

TOWN COUNCIL MEETING

APRIL 9, 1996

6:30 P.M.

AGENDA

Blessing - Rev. Mark Angerosa - White Oak Baptist Church

1. Roll Call and Pledge of Allegiance
2. Consent Agenda
  - a. Approve and Accept the Minutes of the 3/26/96 Town Council Meeting
  - b. Consider and Approve Tax Refunds (#259-288) Totalling \$5,675.44
  - c. Note for the Record Mayoral Transfers Approved to Date
  - d. Note for the Record Anniversary Increases Approved by the Mayor
  - e. Consider and Approve a Transfer of Funds in the Amount of \$10,100 from Other Pay Account of Which \$6,500 is Transferred to Overtime Account and \$3,600 is Transferred to Wages Differential Account - Dept. of Fire Services
3. Items Removed from the Consent Agenda
4. PUBLIC QUESTION AND ANSWER PERIOD
5. Consider and Approve Confirming a Mayoral Appointment to the Pension Commission for a Six (6) Year Term to Expire 12/31/2001 - Mayor's Office
6. Consider and Approve the Conveyance of Windows from 132 Prince Street to Habitat for Humanity - Public Works Dept.
7. Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Overtime Account to Purchase Professional Services - Tree Contracts - Public Works Dept.
8. Consider and Approve a Transfer of Funds in the Amount of \$4,877 from Overtime Account to Contractual Clothing and Other Expenses Account - Public Works Dept.
9. Consider and Approve a Transfer of Funds in the Amount of \$500 from Telephone Account to Office Expenses and Supplies Account - Economic Development Commission

ORDINANCE NO.

AN ORDINANCE TO AMEND ORDINANCE NO. 104 ENTITLED "AN ORDINANCE TO PROVIDE A RESERVE FUND FOR CAPITAL AND NON-RECURRING EXPENDITURES"

BE IT ENACTED BY THE TOWN COUNCIL IN SESSION:

That Ordinance No. 104 "An Ordinance To Provide a Reserve Fund for Capital and Non-Recurring Expenditures" is hereby amended as follows:

Paragraph 4 of Article II is repealed and the following substituted in its place; a new Paragraph 5 is enacted as follows; and existing Paragraphs 5, 6 and 7 are renumbered 6, 7 and 8 as follows:

- (4) An amount from the General Fund of the Town not to exceed two mills on the Grand List of the Town for the year in question.
- (5) An amount from the General Fund of the Town not to exceed 4.5% of the gross sales revenue of the Electric Division of the Department of Public Utilities as reported in the most recently audited fiscal year.
- (6) The proceeds of any bond issue sold to finance any portion of the Town's capital improvement program, except school construction.
- (7) State grants in aid of school building projects made to the Town with respect to school building projects financed from the Fund.
- (8) Interest, dividends and other monies earned from the investment of said Fund.

I HEREBY CERTIFY that the above Ordinance was enacted by the Town Council of the Town of Wallingford this day of March, 1996, in accordance with the provisions of the Charter of the Town of Wallingford.

Rosemary A. Rascati, Town Clerk

APPROVED: William W. Dickinson, Jr., Mayor

DATE: \_\_\_\_\_

TOWN COUNCIL MEETING

APRIL 9, 1996

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, April 9, 1996, in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:31 P.M.

ITEM #1 Roll Call, Blessing, and Pledge of Allegiance

The Roll was called by Town Clerk Rosemary A. Rascati. Present were Councilors Richard Centner, David Doherty, Stephen Knight, Iris Papale, Frank Renda, Raymond Rys, Thomas Zappala, and Chairman Parisi. Absent was Councilor Jerry Farrell, Jr., who was out of Town. Also present were Mayor William W. Dickinson, Jr., Corporation Counsel Adam Mantzaris, and Comptroller Thomas Myers, all arriving about 6:39 P.M. Also present were about 29 persons in the audience.

Reverend Mark Angerosa, Pastor of White Oak Baptist Church, bestowed a blessing on the Council.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consent Agenda

- a. Approve and Accept the Minutes of the 3/26/96 Town Council Meeting
- b. Consider and Approve Tax Refunds (#259-288) Totalling \$5,675.44
- c. Note for the Record Mayoral Transfers Approved to Date
- d. Note for the Record Anniversary Increases Approved by the Mayor

Motion was made by Mr. Rys as to Consent Agenda Items a-d Only, seconded by Mr. Centner.

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

ITEM #3 Items Removed from the Consent Agenda

- e. Consider and Approve a Transfer of Funds in the Amount of \$10,100 from Other Pay Account of Which \$6,500 is Transferred to Overtime Account and \$3,600 is Transferred to Wages Differential Account - Department of Fire Services

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

Deputy Fire Chief Peter Struble and Assistant Chief Guy Casanova appeared.

Mr. Zappala asked if there could be a better procedure for budgeting overtime. He felt that \$10,000 worth of overtime was a high amount, but he acknowledged the need for workers.

Mr. Struble said the Fire Department tries to bring extra persons in at or near the peak of a storm. This winter was a hard one. They do budget for storms; sometimes they must increase the staffing to improve services.

At 6:39 P.M. Mayor Dickinson, Corporation Counsel Mantzaris, and Comptroller Myers entered the meeting.

Mr. Centner asked if there is a rotating staffing pattern.

Mr. Struble said there is rotation of the names for call-in work. In bad weather, first the volunteers are called in to man the stations; they are staggered in groups. As the storm progresses, the Department calls in an extra person on each engine company and an extra person on the ladder company or an extra paramedic for the North Main Street station. Also, they put a second person on the 911 Center during the night. Bad weather complicates everything, so they need more people.

Mr. Knight asked if the State reimburses the Town for any services provided on Route 15 or I-91.

Mr. Struble said when a volunteer company assists, they can be reimbursed by the State. But if a Town unit is involved, the Town is not reimbursed by the State.

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

At this time a motion was made by Mr. Rys to Move Agenda Item #5 Up to the Next Order of Business, seconded by Mr. Centner.

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

ITEM #5 Consider and Approve Confirming a Mayoral Appointment to the Pension Commission for a Six (6) Year Term to Expire 12/31/2001 - Mayor's Office

Motion was made by Mr. Rys to Appoint Vincent Santacrocce to the Position, seconded by Mr. Centner. Mr. Rys read into the record the accompanying letter of recommendation from Mayor Dickinson.

Ms. Papale was very pleased with Mr. Santacrocce's credentials and with his interest in serving the Town in this position. Mr. Parisi agreed.

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

Rosemary Rascati, Town Clerk, performed the Swearing In Ceremony.

Mr. Doherty asked, how much is in the Town Pension Fund now?

Comptroller Myers said approximately \$90 million. It was noted that Mr. Santacroce is appointed to the unexpired term of Mr. Mihalak, who had resigned.

ITEM #4 PUBLIC QUESTION AND ANSWER PERIOD - No motions resulted from this agenda item. Comments were heard as follows.

Mary Cimino, 145 Brentwood Drive, asked if the Council has set a date for voting on the ice skating rink?

Mr. Parisi said that Councilman Knight has almost completed the survey. The members are still receiving the information that was submitted. We will shortly set up a special meeting on the ice rink because I think it will take a lot of time. Then the vote would be two or three weeks afterward.

Mrs. Cimino asked how long the people must wait? Would the meeting be on television? Will we be notified?

Mr. Parisi wanted to set the meeting for a Friday night soon, so it wouldn't conflict with the budget workshops. He was unsure of TV coverage, although he would try to arrange it.

Mayor Dickinson said the television crew uses volunteers, which involves scheduling, budgetary, and manpower concerns.

Mrs. Cimino said she and others in Town watch the TV coverage. It's important.

Mayor Dickinson suggested scheduling the ice rink discussion when the Council has a light agenda.

Frank Wasilewski, 57 North Orchard Street, said at the last Council meeting he had left some printed material at each Councilor's place. Had they read it?

Mr. Parisi said yes.

Mr. Wasilewski read the first paragraph of the Act of Consolidation for Wallingford, which terminated the Borough portion. Last year his neighbor, a former Town Clerk, had mentioned that if the Town ever wanted to get rid of the Borough Electric, it could not do so without the consent of the First District. Mr. Wasilewski inquired and found out that somehow when consolidation occurred in 1958 they never did anything about the Borough Electric as such. From the Mayor and the Town Attorney he had learned that Special Act #49 was approved by the legislature in 1957, and the first Town Charter was adopted in 1961. Mr. Wasilewski thought the Special Act's provisions repealed everything that the Borough Electric was all about. So this should have been taken care of before we consolidated. He had found an old article from The Wallingford Post saying that the Borough gave the Town everything except the Borough Electric.

Mr. Wasilewski continued: So I am asking you if this was done properly or not by the Town and the State. Something should be done before we

do something with the Electric Division. The Borough fathers were so concerned about it that they didn't want to give the Borough Electric to the Town without the Borough having something to say about it. You can all discuss it. Even the Mayor did not know this. If we're doing something wrong that doesn't go with the letter of the law, we should fix it. Also, the Charter talks about borrowing. So I don't know if the contract with CEEMAC is legal if you don't go to a referendum.

Mr. Parisi thanked Mr. Wasilewski for the information.

Chris Migliaro, 870 Clintonville Road, Wallingford, said we have waited a long time for the ice skating rink. We can wait longer in order to have the meeting televised--it's important. Could a private group pay for the telecast?

Mr. Parisi did not know. It could be a separate meeting, or it could be included on a regular Council agenda. We will have to work it out.

Mr. Myers left the meeting at 7:00 P.M.

Pasquale Melillo, 15 Haller Place, Yalesville, approved of the Mayor's action in cutting the Board of Education budget. Mr. Melillo said, since the Board employees are paid about 50% more than others, they should volunteer to take a pay cut and put the money towards the students. Also, Mr. Melillo complimented the Town Clerk for preserving the old Town maps.

Mr. Myers returned to the meeting at 7:05 P.M.

Mr. Melillo thought that in the future we will have only semi-regulation of the electric industry. He read excerpts from a recent news article (received--to be copied to the Councilors). Mr. Melillo cautioned against personal relationships with big customers. Some companies offer "on-site services for power equipment management" to their large customers, etc. He thought that the Wallingford utility should stay as close to its customers as possible and offer them competitive prices. California sets the trend on this. Its regulations have given some protection to that state's two big utilities by entitling them to a transmission access charge from companies who want to transmit their electrical power over local lines. Lastly, Mr. Melillo strongly advocated that the Town retain the Pierce Generating Station.

ITEM #6 Consider and Approve the Conveyance of Windows from 132 Prince Street to Habitat for Humanity - Public Works Department

Motion was made by Mr. Rys, seconded by Mr. Knight. Mr. Rys read into the record the accompanying letter from Public Works Department Director Henry McCully, who was present for this agenda item.

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

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Overtime Account to Purchase Professional Services - Tree Contracts - Public Works Department

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

Appearing was Henry McCully, Director of Public Works.

Mr. Zappala asked, does the Department have bucket trucks? Why do we need to hire outside people--is it due to the danger from the lines?

Mr. McCully said the Department has bucket trucks. But some tree cutting requires more expertise than the staff has. Most of the trees remaining to be cut are around power lines and homes.

Mr. Knight asked, is this request a result of the winter weather? Is your normal budget depleted?

Mr. McCully answered yes to both questions. The Town had a bad winter plus some extremely high winds. Some tree roots were exposed, and some trees should be removed now.

Mr. Knight asked if this is an extraordinary situation?

Mr. McCully said when his Department needs anything removed immediately, they ask the Electric Division to do the work. But this request is for money to work on trees that must be taken care of. These funds will be good until the end of this year.

There were no further questions from the Council or the public on this matter.

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

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$4,877 from Overtime Account to Contractual Clothing and Other Expenses Account - Public Works Department

Motion was made by Mr. Rys, seconded by Ms. Papale. Mr. Rys read the transfer request letter into the record.

Mr. Parisi asked for questions from the Council. There were none. He asked if there were any questions from the public.

Frank Wasilewski asked how much is allowed for each employee when they are out late removing snow?

Mr. McCully said it's \$6.50.

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

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$500 from Telephone Account to Office Expenses and Supplies Account - Economic Development Commission

Mr. Rys read the first part of the transfer request into the record. Mr. Parisi continued, reading the accompanying letter from Gary Powell, Chairman of the Economic Development Commission. (This letter pertained to agenda Items #9 and #10.)

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

At this point Mr. Rys left the meeting at 7:18 P.M.; he did not participate on this vote.

Appearing were Director of Program Planning Don Roe and Mr. Powell.

Mr. Centner asked if a change of funding generated the need for this additional \$500?

Mr. Roe said no. We are just moving money from one line item to another--it's not additional money. We learned that the State had a bus outfitted as a "Workshop on Wheels". The EDC wants to have it come to Town. So we need some additional letterhead in order to send out information letters on this.

There were no further questions from the Council or the public.

VOTE: Farrell and Rys were absent; all others, aye (7 Councilors); motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$3,000 from Transportation Reimbursement Account to Promotional Expenses Account - Economic Development Commission

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

Mr. Parisi read from the letter cited above.

In discussion, Mr. Centner asked if the original cost of the video was \$8,000?

Mr. Roe said it was. About \$1,900 is needed now to edit the video to update the scripting, narrative and graphics. There is no need to redo the video now--that will be needed two or three years from now.

Chairman Powell agreed, saying the rest of the \$3,000 transfer request is for trade show costs that were previously paid by the State.

VOTE: Farrell and Rys were absent; all others, aye (7 Councilors); motion duly carried.

ITEM #11 Consider and Approve a Resolution Authorizing Settlement of the Landfill Garage Loss with CRRA - Mayor's Office

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

Mr. Knight read into the record the letter from Mayor Dickinson and the enclosed Resolution text for the Council to consider.

Speaking on this agenda item were Director of Program Planning Don Roe, Director of Public Works Henry McCully, and Mayor Dickinson.

Mr. Zappala asked if the building were insured?

Mr. Roe said the Town would be getting the full insurance payment from

the insurance company of \$31,600. The CRRA (Connecticut Resource Recovery Authority) insurance policy has a \$10,000 deductible.

Mayor Dickinson said it will cost CRRA between \$7,000 and \$10,00 to demolish and dispose of the building.

Mr. Zappala asked, if the building is covered by Town insurance, wouldn't the Town receive the full proceeds?

Mayor Dickinson said the building was not on the Town's policy because it was included under the landfill lease to CRRA.

Mr. Renda asked, how big is the oil tank under there? The Town will have to pay for that.

Mr. McCully said it is a 5,000-gallon tank. Removing it is not a big job and should cost about \$5,000.

Mr. Centner asked, what is the period or the expiration date of the lease on the landfill?

Mr. Roe thought it was for the entire period of the project.

Mayor Dickinson said it was for at least 20 years.

Mr. Centner wanted to know the bonding period.

Mr. Roe said that municipal agreements are usually for 20 years. He did not believe it was that for the landfill. At some point in time, CRRA could decide that they don't want the facility, and they could return it to the Town before the full term of the project.

Mr. Centner said, if this is demolished, is Mr. McCully certain the Town will not use it again?

Mr. McCully answered, we're certain, yes.

Mr. Centner noted that, for any cleanup, certain procedures must be followed--documents filed with the State and inspection by the Fire Marshal, etc.

Mr. McCully said that his Department is familiar with such procedures. Last year they excavated the last underground tanks at the Public Works complex. He was confident that \$5,000 or less would cover the excavation cost.

Mr. Doherty asked, do you plan to remove the tank once the building is demolished?

Mr. McCully said, once the transaction between the Town and CRRA occurs, we would get our money for the removal of the tank. The building itself had been heated with electric heat. It was used to store compactors and equipment used at the landfill.

Mr. Parisi asked if the \$31,000 represented the actual value of the building?

Mr. Roe said no. We arrived at the value with the insurance company. The building was appraised at \$51,000. Once depreciation was allowed, it was valued at \$41,600. The CRRA policy had a \$10,000 deductible. So the net proceeds became \$31,600.

Mr. Parisi asked if the Town is paying to take the building down?

Mr. Roe said no, since CRRA will utilize the value of the deductible for that.

Mr. McCully said that before the Town turned the landfill over to CRRA, this building was in poor condition. He encouraged any settlement the Town may receive.

Mr. Parisi asked for questions from the public.

Phil Wright, 160 Cedar Street, asked how much money will go to the General Fund after the building is removed? Would it go to the General Fund? And then we'll spend the \$5,000?

Mayor Dickinson said the Town will be receiving \$31,600.

Note: Mr. Rys returned to the meeting during the discussion on the motion at this time. He participated on this vote and all votes below.

Mr. Wright asked if the Town would net \$26,000?

Mr. McCully said yes.

Mayor Dickinson said the \$10,000 deductible is over and above the \$31,600 the Town will receive. The \$31,600 goes into the General Fund because it is unappropriated money. We are not necessarily directing \$5,000 from those proceeds for the oil tank removal, but the funds may come from there.

Mr. Wright asked whether the land that the building sits on is under lease to CRRA? How much land is that? Is it fenced off?

Mr. Roe said, that land is in the lease.

At 7:36 P.M. Mr. Renda left the meeting.

Mr. McCully said the building's area covers a couple thousand square feet. It isn't fenced off, but the building sits behind the perimeter fence on Pent Road.

Mr. Parisi noted that the land still belongs to the Town.

Mr. Wright noted that it is part of the lease.

Mayor Dickinson said the lease allows CRRA to use the lease property as part of the leasehold for landfill purposes--for disposal of unwanted refuse and ash or bypass material. He believes that area, where the building is, is not pertinent. They have to follow DEP permits about where to dispose on the site. But all that area is part

of the lease.

Mr. Renda returned to the meeting at 7:38 P.M.

Pat Melillo, 15 Haller Place, Yalesville, asked how the lease of the property to CRRA affects the Town legally? Suppose someone dies or gets injured there--who would be liable in a suit?

Mayor Dickinson said these questions are broad ones. A lawsuit related to the operation of the landfill, or the activities of a contractor and/or within the terms of the lease would be CRRA's liability. If the suit dealt with broader issues, then the Town could be involved. But, here, the liability is CRRA's.

Mr. Melillo asked, what if there are loopholes under the law?

Mr. Parisi said that taking the building down will eliminate one possibility for a suit.

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

At 7:42 P.M. Chairman Parisi declared a short recess of the meeting.

Chairman Parisi reconvened the meeting at 7:59 P.M.

ITEM #12 Report Out by the Public Safety Committee as Requested by Vice Chairman Raymond J. Rys, Sr. - No motions resulted from this agenda item. Mr. Rys' report and discussion took place as follows.

Mr. Rys said he chairs the Public Safety Committee, serving with Councilors Zappala and Renda. The group met on March 10, 1996, and named some citizens to the Committee, as directed by the Council. Appointed were Mario Tolla, Dave Campo, Bill Fritz, Sr., and Jim Baker. It was decided that the initial scope of the Committee's concerns would be: 1) To become aware of building safety problems; and 2) To see what the Committee could do as an information hub/advisory panel for safety concerns in Town. Typical issues before them could be: street crossings, road hazards, bridge problems, lighting hazards, and lighting needs. The Committee would work with the Town departments, department heads, and the Mayor.

Mr. Zappala was pleased with the first meeting. The four persons they appointed are very dedicated people and will help resolve problems.

Mr. Parisi asked for comments from the public.

Mr. Melillo asked the Committee to check around Town for areas where stop signs are blocked by trees or shrubs. Also, he thought that stop signs should be larger, to make them more visible to older people.

Mr. Rys pointed out that anyone who thinks there is a public safety hazard may contact the appropriate Town department or the Mayor's office directly. Committee members may be called, also. The Committee is advisory in nature, and they are willing to listen to such concerns. But requests for immediate action still should be made to the departments or the Mayor's help line.

ITEM #13 Report Out by the Community Lake Study Committee

Chairman Salvatore Rascati appeared along with Thomas Morrissey from the State Department of Environmental Protection. In the audience were Committee members Janet Budzinack, Phil Wright, Sr., Paul Body, and Charles Uznanski.

Mayor Dickinson described Mr. Morrissey as being a high official of the DEP, whose appearance tonight signifies interest on the part of the Department.

Mr. Parisi acknowledged the presence of State Senator Brian McDermott in the audience.

Mr. Rascati reviewed a written Synopsis of the Committee's activities from its inception in October 1994 to January 1996, which the Council members had received. In January 1996 Senator McDermott and State Representative Mary Fritz arranged for a meeting with DEP Commissioner Sidney Holbrook. Since then Thomas Morrissey has been the Committee's DEP contact person.

Mr. Rascati continued: About five or six years ago when the DEP conducted an extensive study on the restoration of Community Lake, the consultants had recommended three options. (Attached to the Synopsis was a table listing Options I, II, III from the prior Fuss & O'Neill report along with a DEP Option.) He said these were: 1) Restoring the original dam at about 12 feet in height; 2) Building a dam about six feet in height; or 3) Not restoring the dam at all. At that time, the Council had no funds available to proceed and the project was dropped. In September 1994 the Community Lake Study Committee was reorganized. In the last few months Mr. Morrissey said the Department is still interested in restoring the dam but not at the previously-existing height. This is due to DEP's concerns now, problems with water quality, and cost. Mr. Morrissey has told the Committee that a group of Yale School of Forestry graduate students had already visited the site and were preparing their own report. So Mr. Rascati and members of the Committee met with two of the students, who interviewed them about the lake's history and the Committee's intentions. Also, the students want to interview anyone who has positive or negative comments on the lake. Then the students will develop a probability tree that considers these factors. They will come up with their own recommendation by the end of April. Copies of the Yale study will be given to the Committee, the DEP, and interested groups.

Mr. Rascati continued: Last week Mr. Morrissey attended their meeting when they looked at the lake again. The DEP says it has enough funds to consider building a smaller, lower dam, primarily due to the effect on water-quality problems. Mr. Rascati asked the Council to give the Committee a vote of confidence tonight to pursue this. Something has to be done. It's been several years. The DEP has particular interest in the Quinnipiac River because it goes out to the Sound. We want to take advantage of the wetlands that we have. They will be utilized if a dam is put in. Mr. Rascati gave each Council member a sheet entitled "Community Lake Restoration Objectives". (The Synopsis, Options Table- and Objectives sheets were received for this agenda Item #13.)

Mr. Morrissey showed a drawing on an easel. He said that the DEP has a great interest in Community Lake because it is located on the Quinipiac River. The Department, Federal and local sources have invested monies in promoting water quality for the region. There are other issues, such as having low-flow diversions for water supply and looking to control nutrients to restore Long Island Sound to its rightful water quality. As we look at rivers like this and think of the cost of cleaning up the Sound, we're looking to use natural nutrient-removal processes to reduce costs. So we're interested in restoring the wetlands. We see an opportunity because those wetlands have the ability to remove nutrients from Long Island Sound. We also want to restore it for the aesthetic enjoyment of the community. You have already invested in it via the park, the Choate rowing center, and the Senior Center surrounding it. We think we could put in hiking trails and interpretive walks, so people could learn about wetlands and other processes.

Mr. Morrissey continued: We wanted to restore the lake and a 12-foot-high dam, but we also see the liability for the Town. Once it is built, we would ultimately seek to have the Town assume responsibility for it. So we foresee a six-foot- or seven-foot-high dam as having much less liability and less water-quality impact. Also, there would be less of an obstacle to fish passage. So we had a very good meeting with the Committee last week, presenting the plan for a six- or seven-foot-high dam with 70 to 80 acres of wetlands in the immediate and upstream areas. The State has monies available (about \$20,000) to do the next stage of the feasibility study on costs, landscaping and recreational planning, and projections of how much open water and wetlands areas would be restored, etc. We're here to look for your support to get a positive resolution of the lake situation. Are there questions?

Mr. Centner asked, under the plan for the seven-foot-high dam, what is the approximate size of the lake and the wetlands?

Mr. Morrissey said there would be about 50 to 60 acres of open water. He thought the original lake had contained about 90 acres of open water. Up to 80 acres of wetlands might be restored.

Mr. Centner asked about incidental costs for the Town--fencing, etc.?

Mr. Morrissey thought the State would pay all the costs because of the goals of restoring the wetlands and managing the natural process of removing nutrients. But the State would look to the Town to take the dam over and assume the maintenance cost. In the first 40 to 50 years of the dam's life, little maintenance would need to be done. If you provide the water, the wetlands will restore themselves. There's already a seed source for wetlands vegetation.

Mr. Centner asked about the expected timetable.

Mr. Morrissey said he would like to begin as soon as possible. The DEP would like to see this restoration completed over the next two to five years, depending on Federal funding sources and State funding.

Mr. Centner asked, once the dam is completed, would the area require any special flood protection?

Mr. Morrissey said, outside this area, the area is prone to flooding. This project would not worsen the flood situation. But it would not alleviate the need for an early flood-warning system.

Mr. Centner asked, would there be dam gates?

Mr. Morrissey said that the Department would like to see draw-down gates in place as a basic maintenance function.

Mr. Knight asked, would there be any flood-control advantage of the gates in alleviating the problems by Garden Road?

Mr. Morrissey said probably not. But flooding is a huge concern for the Department. The DEP will initiate a Quinnipiac River basin analysis as a unified study. Past independent studies of neighboring towns (Cheshire, Meriden, Wallingford, Southington, and others) have told us conflicting things about the watershed. Before we initiate any flood-control projects here or elsewhere, we want to make sure that we have a better reference tool. We will use the Community Lake Restoration Project as a cornerstone. But the DEP would like to link it with other towns' information, to result in better water quality and to understand the impact on your Town and others. Probably we will return to you for more input. This is part of a bigger plan.

Mr. Zappala remembered the lake as it was. He thought the restoration effort would be a great thing. He commended the Committee.

Mr. Rys asked Mr. Morrissey to confirm that he had said the Town would be responsible for maintaining the dam. Also, who would regulate the water flow through the dam?

Mr. Morrissey said yes. That is what has been done with other towns. The State is not interested in acquiring more dams; it has over 400 now. If no State recreational facility is associated with it, then the area is given over to Town responsibility. No one should regulate the water. He expected that what comes into the lake would flow out over the spillway. We would not look to the Town to regulate the height of the water. But, if there were a need for maintenance or a need for weed control, then that should be done with the gates. The Town would do that. We'd give the Town control of that and also some advice on how to do it.

Mr. Rys said, years ago there was concern about the water stagnating in the pond from filling.

Mr. Morrissey said the DEP would try to keep whatever pond is created separate from the river so there would not be an adverse water-quality impact. The Restoration Committee felt that they wanted a full dam restored, so probably there will need to be a fluctuation of the water level to manage the quality. So the six- to seven-foot-high dam is a compromise.

Mr. Rys was concerned that the dam does not collapse again.

Mr. Morrissey replied that the DEP has flood erosion-control bonding monies. Annually, about \$2.5 million in bonds are issued for dams and flood-control projects in the State. Wallingford could apply to fund from 33% to 66% of the repairs, depending on the property ownerships surrounding the lake.

Mr. Doherty asked, how much would such a dam cost? Who would provide the funds? Would there be State funding?

Mr. Morrissey said a moderate-sized dam six to seven feet high would cost between \$1 million and \$1.5 million. We would like to have Federal funds to build it entirely, based upon the weight and the size of the wetlands restoration. The nutrient-removal needs for the Long Island Sound cleanup would give the project a competitive advantage. He was not sure of State funding. But he would aggressively seek Federal funding. The State feels that 80 or more acres represents a big restoration project. If the Federal government has not passed the Clean Water Act by a year from now, then Mr. Morrissey would return to the Council. But he thought the project would receive 100% Federal funding.

Ms. Papale commended the Community Lake Committee for having done a good job. She asked if a full dam would be restored.

Mr. Morrissey said the plan calls for a compromise in height because of the costs, the liability, the water-quality impacts, and the difficulty of providing fish passage.

Ms. Papale asked how a new dam would affect people who live down the Quinnipiac River (off Quinnipiac Street) and those in Gopoian's Trailer Park.

Mr. Morrissey said the best information to date is that it would not worsen any flooding. But we have to come up with the technical information to support that. So, if we do find that we are wrong, we will have to do things to minimize its negative impact.

Ms. Papale asked Mr. Morrissey to confirm about seeking Federal funds, State funds as necessary, and then having Wallingford become responsible to maintain the dam.

Mr. Morrissey confirmed that sequence.

Ms. Papale said she thought that Mr. Rascati's and Mr. Morrissey's presentations were really asking for the Council's blessing to proceed. Since action on this is not on our agenda, we will probably have to waive Rule V in order to vote. But we're not voting on money.

Mr. Parisi agreed that it's just a vote of confidence. He asked Mr. Morrissey to turn the drawing around for the audience. (He did so.)

Mayor Dickinson noted that the Fuss & O'Neill study had predicted 50 acres of wetlands with the higher dam. Now the prediction is for 80 acres with a shorter dam. Why is that?

Mr. Morrissey said the Mayor was right. With a lesser-height dam, we would create wetlands around the shore area and have open waters to the edge of the wetlands. This proposal differs, in that at the head end of the pond we would build another small dam to control sediment from reaching the dam and the lake area, and also have a cleanout area. That would create wetlands at the head end, which otherwise would not have been possible with the lowering of the dam. So there is a higher estimate because we're thinking of creating the upper-end dam and restoring wetlands.

Mr. Parisi asked for questions from the public.

Mark Youngblood, 8 Hayledge Court, thanked the Committee. He felt their work was important to the Townspeople. He has lived here only ten years, but everyone he has spoken with about this has been in favor of it. In 1987 a referendum was approved by the Town to restore the lake. He thought the compromise was good--that a six-foot-high dam made sense. It will result in assets benefiting the Town.

Albert E. Killen, 150 Cedar Street, also commended Chairman Rascati, the Committee members, and Mr. Morrissey. He was glad the project was advancing. He acknowledged the efforts of State Senator McDermott and Representatives Mary Fritz and Mary Mushinsky. He said, the responsibility for the upkeep was in the original deed from the International Silver Company to the Town. So we're not getting anything new.

Charles Uznanski, 15 Ridgeland Circle, a Committee member, has spoken to three groups about the lake. Everyone has agreed that they would like to have the lake back. Meriden has Hubbard Park; Southington has nice parks. What has Wallingford got? Maybe some industries would like to help us have a nice park for people to enjoy.

Mr. Melillo said it's nice to create wetlands and to have more flood protection and to get more Federal money. But he wanted to know the outcome if the dam were not repaired. It has been this way for 17 years. What would the quality of the lake be--relative to water pollution, the quality of the fish, and other wildlife living there?

Mr. Parisi answered that that is not appropriate to this discussion. This is about whether we'll enter into an agreement with the State.

Mr. Melillo asked again, what if they don't build a dam at all? The last 17 years we haven't had any major flooding problems, right?

Mayor Dickinson said he understood that the Town has had flooding problems since the dam was washed out, such as at Garden Road and Gopoiian's Trailer Park. He thought this was an opportunity to improve the river here and the water quality downstream to Long Island Sound. That is why the Federal money will be available.

Mr. Melillo hoped that the Town will not have to pay more later on.

Mr. Morrissey said he hopes the full restoration will be Federally funded. The dam will have a minor effect of storing additional flood waters, and the Department is concerned about that. Probably there will not be any cost to the Town.

WAIVER OF RULE V Motion was made by Mr. Centner to Waive Rule V for the Purpose of a Vote for the Direction of the Community Lake Committee to Carry On in Accordance with the State DEP Restoration Plan for Community Lake and the Associated Study, seconded by Mr. Zappala.

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

Motion was made by Mr. Centner to Vote for the Direction of the Community Lake Committee to Carry On in Accordance with the State DEP Restoration Plan for Community Lake and the Associated Study, seconded by Mr. Zappala.

There was no discussion on the motion.

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

Mr. Rascati asked the Council to change the Committee's name to "Community Lake Restoration Committee". Also, could they appoint someone as a Council liaison person to meet and communicate with their Committee? In addition, the Committee may need operating funds now for mailing expenses, etc.

Mr. Parisi said these requests would be taken under advisement. He asked Chairman Rascati to provide a budget estimate. He asked Corporation Counsel Mantzaris if the Committee name could be changed tonight.

Attorney Mantzaris replied that since the Committee had been named by a motion of the Council, the name could be changed by a motion.

WAIVER OF RULE V Motion was made by Mr. Centner to waive Rule V again, since consideration of a Committee name change was not on the agenda.

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

Motion was made by Mr. Centner to Rescind the Committee Name of "Community Lake Study Committee" and to Rename the Committee as the "Community Lake Restoration Committee", seconded by Mr. Zappala.

There was no discussion on the motion.

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

ITEM #14 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes Regarding Strategy and Negotiations to Settle a Claim Involving the Maguire Group Connecticut, Inc., the Estate of John Wooding and the Town of Wallingford

Motion was made by Mr. Rys to Enter Into Executive Session, seconded by Mr. Centner.

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

The room was cleared at 8:55 P.M. Present in Executive Session were the 8 Councilors, Mayor Dickinson and Corporation Counsel Mantzaris.

Town Council Meeting

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April 9, 1996

At 9:09 P.M. those who were not part of the Executive Session returned to the room.

Motion was made by Mr. Rys to Come Out of Executive Session, seconded by Mr. Centner.

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

ITEM #15 Consider and Approve a Transfer of Funds in the Amount of \$2,850 from Election Day Expenses Account to Self-Insurance Claims Account - Department of Law

Motion was made by Mr. Rys to Consider and Approve a Transfer of Funds in the Amount of \$2,850 from Election Day Expenses Account to Self-Insurance Claims Account - Department of Law - to Approve and Cover the Maguire/Wooding Case Settlement, seconded by Mr. Knight.

There was no discussion on this motion.

VOTE: Farrell was absent.  
Ayes: Papale, Zappala, Renda, Rys, Knight, Centner, Parisi  
Nay: Doherty

Motion duly carried.

OTHER BUSINESS

Councilman Zappala asked that the public be informed about the upcoming meeting on the ice skating rink. It was agreed that the public would be notified.

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

VOTE: Farrell was absent; all others, aye; motion duly carried.  
There being no further business, the meeting adjourned at 9:12 P.M.

Meeting recorded and transcribed by:

*Kathleen L. Burns*  
Kathleen L. Burns  
Interim Secretary

Approved by:

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

*May 14, 1996*  
Date

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

*May 15, 1996*  
Date

TOWN COUNCIL MEETING

APRIL 9, 1996

6:30 P.M.

SUMMARY

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15. Consider and Approve a Transfer of Funds in the Amount of \$2,850 from Election Day Expenses Account to Self-Insurance Claims Account - Department of Law

RECEIVED ON FEB 3-4-96  
AT 10:30 AM  
ATTORNEY Breemany Pascati  
ENCL. 1/10