memorial and Community Lake Parks and the Garden Road Area and Authorizing the Issue of \$510,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

TOWN COUNCIL MEETING

MARCH 12, 2002

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Correspondence - no items presented	
3. Consent Agenda – Items 3a-h	1-2
4. Withdrawn	
5. PUBLIC QUESTION AND ANSWER PERIOD – Comments re: Quinnipiac River Dam and its clean appearance; polluters of the Clean Air Act; fencing off of Tyler Mill area; Question re: reading of correspondence at meetings; complaint re: Bd. of Assessment Appeals Hearings; oversight of P.U.C. actions by Town Council; inquiry re: Community Pool condition prior to opening	2-8
6. Approve New Voting Districts	9-11
7. Withdrawn – incorporated in Item #8	
8. Approve a Bid Waiver request from the Board of Ed for the purpose of selecting & hiring a consulting agency to assist the Board with finding a replacement for the Superintendent of Schools who will be retiring effective 11/1/02	11-24
9. Approve a Transfer of \$15,000 to Purchased Services – Negotiations Acct. – Mayor	34
10. Continuance of a Public Hearing to Consider Adoption of a Proposed Ordinance Entitled, “Noise Ordinance” – 7:45	24-34
11. SET A PUBLIC HEARING for March 26, 2002 at 7:45 P.M. for an Ordinance Entitled, “An Ordinance Appropriating \$1,285,000 for the Acquisition of Approx. 93.72 Acres of Real Property Known as 991 Center Street...”	34
12. Approve Implementing a \$5.00 Notarization Fee per Document for Services Provided to Non-Residents by the Town Clerk’s Office as Requested by Councilor Farrell, Jr.	34-36
13. Withdrawn	
14. Executive Session – 1-200(6)(B) - Strategy & Negotiations in Collective Bargaining and with Regard to Strategy on a Pending Claim in a Binding Arbitration Award and Grievance Matter	36
15. No action taken	

Agenda Item

Page No.

- 16. **Approve** Appealing a Grievance Award as Discussed in Executive Session 36
- 17. Executive Session – 1-200(6))(D) – Purchase, Sale and/or Leasing of Property 36

Addendum

- 18. **SET A PUBLIC HEARING** for March 26, 2002 at 8:00 P.M. to Consider and Act Upon an Ordinance Appropriating \$510,000 for Park Improvements to Vietnam Veterans Memorial Community Lake Parks and the Garden Road Area...” 37

TOWN COUNCIL MEETING

MARCH 12, 2002

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on March 12, 2002 in the Robert Earley Auditorium and called to Order by Vice Chairman Stephen W. Knight at 6:36 P.M. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Brodinsky, Doherty, Farrell, Knight, Papale, Rys, Toman and Vumbaco. Chairman Robert F. Parisi was home ill. Mayor William W. Dickinson, Jr. arrived at 6:50 P.M. Corporation Counselor Adam Mantzaris and Comptroller Thomas A. Myers were also present.

Blessing was bestowed upon the Council by Rev. Sydney Parker (Retired).

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

No items of correspondence were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#696-715) Totaling \$14,109.34 – Tax Collector

ITEM #3b Consider and Approve Merit Increases (2) Approved by the Mayor

ITEM #3c Consider and approve a Transfer of Funds in the Amount of \$4,000 from Contingency Fund Acct. #7060-800-3190 to Public Works Capital Projects Fund Acct. #001-5015-999-9176 – Director of Parks & Recreation

M #3d Consider and Approve a Transfer of Funds in the Amount of \$399 from Office expenses and Supplies Acct. #001-3010-401-4000 to Typewriter Acct. #001-3010-999-9901 – Dept. of Health

ITEM #3e Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of CT. Office of Policy and Management for a State Drug Enforcement Grant used for Law Enforcement and DARE Education Activities - Dept. of Police Services

ITEM #3f Consider and Approve an Appropriation of Funds in the Amount of \$2,141 To Revenue Highway Safety Acct. and Police Overtime Acct. in the Federal Highway Safety Fund – Dept. of Police Services

ITEM #3g Consider and Approve an Appropriation of Funds in the Amount of \$7,232 From Revenue to Expenditures in the Preventive Health Block Grant 2001-02 Fund - Health Director

ITEM #3h Consider and Approve a Transfer of Funds in the Amount of \$290 from Purchased Professional Services – Secretarial Acct. #001-2050-901-9000 To Telephone Acct. #001-2050-201-2000 – Building Department

Motion was made by Mr. Farrell to Approve the Consent Agenda as Presented, Items #3a-h, seconded by Mr. Rys.

VOTE: Parisi was absent; all ayes; motion duly carried.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Philip Wright, Sr., 160 Cedar Street stated that the Quinnipiac River Dam on Quinnipiac Street has vastly improved in its appearance and he was happy to read an article in the newspaper detailing how a public works employee was removing debris from the waterway. The situation has improved much since a few years ago when there was public outcry over the large tree and other debris was trapped atop the dam.

Pasquale Melillo, 15 Haller Place, Yalesville stated that a draft EPA report found 1/3 of major U.S. polluters operate without permits and monitoring of systems as Congress has required. He asked, have we made sure that these companies who could be emitting pollution relative to the Clean Air Act...are doing so within guidelines?

Mr. Knight answered, the requirements have been in place since 1997 and are the province, the enforcement is the province of both the federal and state government. We enforce health regulations that are mandated by the state and do a pretty good job at that. I am not sure we tackle much in the area of air and water pollution. Probably because it affects more than just the Town of Wallingford; it affects the state and planet as well. We are preempted from enforcing federal law. That is the job of the federal government. The state enforces the state regulations, by and large. In terms of the environment, that is where we are at.

Mr. Melillo stated that we should work together with our state and federal representatives to make sure Wallingford is as pollution-free with regards to water and air systems, to the maximum extent possible.

Jack Agosta, 505 Church Street, Yalesville asked if Mr. Knight was aware that Tyler Mill Rd. was fenced off from both sides? It is open space area that is supposed to be available to the public.

Ms. Doherty stated that it is fenced due to a problem the Town is experiencing with the dumping of trash.

Mr. Agosta stated, if that is the case, the public can dump trash in any of our parks; they are wide open. The Town purchased the area of open space. It should not be fenced off for that reason.

Mr. Knight stated, we will defer the statement until the Mayor arrives. If we are no longer in the Public Question and Answer Period, we will obtain an answer for you.

Gary Linsley, 520 Ward Street Extension stated, a couple of minutes ago you said that you had no correspondence and I sent you a letter. Did anyone bother to read it?

Mr. Knight answered, I am sure most of us did.

Mr. Linsley asked, that letter wasn't correspondence?

Mr. Knight answered, we didn't consider it official correspondence for a Town Council meeting, no. We thought it was informational.

Mr. Linsley asked, did you read it? I dated it, signed it and put my telephone number on it. What more do you need to read it?

Mr. Knight answered, I don't think we need any more than that. Would you like to expound on it?

Mr. Linsley stated, a situation arose when Mr. Labriola, who happens to be the Chairman of the Board of Assessment Appeals (Tax Review) outlines in detail, with witnesses on other lines listening to what went on. There again, it is the same situation as I have told you about before; departments in this town do basically what they want, when they want. It is pure and simple; there is a complete disregard for what this little green book is, the Town Charter. Ordinance #294; complete disregard. In that information I provided to you, which you really forgot to read into the record, what I am going to do before the night is over, very specifically makes specific charges. What, if anything, are you going to do about those specific charges concerning the

violation of state statute and the ongoing situation where you have assessment appeals hearing going on when this gentleman himself, as the Chairman, said that he extended it illegally. What is the outcome here? Do you have the final ruling? Where are we going to do this? Are we going to stop or continue to let illegal actions take place? Are we going to do an investigation? What are we going to do?

Mr. Knight stated that he was not in a position to decide what course of action will or will not be taken at the present time.

Mr. Linsley stated, a charge has been made, what are you going to do about it?

Mr. Knight answered, I am not sure this is the forum to answer such a detailed charge. If you want to pursue it further, I suggest that you take it up with the Ethics Commission if your feelings are that someone is violating public trust.

Mr. Linsley asked, do you know what your powers are? Three members of the Council can investigate any department, you do realize that, don't you?

Atty. Mantzaris stated, Mr. Linsley came into my office with this complaint and I could find no state statute that says what he says it says, that no Town Official can remove papers from the Town Hall back to an office. There is a statute under F.O.I. that says a citizen can walk into an office and ask to see a public record at any time so a record has to be available. I checked with the Assessor and the records of the appeals taken were available in the Assessor's Office at any time any member of the public wanted to come in to look at them. Mr. Labriola may have taken originals; I know he has copies now. He took them to his office because there is no staff available to the Board of Assessment Appeals; no clerical staff and no room made available. He had his own personal staff make out the appointments so he could have his (Mr. Linsley's) hearing and so could all the other 420+ people who took appeals. If you want to refer to this office, we will look into his issue.

Mr. Linsley asked, will you ask Atty. Mantzaris to speak to the serious charge of extending the dates without proper authorization? That is a serious charge.

Atty. Mantzaris stated, the Assessor has no option but to accept every appeal that is filed, whether it is early or late. No appeal that is filed late will be acted upon by the Board of Assessment Appeals. They may have been filed late; they won't be acted upon.

Mr. Linsley asked, you don't feel that is a problem?

Mr. Knight answered, I am not sure that I have enough information at this point to make...

Mr. Linsley asked, what do you need for information to make a determination?

Mr. Knight answered, I need to re-read your letter and I...

Mr. Linsley asked, can we read it into the record so that there is no misinterpretation.

Mr. Knight answered, I don't think that is necessary; this is a Public Question and Answer period and it is not going to be dominated by one person. There are several other people who want to ask questions and I think they should be given an opportunity to participate as well. Right now I would like to move on to another public question...

Mr. Wright stated, I am pleased that the moratorium has been extended and I hope that a real professional effort will be made to present facts in a professional manner. If this issue is going to rise or fall, and it will, it should happen because it has been given a good, open airing. I remember Fuller Brush man stories; I remember one specifically where the Fuller Brush man knocked on the door when the lady opened the door he asked, "Lady, you don't want to buy a brush, do ya?" When I left that last meeting where this (industrial park proposal) was presented, that is how I felt we presented it. There was no real, decent effort to sell it. Please be sure that it is sold the next time. Get something done so the issue rises and falls on merits.

Jack Agosta, 505 Church Street, Yalesville asked the Mayor why both sides of Tyler Mill Road were fenced and gated so that it is not accessible?

Mayor Dickinson asked, do you mean on Woodhouse Avenue?

Mr. Agosta answered, on both sides.

Mayor Dickinson asked, what do you mean by both sides?

Mr. Agosta answered, Kondracki Lane.

Mayor Dickinson asked, it's not the entrance to Tyler Mill off of Northford Road, right?

Agosta answered, I think that's what it is.

Mayor Dickinson stated, there is an entrance to Tyler Mill off of Woodhouse Avenue and it doesn't go all the way through because the bridge cannot be crossed. There is one entrance off of Woodhouse Avenue and another off of Northford Road.

Mr. Agosta stated, the one off of Northford Road.

Mayor Dickinson asked, opposite where the treatment plant is?

Mr. Agosta answered, I am not sure.

Mayor Dickinson stated, I know of no blocking of the entrance off of Northford Road. There are plans to block the entrance off of Woodhouse because of the amount of dumping that occurs from that direction and the thought is that there is no real need for vehicular travel down to the bridge area from Woodhouse. You would be able to travel a distance from Northford Rd.

Mr. Agosta stated, there is a gate on Northford Rd. We drove around the other way and there was a gate on the other side, too. Unless I am mistaken, that is what I saw.

Mayor Dickinson stated, to my knowledge there is no intent to block the road. People live on Tyler Mill Road so to block the way to get to their home, I am sure they would be complaining.

Mr. Agosta stated, it should be looked into because when we purchased the land in Durham you stated, Mayor, that you did not want to block off the access road to the open space and it seems as though we are doing that at Tyler Mill.

Mr. Melillo stated, with regards to the last special meeting where it was the farmers versus would-be industrialists and big business...there is a three month moratorium of which I am in favor. The population is getting bigger. It is very possible that, as time goes by, we could have a food shortage. We have to do all we can to prevent that. One of the most important things we can do is have as much of our food grown right here, in Wallingford and get a good balance going with farmland and big business. We have a lot of areas already organized for big business and industry. We have a pollution problem right now with our air and water and it is going to be exacerbated unless we have a good balance of farmland and industry.

Mr. Linsley asked everyone who had a Town Charter in their possession to turn to page 28, look at the top paragraph, specifically the bottom 4-5 lines of it that reads, "In addition to the foregoing, the board shall file with the town clerk within five (5) days after each of its meetings a copy of the minutes of such meeting. All reports shall be kept on file in the Town Clerk's Office, and shall be open to public inspection." He stated, this pertains to the Public Utilities Commission meetings. On the following page, 29, it has "Oversight of the Board by the Council". What happened on November 8th was that the Town Clerk never got a copy of the minutes of the meeting until November 29th or 30th. That is a violation. What do you do about violations, here? How did you absolve your right to look at it within the fifteen day period? By not looking at it within the fifteen day period, you took away my rights for review. By not having that right, you took away my right to have that reviewed. I think anyone with common sense that looked at the minutes of that meeting would see where there has been a serious act that has taken place. What are you going to do to correct this? It is a violation. That is not the only department that does not file and record within five days. Why aren't we on top of this? Why don't we take care of it so we, the people of the Town can have the Council look at it within the required fifteen days?

Mr. Knight stated, we can make note of your findings and investigate whether or not we need to tighten up some of the recording procedures, that is legitimate.

Mr. Linsley asked, what are you going to do in my situation where the minutes were not turned in for twenty plus days and I was not given my legal right to have you look at it within the fifteen day period? What are you going to do about that? Shrug it off?

Mr. Knight answered, I don't think I can say what we are going to do about it until we find out what the circumstances were and, indeed, if what you are saying is factual. If we determine that it is factual then we will take it to the next step.

Mr. Linsley asked, what is the next step?

Mr. Knight answered, at this point I don't have what the next step is because I haven't encountered this step which is to find out exactly when the meeting minutes were filed.

Mr. Linsley asked, what do you do with violations of the Town Charter? If you don't have a set procedure, then why do we have a Town Charter?

Mr. Knight answered, we have a Board of Ethics and citizens like yourself can bring violations in front of us; we can pursue them with the departments involved.

Mr. Linsley asked, then what?

Mr. Knight answered, I am not sure; it would depend on each case.

Mr. Linsley asked, how many cases do you want? I have gone back a few years; there are hundreds of them. What are you going to do, let this continue? You are not going to follow the Town Charter? Are you an exception to the rule? We follow the Town Charter but you don't.

Mr. Knight answered, I don't believe that is the case.

Mr. Linsley stated, then let's do something about it. From this point forward, what is your plan of action?

Mayor Dickinson answered, not all violations are equal. That's basically it. Is it a substantive violation or is it something of a lesser nature? There may be a conflict between the Charter and F.O.I. as to how quickly minutes have to be filed. F.O.I. requires a listing of who was there and motions made and the results of votes. The question you raise is a legitimate question but it is not uncomplicated. To say that any agency within five days has to have all minutes filed at a given place, I don't think there is one committee, including the Town Council, that has

accomplished that. Is that a reasonable requirement within five days? You are asking for a response and I am giving you a response. It may not be a reasonable provision that within five days minutes have to be filed.

Mr. Linsley stated, that is in the Charter and you have to obey the Charter. If you want to change it, change it but if it is here, obey it.

Mayor Dickinson replied, then it is a question of whether it is a substantive violation or something lesser.

Mr. Linsley stated that he was deprived of his right to have an overview by the Council. He asked the Mayor whether or not he thought that was important?

Mr. Knight stated that Mr. Linsley made his point several times; the Mayor has responded and he (Mr. Knight) has done his best to respond as well. Mr. Linsley has made a point and the Council can look into seeing what needs to be done. For the time being, the subject is fairly closed.

Mr. Linsley stated, you have thrown my rights out the window. If the minutes are not turned in within fifteen days, the Council does not have any oversight. Why should I be deprived of my right to have the Council look at it to make sure it is correct?

Mr. Knight stated, we also exercise the right to attend those meetings. Those rights are not abrogated but sometimes, yes, the minutes probably aren't tendered to us in time.

Atty. Mantzaris stated, Mr. Linsley is talking about a claim he has against the P.U.C. which I understand will be taken up at its next meeting and we will be sure to have the minutes on the vote on that particular motion filed within five days so that if the Council is interested can override what ever decision the P.U.C. took on that issue. That is what he is talking about.

Mr. Linsley asked, will you honor the five day period from now on?

Mr. Knight answered, yes. Everybody is endeavoring to do so and they will try harder.

Mr. Melillo stated, pretty soon it will be getting warmer and Community Pool will be opened. We have had a problem for the past several years now regarding the peeling of paint from the bottom of the pool. Don't paint the pool anymore, the paint flakes are a health hazard. The smartest thing to do is scrape what remaining paint flakes there are and leave it as it is.

Public Question and Answer Period was declared closed at this time due to the expiration of the thirty minute time limit appropriated for it.

ITEM #6 Consider and Approve New Voting Districts – Registrars of Voters

Motion was made by Mr. Farrell to Adopt the Voting Districts as Presented, seconded by Ms. Papale.

Re-districting of Town voting districts have been completed by the Registrars and they are requesting the Council vote on the proposal. There are nine voting districts and a list was forwarded to the Town Council with the names of all the roads that would be located in each district (Appendix I).

Barbara Thompson and Diana Hotchkiss, Registrars of Voters appeared before the Council to give a brief presentation.

Thompson explained that the Council was viewing the same map that was presented the last time they appeared before the Council.

Mr. Farrell stated, in reviewing the material, I think it is an improvement on the fourteen districts that we did have. It eliminates a number of polling places that were difficult for the public to access that were not A.D.A. compliant, without reducing it to a very small number, nine as opposed to fourteen. I compliment everyone on a job well done. I think this is a good job and I am willing to vote for it.

Mr. Vumbaco asked, have we decided where the polling places are going to be yet?

Ms. Thompson answered, the decision, which is made by the two Registrars has not yet been made. If we cannot come to an agreement we will come back before the Council and you will vote on it.

Mr. Vumbaco stated, I thought Mr. Fritz did a wonderful job of putting this together. When he presented it to the Council, he had said that they were going to shoot for Town-owned buildings. Is that what the philosophy is?

Thompson answered, in my opinion, I would only support Town-owned properties. I feel that even if they are not handicap-accessible I think the tax dollars are better spent on public buildings than putting them into private facilities. That is my opinion.

Robert Sheehan, 11 Cooper Avenue stated, do you expect any savings cutting polling places from fourteen districts to nine?

Ms. Hotchkiss answered, I don't see any savings, no. I think it will cost us more money but I think having less polling places within a vicinity of each other is going to be beneficial. It will cost us more tax dollars because you cannot take 1,900 people and put them in a polling place

and now put 3,200 and expect the same amount of people to run that polling place. When I was in Hamden four years ago, I watched how their procedures were and what they did there was, you walked into a polling place, A-L was located on one side of the room and M-Z on the other. People would be directed to the appropriate table on either side of the room to check in but then would meet in the middle to vote on the machines. Otherwise 3,200 people would be waiting an hour and one-half to two hours to vote. Ms. Hotchkiss didn't think people would be encouraged to vote under those circumstances. She added, when we utilize Town-owned property we have to pay \$26.00 per hour for the janitors for six hours per day which is a fee we don't currently pay to private polling places.

Mr. Sheehan stated, most of our schools are not handicap-accessible which is one of the objects of the renovation, to bring the schools up to code. By the next election, I don't see that being done. At Rock Hill School where I vote, there is another voting district right across the street at United Methodist Church. Those two polling places will be combined under the proposal. What do we pay for a private location such as the Moose Club, Holy Trinity Church, etc.?

Ms. Hotchkiss answered, we pay \$150 to each church. That is what it cost us to use those places. There is only one area that I will probably have to come back before the Council to address and that is in District 9. I disagree with the proposal to use the Cook Hill Fire House as a polling place. They are trying to activate that building again with volunteer fire fighters and we had a problem with putting three machines in that location last year. When you increase to 3,200 people in a polling district, you have to have four machines. That polling place always ran out of the garage portion of the building without any heat for fifteen hours per day. That is the one place I don't agree on.

Ms. Thompson answered, we are not looking to use the Cook Hill Fire House at this time.

Mr. Sheehan asked, by reducing the number of polling places to nine does that even out the number of voters in each district now or is there still great disparity in some districts?

Ms. Thompson answered, there is a discrepancy in some but we have to stay according to the assembly districts. That is how we did our redistricting. You are not going to get an equal number of voters in the district.

Mayor Dickinson stated, it was stated and left as if true that the schools are not handicap-accessible. To my knowledge the schools are handicap-accessible. Not all programs in the interior are handicap-accessible, but all schools are handicap-accessible on the exterior.

Pasquale Melillo, 15 Haller Place, Yalesville asked if this has been approved by the Law Dept.

Ms. Thompson answered, yes.

Mr. Melillo asked, if approved tonight, does this go into effect immediately?

Ms. Thompson answered, yes and will stay in effect for approximately ten years.

Mr. Melillo stated, the Registrars of Voters do a tremendous job and deserve a raise.

Mr. Knight stated, that Bill Fritz and both Registrars have done a fine job with this undertaking. It was a big project and difficult.

Ms. Thompson stated, we could not have done it without Bill Fritz; he was a big help.

VOTE: Parisi was absent; all ayes; motion duly carried.

3M #8 Motion was made by Ms. Doherty to Move Agenda Item #8 up to the Next Order of Business, seconded by Mr. Rys.

Mr. Vumbaco asked for an explanation on why Item #8 should be moved up to the next order of business.

Ms. Doherty explained, it is more logical to have the informational presentation first before Item #7.

Mr. Vumbaco replied, in my opinion, they are both the exact same thing so it doesn't really matter.

VOTE: Parisi was absent; all ayes; motion duly carried.

ITEM #8 Consider and Approve a Bid Waiver Request from the Board of Education for the Purpose of Selecting and Hiring a Consulting Agency to Assist the Board with Finding a Replacement for the Superintendent of Schools who will be Retiring Effective 11/1/02 – Bd. of Education

response from Board of Education Chairman, Andrew Bravo, was read into the record by Mr. Farrell at this time. (Appendix II)

The selection of a Superintendent is among the one or two most important decisions that any Board of Education makes. For that reason, the overwhelming majority of Boards employ consultants to assist in that effort. For that reason as well the Board, in Wallingford, wants to be able to select the consultant it considers most appropriate in a manner that is unhindered by the specifications of the bidding procedure.

Mr. Knight stated, on Wednesday, February 27th there was a meeting of the Board of Education/Town Council Liaison Committee specifically requested by the Board of Education so that it might discuss this bid waiver with Councilors. The meeting lasted approximately forty-five minutes and the material that we have now attached to Item #7 which will be discussed next was made available to us. Additionally, there were three Town Councilors there; Bob Parisi, myself and Lois Doherty. Iris Papale, committee member, was unable to attend because of a conflict. Board members Carol Hayden and Carmen Arisco were at this meeting and we spent about forty-five minutes discussing the reasons why the Board was going to ask for the bid waiver. I think I can dispense with most of the discussion because I think it will be reiterated by Mr. Bravo.

Andrew Bravo, Chairman, Board of Education added, selecting a Superintendent is considered the most important policy decision that the Board of Ed can make. In order for the Board to do the job properly the Board has had extensive meetings starting on February 4th. At that meeting the Board decided that it wanted to speak with a CABE representative to tell us the process of hiring a representative. That meeting was scheduled for February 12th. Every council member was invited to that meeting which lasted approximate 1 ½ - 2 hours. Lois Doherty was there, we discussed the process and it was presented to us by the Executive Director of CABE who explained the entire process of hiring a Superintendent; the process and the practice of recommending that the Board hire a consultant to help us work with it. At that meeting, after discussion, it was voted by the Board unanimously to go ahead with the process of hiring a search consultant as opposed to doing it on our own. Everything that we have done, we have notified the Council of what we were planning to do. We have a big job ahead of us; we are fortunate that we don't have to rush the job of hiring a superintendent. We have the opportunity to do the job in a timely manner and properly before the present superintendent leaves his position. It is not an easy task that we hope to take lightly and we plan to do it involving the community. We think that a search consultant is the proper way to do it and we think that a consultant that we feel comfortable to work with after interviewing a few is the way to do it.

Mr. Vumbaco asked for Mr. Bravo to explain what he meant by "greatest degree of comfort" when making his statement with regards to hiring a search consultant.

Mr. Bravo replied, our process is that we want to interview a few and find someone that we can work with. Nine Board members have to work with the consultant that is chosen and they have to feel comfortable working with that individual and confident that the consultant will do what the Board wants them to do.

Mr. Vumbaco asked, you can send a bid spec out any old way that you want and load that up with as much comforting things that you are looking for and if the consulting firm cannot meet that standard that you have set for it, then they are automatically eliminated. I don't think we should waive a bid because we want someone to feel comfortable with a person they are working with. There are many professionally sound agencies across the country. I don't think

trying to waive a bid; we don't even know what amount of dollars we are talking about. I am being asked to waive a bid when I don't even know what kind of dollars we are talking about waiving which I think is ludicrous to begin with. To waive a bid because you feel that you need to be comfortable with some agency when there are plenty of professional agencies out there that live by a standard...if you check with the last 10-12 school districts that went out and hired superintendents, they can give you an opportunity or list of what they looked for when they were looking for a bid as well as all of you putting it together and going out to bid on it and selecting the bid based on the criteria you established. You are asking us to sit here and vote on the bid waiver for criteria that you are going to establish and this Council doesn't even know what that criteria is. A comfortable feeling is not really good, solid criteria.

Mr. Bravo stated, all nine Board members are working with a few of the Councilors who have been at our workshops and we decided that we did not want to go through the process of hiring a search consultant to work with us. We decided, as a Board, that we want to work with the process of hiring someone that we feel confident we can work with, after interviewing a few. We chose the avenue which is allowed to us of asking for professional services, a waiver of bid, so we can work with someone that we feel confident with. If I used the word comfortable instead of confident; there are plenty of words that we can use that defines what we want to do with it. We want to be able to choose who we want to work with, as opposed to giving you ten resumes. I can put whatever I want in the resume. It does not explain everything that a person does. To have to choose based on a proposal, I am not sure that is the avenue to go either.

Mr. Vumbaco asked, are you saying that it will be detrimental to the process if you actually went to bid? The only reason we should be waiving bids is because it is detrimental to the Town, according to the Charter. I don't think going out to bid and looking for professional consultants is detrimental. "Unless it shall be determined by the Council to be against the best interest of the Town." (Town Charter language)

Mr. Bravo stated, the superintendent's position is very important and we want to make sure....

Mr. Vumbaco answered, I am not denying that, nor the hiring of a consultant. I am talking about the process. I am not debating with you whether we need a consultant or not, just the process that we are going through once again, coming to us at the last minute and asking us to waive a bid for whatever reasons; comfort or what ever words you want to use for it. That, to me, is not a beneficial answer for me to vote on waiving the bid. You can load your R.F.P. up with whatever criteria that you need. I believe there are plenty of professional firms out there that would meet that criteria. If they don't, they get booted.

Mr. Farrell asked where the funds were coming from to hire this consultant.

Mr. Bravo answered, current budget, contingency account. There will be no return visit to the Council for additional funds.

Mr. Farrell stated, the last time we encountered this situation when we really didn't know what the dollar amount was and we were still be asked to waive the bid, there was some range of money that we were told. Is that the case here? Can you give us some idea of approximately how much we are giving you the authority to go ahead and hire a person by waiving bid? What range of money are we talking about here?

Mr. Bravo answered, \$15,000 - \$25,000.

Mr. Toman stated, I take it that you are looking for a top of the line, nationally known search firm. Thanks to lots of things but also Dr. Cirsuolo who is nationally known in his field and therefore Wallingford has become nationally known. I would think that would help us get people from all over the country coming to Wallingford and bring more talent our way. If it hadn't been for Dr. Cirsuolo's national reputation, that might not be so. Do you feel that if we don't waive the bid, this could be impacted?

Mr. Bravo answered, that and a few other things that we hope that our consultant can help us perform. We don't plan to hire a new superintendent in a vacuum. We hope to involve the search consultants to help us put together the blueprint for what we are looking for in a superintendent; individual interviews with the Board members; combined interviews with the Board as a whole; focus groups of administrators and teachers; focus groups of parents in the community; members of the community who are not necessarily parents.

Mr. Rys stated, we are in the middle of a large school building project. Are you planning to be on line with this new superintendent for a while to familiarize himself?

Mr. Bravo replied, we are hoping to have a superintendent in place October 1st who can shadow Dr. Cirsuolo for the whole month of October.

Mr. Rys was concerned that, with a nationwide search, a candidate may not be familiar with Connecticut's laws or forms pertaining to the building project. He would like to see that as part of the criteria.

Mr. Vumbaco asked, is there more than one national search firm out there?

Mr. Bravo answered, the CABA representative gave the Board a list of nine (9) search consultants that are used, traditionally, in CT. These nine consultants have offices nationally. We send the proposals to these nine offices, plus a tenth that has asked that they be sent a proposal also. The responses are not due back until Friday at 3:00 P.M. A three-paged detailed Request for Proposal (RFP) was sent out. I can provide you with a copy of it.

Mr. Vumbaco discovered that a copy of the RFP was present in his agenda packet.

Vice Chairman Knight asked, if your bid waiver request was not granted and you had to go out to bid, would that severely impact your time table or will you be able to get done what you need to with the bid process stretching it out another 4-6 weeks?

Mr. Bravo answered, it will push the time table out another 4-6 weeks.

Vice Chairman Knight asked, you will still get a consultant and go through the search process, right? It is not critical and will not keep you from accomplishing your goals, is that correct?

Mr. Bravo answered, yes.

Geno Zandri, 9 Balsam Ridge Circle asked, can't you set up your bid specs to whatever criteria you feel is necessary in order to get accomplished what you want to get accomplished?

Mr. Bravo replied, yes.

Dr. Cirusuolo explained, what you cannot do under the Purchasing Ordinance is, interview two or three of the people who send applications in and decide as a result of that interview who you are most comfortable with. There is a point system that has to be established ahead of time and that is applied to the quality of proposals; there is an equal number of points applied to the amount of money. You can very well have the best quality proposal but not be the one that is accepted because it cost so much. While you can do some tailoring...when you are dealing with the acquiring of the service where you really want to get the person you want, you generally come and ask for a bid waiver. That is the process we have gone through. You can't get down to the person you have the most comfort with because there are other aspects of the bidding process that can prevent you from doing that.

Mr. Zandri asked, are you saying that part of the process, you are forbidding to interview?

Dr. Cirusuolo answered, I am saying that you can't interview folks and, just on the basis of that interview, select someone. There are 50 points based on the quality of the proposals. Some of those items you pick up in interviews, some aren't. There is another 50 points that is allowed on the basis of price. You can go through the whole process and come up with the agency that you think is the best but its price may be such that the second-best agency or third-best agency is the one selected by virtue of the point system.

Mr. Zandri asked, there is a process to conduct interviews in such a way as to ask questions regarding similar projects that the firm may have worked on...

Dr. Cirusuolo answered, you can do background checks and the whole bit but, again...when they go out to hire a superintendent, they are not going to be basing that on a bid process. There

is going to be what ever process the Board sets up and price will really not be part of the consideration. They are not going to be held to the second or third best candidate for superintendent based on what that person, in essence, will charge. You have the same thing going on with the search consultant from the Board's perspective; they would like to select someone based exclusively on their assessment of that agency and not have to worry about whether or not that agency's price is such that it ends up in first, second or third place.

Mr. Zandri reminded Mr. Bravo that the Board does not have to go with the lowest bidder. If the Board can justify to the Council why they wouldn't want to engage in business with the lowest bidder, that can be done.

Dr. Cirasuolo stated, the Board would have to justify that the lowest bidder was not responsible.

Mr. Zandri replied, if the criteria is not met according to the bid specs, even if they are the lowest bidder, that bidder can be eliminated. We have enough expertise in this community to set up the bid process for the consultant and it will work if we want it to work.

Michael Votto, 377 N. Elm Street stated that the Board of Education belongs to CABA and pays hefty dues to belong, do they offer consulting services?

Mr. Bravo replied, they have a firm that they work with but there is a fee associated with the services that are given in the form of a rebate.

Dr. Cirasuolo stated, CABA recommends the firm (name escapes all at this time) but you still pay the firm. The arrangement with the firm is that you hire them and the firm pays a certain percentage of the fee to CABA for the endorsement. CABA does not provide that service for your dues, unfortunately.

Robert Sheehan, 11 Cooper Avenue asked why only ten letters were sent out by the Board?

Dr. Cirasuolo answered, nine were recommended by CABA which is the CT. Association of Boards of Education and one additional firm which hasn't had much experience in the area of selecting superintendents asked for a proposal.

Mr. Sheehan's opinion is that the bid process has already been initiated with the sending out of the ten letters which must have included criteria or specifications in order to receive responses. Were the ten mailed to in-state firms or out of state firms or a combination of both?

Mr. Bravo answered, nine firms are national organizations that have state offices that are in CT. or Massachusetts.

Mr. Sheehan stated that there are going to be expenses associated with the firms traveling to Wallingford for the interview process. The letter must have included information that serves as an incentive to get their attention.

Dr. Cirusuolo explained, the standard request for proposal was sent out. It was boiler plate language recommended to us by CABA, tailored to Wallingford, to a certain extent. It is not the kind of document you would send out if you were going through the bidding process. It is a lot more general than that. The firms that were contacted are exclusively in this business. The only reason why they would not submit a proposal was that they are so busy that they just can't handle it and that may be true in one or two cases. The process is totally consistent with what CABA has recommended and what happens in over 95% of the situations in this country when they are looking for a superintendent. Boards do not go out to bid for search consultants. Boards use the process that our Board is using here.

14.11. Melillo felt that the Council would be violating the intent and spirit of the Town Charter if it voted in favor of this action tonight because there is nothing that supports waiving the bidding process. He was opposed to hiring a consultant. He felt the Town had local expertise; principals, local educators who have the capabilities of hiring a superintendent.

Mr. Brodinsky did not fault the Board for wanting to spend the tax dollars in the manner in which they see fit. Elected officials near and far would love to have the ability to do so; pick the people they want; color their choice in terms of comfort level. It is not the Board's concern whether or not a matter goes out to bid or not. The guardian of the bidding procedures is not the Board of Ed. I appreciate where you are coming from and if I were in your position I would come in front of the Council every time and say that I had to waive the bid because there is only one or two people out there that I can deal with. Even though you haven't met any of the nine, it seems as though it is a pre-determined conclusion that there will be some that you will not be able to be comfortable with. I find that a bit curious. We have a very strong public policy to put things out to bid which is the general rule and way we do things. Waiving the bid is an exception. When I hear that public officials, in the position to spend public money talking about the comfort level as being the driving force to put something out to bid, I am somewhat disappointed. The Council should see itself as the guardians of the bidding procedure, not the Board of Ed. That's o.k., we have different roles. I hope we are here to protect the bidding process. In the spirit of trying to defend a procedure and very strong public policy in this town and the state, the policy in favor of bids. Only in the clearest case should a bid be waived. I will read to you what the bidding process is supposed to protect. I am reading from a legal journal often cited by our Town Attorney and Corporation Counselor on municipal corporations.....Treatise McQuillin on Corporations (The Law on Municipal Corporations 3rd Edition, Eugene McQuillin) which reads, "The provisions of statutes, charters and ordinances requiring competitive bidding in the letting of municipal contracts are for the purpose of inviting competition, guard against favoritism, guard against improvidence, extravagance, fraud and corruption and to secure the best work or supplies at the lowest price practicable. These

ordinances and statutes and laws are for the protection of the public, not for the benefit or enrichment of bidders and should be so construed and administered so as to accomplish such purpose fairly and reasonable with sole reference to the public interest." Not the interest of a department head or someone in the position to buy services. Missing from that list is the protection of the "comfort levels" of those who would spend tax dollars on services. When a public official says that they have to protect their comfort level, that is not terribly persuasive. This is some obligation on the part of you and Dr. Cirusuolo, as professionals, to get yourself comfortable with someone who objectively has credentials that you should be comfortable with. You can tailor your bid specs to get in qualified people and if a bidder is not qualified, you don't have to accept them.

Mr. Brodinsky gave examples of criteria, only for the sake of examples, that can be built into specifications so that the Board would be comfortable with everyone who fit the credentials.

He stated, if you get someone in for an interview that has top credentials and is the lowest price, get comfortable with them, you owe that to the Town and taxpayers. It can be done; it is a matter of the frame of mind. You build in top quality specifications into the bidding procedure if you want to and those people who have top quality qualifications will qualify as a qualified bidder. Lowest bidder does not mean lowest quality. We have an ordinance in town that says that if a contract is going to be more than \$4,000., it is supposed to go out to bid unless the bid is waived. Somewhere along the line...on or about February 12 I guess, somewhere along the line the Board of Ed got a wink and a nod or more than that, a commitment probably, from some members of the Town Council that the bid would be waived and that it was therefore o.k. for the Bd. of Ed to go out and start this process which you have done. Without a bid waiver, as required by the ordinance and Town Charter, you went out and drafted proposals, sent them out, set up an opening date which is March 15; set up interview dates of March 19 and 21 and announced that you wanted to hire someone by April 1, all before you got a bid waiver from the Council. The initial plan was to put this on the Council agenda for March 26th so you could hire someone by April 1. By that time, if that plan had succeeded, and I put this on the agenda and messed everything up for everybody...if that had succeeded, what would have happened is that there would have been an end run around the role of the Council and an end run around the bidding procedures and it would have been a fete accompli, all done and you would have come here and said that you had it all done, why re-invent the wheel? It would have been argued that the Board had gone out for proposals; gotten all the responses back; held interviews; had picked their man; had their price and besides that time would have been running out and there would have been no point any longer in sending it out to bid; putting the Council in a box; painting it into a corner and giving it no choice and I object to that. What should have happened and what could have very easily happened is that Council and Board could have held this conversation on or about February 12, 13, 14, 15 or whatever and the Board could have told the Council that this was the process it wanted to go through and you could have gotten an indication from the Council either a vote or level of comfort from the Council's part that the Board wanted to avoid the bidding process and go the RFP route. That proper procedure is what I am trying to defend

here, tonight. Something happened that made members of the Board very confident in the fact that they would get a bid waiver from this Council and that probably happened in this February 12th meeting that we heard about. Quotes in the paper indicate that members of this Council said that it looks like you are going to get the bid waiver. There was something said or done that sent a very strong signal which made it appear to you that it would be safe to wait until March 26th to bring the bid waiver before the Council to hire someone by April 1. I think that was inappropriate. It is not just the procedures followed by the Board of Ed, but the procedures followed by our own Council as to how this was handled. I know there is a liaison committee and Steve Knight indicated that everyone was invited but we have liaison committees so that the liaison members go to the meetings so the rest of the Council does not have to go. There is no point in having a liaison committee if decisions are made there and it is a decision by ambush. Liaison committees, if they work properly, are supposed to represent the institution of the Council, not only polled or un-polled majority, not the votes that three or four people say they are going to make; not any promise or implied promise that the bid will be waived. The liaison committee is supposed to bring Council business back to the Council when they come across Council business for a decision by all of us. We are here to be heard, not just seen, but it seems as though we were cut out of the decision-making process; those not going to this liaison committee and maybe we would have had some input in this decision that was apparently made on the 12th. I know that you all can say no decisions were made but I am sorry, they were. You went ahead with this whole process, assuming that you would get a bid waiver on the 26th. That should not have happened, you should have come to us very early in the game, got some sort of a consensus that avoiding the bidding process was proper, and then taking your direction from there. That is the process that I am trying to defend. That is the way good decisions are made and not what is happening here tonight. You do need a consultant, absolutely. There is nothing that you have said tonight, other than conclusions...I am not persuaded. I think the procedures are seriously flawed; there are major procedure irregularities. I think the Council, as an institution, has been violated in this end run and government by a wink and a nod in some liaison committee does the entire institution of the Council a disservice. I see no why, so far, for waiving the bid and I don't think waiving the bid should be the reward for all these things that I see as problems. I will vote against waiving the bid. You have said that you have time to send it out to bid, correct?

... Bravo answered, we will not meet the October 1st deadline.

Mr. Brodinsky stated, that is your deadline that you can decide to change.

Mr. Bravo answered, yes.

Mr. Brodinsky stated, so if the bid is not waived, you can go out to bid, you can carefully craft your bid specifications, you can get back responses from qualified people and then it would be up to you to get comfortable with these people if they have good qualifications. Thank you for your indulgence. My comments have been lengthy. You are the embodiment of the Board of

Education so I am looking at you and talking at you, but I know it is the entire Board's decision that brought you here. Thank you.

Dr. Cirasuolo replied, we have been before the Council very few times; I can't remember when we have come before you for a bid waiver other than the annual bid waiver list. Whenever we have considered it, it has been the standard operating procedure of the Council, as I understand it, that an agency or department or whatever, should not come before the Council to ask for a bid waiver until they had selected a vendor so that the Council would know who would be getting the job and how much it would cost. That was the intention of the Board before it met with the Town Council members for the Board Town Council Liaison Committee meeting. When this item was placed on the agenda of this meeting by a member of the Council that Mr. Parisi asked Mr. Bravo to send a letter. We thought we were going by the procedure the Council had established. When I first became superintendent, we had a bid waiver list that was approximately 3 pages long. We have whittled that list down to 3-4 vendors and, interestingly enough, two of those vendors are law firms. We tell you every year that we don't want to go out to bid for a law firm because we have a comfort level with these firms; we trust them, are familiar with them, work well together. That has been approved for ten years. We spend about \$150,000 a year on legal expenses. The total amount of those bid waivers, if my math is correct, is \$1,500,000 over the last ten years, which the Council has waived.

Mr. Brodinsky stated that he would like to respond to Dr. Cirasuolo's points.

Vice Chairman Knight stated that maybe later a response would be allowed but Mr. Farrell is waiting to speak.

Mr. Farrell stated, no one speaks for me; no one makes agreements for me and I guess I find it somewhat insulting as a Council member to have another Council member allege that there is some grand conspiracy going on here. I think that all that Mr. Bravo and Dr. Cirasuolo has said is that all of this speaks at face value; there is not some grand conspiracy going on. Mr. Melillo asked about local candidates and I didn't want it left that local candidates were precluded from applying. Can you state that on the record because I do hear that comment often that we are not considering internal candidates. Even if we are doing a national search, it is my feeling that any candidate that emerges from the local school system is someone who should be given a lot of attention and looking at. Do you agree with that?

Mr. Bravo answered, local candidates will have an opportunity to go through the process like any other outside candidate.

Mr. Farrell stated, based on what has been said this evening, I look at the fact that the superintendent of schools, and no insult to the Mayor is intended, is really one of the top officials of our town government. He has enormous responsibility over almost \$.60 out of every tax \$1.00. He is the administrative leader of our educational school system, he is the

academic leader. When we are being told that is it \$15,000 - \$25,000, while that is not a small number, given everything that that person is going to be responsible for, I don't feel comfortable leaving it just to the vagueness of the bidding process. If the Board of Ed which is the instructional body for our educational system says that the best way to get the best candidate for superintendent of schools is to go this way, that I think we have to put a lot of stock in that. I will vote in favor of this.

Ms. Doherty stated, this is too important an issue and I don't want to tie the Board of Education's hands. There is such a thing as being penny-wise and pound foolish. We talk about protecting the taxpayers and I feel that I will also vote for this waiver because over half of our Town budget is spent on the Board of Education. We have a \$62 million renovation project going on. I think it is important that we put our confidence in the Board of Education members to pick a consulting firm that has top credentials, therefore I will be voting for this.

Mr. Toman stated, I once heard, even though children represent 20 or 25% of the population, they are 100% of our future. To continue the quality educational system the school board and Dr. Cirasuolo are much responsible for, we are being asked to waive a bid. We are asked to waive bids for trucks. This is not a truck but the educational system of our children. We have one of the top superintendents in the country who has been working for us; his peers asked him to lead their national organization for a number of years. Instead of getting all caught up in conspiracy theories and who did what when, I think we should place our trust in men like this who are asking us to waive the bid because it is important to move the process along and to ensure we get a quality person to lead this system like we have had over the last number of years. I hope the Council keeps the children in mind and not just the economics of the process.

Ms. Papale asked, was it a majority vote of the Board of Education to waive the bid for the consultant?

Mr. Bravo answered, yes, it was unanimous at the time of the special Board of Education meeting, February 12th.

Papale stated, if both parties on the Board can vote unanimously on something... I feel that if it was unanimous, then the Board of Ed has done their job. When we get a recommendation from the Board, I don't like to go against it. They work hard and have their job to do. I feel that the Board knows what they need to do and I feel comfortable voting yes for this.

Mr. Brodinsky stated, its has been done; it happened; the Council has played the "child card"; the "quality of education card" suggesting that a vote to insist on bidding is somehow against the children of the town and educational faucets are going to be turned off and we are betraying our school system if we send out bids to find a consultant to hire a superintendent. If we insist on bids for a consultant, we will definitely get someone incompetent and that means we will definitely get an incompetent superintendent and life as we know it in Wallingford will fail.

Obviously I am overstating and exaggerating the argument. Basically, that is what I heard from some of these comments. I also heard the words, "conspiracy theory". Maybe I was at a different Council meeting, or maybe I slurred my words or stumbled my words. I was not referring to any conspiracy. What I was referring to was a meeting at which statements were made, not a conspiracy, a meeting. According to the Record Journal, they did not report a conspiracy and I am not saying there was one. Their article reads, "Carmen Arisco, who attended the liaison meeting remembered support for waiver. 'I don't anticipate that we will have a problem with the bid waiver, at least from the flavor I had from the liaison meeting' Arisco said." "Bob Parisi, Steve Knight and Lois Doherty were at the meeting and I kind of pushed them and asked them if this would be an issue and they didn't think it would be." That is all I am referring to, not a conspiracy. There was a conversation by a small number of Councilors and a small number of Board of Ed people, according to the article, and statements were made that left the distinct impression that the bid would be waived and the entire Council was not in on that decision. That is not a conspiracy. That is an error in judgment that I hope doesn't repeat itself. I don't see a conspiracy, I see a situation where the liaison committee came upon Council business and did not bring it back to the Council. They took care of it then and there. If liaison committees made decisions or send signals about how things are going to go, they merely become the provisional wing of the "R" team or something else. They are not representing the Council as liaison committees and I object to that. Maybe I am the only one that does but I am trying to defend the institution of all nine of us to retain our prerogative to be involved in the decision to waive the bid and that decision has to be made in a meaningful stage of the proceeding. If the decision has already been made in a liaison committee meeting and it is a fete accompli, then we're just chopped liver up here because it has all been worked out. It is not a conspiracy, just suggestions I made that the bid be waived. Dr. Cirasuolo, with regards to your comments that large bills are spent for legal services pursuant to bid waivers, it is my opinion that sending legal work out to bid is not worth it because the lowest hourly rate doesn't necessarily mean the lowest bill. Unless you have a legal bill audit built into your contract, bidding legal services, because it is by the hour, is not in the best interest of the Town. You raise a good point and maybe we will have to look at the money that you are spending on legal fees and building a legal fee audit system so that we can keep legal fees under control. This is a flat fee contract, not by the hour. It makes more sense to send it out to bid to compare flat fees rather than hourly rates.

Dr. Cirasuolo replied, I would be happy to sit down with you (Mr. Brodinsky) and show you how we keep legal fees under control. I think you will be pleased with it.

Mr. Vumbaco asked, when did the request for proposal go out? What was the date? This information provided to us has no dates listed nor is it addressed to anyone. Is there a letter that went along with this?

Dr. Cirasuolo answered, the letter went out around Feb. 14th, a couple of days after the Board decided to seek a bid waiver.

Mr. Vumbaco asked, if that is the case, why were we waiting to discuss this issue until either now or the end of March?

Mr. Bravo stated, the process was started with a letter to all councilors prior to Feb. 12th for the meeting on Feb. 12th because the process is new for us and figured it may be new for you. We provided all the councilors with a search packet. At that Feb. 12th meeting it was discussed that it would be a good idea to bring this issue up at a Board of Ed Town Council Liaison meeting. I don't know what comments were made at that meeting that you are referring to, I didn't even read what was in the newspaper. Our intention was to go through the RFP that was developed and it was presented to the Board at its meeting of Feb. 23rd or 24th. After that meeting the letter was sent out. The entire Board saw the letter before it was sent out. It was our intention to come back before the Council on March 26th after we knew who we wanted and how much it was going to cost.

Mr. Vumbaco asked, have we done an internal search to see if there is anyone that might be interested, that might have the capabilities of taking this job on; knows the school system, the renovation project; has worked with Dr. Cirasuolo?

Mr. Bravo answered, no we haven't.

Mr. Vumbaco asked why?

Mr. Bravo answered, we haven't put the print together yet on what we are looking for in a superintendent yet. Once the job description is put together...that is when we will determine if we do have someone in house who can meet those qualifications.

Mr. Knight stated, I think we have all been entertained by a construction of a story about a meeting that took place on the 27th of February that is practically fiction. I can't remember a time when I have been asked by other councilors to withhold my opinions from the public and to withhold my opinions from the press when asked a legitimate question about something that will be coming in front of the Town Council. An opinion which was solicited during a meeting which everybody on the Town Council was invited and, in the past, has attended when the issue has been important enough. Those of us who could attend did and there were some that made it clear that they were not able to attend but, after the fact, to come along and construct a scenario where the Town's Charter is being abrogated and if we allow this bid that the Board of Ed is going to go hog wild and they need to be reined in, it was fantastic theatre. That, in my opinion, is exactly what it is. We have nine elected officials who have requested the authority to choose somebody that is going to help them make the most important decision for the education of the children in this community for the next, who knows how many years. They should be comfortable with the decision and have the latitude to expend \$15,000 or \$25,000 when, in a couple of months, we are going to be turning over to them something in the order of \$60 million for the next school budget. Each Councilor has his/her own mind and the idea that

a cabal of three Councilors steered the Board of Education into believing that they had a blank check for this consultant is ludicrous. Let's get down to the real issue; do these people have the integrity to make a decision, hire something that they are going to have to work very closely with over the next few months in making a very important decision. I think they should. there is a trust level, a confidence level that develops and it is important to have that when you are making important decisions like this. If you are constrained by the bid system, the bid system is designed to protect the public from chicanery on the part of the public officials. I don't think this is anywhere within light years of anything of the sort. We will make a decision tonight and I will support the Board's request to hire somebody with whom they feel they can work the best to accomplish this most important goal.

Motion was made by Mr. Farrell To Approve a Bid Waiver for the Board of Education to Select and Hire a Consulting Agency to Assist the Board with Finding a Replacement for the Superintendent of Schools, seconded by Ms. Doherty.

Mr. Vumbaco stated, I don't question the integrity of these individuals, but I still vote no.

VOTE: Parisi was absent; Brodinsky & Vumbaco, no; all others, aye; motion duly carried.

ITEM #7 - Withdrawn (incorporated into 8)

ITEM #10 CONTINUANCE OF A PUBLIC HEARING to Consider Adoption of a Proposed Ordinance Entitled, "Noise Ordinance" – 7:45 P.M.

Motion was made by Mr. Farrell to Make the Following Amendments to the Ordinance, seconded by Ms. Doherty:

Motion to Amend Section 2 by adding the definition of a Sound Level Meter to mean an instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement of sound levels. The sound level meter shall conform to ANSI Specifications for Sound Level Meters S1.4-1971; and

to Amend Section 3.C.3 by deleting "and at least 4 feet above the ground" from the first sentence; and

to Amend Section 3.C.4 by adding the following: "The emitter's premises also includes contiguous public streets and highways, public rights-of-way, railroad rights-of-way and waters of the State; and

to Amend Section 4.C.1 by changing the allowed decibel level to an industrial zone to read "62" instead of "60"; and

to Amend Section 4.C.2 by changing the allowed decibel level to a commercial and industrial zone to read "62" instead of "60"; and

to Amend Section 4.C.3 by changing the allowed decibel level to a commercial zone to read "66" instead of "65", to a residential/day zone to read "61" instead of "60" and to a residential/night zone to read "51" instead of "50"; and

to Amend Section 4.C.4 by deleting the existing provision and substituting the following in its place: "All motor vehicles, motorcycles and snowmobiles operated within the limits of the Town of Wallingford shall be subject to the noise standards and decibel levels set forth in Section 14-80a-4a of the regulations of the Motor Vehicle Department of the State of Connecticut."; and

to Amend Section 4.E.7 by adding "includes noise that originates at airports that is directly caused by aircraft flight operations; and

to Amend Section 4.E by adding the following subsections:

9. Noise generated by governmental repair and maintenance operations.

10. Noise generated by transmission facilities, distribution facilities and substations of public utilities providing electrical powers, telephone, cable television or other similar services and located on property which is not owned by the public utility and which may or may not be within utility easements.

11. Noise generated by golf course maintenance equipment being operated on any private or public golf course so long as such equipment is properly muffled; and

to Amend Section 5.1 by changing "6:00 p.m. to 8:00 a.m." to read "sundown to 8:00 a.m."; to delete the note at the top of page 6; and

to Amend Section 5.3 by deleting "and any noise therefrom complies with the noise level standards set forth in Section 4C."; and

to Amend Section 5.4 by deleting "snowmobiles" and adding "except snowmobiles" after the phrase "and like vehicles."

Mr. Farrell stated, the question was raised at the prior public hearing that one of the problems that people seem to perceive is the car with the radio that is causing vibrations to someone's house. The suggestion was made that, in effect, while we can't get every one of those, the Police Department should set up some sort of scheme where periodically we do this kind of thing and hand out some tickets that would get the message across, in the same way we do with speeding, we can't catch every speeding case. Is there some kind of analogous here?

Mr. Zakrzewski replied, it is an accurate statement; we can't get them all but we could send a message. There are already laws on the books that can be used by the department to accomplish that goal. I come here tonight representing Chief Dortenzio and the Police Department. The Police Department is as concerned with noise problems and associated quality of life issues as all those who have proposed this ordinance. I have had the opportunity to conduct research on the enforcement aspects associated with the proposed ordinance and we do have some concerns and comments that I would like to offer.

With regards to ambient sound levels; from an enforcement perspective, we have to approach issues like considering what obvious legal challenges will there be to law enforcements actions?

The immediate concern we have is that the contribution of the overall level of the background noise associated with any particular incident. Extraneous noise is often called ambient level. As part of my research I contacted the prosecutor's office. If the Police Department is going to take enforcement on any issue, we need to know that we can work with our prosecutor's office. I spoke to the supervising state's attorney at the Superior Court which handles all Wallingford cases and the state's attorney had significant concerns about the ability to successfully prosecute matters. He offered up three areas of concern; the first being that he feels the violations would be very difficult to prove and would need to be looked at on a case by case basis. Of primary concern is proving that the decibel level in the violation was not effected by surrounding ambient sound levels. An accused party will say that there were other ambient sounds around them and how could we know they were responsible for the noise. The second issue was that of adequate training for the officers. Part of the reason I got involved in this is that I oversee a lot of the training issues associated with a lot of the enforcement tools the police department uses today such as radar and laser and video systems. There is a training aspect where, when you go to court they are looking for some kind of certification that the officer is certified on that specific device. The third issue is a sound level measuring device. We need to be certified two times per year, that is what the court would require. The manufacturer is telling us that their recommendation is once per year and is similar to the radar and laser devices we use. It has become a standard in courts, in Connecticut, what they are looking for is bi-annual certification. The court process would be violation of a town ordinance that would be considered an infraction. The accused may pay the infraction ticket or the court provides for a two step process of the infraction ticket to contest it. The initial hearing is before a Magistrate who is not a judge in Superior Court. If the accused is found by the Magistrate to be guilty, the accused is entitled to appeal that decision before a judge in Superior Court. If he is found guilty there, that decision can also be appealed. The end result can prove to be very costly and time consuming. The Town will incur costs associated with sending an officer to testify while the prosecutor's office will need to make a time management decision; how much time they can practically devote to the matter. You can well appreciate the prosecutor's take on these issues is that they have a lot of issues on their plate and I dare say that when it comes time to make a value judgment or a decision on their time management that a noise ordinance will likely not be a high priority at the court level. Many of the noise-related complaints that we receive at the Police Department involve loud parties, loud stereos, loud exhausts on the vehicles and loud motorcycles. I supervise the traffic division and if it has wheels, it gets sent down to my office. The complaints I have heard over the past year or two, primarily in residential areas, have to do with loud vehicles, motorcycles and one of the latest fads is the after-market mufflers that are being put on a lot of import-type vehicles. It is a fad amongst mostly young people. It makes a vehicle much louder. There are laws on the books in Connecticut that we could effectively deal with these issues. The first one is CT. General Statute 53-181, "Creating a Public Disturbance" "A person is guilty of creating a public disturbance when, with intent to cause inconvenience, annoyance, or alarm, or a reckless sleep creating a risk thereof he, engages in fighting or violent, tumultuous or threatening behavior, or annoys or interferes with another person by means of conduct or, makes unreasonable noise." That is a value judgment based on the time of

day, the location, the amount of noise that the officer will note. The second statute which deals directly with the vehicles and motorcycles is CGS 14-80 under "Mechanical Equipment" subsection (a) which reads, "Each motor vehicle and the devices on such vehicle shall be operated, equipped, constructed, and adjusted to prevent unnecessary or unusual noise. Taking it one step further; subsection (b) I have already informed my officers that is right on point with the loud vehicle concerns. "No person including a motor vehicle dealer, or repair or a motorcycle dealer shall remove all or part of any muffler on a motor vehicle except to repair or replace the muffler or part for the more effective prevention of noise." The final sentence in that segment reads, "No person shall use on the exhaust system or tailpipe of a motor vehicle, any extension, or device which will cause excessive or unusual noise." I would argue that these after market mufflers are being put on the vehicles for one reason; to make them louder, therefore it is in direct violation of state statute which is a \$78 infraction. It is an \$88 infraction for creating a public disturbance. At the request of one of the council members I met with a

spective vendor of the Town who is offering a sound level measuring device to the Town. I was permitted to borrow the device in order to perform some field tests. I would like to demonstrate the process involved in setting up the meter to give everyone the idea of the tool that the Police Department would have to work with.

At this time Lt. Zakrzewski demonstrated the activation and calibration of the device. He left the machine on while explaining that the cost of the device is approximately \$860 and, in addition, the cost to have the unit certified by the manufacturer would be \$125. Certification of police personnel to use the machine would be required every six months.

Lt. Zakrzewski referred everyone to page 4 of the proposed ordinance where is lists the numbers associated with the emitter's district and receptor's district. The purpose for doing so was to show how various readings taken around the town this morning score according to the ratings quoted on page 4.

Readings:

- empty hallway inside police headquarters 49 decibels
- inside the police cruiser with no radio on, the engine was idling 50 decibels
- police hdqtrs. front lobby (unoccupied) 50 decibels
- Turnberry Rd. (no traffic) 50 decibels
- Veterans Park (E. Center St.) (unoccupied) in driveway 50-55 decibels
- Wlfd. Resource Recovery Facility driveway (no truck traffic) 59-64 decibels
- Linear Trail (next to tennis courts – highway noise) 60-63 decibels
- corner of Center & S. Main St. (10:00 a.m. – normal traffic) 63-75 decibels
- overpass at E. Center St. & I-91 70-75 decibels
- overpass of Rte. 68 & I-91 (no construction equip. operating) 72-75 decibels
- large, box-type delivery truck w/backup alarm – 50' back 80 decibels
- home heating oil delivery truck pumping oil S. Brnfd. Rd. making delivery to residential home 82 decibels

Readings: (cont.)

- Water Division work crew, S. Main Street using motorized tamper 85 decibels
- police cruiser in police parking lot, 50' - range of siren motions 100-102 decibels

Without anyone speaking in Council Chambers, the noise reading is 50 decibels. As Lt. Zakzrewski spoke, it registered between 69-78 decibels. It is reported that a reading taken in one's living room at home without any noise registers 45 decibels.

In conclusion, Lt. Zakzrewski stated, our agency and the prosecutor's office have significant concerns about the practicality of enforcing this ordinance and the associated problems with the ambient noise levels. The device, itself, presents internal costs beyond the initial purchase of the device. There are also costs incurred for shipping the equipment twice a year to Massachusetts due to the fact there is no local vendor. Accessibility is another issue. If there is one unit with a 72 man workforce, is it left at the main desk? Does someone pick it up and run it to the location that it is needed at? Based on the complaints the Lt. witnesses, there are state laws on the books that are sufficient to deal with the complaints. The department is concerned with quality of life issues, as is Lt. Zakzrewski, however many of the officers feel this is going to be something that will be very difficult to enforce.

Mr. Knight stated that he is going to take questions from the Councilors at this time. He acknowledged Councilor Farrell.

Mr. Farrell stated, the presentation is interesting but there seems to be a conflict. These (guidelines) were not pulled out of the air but were recommended to us as the proper decibel level that the State D.E.P. is recommending. A lot of the amendments that we made tonight... were made to conform with what their standards are. How do I reconcile in my mind that D.E.P. is saying that this is proper in terms of the average residential neighborhood and the Wallingford P.D. is saying that it doesn't meet reality?

Lt. Zakzrewski replied, reality is the numbers that I have given you and the proposed ordinance is not far off. I have quite a bit of information from the State of Minnesota who has done extensive research on this issue and you are right along lines. Their numbers may be slightly higher than what is in the proposed ordinance. These are the numbers we are measuring.

Mr. Farrell's thought was, police work, in part, is some amount of discretion. If I am having a quiet conversation on a public sidewalk with someone and we are violating the noise levels, I would hope that I would not receive a ticket for that. One can stand in that same location and experience a far greater amount of noise that is generated from trucks, motorcycles, etc. Although there are state statutes to address the noise, Mr. Farrell preferred to give the Police Department an additional tool to assist them in doing their job. It may not be applicable to every situation but may add strength to situations that just aren't covered in the state statute that the ordinance is going to cover.

Lt. Zakrzewski stated, if you were having an argument on the public sidewalk and causing a disturbance, law enforcement would be more inclined to give each a ticket for creating a public disturbance. It is not fiscally prudent to try and outfit each patrol car with one of the noise meters. With regards to the vehicles and their exhaust systems, it is a clear, cut law.

Mr. Farrell stated, in the Ordinance Committee meetings a complaint was brought forward by a Town Councilor that had to do with the noise generated by off-road vehicles that traversed dirt trails behind his home in a wooded area that we were trying to deal with in the ordinance.

Lt. Zakrzewski stated, CGS #14-80 does not require operation of a motor vehicle on a public road and #14-387 deal with off-road vehicles such as snowmobiles and ATVs.

Farrell stated that the Council does not receive a lot of feedback on ordinances, as a rule. He has received many comments from people that they hoped the ordinance was passed because they are seeing this every day in their life situations in Wallingford. Lt. Zakrzewski's comments are excellent, however, the Council needs to start dealing with this problem more because it is something that is affecting a lot of people, particularly their quality of life, who want something done about it.

Mr. Vumbaco identified himself as the Councilor who is disturbed by the ATV noise generated by the vehicles as they ride around on their own front lawns and through wooded trails in the neighborhood. He and others should not have to listen to the disturbance on a Sunday afternoon as they try to relax out on their back decks. He, personally, called the Chief of Police and was told that there is nothing that can be done; no laws or regulations. The Chief offered to send an officer who might influence the youths to quiet the activity but the youths he has seen are not easily influenced. It is not just him but also other neighbors who are disturbed by the noise, including a former Councilor, Mr. Zappala, who has also received numerous complaints from his constituents in his neighborhood. He is glad he has learned that there are state regulations on the books because the department will now be receiving a call every Saturday and Sunday throughout the rest of the summer, logging a formal complaint on the matter. If, in fact, the modifications to exhaust systems on cars are evident, is Lt. Zakrzewski's officers pulling those over or are they waiting for a complaint?

Lt. Zakrzewski answered, we are now taking a pro-active approach toward enforcement. After I met with Mr. Brodinsky and had a better understanding as to what some of the concerns were that was propelling the ordinance forward, I did some research. I found that there are some existing laws that could be used. Every officer on the street is not aware of every state statute. Approximately 1-2 weeks ago I sent an interdepartmental memo to all the officers regarding quality of life issues...pointing out that a department-wide effort needs to be made in stopping these cares.

Mr. Vumbaco asked for advice on how to handle the noise issue from the ATVs who are riding on their own property. Should calls be made to the Police Department? Will they send officers up who are in the area? Is there a timing issue with regards to ?

Lt. Zakrzewski stated, an infraction is an onsite violation. A lot of people are reluctant to get involved. The best way to do it is call the police right then and there and let them send an officer out. It is true, officers have discretion.

Mr. Brodinsky asked, does your computer keep track of the number of citations given out for creating a public disturbance? Do you have any idea how many? What is your suggestion for what should be done? I am not in favor of an enforcement blitz, just feedback as to where we should go with this.

Lt. Zakrzewski answered, yes, that can be generated. I don't know how many complaints have been filed. I think the public needs to know you are out there enforcing it. There are no secrets here. I would like to see us have a more aggressive enforcement campaign. This issue will be in the newspapers, on television; fair warning. For those parents who have teenaged children who are engaged in this activity, it may not be bothering them but I am sure it is bothering their neighbors. I am one of those neighbors; I hear it in my neighborhood. I am very sympathetic to everyone's concerns. With the community's blessing going forward and trying to be more proactive in doing enforcement, that is the way to go.

Mr. Brodinsky asked, the Wlfd. Police Department is ready, willing and able to respond to noise complaints and, even if there is no noise complaint, treat it like a speeding violation or any other violation?

Lt. Zakrzewski answered, absolutely. We respond to thousands of calls every year. We have responded to approximately 5,000 calls for service since the beginning of the year and it is not yet the end of March. Internally, we will be taking a more proactive approach to address the quality of life issues, specifically the loud stereos and exhaust systems.

Mr. Rys asked, if the ordinance passes the Council, when you stop someone for a violation that may be covered under state statute, will they also be issued a summons under the Town's ordinance?

Lt. Zakrzewski answered, no. If you issue under Town ordinance it is in the form of an infraction. I have never seen that happen. The ordinance would fall under the infraction. An infraction can be written for any municipal ordinance.

Mayor Dickinson pointed out that Mr. Rys used the word "summons" of which the Lt. was responding to.

Mr. Rys asked again, if we have a Town ordinance... and it is being violated, would you be citing the Town Ordinance as being violated or would you be citing the state statute violation of disturbing the peace?

Lt. Zakzrewski answered, state statute. It would obviously fall under creating a public disturbance.

Mayor Dickinson added, unless you had the decibel meter with you and had the chance to hold it, verify it is operating properly, record the decibel level, then issue an infraction for the ordinance. With the state statute the officer hears the noise, his perception is that it is unreasonable and the enforcement issue with the meter becomes a difficult and awkward thing given what is occurring on the street. There is not time, generally, to deal with the meter.

Zakzrewski stated, the only real functional use for this meter... would be a situation where you have something that is not going anywhere such as a loud house party. What we do today is effective, we don't need the meter for that. Traditionally, officers will respond to the house, verify the party is loud, find the responsible party... take them aside... and ask that they quiet down the party. The responsible party will be considered warned and if a second complaint comes in the responsible party will be issued a summons for creating a disturbance. For the most part that takes care of the problem. People are appreciative of the warning.

Mr. Rys asked, if construction equipment was started at 7:00 a.m. or waste removal trucks were making noise at 5:00 or 6:00 a.m., is there anything that covers that?

Lt. Zakzrewski stated, nothing other than trying to approach the situation reasonably and talk with the garbage hauler asking if they can perform the service at a different time. Where there are mixed zoning uses in a residential area, it creates problems. There are no laws on the books to deal with those specific issues.

Mr. Rys asked, if I wanted to cut my lawn at 6:00 a.m. can I do so legally?

Zakzrewski answered, as it stands now, it would be creating a public disturbance. It is a judgment call by the officer. Could he cite you? Absolutely and you could follow the appeals process through court and end up before a judge who would make the value decision on whether you running your lawn mower at 6:00 a.m. is unreasonable or not according to state statute. There is no set time under state statute; "unreasonable noise." What is unreasonable to one person may not be to the next person. There is not time under state statute.

Mr. Toman asked, should the attitude of the state's judiciary personnel who oversees this kind of violation drive the way our enforcement works in town? I am not so sure it should. Shouldn't the judiciary regard what the community it serves feels is important also prioritize as important?

Lt. Zakrzewski replied, again, it comes down to what they view as priorities. They only have so much manpower and so many hours in the day. They will base decisions and judgments based on what their caseload is. It is not that they don't care...we have to look at it from a practical standpoint.

Mr. Toman asked, doesn't this ordinance give our local police another weapon; something else that you can use? We haven't talked about deterrents. The law is a deterrent, as well enforcement and ability to enforcement. It is the deterrent effect it has on a would be perpetrator. If this ordinance got to be well-known through the efforts of the police, the deterrent effect would be considerable.

Lt. Zakrzewski felt that a deterrent effect can exist without having an ordinance. If this ordinance were on the books today and a car pulled up next to him with a loud exhaust, he would write a ticket for a state law violation for altering the vehicle and making it louder. He would not have to worry about the noise meter, whether it was calibrated, if he had been certified trained, etc. Existing laws allow us to do this.

Mr. Toman asked, does the device and ordinance help or hinder in going forward with a noise violation?

Lt. Zakrzewski answered, the only help would be the increased public awareness that it is an issue and that is where we are today. It doesn't hinder, but I don't feel it would help us.

Mr. Toman asked, does it help the Police Department improve community relations with its town? It would help to get the police on a face to face basis with an issue that really affects a lot of people. I think it would be something that the Police Department would feel is very valuable.

Lt. Zakrzewski stated, I don't see where having the ordinance and device will have that end result. If the police administration makes a decision that the noise issues will be a priority and we will address them as a priority, then that is what it will be, a priority. The ordinance and meter does not give us any more teeth.

Mr. Toman stated, just the fact that we are discussing this has turned around some attitudes in the Police Department. I would think this would enhance that.

Lt. Zakrzewski stated, some attitudes in the Police Department have been turned around because I sent out internal memos letting the officers now that we need to start doing this.

Mr. Toman suggested that the Council pass the ordinance but also give it a thorough review by the end of this year or beginning of next year seeking feedback from officers. Perhaps there

should be a liaison committee to review the matter before bringing it back to the full Council to see if we need to "sunset" it or not.

It is noted that each councilor who spoke on this subject prefaced their remarks by commending Lt. Zakrzewski for an excellent presentation and thorough research on the subject matter.

Mr. Knight stated that Lt. Zakrzewski did a wonderful job and represented his department very well. He found it ironic that the state statutes seem more enforceable because they are loosely written. Local ordinances, if nothing else, set a few minimal standards of community behavior, even if they are not totally enforceable to the letter of the law. What we have done is not only enlightened ourselves and the public but highlighted some state statutes...and accomplished a great deal by making everyone aware of what is going on. I am in favor of passing the ordinance, as amended, if for no other reason than that we need to set minimal standards and we need to say to those few who blatantly violate our peace and quiet that we will not tolerate it anymore. I think there is no better an example of the quality of life issue enforcement than what happened in New York City from about 1988 on. All of a sudden it was determined that they were going after the "broken window" philosophies; they are going after....petty crimes. They portray an attitude of laxness in our society that people have said, enough is enough. I hope we will support the ordinance ourselves. With that I want to remind the public that this is a public hearing and the public's portion of the hearing was at the last meeting so we are going to finish this unless there is more comment from the Council by a vote. I believe we need to vote on the amendment that's on the floor. Mike (Brodinsky), we will start with you.

Comments were voiced from the audience off microphone regarding the fact that the public was not allowed to speak to the amendments.

Robert Sheehan shouted comments from the audience expressing his opposition to denying the public the opportunity to speak on this subject.

As Mr. Sheehan continued to shout his objections, Chairman Knight stated, look...I am sorry, this is a public hearing (gavel noise), there are procedures; there are procedures for holding public hearings. You could have spent all night last meeting and (gavel noise) all the time in the world to comment.

Mr. Sheehan shouted back, we didn't have this information last time. This is a free country...

Chairman Knight interrupted, this is a free country and we have reasons for procedures and we are going to have one.

Mr. Sheehan continued to shout back that the public was being shut off.

Chairman Knight called for Mr. Brodinsky to cast his vote with other councilors following.

VOTE ON AMENDMENT: Parisi was absent; Rys, no; all others, aye; motion duly carried.

VOTE ON ORDINANCE AS AMENDED: Parisi was absent; Rys, no; all others, aye; motion duly carried.

Chairman Knight stated, the public hearing is concluded.

Mr. Sheehan continued to shout from the audience that it was a disgrace.

Chairman Knight called for the next item of business.

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Contingency Acct. #7060-800-3190 to Purchased Services – Negotiations Acct. #001-1300-901-9002 – Mayor

The additional funds are needed to pay for collective bargaining costs that are impossible to predict.

Motion was made by Mr. Farrell, seconded by Ms. Doherty.

VOTE: Parisi and Rys were absent; all ayes; motion duly carried.

ITEM #11 SET A PUBLIC HEARING for March 26, 2002 at 7:45 P.M. for An Ordinance Entitled, "An Ordinance Appropriating \$1,285,000 for the Acquisition of Approximately 93.72 Acres of Real Property Known as 991 East Center Street and Authorizing the Issue of \$1,285,000 Bonds of the Town to Meet Said Appropriation and Pending The Issuance Thereof the Making of Temporary Borrowings for Such Purpose" To Correct an Error the Record Journal made in Publishing the Notice of the Public Hearing – Mayor's Office

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

Town Clerk Rosemary A. Rascati asked that it be noted for the record that the correct notice was sent to the newspaper but the typesetter misprinted the name of the street as "East Main" instead of "East Center". It was not an error on the part of the Town Clerk's Office.

VOTE: Parisi was absent; all ayes; motion duly carried.

ITEM #12 Discussion and Possible Action Regarding the Implementation of a \$5.00 Notarization Fee for Notary Services Provided by the Town Clerk's Office as Requested by Councilor Gerald Farrell, Jr.

Mr. Farrell stated that many people are sent into the Town Clerk's Office by banks and attorney's office because they are aware that the Town Clerk's Office will notarize any document for free. That is not true of most of the Town Clerk's Offices in surrounding communities. Most charge between \$2.00 and \$5.00 for each document. It is time-consuming for the staff to be involved in. Many of the people I see there are not necessarily residents of the Town. We are, in effect, providing a free service to the entire world and people are being routed to our Town Clerk's Office because there is no fee charged. I believe it would be appropriate to start charging a fee for notarization services. I propose a fee of \$2.00 a document for local residents and \$5.00 a document for non-residents. I don't want to discourage the service but we have to recognize that there is only so much manpower the office has and we have to service our townspeople first. In the year 2000, the office did notarize 1,005 documents of which 20% were from outside the Town of Wallingford.

tion was made by Mr. Farrell to Adopt a Notarization Policy to Charge a Notary Fee of \$2.00 per Document for Local Residents and \$5.00 per Document for Non-Residents, seconded by Mr. Toman.

Philip Wright, Sr., 160 Cedar Street felt that people are not driving from out of town to save themselves a \$2.00 notarization fee.

Mrs. Rascati stated that we do get a number of people from Meriden.

Mr. Wright was not sure this was something the Town should be getting into.

Geno Zandri, 9 Balsam Ridge Circle stated, Wallingford residents should not pay a fee but rather charge non-residents a notarization fee of \$5.00.

Wes Lube, 15 Montowese Trail asked, which towns in the immediate area charge \$5.00?

Mr. Farrell noted the different fee schedules however, none of the immediate neighboring towns charge \$5.00 but rather a \$2-3 fee.

..... Lube did not feel that much would be accomplished by charging a fee, especially when you factor in the time it takes to write or print a receipt for the customer.

Jack Agosta, 505 Church Street, Yalesville stated, North Haven does not charge at all. A \$5.00 fee is a lot to charge. He did not agree with the motion.

Mr. Farrell felt that Mr. Zandri's comments were appropriate, therefore he amended his motion.

Motion was Amended by Mr. Farrell to Adopt a Notarization Policy to Charge a Notary Fee of \$5.00 per Document for Non-Residents, seconded by Ms. Papale.

VOTE ON AMENDED MOTION: Parisi was absent; all ayes; motion duly carried.

ITEM #13 Withdrawn

ITEM #14 Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes with Respect to Strategy and Negotiations in Collective Bargaining and with Regard to Strategy on a Pending Claim in a Binding Arbitration Award and a Grievance Matter – Personnel

ITEM #17 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. Farrell to Enter Into Executive Session, seconded by Mr. Vumbaco.

VOTE: Parisi was absent; all ayes; motion duly carried.

The Council entered executive session at 9:53 P.M.

Present in executive session were all Councilors (with the exception of Chairman Parisi), Mayor Dickinson, Atty. Mantzaris, Atty. Dennis Ciccarillo, Fire Chief Peter Struble and Personnel Director Terrence Sullivan.

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

VOTE: Parisi was absent; all ayes; motion duly carried.

The Council exited executive session at 11:12 P.M.

ITEM #15 No action taken.

ITEM #16 Discussion and Possible Action Regarding an Appeal of a Grievance Award as Discussed in Executive Session – Personnel

Motion was made by Mr. Farrell to Appeal a Grievance Award as Discussed In Executive Session, seconded by Mr. Rys.

Mr. Brodinsky stated that he thought it was a waste of money.

VOTE: Parisi was absent; Brodinsky and Vumbaco, no; all ayes; motion duly carried.

ADDENDUM ITEM #18 SET A PUBLIC HEARING for March 26, 2002 at 8:00 P.M. to Consider and Act Upon an Ordinance Appropriating \$510,000 for Park Improvements to Vietnam Veterans Memorial Community Lake Parks and the Garden Road Area and Authorizing the Issue of \$510,000 Bonds of the Town to Meet Said Appropriating and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

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

VOTE: Parisi was absent; all ayes; motion duly carried.

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

VOTE: Parisi was absent; all ayes; motion duly carried.

There being no further business, the meeting adjourned at 11:14 P.M.

Meeting recorded and transcribed by:

Kathryn F. Zandri
Kathryn F. Zandri
Town Council Secretary

Approved by :

Robert F. Parisi (by RR)
Robert F. Parisi, Chairman

8-20-02
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

RECEIVED FOR RECORD JUN 25 2002
AT 4:30 M P. M. AND RECORDED BY
Rosemary A. Rascati TOWN CLERK

8-20-02

Date



Town of Wallingford, Connecticut

REGISTRARS OF VOTERS:
DIANA HOTCHKISS
BARBARA THOMPSON

TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2125

6

Date: February 28, 2002

To: Mayor William W. Dickinson, Jr.

From: Barbara Thompson, Republican Registrar
Diana Hotchkiss, Democrat Registrar

Re: Submitting New Voting Districts for Council Agenda

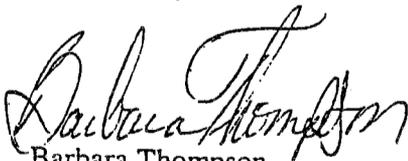
RECEIVED
MAYOR'S OFFICE
02 MAR -4 PM 4: 28

We would like to submit an item for the council agenda for the next meeting on March 12, 2002. We have completed the redistricting of our town voting districts, and would like to present it and have the council vote on it.

I will have the street directories to you by March 5, 2002 so that the council can review them prior to the meeting.

Please inform our office of the acceptance to the agenda.

Thank You,


Barbara Thompson
Republican Registrar


Diana Hotchkiss
Democrat Registrar

District 1

Anderson Rd
Bridle Lane
Burning Tree Ln
Celestial Ln
Cooke Rd
Country Way
W Dayton Hill Rd
Deepwood Ln
E Center St 989-to End Odd Only
E Dayton Hill Rd
Edge Hill Rd
Fox Run Dr
Hall Acres Dr
Halsey Dr
Harrison Rd 311-317-319
Hitching Post Dr
King Rd
Mallard Ct
Maltby Rd
New England Dr
Northford Rd
Overlook Dr
Patton Rd
Peach Hill Dr
Pelloni Hollow
Pine River Rd
Powers Rd
Quigley Rd Odd Only
Regent Ct
Riverside Dr
Roxbury Lane
S Branford Rd

Signal Hill Rd
Smoke Rise Rd
Strawberry Hill
Tamarac Rd
Tamarac Swamp Rd
Turnberry Rd
Twin Oak Farm Rd
Tyler Mill Rd
Wheatfield Dr
Whirlwind Hill Rd Odd Only
White Tail Lane
Wildlife Dr
Woodhouse Ave 401 to End

District 2

Academy St
Aldon Ln
Backes Court
Bayberry Dr
Beaumont Ave
Bernadette Ln
Beth Ann Ct
Bonnie Ct
Brook Hollow Conv.Home
Cannon Gateway
Center St. 1 - 450
462 - 780
Christian St 11 - 147 Odd Only
Choate School 333
Church St Wall.
Concord Ln
Country Club Ln
Croydon Ct
Curtis Ave
E Center St 815 - 945 Odd
Elika Rd
Fair St
Florence Ave

Franklin St
Giannotti Ct
Harrison Ave
Henry St
Hoffman Ct

Holly Lane
John Savage Commons
Kondracki Ln All except
18-42 even
Laden Ave

Laurel Dr
Lee Ave
Liandina Rd
Long Hill Rd All 46-190
and 215 to end Odd only
Martin Ave
Mary Ann Ln
Meadow St
Mellor Rd
N Colony St 21-315 Odd
N Elm St 8-158
N Main St 2-330
N Orchard St
N Whittlesey Ave
Pilgrim Lane
Pomeroy Ave
Pond Hill Rd 301 to end Even
Pond Hollow Condo
Prince St
Putter Dr
Quigley Rd Even only
Rembert St
Reene Lane
Rosemary Ln
S Airline Rd
S Elm St center to ward get #'s
Saw Mill Dr
Shady Dr
Simpson Ave
Simpson Ct
Spring St
S Main St 4-219
S Whittlesey Ave 6-153
Southview Dr
Sunnydale Ln
Sylvan Way
Wall St
Wallace St
Wallace Ave
Ward St frm S.elm to Rt 5 even
Ward St Ext Even #'s
William St
Woodhouse Ave 2-278
and 280-285 Odd
Union St
S Colony St 50-226 even#'s
S Orchard St 18-157

District 3

Arbor Ln
Ascoli Dr
Audette Dr
Briarwood Ln
Brown St
Buffum Ln
Burke Heights Dr
Carr St
Center St 782-810
Cheryl Ave
Chester Ln
Chestnut Ln
Constitution St
Cooper Ave

Dean Dr
Dinatale Dr
Donald Ct
Doris St
Durham Rd 803-1148
Dutton St
E Center St 816-932
E Main ST
E Side Dr
E Side Terrace
Fairlawn Dr
Farm Ct
Farm Hill Rd
Fenn Brook Ct
George Ln
Grantham Rd
Grieb Rd Odd#'s
High St 182 to end
Hillcrest Rd
Hillhouse Ave
Jobs Rd
Juniper St
Kingsland Ave
Killen Rd

Laurelwood Dr
Lupine St
Mapleview Rd
Maplewood Ave Odd#'s
McGuire Ct
Middle Ln
Miller St
N Elm St Odd ??
N Main St 339 to end Odd#;s
New Rock Hill Rd 940-1028
Norman Ave
North St 147 to end
Nutmeg Ct
Old Durham Rd
Old Rock Hill Rd
Orchard Lane
Orlando Rd
Perkind Dr
Pine Glen Ter
Regency House Conv.
Reynolds Dr
Ribie Rd
Rolling Meadow Dr
Russell St
Seiter Hill Rd
Southwind Dr
Steven St
Summit Dr
Sunrise Circle
Sunset Dr
Taylor Ln
Timber Ln
Toms Dr
Trailside Dr
Walnut Ln
Westview Dr
Williams Place

District 4

Anna Dr
Allen Ave
Ashford Ct
Atkinson Ln
Baldwin St
Balsam Rd
Birch Dr
Blakeslee Rd
Blossom Ln
Brookvale Dr
Brian Rd
Bruce Lane
Calvin Ave
Cardinal Dr
Cedar St
Charben Lane
Chester Ave
Clintonville Rd
Courtland Dr
Crescent St
Cypress Lane
Dannys Way
Docker Dr
Eaton Dr
Edgerton Rd
Elm Hill Dr
Fair St Ext
Fairview Ave
Field Dr
Grandview Ave
Grandview CT
Green St
Guernsey Lane
Hamlin Rd
Harrison Rd 1-33 and 104
Hillsview Rd
Huntington Ridge Rd
Ivy St
Jackson Ave
Jefferson Ave
Kondracki Ln 18-42 even#
Liberty Ct
Lincoln Ave
Lincoln Dr
Lincoln Dr Ext
Londonberry Dr
Long Hill Rd 224 to end Even#

Louis Circle
Madison Ave
Madison Ave Ext
Mariot Circli

McKenzie Ave
Megan Lane
Molly O'Neill Rd
Morningside Terrace
Munson Dr
Mulligan Lane
Newton St
Northfield Rd
Olde Village Circle
Park Lane
Park Place
Parson St
Pilgrims Harbor
Pickett Ave
Penn Dr
Pine St
Pogmore Dr
Pond Hill Rd #28 - 297
Quigley Rd Even#'s
Randolph St
Reskin Dr
S Colony # 902 - 1068
S Colony # 320 - 370
S Elm #165 to end
S Main #230 to end
S Orchard # 179 to end
S Whittlesey Ave #161 to end
Scrub Oak Rd
Sigwin Cir
Sigwin Dr
Sorrento Rd
Southside Ct
Southside Dr
Southside Terrace
Stillwood Rd
St Andrews Circle
Sunny Ct
Surrey Dr
Sylvan Ave
Terrace Gardens
Tremper Dr
Vumbaco Dr
Ward St # 240 - 419
Wharton Brook Dr

Willard Ave
Willow St

Ward St Ext-Odd#s
Wilson Ave
Woodhouse Ave #336
0
Woodland Dr
Woodleigh Ct

District 5

Algonquin Dr
Apple Tree Lane
Ball St
Beryl Ln
Blue Hills Rd # even
Brae Ct
Bolton Ave
Brentwood Dr
Bristol St
Bull Ave
Carlton St
Cheshire Rd # 1 - 127 Odd
Claremont Ave
Clifton St
Colonial Hill Dr
Cook Hill Rd # 100 - 245
Cornwell Rd
David Dr
Deme Rd
Douglas Ct
Dudley Ave
East St
Ernest St
Fern Ave
Geneva Ave
George St
Grand St
Hall Ave # 2 - 240 even
Hall Rd
Hallmark Dr
Harvest La
Heritage Woods
Jennifer La
John St
Jones Rd
Judd Sq
Landmark Rd
Longview La
Lost Brook La
Lufberry Ave
Mansion Rd # 1 - 125 all
Mansion Rd # 161 - end Odd
Maple Ave
Marc Dr
Marshall St
McKenna Ct
Meadowland Rd
Mettler Dr
Michaels Way
Montowese Tr
Newberry La
Nichols St
Nod Brook Rd
Oakdale Cir
Park St
Pent Rd
Prospect St
Quinnipiac St
Robert La
S Cherry St
S Colony St center to n.haven
S Turnpike Rd
Schoolhouse Rd Even #'s
Shelby Dr
Skyview Conv.Home
South St
Spice Hill Dr
Spring Brook Rd
Summer Hill Condo
Summerwood Dr
Tennessee Ave
Toelles Rd
Valley St
Wallace Pl
Ward St # 7 - 200
Washington St # 1 - 166
West St
Woods Edge Circle

District 6

Alison Ave
Almeida La
Ashler Village
Ashley La
Autumn Leaves Rd
Ben Ct
Blue Hills Rd Odd #'s
Broadview Dr
Brookview Ave
Bruce Rd
Calhoun Rd 14 - 52
except:28,32,36
Cheshire Rd # 2 - 134 even
136 - end All
Clearview Dr
Clinton Pl
Collin Ct
Colonial La
Columbia St
Cook Hill Rd # 247 - end
Cornelia Dr
Deer Run Rd
Elmwood Rd
Evergreen Condos
Fawn Dr
Forest Rd
Gaye La
Gaylord Farm Rd
Giant View Rd
Gina La
Harnish La
Highland Ave # 35 - 75 Odd
Hosford Bridge Rd
Jeremy Wood Dr
Jodi Dr
Knollwood Dr
Laura Lane
Lori Lane
Loving Lane
Lynn Dr

Manfreda La
Mansion Rd # 160 - end Even
Masonic Ave
Masonic Home
Miller Tr Park
Mohawk Dr
Mohican La
N Turnpike Rd
Nathans Path
Old Farm Rd
Old Gate Rd
Old Lane Rd
Osage Dr
Parker Farms Rd # 2 - 60 Even
and # 61 - end
Parkview Rd
Pequot Rd
Pierson Dr # 4 - 60 even
Plymouth Ct
Rhey Ave
Ridgecrest Rd # Even
Ridgenoll Rd
Ridgetop Rd # 9 - 73 Odd
Ridgewood Cir
Ridgewood Rd # Even
and # 85 - End All
River Rd
Rosick Rd
Sachem Rd
Saddle La
School House Rd # Odd
Seneca Rd
Sharon Dr # 3 - 23 Odd
Silliman Rd
Stetson St
Templeton Rd
Town Farm Rd
Trumbull Dr
Tuttle Ave
Watrous Farm Rd

Wayne Rd
Western Sands Trailer Ct
Whiffle Tree Rd
Winding Brook La

District 7

Albert St
Apple St
Bailey Ave
Benham Ave
Brockett Rd
Brownstone Rd
Buttonwood Cir
Calhoun Rd
Cassella Dr
Chapel St
Chimney Hill Rd
Chimney Sweep Rd
Church St (Y)
Compass Rock Ln
Cottage St
Crestview Ter
Crystal Ln
Dana Blvd
Davenport Pl
Donat Dr
Edgewood Dr
Elizabeth Ct
Evanwood Dr
Fifth Ridge Rd
Fourth Ridge Rd
Fritz Pl
Fritz Ct
Gregory Rd
Grove St
Haller Ave
Haller Pl
Hanover St
Hayledge Ct
High St (Y)
Highland Ave # 26 - 76 even
and 77 - 340 All
Highland Dr
Hill Ave
Hillock Dr
Hillside La
Hintz Dr
Hope Hill Rd
Jamestown Cir
Jenna Rd
Jerals Ave
Johnson Rd
Jonathan Rd
Kazersky Dr

King St
Kirtland Ct
Laurel Ridge Ct
Meadows Edge Dr
Merriman la
Merwyn Rd
Mountain View Rd
N Ridgeland Rd
New Cheshire Rd
New Place St
Nicholas Rd
Park Pond Cir
Parker Farms Rd # 3 - 61 Odd
Pieper Dr
Platt Dr
Pierson Dr # 60 - end All, and 1 - 59 Odd
Pleasant St
Pond Ct
Quince St
Raven La
Ridge Rd
Ridgecrest Rd # Odd
Ridgefield Rd
Ridgeland Cir
Ridgeland Rd
Ridgetop Rd # 73 - end
Ridgewood Rd # 1 - 85 Odd
Ryan Dr
S Ridgeland Rd
Schwab Terr
Seventh Ridge Rd
Shangri La
Sharon Dr Even #'s ??
Shire Dr
Shoe Box Rd
Sixth Ridge Rd

Sullivan Rd
Sunny Acres Tr Ct
Swan Ave
Terrell Farms Way
Third Ridge Rd
Tompkins Ave
W Ridgeland Rd
Weatherside Dr
Wilcox La
Wooding Rd

District 8

Angela Dr
Alexander Dr
Barnes Rd # 86
Beechwood Dr

Beaumont Rd
Buel St
Brookside Dr
Carriage Dr
Cass Ave
Cedar Lane
Central Grand Ave
Christian St # 2 - 148 Even
Christoni La
Church St (Y) # 81 - 263
Circle Dr
Dell Ct
Duncan St
Enterprise Dr
Fourth St
Foote Cir
Franks Ct
Gregg Ct
Fairfield Blvd
Gipians Tr Ct
Hall Ave # 3 - 347 Odd
High St (W) #10 - 139
Hosford St
Ives Rd
Kovac Pl
Kish Pl
Lake St
Laurelview Pk
Lorings Tr Ct
Lucy Cir
Main St (Y)
N Cherry St
N Cherry St Ext
N Colony Rd # 562 - end
N Colony St # 2 - 316 Even
N Colony St # 316 - end
N Main St # 340 - 596 Even
N Main St Ext
N Orchard St Ext
N Plains Ind Highway
N Whittlesey Ave Ext
N Elm St # Even
Neal Rd
North La

North St # 0 - 143
Oak St (Y)
Old Colony Rd
Old Woods Rd
Ono Dr
Pamela Dr
Parker Pl
Parker St
Partridge Run
Pent Hghwy
Restland Tr Pk
S Broad St
S Curtis St
Spruce Glen Terr
Silk St
Staffordshire Commons
Stella Dr
Sterling Dr
Third St
Tower Dr
Vaz Place
Village La
Wallace Row
Washington St # 168 - end
Welcome St
Whispering Pines Rd
Wrinn St
Yale Ave

District 9

Amie Lane
Barnes Rd # 339 - end
Bartholomew La
Blackberry La
Carpenter La
Carter Tr
Catlin Rd
Cliffside Dr
Convalescent Homes
Coventry Ct
Delancy Rd
Dogwood La
Dibble Edge Rd
Doherty Dr
Durham Rd # 1151 - end
E Center St # 989 - end Even
E Scard Rd
Eaton Tr
Far Horizon Dr

Grassy Hill Ct
Grieb Ct
Grieb RD Even #'s
Grieb Trail
Jeffrey Dr
Hampton Tr
Hemingway Dr
High Hill Rd
Huelstede La
Ice Pond Rd
Laser La
Leigus Rd
Liney Hall La
MacDonald La
Malchiodi Dr
Marie La
Martin Trail
McNabola La
Midland Dr

Miles Dr
Morgan Dr
N Airline Rd
N Branford Rd
N Farms Rd
Nathan Hale Lane
New Rock Hill Rd # 1036 - end
Northrup Rd
Old Pasture Ct
Oxford Tr
Pagano Rd
Patricks Ct
Pauline Ct
Pinehurst Dr
Promontory Dr
Quarry Run Ct
Research Pkwy
Reservoir Dr
Rockledge Dr
Saddle Brook Dr
Scard Rd
Shweky Ct
Shetland Dr
Slater La
Stegos Dr
Stony Brook Rd
Susan Dr
Tammy Hill Rd
Tankwood Rd
Technology Dr
Thorpe Ave
Valley View Dr
Washington Tr
Washington, D.C.
Whirlwind Hill Even #'s
Williams Rd
Windmere Rd
Windswept Hill Rd
Wisk Key Wind Rd

MAR-06-2002 10:25

P.01

Handwritten: K Zandri
Blawie

8

WALLINGFORD PUBLIC SCHOOLS

142 HOPE HILL ROAD
WALLINGFORD, CONNECTICUT 06492
TELEPHONE (203) 949-6500
FAX # (203) 949-6551

SUPERINTENDENT
Joseph J. Cirsuolo, Ed.D.
Ext. 509.
Fax # (203) 949-6550

ASSISTANT SUPERINTENDENTS
Dale A. Wilson - Personnel
Ext. 508
LeRoy E. Hay, Ph.D. - Instruction
Ext. 506

March 6, 2002

Robert Parisi
Chairperson
Wallingford Town Council
Town Hall
Wallingford, CT 06492

Dear Bob:

At the request of the Town Council, I am bringing before you the Board of Education's request for a bid waiver in connection with the hiring of a consultant to assist the Board with its effort to find a replacement for the Superintendent of Schools, Dr. Joseph Cirsuolo, who will retire effective 11/1/02. It was the intention of the Board not to bring this matter to your attention until the Board had selected the consultant that it wishes to hire. The Board intends to make that decision prior to the Council meeting on 3/26/02.

The Board is seeking a bid waiver because it wants to hire as a consultant the agency with which it has the greatest degree of comfort. The selection of a superintendent is among the one or two most important decisions that any board of education makes. For that reason, the overwhelming majority of boards in the United States employ consultants to assist them with the effort. For that reason as well, the Board here in Wallingford wants to be able to select the consultant it considers most appropriate in a manner that is unhindered by the specifications of the bidding procedure.

I will be present at the Council meeting on 3/12/02 to discuss this matter with the Council

Sincerely,

Andrew Bravo

Andrew Bravo
Chairperson
Wallingford Board of Education

AB/ean
Cc: BOE
J. Cirsuolo

**WALLINGFORD PUBLIC SCHOOLS
142 HOPE HILL ROAD
WALLINGFORD, CT 06492**

Superintendent Search Proposal

**Opening Date: 3/15/02
Opening Time: 3:00 p.m.**

1. **PURPOSE**

The Wallingford Board of Education seeks recruiting assistance as it searches for a new Superintendent of Schools.

2. **BACKGROUND**

The Town of Wallingford is about 20 miles from New Haven, CT and has a population of nearly 43,000 people. Our twelve schools include 7,200 pupils at eight elementary schools (K-5), two middle schools (6-8), and two comprehensive high schools (9-12). Our schools have been frequently recognized and enjoy a reputation of excellence.

3. **SCOPE**

The Board is interested in proposals for assistance. Such proposals should describe specific plans for identifying candidates, conducting initial screening, interviewing candidates, assisting the Board including a timeline, costs, and services to be provided. The Board of Education will provide the consultant with qualifications and criteria for the next Superintendent, who is expected to begin October 1, 2002. Please identify those persons who will be responsible for the work and provide descriptions of their experience. Proposals would include as references other searches for Superintendent of Schools that have been completed within the past three years. Proposers should be expected to be interviewed by the Board of Education on March 19, 2002 and March 21, 2002 in Wallingford, CT. The Board will select the Proposers who will be interviewed.

4. **GENERAL TERMS AND CONDITIONS**

- a. Sealed proposals for furnishing recruiting assistance must be received at the time and date below. All Proposers and other interested persons are invited to be present at the opening of these proposals, which will take place at the Board of Education. All envelopes should be clearly marked:

SUPERINTENDENT SEARCH PROPOSAL
OPENING DATE: 3/15/02
OPENING TIME: 3:00 P.M.

Proposers are urged to read all documents carefully and fill out all information requested. Proposals, which are incomplete, obscure or conditional, and which contain irregularities of any kind, will be subject to rejection. **Faxed or emailed proposals will not be accepted.**

- b. The Board of Education reserves the right to waive informalities in any proposal or reject any or all proposals or accept any proposal, which appears to be in the best interest of the Board. Any proposal may be withdrawn prior to the opening time and date. Any proposal received after the time and date as specified will not be considered.
5. If the Board of Education deems it necessary, the Board of Education may postpone the date for the opening of the proposals by notifying each Proposer by telephone, e-mail, mail or by publishing an addendum.
6. The Board of Education shall have the right to take such steps, as it deems necessary to determine the ability of the Proposer to perform the work. Each Proposer shall furnish the Board of Education with information and data for this purpose as the Board of Education may request. The Board reserves the right to reject any proposal, which if upon investigation of the evidence or information submitted is deemed not satisfactory, and the Proposer deemed unqualified to carry out the terms of the contract.

COLLUSION AMONG PROPOSERS

More than one offer from an individual, firm partnership, corporation or association under the same or different name will be rejected. Reasonable grounds for believing that a Proposer is interested in more than one proposal for the work contemplated will cause rejection of all Proposers in which the proposer is interested. Any or all Proposers will be rejected if there is any reason for believing that collusion exists among the Proposers.

Participants in such collusion may not be considered in the future offers for the same work. Each Proposer, by submitting a proposal, certifies that it is not a part to any collusive action.

EMPLOYMENT DISCRIMINATION BY CONTRACTOR PROHIBITED

The successful Proposer will not discriminate against any employee, or applicant for employment, because of race, religion, color, sex, or national origin, except where religion, sex or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The successful Proposer agrees to post in a conspicuous place, available to employees and applicants for employment, notices setting forth the provision of this nondiscrimination clause. The successful Proposer in all solicitation or advertisements for employees, placed by or on behalf of the contractor, will state that such successful Proposer is an Equal Opportunity Employer.

Notices, advertisements, and solicitations placed in accordance with Federal Law, rules or regulation shall, be deemed sufficient for the purpose of meeting the requirements of this section.