

TOWN COUNCIL MEETING

JUNE 23, 1998

6:30 P.M.

AGENDA

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#302-303) Totaling \$2,418.00 - Tax Collector
 - b. Approve and Accept the Minutes of the June 9, 1998 Town Council Meeting
 - c. Consider and Approve a Transfer of Funds in the Amount of \$450 from Office Supplies Acct. #001-6030-401-4000 to Regular Salaries & Wages Acct. #001-6030-101-1000 - Town Clerk
 - d. Consider and Approve a Budget Amendment in the Amount of \$3,500 to Project Graduation Donations Revenue Acct. #074-1041-900-9000 and to Project Graduation Expenditures from Contributions Acct. #074-9001-900-9061 - Youth & Social Services
 - e. Consider and Approve a Transfer of Funds in the Amount of \$250 from Telephone Acct. #8060-201-2000 to Office Expenses and Supplies Acct. #8060-401-4000 - Probate
 - f. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the Meriden & Wallingford Substance Abuse Council for a Continuation Grant in an Amount Not to Exceed \$10,000 - Youth & Social Services
4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Consider and Approve a Transfer of Funds in the Amount of \$24,080 from General Wages Acct. #2005-101-1000 of Which \$5,000 is Transferred to Traffic Signal Silver Pond Center

Acct. #001-2005-999-9905; \$8,580 is Transferred to Traffic Signal Ward & Orchard Acct. #001-2005-999-9949 and \$10,500 is Transferred to 911 Answering Station Acct. #001-2005-999-9944 - Dept. Of Police Services

7. Consider and Approve a Transfer of Funds in the Amount of \$3,779 from Operating Expenses Acct. #001-2020-401-4100 to Regular Wages & Salaries Acct. #001-2020-101-1000- Animal Control Officer
8. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of Connecticut Commissioner of the Department of Environmental Protection for an Outdoor Recreation Land Acquisition and/or Development Grant for a Municipal Project Known as Quinnipiac River Linear Trail, CSAP 98-19 in an Amount Not to Exceed \$250,000. - Engineering Dept.
9. Consider and Approve a Waiver of Bid to Facilitate the Purchase of Software from RecWare in the Amount of \$10,013.00 - Parks & Recreation Dept.

PUBLIC HEARING on an Ordinance Amending an Ordinance Appropriating \$2,065,000 for the Planning, Acquisition and Construction of Renovations to the Wallingford Community Pool and Authorizing the Issue of \$2,065,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose (The purpose of the amendment is to increase the appropriation and bond authorization by \$47,000 from \$2,065,000 to \$2,112,000 and to ratify, confirm and adopt all prior authorizations with respect thereto.)

11. Consider and Act Upon the Repeal of an Ordinance Entitled, "An Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose" - Chairman Parisi
12. Consider and Act Upon a Resolution Entitled, "Resolution Providing for Referendum" Concerning a Referendum to be Held on the Ordinance Entitled, "An Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose"
13. Consider and Approve a Transfer of Funds in the Amount of \$12,000 from Customer Record - Data Processing Acct. #903-1 to Distribution Overhead Lines Acct. #593 - Electric Division

14. Consider and Approve an Annual Departmental Bid Waiver List for F. Y. 1998-99 - Mayor
15. Consider and Approve a Transfer of Funds in the Amount of \$1,550 from Self-Insurance Claims Acct. #001-8030-800-8280 to Computer Acct. #001-1320-999-9901 - Town Attorney
16. Consider and Approve a Transfer of Funds in the Amount of \$1,500 from Self-Insurance Claims Acct. #001-8030-800-8280 to Office Supplies and Legal Expenses Acct. #001-1320-401-4000 - Town Attorney
17. Consider and Approve a Transfer of Funds in the Amount of \$226,447 from Contingency Accrued Expenses Acct. #001-8050-800-3230 to Employee Insurance & Other Benefits - Self-Insurance Workers Comp - Masko Acct. #001-8035-800-8311 - Mayor
18. Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes With Respect to the Purchase, Sale, Lease of Real Property

TOWN COUNCIL MEETING

JUNE 23, 1998

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Correspondence - No items were presented.	1
3. <u>Approve</u> Consent Agenda - Items 3a. - 3f.	1
4. <u>Withdrawn</u> - Items removed from the Consent Agenda - none.	1
RULE V - <u>Approve</u> a motion to waive Rule V.	1-2
<u>Approve</u> a motion to Support Enforcement of Rule #4 Regarding the Three Minute Time Limit for Public Discussion.	
5. PUBLIC QUESTION AND ANSWER PERIOD - Issues raised were: Cost/Timetable for Additional Workers in the Assessor's Office; Police v. Outside Investigators on the Assessor's Records; Suggestion to Remove 21 Oak Trees from Center Street; Survey of Town-Owned and Town-Leased Telephones in Order to Save Money; Hiring of Local People for Town Positions; Wooding Property Tank Dug Up and Replaced; Having a Council liaison to the Conservation Commission; Purchasing Infrared Equipment for Firefighters' Helmets; Rebuilding of Community Lake dam; Mr. Wright Submitted a Printed Message for the Council and the Mayor; Opportunity for Public to Speak Regarding Open Space Ordinance; People Using Preliminary Road Cut from Pierson Drive to Route 68 (Terrell Reserve) and Whether a Barrier Could Be Placed There by the Builder.	2-4
6. <u>Approve</u> a Transfer of Funds in the Amount of \$24,080 from General Wages Acct. #2005-101-1000 of Which \$5,000 is Transferred to Traffic Signal Silver Pond/Center Acct. #001-2005-999-9905; \$8,580 is Transferred to Traffic Signal Ward & Orchard Acct. #001-2005-999-9949 and \$10,500 is Transferred to 911 Answering Station Acct. #001-2005-999-9944 - Dept. of Police Services	4-5
7. <u>Approve</u> a Transfer of Funds in the Amount of \$3,779 from Operating Expenses Acct. #001-2020-401-4100 to Regular Wages & Salaries Acct. #001-2020-101-1000 - Animal Control Officer	10-11
8. <u>Approve</u> a Resolution Authorizing the Mayor to Make Application to the State of Connecticut Commissioner of the Department of Environmental Protection for an Outdoor Recreation Land Acquisition and/or Development Grant for a Municipal Project Known as Quinnipiac River Linear Trail, CSAP 98-19 in an Amount Not to Exceed \$250,000. - Engineering Dept.	11-12
9. <u>Approve</u> a Waiver of Bid to Facilitate the Purchase of Software from RecWare in the Amount of \$10,013.00 - Parks & Recreation Dept.	12-13

Agenda Item

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- 10. PUBLIC HEARING held on an Ordinance Amending an Ordinance Appropriating \$2,065,000 for the Planning, Acquisition and Construction of Renovations to the Wallingford Community Pool and Authorizing the Issue of \$2,065,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose. (The purpose of the amendment is to increase the appropriation and bond authorization by \$47,000 from \$2,065,000 to \$2,112,000 and to ratify, confirm and adopt all prior authorizations with respect thereto.) 8-10

Approve a motion to Read the Ordinance Into the Record and Append Sections 1, 2 & 3 of the Ordinance to the Town Council Minutes of This Evening.

Approve a motion to Move the Question.

Approve an Ordinance Amending an Ordinance Appropriating \$2,065,000 for the Planning, Acquisition and Construction of Renovations to the Wallingford Community Pool and Authorizing the Issue of \$2,065,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose.

- 11. Consider the Repeal of an Ordinance Entitled, "An Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose". - Chairman Parisi 13-19

Approve a motion to Move the Question.

Approve a motion to Repeal an Ordinance Entitled, "An Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose.

- 12. Removed from the Agenda - Consider and Act Upon a Resolution Entitled, "Resolution Providing for Referendum" Concerning a Referendum to be Held on the Ordinance Entitled, "An Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose". - Withdrawn due to #11. 19

- 13. Approve a Transfer of Funds in the Amount of \$12,000 from Customer Record - Data Processing Acct. #903-1 to Distribution Overhead Lines Acct. #593 - Electric Division 19

- 14. Approve a motion to Move Agenda Item #14 Up to the Next Order of Business. 5

- 14. Consider and Approve an Annual Departmental Bid Waiver List for F.Y. 1998-99 - Mayor 5-7

Motion was made to Move the Bid List.

Motion was restated to Approve the Bid List as Presented.

Agenda Item

Page No.

- 14. (continued)
Approve a motion to Move the Question.

Approve the Bid Waiver List (per motion/restatement above).
- 15. Approve a Transfer of Funds in the Amount of \$1,550 from Self-Insurance Claims Acct. #001-8030-800-8280 to Computer Acct. #001-1320-999-9901 - Town Attorney 19
- 16. Approve a Transfer of Funds in the Amount of \$1,500 from Self-Insurance Claims Acct. #001-8030-800-8280 to Office Supplies and Legal Expenses Acct. #001-1320-401-4999 - Town Attorney 19
- 17. Approve a Transfer of Funds in the Amount of \$226,447 from Contingency Accrued Expenses Acct. #001-8050-800-3230 to Employee Insurance & Other Benefits - Self-Insurance Workers Comp - Masko Acct. #001-8035-800-8311 - Mayor 19
- 18. Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes With Respect to the Purchase, Sale, Lease of Real Property. 20

Approve a motion to Enter Into Executive Session.
Approve a motion to Exit the Executive Session.

No motions were made as a result of the Executive Session.

TOWN COUNCIL MEETING

JUNE 23, 1998

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, June 23, 1998, in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:35 P.M. The Roll Call was taken by Town Clerk Rosemary A. Rascati. Present were eight Councilors: Mr. Parisi, Mr. Centner, Mr. Farrell, Mr. Knight, Mr. Rys, Mr. Renda, Mr. Zandri, and Mr. Zappala. Councilor Ms. Papale entered the meeting at 7:30 P.M. Also in attendance were Mayor William W. Dickinson, Jr., Corporation Counsel Adam Mantzaris, Comptroller Thomas A. Myers, Town Clerk Rosemary Rascati, Town Council Secretary Kathryn F. Zandri, and Interim Secretary Kathleen Burns. There were 50 persons in the audience.

After the blessing was given, 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 (#302-303) Totaling \$2,418.00 - Tax Collector

ITEM #3b Approve and Accept the Minutes of the June 9, 1998, Town Council Meeting

ITEM #3c Consider and Approve a Transfer of Funds in the Amount of \$450 from Office Supplies Acct. #001-6030-401-4000 to Regular Salaries & Wages Acct. #001-6030-101-1000 - Town Clerk

ITEM #3d Consider and Approve a Budget Amendment in the Amount of \$3,500 to Project Graduation Donations Revenue Acct. #074-1041-900-9000 and to Project Graduation Expenditures from Contributions Acct. #074-9001-900-9061 - Youth & Social Services

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of \$250 from Telephone Acct. #8060-201-2000 to Office Expenses and Supplies Acct. #8060-401-4000 - Probate

ITEM #3f Consider and Approve a Resolution Authorizing the Mayor to Make Application to the Meriden & Wallingford Substance Abuse Council for a Continuation Grant in an Amount Not to Exceed \$10,000 - Youth & Social Services

Motion was made by Mr. Rys to approve the Consent Agenda as Presented, seconded by Mr. Farrell.

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

ITEM #4 Items removed from the Consent Agenda - none. Withdrawn.

RULE V Motion was made by Mr. Knight to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Discussing the Town Council Rules, seconded by Mr. Farrell.

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

Motion was made by Mr. Knight that the Council go on Record as Being in Support of Enforcement of Its Rule #4 Regarding the Three Minute Time Limit for Public Discussion, seconded by Mr. Farrell.

In discussion on the motion:

Mr. Zappala said the public already can speak for three minutes.

Mr. Rys and Mr. Centner urged the members to support the motion.

Chairman Parisi asked for comments on the motion from the audience.

Mr. Philip Wright, 160 Cedar Street, said three minutes are not sufficient to explain or to make a point. The three-minute rule is wrong.

Mr. Parisi responded that the motion is to adhere to the three minutes per person or to have unlimited time for remarks.

Mr. Andy Kapi, 6 Deme Road, thought the Council was going to be more lenient toward speakers. I don't think it should be that structured. The 20-minute limit is for your regular meetings--that's 6 2/3 persons over 20 minutes.

Mr. Parisi said, the objective is to reach a middle-of-the-road solution. The rule was just explained. I feel that we should stay with the rule, but on this motion each Councilor can state his view. The Chairman cannot run the Council; he serves the Council.

Mr. Pasquale Melillo, 15 Haller Place, reminded the Councilors that they had wanted to be flexible in interpreting the Q&A Period limit such that the public would be given the right to speak, per their First Amendment rights. Most of the Council suffer from "ego-itis".

Mr. Parisi stated that he has received some favorable comments on this rule and some negative ones.

One gentleman asked a procedural question: Can the Council suspend the rule to discuss something to address some issues that have more significance to the community?

Mr. Parisi said, I was trying to do that on issues. No one person controls the meeting, but I believe that a rule could be suspended for important issues.

VOTE: Papale was absent; Zandri, no; all others, aye; motion duly carried.

ITEM #5 PUBLIC QUESTION AND ANSWER PERIOD

Chairman Parisi opened the 20-minute Public Question and Answer Period. Each person may speak for three minutes. Later, persons may speak when the various agenda items are taken up.

Mr. Robert Sheehan, 11 Cooper Avenue, asked the time of the public hearing for Item #10.

Chairman Parisi said that it is set for 7:45 P.M.

Mr. Sheehan said, a few months ago the Council appropriated money for two additional workers in the Assessor's Office. Will that money cover them to the end of this fiscal year? What will happen in July?

Mr. Myers said the money for the extra workers would lapse on June 30th. We have nowhere near expended the amount that was appropriated. In July, I will be looking for a new appropriation to continue that work.

Mr. Frank Wasilewski, 57 North Orchard Street, wanted to prevent another problem with the planting of street trees. He cited the 21 oak trees planted on Center Street, and he recommended moving them.

Mayor Dickinson said that a landscape architect had advised the Town on what trees to plant on Center Street.

Mr. Wasilewski asked, how many telephones does the Town have? Are they leased, or does the Town own them? These would be in Town Hall offices, the school board, etc.

Mayor Dickinson said he was not sure about the school board's phones or the utility divisions' phones. The police and fire services may own their phones; in Town Hall, mostly they are owned. Various relationships have developed regarding leasing and owning phones over the years.

Mr. Wasilewski suggested that that information should be collected. Whether owned or leased, the phones should be used and should not be idle. The phone bills could be cut.

Mr. Daniel Donahue, 309 Long Hill Road, told the Council that he felt Wallingford was building a bureaucracy of strangers. People are hired from out of town. Those elected must come from Town. We should have townspeople as school principals, utility employees, police dispatchers, etc. How about hiring our own people?

Mr. Parisi said he thought this issue was brought to the Council before. We are told that hiring decisions are based on the individual's background. We could arrange a meeting for you to find out how they hire employees.

Mr. Phil Wright, of 160 Cedar Street, said that on the Wooding property recently he saw some dirt piles stored. What is it?

Police Chief Douglas Dortenzio said that a tank is being dug up in the parking lot. It had to be dug up after 20 years. The dirt pile will be gone soon.

Mr. Wright asked if anyone serves as the Council's liaison to the Conservation Commission.

Mr. Parisi said, I don't believe there is, but it's something to review.

Ms. Barbara Chayer, 24 Willow Street, said by July 4th the Assessor and the Town Appraiser will have been on paid leave for four months. Also, why have members of the Police Department been doing the investigation instead of other qualified persons? Was any attempt made to hire outsiders?

Mayor Dickinson noted that this is a criminal investigation. We did not want to use parties unfamiliar with the requirements of a warrant or the statutes.

Chief Dortenzio said the investigation was brought to his attention by others in the criminal justice arena. We're dealing with search and seizure and investigatory issues. An outside accounting firm would not substitute on the work. However, we do use outside advisors when we need them.

Mr. Melillo said persons have called and asked him to congratulate the police, fire, and electric departments for the great work they render to the Town. Has the Town purchased the new infrared equipment that attaches to the firemen's helmets?

Mr. Parisi said no. It has to come as a request from the Fire Department after they evaluate the equipment.

Mr. Wright asked, with the unusual weather lately, why haven't we rebuilt the dam at Community Lake yet?

Mr. Parisi said that we are waiting for the State to act on this.

Mr. Wright said he had called about 10 State officials recently. Only one has called him back. Here is a copy of my message for the Council and the Mayor (received by the Town Council Secretary).

Mr. John Young, 104 Pierson Drive, asked if the public's statements on the open space ordinance would have to wait until later in the meeting.

Chairman Parisi said yes.

Mr. Young said, the builders have cut the road through from Route 68 to Pierson Drive. People are already using it, and it's only mud. If someone gets hurt in there, who is responsible?

Mayor Dickinson stated, I believe the private property owners are responsible. No road has been accepted out there.

Mr. Young asked if someone could put a barrier there.

Mayor Dickinson said the Town has no right to put a barrier on private property.

This ended the Public Question and Answer Period.

ITEM #6 Consider and Approve a Transfer of Funds in the Amount of \$24,080 from General Wages Acct. #2005-101-1000 of Which \$5,000 is Transferred to Traffic Signal Silver Pond/Center Acct. #001-2005-999-9905; \$8,580 is Transferred to Traffic Signal Ward & Orchard Acct. #001-2005-999-9949 and \$10,500 is Transferred to 911 Answering Station Acct. #001-2005-999-9944 - Dept. of Police Services

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

Police Chief Dortenzio asked whether the Councilors had received the communications from himself and Officer Doll.

Mr. Parisi said they had.

Mr. Farrell asked about the audible pedestrian signal mentioned in Officer Doll's letter. This is a highly residential area, and the sound will travel some distance.

Chief Dortenzio thought that particular walk light would be manually activated, so it would not function as a walk light unless someone requested it. He promised to ask Officer Doll about it.

Mr. Farrell wanted to see something there that meets the needs but is the least obtrusive.

Mr. Zappala asked about the light at Ward Street and Orchard.

Chief Dortenzio said that light is going to be changed.

Mr. Knight asked Chief Dortenzio to describe "loop detectors" for Ward and Orchard.

Chief Dortenzio said the intersection does not have loop detectors now; it is just on a fixed-time basis. Loop detectors are installed as a grid pattern in the asphalt near the signal. When activated, the signal turns red; otherwise, it stays green.

Mr. Reginald Knight, 21 Audette Drive, said, if an audible signal will be put outside of Silver Pond Apartments, I'm all for it. The elderly need it, and some of them are hard of hearing. Also, there's a lot of traffic and parked cars in the area.

Chief Dortenzio said that it would be installed.

Mr. Wasilewski asked, if Center Street is considered a State highway, then would the State contribute to this cost?

Chief Dortenzio said, yes, it is a State highway. After those are originally put in, the Town enters into an agreement with the State for repair, upkeep, and replacement.

Mr. Wasilewski wanted to see an additional light put at the intersection of South Whittlesey and Ward Street. That's the most dangerous crossing in Town.

Chief Dortenzio said he would make a note of that.

Mr. Wasilewski asked if the Police Department leases its phones. Second, he asked why \$10,500 was to be transferred to the 911 account.

Chief Dortenzio said the 911 system is mostly funded by the State. Last year the State added a surcharge to everyone's telephone bill to fund replacement of all the 911 equipment in the State. So our Town equipment will be replaced. Also, the State has told us that they will fund equipment for only two positions. Eventually, we'll have three persons staffing the equipment, so we'll need more funds.

Mr. Wasilewski asked how much money remains in the salary account for this.

Chief Dortenzio said there is about \$2,000 to \$3,000 remaining.

There were no comments from the Council.

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

Motion was made by Mr. Rys to Move Agenda Item #14 Up to the Next Order of Business, seconded by Mr. Knight. There was no discussion.

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

ITEM #14 Consider and Approve an Annual Departmental Bid Waiver List for F.Y. 1998-99 - Mayor

Motion was made by Mr. Rys to Move the Bid List, seconded by Mr. Knight.

Mr. Rys noted that this list consists of several vendors to the Town. The items covered are purchased by the various departments on an as-needed basis: e.g., lumber, tools, contract policies, maintenance on older machines, counsel to the Board of Education, expenses for student physicals, financial software, and maintenance of telephone systems.

Mr. Rys restated his motion:

Motion was made by Mr. Rys to Approve the Bid List as Presented, seconded by Mr. Farrell.

Mr. Rys said he did recognize a lot of the vendors' names on the list. Has anyone tried to find new vendors? There's at least one other janitorial supply firm in Wallingford that has not been listed.

Mayor Dickinson said that it's a matter of the individual departments becoming aware that a given commodity can be purchased elsewhere.

Mr. Rys asked if the Board of Education does purchase janitorial supplies by bid waiver.

Superintendent of Schools Dr. Joseph Cirusuolo said he did not believe those were. They go out to bid for that.

Mr. Rys asked him to describe what is purchased at G. C. Moore Co.

Dr. Cirusuolo said the answer should come from Business Manager Mr. John Quinn or from Superintendent of Buildings and Grounds Mr. Gerald Powers.

Mr. Zandri asked how vendors can get on the list.

Mayor Dickinson explained that most of the items relate to proprietary issues, where only one business provides a certain service or supply. Some stores are used because they are located near the Town department that needs their product. It's up to the individual departments to find the vendors. To get on the list, a vendor could contact the department that would use its supplies/service. If the department head felt it was in the Town's interest to do business with them, then that firm could be added to the list.

Mr. Zandri asked, is there a dollar-amount restriction on items to be purchased this way?

Mr. Rys said, I believe it's \$2,000.

Councilor Ms. Papale entered the meeting about this time.

Mayor Dickinson did not think there was a dollar-amount restriction. The restriction is that you can't purchase capital items under bid waiver--something costing \$300 and up is considered a capital purchase. Other items are purchased in conformity with current and previous experience. But capital items do not fall under bid waiver.

Mr. Centner asked about the \$6,000 to be spent for Board of Education financial software. He also asked about the growing budget for Special Education transportation. It looks like a 50% increase.

Dr. Cirusuolo said that depends on the number of students requiring Special Education and Transportation. In general, this will increase as the overall enrollment increases.

Mr. Quinn added that some Special Education pupils have ambulance transportation.

Mr. Centner asked if the Town qualifies for State reimbursement of Special Education transportation.

Dr. Cirusuolo said the Town receives about 50%, which comes back together with other funds. Recently, the State has scaled back its Special Education reimbursements. This budget amount is based on what we expect to spend for transportation next year. Also, Mr. Powers told me that they do purchase items around Town at the best price available. The particular vendor listed is the only one who provides maintenance for certain custodial equipment, but we do purchase some items from other vendors.

Mr. Parisi said that Mr. Rys has a point: If another company could supply a product or a service, it may be

to the Town's advantage to have it on the list. Do some of these things go out to bid?

Dr. Cirasuolo said, yes.

Mr. Knight asked if other area firms could provide the specialized transportation.

Dr. Cirasuolo said, we have not been able to find any.

Mr. Knight asked Mr. Myers if R. Walsh Associates and Cole Layer Trumble have been working on the Year 2000 computer problem.

Mr. Myers said he has asked both firms to work on it. Yesterday, the Town opened bids for fixing hardware problems. We'll be addressing the software problem in July.

Mr. Parisi asked if the bid waiver list has been going up or down.

Mr. Myers said it has been going down. In 1991 it exceeded 100 items. Since then, it has gone as low as 40 items. There are nine new items this year. For example, the Youth Services Bureau has expenses with the YMCA, Big Brothers/Big Sisters, and the Battered Women's Shelter. All of those are over \$2,000, so those were added to the list. The Personnel Department has gone with EAP Inc. for employee assistance and training. Also, we contracted for an actuarial study for the Town's health insurance plans. We're near 50 items on the list now.

Chairman Parisi asked for comments from the public.

Mr. Robert Sheehan asked if these bid waiver items were included in the departmental budgets.

Mr. Myers said those items appear in the budget at various lines, such as the software to be purchased from Cole Layer Trumble. We have a maintenance line in the budget, \$8,000 annually, to maintain that.

Chairman Parisi asked, if these work services or physical products are listed on departmental budget lines, then why are these vendors shown on a bid waiver list?

Mayor Dickinson said that the bid waiver list deals with the method for purchasing these items under the Charter. In some cases, the departments are not able to request bids for certain items. For example, no one else could maintain the software except the named vendor, and the department head is unable to spend the money without the bid waiver.

Mr. Andy Kapi, 6 Deme Road, asked for a summary of how the bid information is put out.

Mr. Myers said, when we put an item out to bid, it's advertised in the newspapers. We also maintain a vendor list, and vendors are advised that a bid is going out. Then they can contact us to receive a bid package.

Mr. Kapi noted that the fire and police expenses were high. Is there any means by which you can post bids and make that available to a wider audience?

Mr. Myers said, yes, there are other methods to advertise bids, such as in trade and technical publications.

Mr. Kapi said he knows of a Massachusetts company that qualified for a Connecticut pre-approved vendors list without going to bid. The company submitted to a rigorous process of posting their prices and getting them pre-approved. Can you incorporate similar advance-pricing information into the process?

Mr. Myers responded that a Charter change would be required in order to obtain price lists like that. But here we are talking about sole providers or where it just does not make economic sense to go out to bid. For the Scott airpacks for the Fire Department, there is only one Scott vendor in Connecticut.

Mr. Kapi asked, how do you make the distinction on software?

Chairman Parisi asked everyone to return to talking about the bid waiver list as presented.

Motion was made by Mr. Rys to Move the Question, seconded by Mr. Farrell.

VOTE: All ayes (nine voting); motion duly carried.

VOTE TO APPROVE BID WAIVER LIST: All ayes; motion duly carried.

ITEM #10 PUBLIC HEARING on an Ordinance Amending an Ordinance Appropriating \$2,065,000 for the Planning, Acquisition and Construction of Renovations to the Wallingford Community Pool and Authorizing the Issue of \$2,065,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose (The purpose of the amendment is to increase the appropriation and bond authorization by \$47,000 from \$2,065,000 to \$2,112,000 and to ratify, confirm and adopt all prior authorizations with respect thereto.) - 7:45 P.M.

Motion was made by Mr. Rys to Read the Ordinance Into the Record and Append Sections 1, 2 & 3 of the Ordinance to the Town Council Minutes of This Evening, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Mr. Rys read into the record the text cited above. Appearing before the Council were Director of Recreation Mr. Thomas Dooley and Town Engineer Mr. John Thompson.

Chairman Parisi said this hearing is now in progress.

Mr. Robert Sheehan, 11 Cooper Avenue, said he objected. The amount of \$2,065,000 was appropriated two months ago, and now we're going to add \$47,000? Why can't we come up with \$47,000 without bonding it? Also why, is a traffic light included? I think there's \$47,000 available in the Yalesville School repair funds. For the Town to bond this is bad business. The only good thing is that the work has started on Community Pool.

Mayor Dickinson said the money is needed for a Clerk of the Works and for the traffic light. The project includes a traffic light at the intersection of North Main Street Extension and Beaumont Road. So we're putting these costs into the project to give an accurate accounting for the total project.

Mr. Sheehan asked if this project will have a contingency fund? Would most of that be used up? Why not just increase the contingency fund by \$47,000 without going to bond for 20 years?

Mayor Dickinson said, we are endeavoring to make our best guess about the costs and to bond as little as we can.

Chairman Parisi said, it's a procedure. The difference in the price of the traffic signal is \$19,000.

Mr. Myers noted, in the original bond ordinance for \$2,065,000, there was a sum of money for the traffic light.

Mr. Dooley said it was \$70,000.

Mr. Myers continued, saying, the bid for the traffic light came back at \$89,000, so it was short. Also in that ordinance was \$20,000 for a Clerk of the Works. That bid came back at \$28,000 more. So \$19,000 plus \$28,000 comes to \$47,000. This ordinance has two purposes: It authorizes these additional expenditures, and it authorizes the Town to bond that amount. But we always look to bond a lesser amount in order to save interest. We will not bond the full amount here. The traffic light and the Clerk of the Works are in here because they are part of this project.

Mr. Sheehan: If you're not going to bond it all, then pay cash for the \$47,000, and you'll only have to bond \$2,065,000.

Mr. Myers added, but we need an appropriation to reflect the total cost of the project. The \$2,065,000 includes some money for the traffic light. This additional ordinance accounts for these other costs attributable to redoing Community Pool. It does not mean that the traffic light will be bonded.

Mayor Dickinson told the Council that he and the staff had represented for the original bond authorization that all the costs were included. But that was not true, so we came back for the additional money.

Mr. Pat Melillo, 15 Haller Place, asked why a traffic light costs over \$80,000?

Mr. Thompson said, this was a good price to receive. They range from \$89,000 to \$130,000. The cost of designing and constructing a traffic signal is expensive and sophisticated. It is to have loop detectors in Beaumont Road and the Community Pool driveway plus a pedestrian signal.

Mr. Melillo asked if the Town is going to bond the \$47,000 for 20 years.

Chairman Parisi said, no. It was said that we're probably going to pay for it.

Mr. Melillo asked, is this going to be the end of requests for money, or will they ask for more later? That pool could have been in operation last year. And on #14: In my opinion the Town Charter was violated by the passage of Item #14.

Mr. Philip Wright, 160 Cedar Street, said, I'm glad that we now know how much the pool is really going to cost. I hope other estimates are more accurate. I don't think the Clerk of the Works fee should have been missed by 100%, or the cost of a traffic light. I think someone has mismanaged this. I think the Town should not act on this ordinance unless and until a building committee is named for this project.

Mr. Thompson said he developed the cost for the traffic signal. We received actual bid prices for the pool costs, but we were only dealing with estimates for the traffic signal and the Clerk of the Works. Those came in higher than I estimated.

Chairman Parisi stated, I disagree with "mismanagement". It was not accurate.

Mr. Reginald Knight, 21 Audette Drive, asked that, if a traffic light were installed outside a fire station or outside Town Hall, would it be accounted for under the maintenance or upkeep of the building?

Mayor Dickinson said this is part of the capital cost of renovating the facility. I think the traffic light at the intersection of Hanover and Route 68 was included in the Yalesville School project. Improvements to highways and traffic controls are included in the cost of projects. It was felt for safety reasons that an additional traffic light was needed here. We're also taking into account the steady increase of traffic on North Main Street Extension and the past traffic experience with the existing pool.

Mr. Knight said, I think the light should be a separate item. People are using Route 5 more now to get to K-Mart, etc.

Mrs. Bernadette Renda, 53 North Main Street Extension: Get it done. I live near the pool. This light will slow the traffic down. With the new box stores, it will draw more people to the new pool. If you stall, the price will go up. I am on the Friends of the Pool Committee.

Mr. Dooley, said, in response to Mr. Wright: Mr. Thompson worked very hard on this project and he should be applauded for his efforts, not criticized.

Motion was made by Mr. Farrell to Move the Question, seconded by Mr. Knight.

VOTE: All ayes; motion duly carried.

Mr. Zappala asked, why did Planning and Zoning not require a light there because of the Shaw's building?

Mr. Thompson replied, at the time that Shaw's was being proposed, it did not meet the warrants to have a light at that location. In 1998 we did another analysis; and it is only now that it is called for. It was considered when Wallingford Fair made its application, but it was not added.

Motion was made by Mr. Rys to Approve an Ordinance Amending an Ordinance Appropriating \$2,065,000 for the Planning, Acquisition and Construction of Renovations to the Wallingford Community Pool and Authorizing the Issue of \$2,065,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose, seconded by Mr. Farrell.

In discussion on the motion:

Mr. Zandri asked if Mr. Rys must read the entire ordinance.

Chairman Parisi said no. An earlier motion by Mr. Rys was--

Council Secretary Mrs. Zandri read: ". . . to dispense with the entire reading of the ordinance and to append it."

VOTE: All ayes; motion duly carried.

(The purpose of the amendment is to increase the appropriation and bond authorization by \$47,000 from \$2,065,000 to \$2,112,000.)

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$3,779 from Operating Expenses Acct. #001-2020-401-4100 to Regular Wages & Salaries Acct. #001-2020-101-1000 - Animal Control Officer

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

Appearing before the Council was Animal Control Officer Ms. Kathryn Lindemann.

Ms. Lindemann said the Center has two full-time assistants and one part-timer now.

Mr. Zappala said he had gone there recently, and he was not impressed by the look or the smell of the facility.

Ms. Lindemann replied, there were a lot of animals there that day, and that is a regular occurrence after they

eat.

Chairman Parisi asked, are you up to staff now?

Ms. Lindemann said yes, for now--until the fiscal year and the hiring of the new employee.

Chairman Parisi asked if the Center is maintaining a list of the people who have requested use of the humane traps.

Ms. Lindemann said it is.

Chairman Parisi asked for comments from the public.

Mr. Zappala asked if Ms. Lindemann is aware of the ordinance the Council had passed recently regarding feral cats.

Mr. Mantzaris said that he met with the Animal Control Officer just today. He believed the ordinance doesn't really say that when she gets a call, she should put a cage out there. Caging is really appropriate for trapping feral cats, rather than neighbors' cats. But I don't have the ordinance here.

Mr. Zappala felt that the staff is required to go out and photograph the animal that is thought to be in violation.

Chairman Parisi thought the ordinance meant that the trap was to be placed in the complaining person's yard and that the Animal Control Officer would decide if it really is a feral cat.

Mayor Dickinson said, the ordinance states that an owned cat is not a feral cat.

This topic will be discussed separately at an Ordinance Committee meeting.

VOTE: Mr. Zappala no; all others, aye; motion duly carried.

ITEM #8 Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of Connecticut Commissioner of the Department of Environmental Protection for an Outdoor Recreation Land Acquisition and/or Development Grant for a Municipal Project Known as Quinnipiac River Linear Trail, CSAP 98-19 in an Amount Not to Exceed \$250,000. - Engineering Dept.

Motion was made by Mr. Rys to Approve the Resolution and Append a Copy of it to the Minutes of This Meeting, seconded by Mr. Centner.

Mr. Centner spoke in his capacity as Co-Chairman of the Quinnipiac River Trail Advisory Committee: The committee is pleased to have access to this money. At our last meeting the committee voted to seek funds to put the trail across Route 15 in order to continue it towards the Meriden border.

Chairman Parisi asked for questions from the Councilors or the public.

Mr. Pat Melillo asked, why is it "an amount not to exceed \$250,000"?

Mr. Parisi said, the State doesn't want us to go over that amount. That's what's been set by the State as the limit of funding.

Mr. Melillo asked, is there any conflict with Federal grants? I read in the paper that Congress had allocated over \$1 million for this linear trail.

Mr. Parisi replied, no. This committee is working very hard to gain any money that they can.

Mr. Centner noted that a short letter from Town Engineer John Thompson to the Mayor had accompanied this draft resolution. (Mr. Centner read the letter text aloud.)

VOTE: All ayes; motion duly carried.

ITEM #9 Consider and Approve a Waiver of Bid to Facilitate the Purchase of Software from RecWare in the Amount of \$10,013.00 - Parks & Recreation Dept.

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

Appearing before the Council were Mr. Thomas Dooley, Director of Recreation, along with Mr. Jon Walworth and Mr. John Gawlak.

Chairman Parisi asked, is this proprietary software?

Mr. Dooley said, yes. We're here to ask for a waiver of bid on the RecWare management system because of the software and the continuity of the programs they provide. We searched for the company that best meets our needs. We used certain criteria to evaluate the companies, and Recware was the most conforming. Our criteria included: ease of implementing the system; training of personnel; support services available; integrated modules; Windows; and the experience of the company. They have over 900 installations in the country. Mr. Walworth and Mr. Gawlak have been working on this since 1997.

Mr. Centner called the work thorough.

Mr. Zappala asked to go out to bid on this item. It's a new system, so going through bidding at this point is more appropriate. Are there other companies that would be able to bid?

Mr. Dooley replied, I think that RecWare most ably satisfied our criteria, of the companies that we researched. It's also the lowest cost. They're presently the only company that meets our specific needs.

Mr. Walworth said, there are a myriad of operations to be tracked. You'd have to hire a software developer to write the specification. Then when the products came in, you'd have to test each for responding to the needs. It requires someone with a substantial knowledge of software development. I watched what John put together. I think the difference in the cost would be lost in hiring consultants to write the software.

Mr. Zappala thought the Purchasing Department could set up a bidding process.

Mr. Myers said, certainly, any item can be put out to bid. But the question is: Is it economically and financially feasible to put it out to bid? The Purchasing Department can assist in preparing the package. The using department would have to have a good working knowledge and an understanding of their requirements in order to prepare the specifications. So it really depends on the using department's knowledge of what they're seeking.

Mayor Dickinson stated, I think we've waived every major bid on software that the Town has asked for. We do bid hardware, but I don't think we've bid software once.

Mr. Zandri asked, and this software is unique for this specific application? That's why you're seeking the bid waiver?

Mr. Dooley replied yes to both questions.

Mr. Knight commented that it's very difficult to compare software. The purpose of bidding is that the Town receives the most product for its money. But this is an extremely thorough document which has been presented to us. This department has outlined their needs and described their research thoroughly. I have no problem supporting this item.

Chairman Parisi asked for comments from the public.

Mr. Phil Wright asked why the motion is worded as it is, "to facilitate the purchase"?

Mayor Dickinson did not know of any particular meaning to that. Putting any software project out to bid is difficult, at best. Once we have a product, we can bid out the replacement of the item. But it's a very proprietary area.

Mr. Wright asked, what is the value of software used in the Town?

Mayor Dickinson said he had no way of estimating that.

Mr. Pat Melillo stated that waiving bids waives competition. With so many high-technology companies around, competition should be encouraged. This should be sent out to bid. If this company's bid is so extraordinary that nobody can come close, then they'll get the business.

VOTE: All ayes; motion duly carried.

ITEM #11 Consider and Act Upon the Repeal of an Ordinance Entitled, "An Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose" - Chairman Parisi

Motion was made by Mr. Rys to Consider the Repeal of an Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose, seconded by Mr. Farrell.

Chairman Parisi asked for comments from the Councilors.

Mr. Centner stated: I still feel that we should pursue these three parcels. I feel they are in the best interest of the Town and that we should pursue them for the reasons stated before. I think the west side is almost fully developed. Any more would just add to the demands on services. I'll vote against repealing this.

Mr. Farrell stated: I also have a record on conservation issues. Regrettably, at Terrell Reserve some houses are in the process of being constructed, and I think it limits our action. So, for practical considerations, I'll vote for repeal of the ordinance.

Mr. Knight stated: I also will be voting to repeal this ordinance. I believe that we need a commitment to aggressively pursue and purchase open space. When this became an issue, I thought that we as a Council felt

this was a possibility. Things have changed in the last few months, and that property is no longer economical for us to purchase. Also, I was appalled at some of the personal comments made about the motivations of a couple of the Councilors. I have never served with better people. I have never seen any one of these people do anything except vote their conscience and vote for the best interests of Wallingford. I hope that everybody who made comments regarding others' integrity will have to eat those words.

Mr. Rys stated: I've watched the development take place, the street go through, and now deposits are being taken on the property. And yet, I have good neighbors with whom I fought against development for 12 years. If some of the neighbors had been informed that the zoning was going to be changed in that area so it all fit together and could be developed, then it might have made a difference. So for the betterment of this Town I have to vote to rescind the ordinance, even though I don't want to. I hope that the people out there who accused me of a conflict--then maybe I shouldn't vote on the road that they might pave in front of my house. I will vote to rescind this ordinance this evening.

Mr. Renda stated: I wasn't here when this was passed. But I think we moved when it was too late. The deal was going through too fast, and we showed up late. I think the price is becoming too much and we should look at a better deal elsewhere.

Mr. Zappala stated: I was very much in favor of purchasing the property for open space. It's in the interest of the taxpayers to move forward and purchase land which might be used better and might be less expensive. I will vote in favor of the repeal of the ordinance.

Ms. Papale stated: I do give the Council some credit. We all know how important open space is on both sides of Town. But we lost this time. After speaking with people, I have come to think that the bottom line is the money. It would cost us, if we went ahead. I have no clue how a referendum would come out. There may be other open space available on the west side. How are we going to go about making sure that this doesn't also happen for the property on the east side?

Mr. Parisi said, when this is repealed, that's it.

Ms. Papale asked, but what's the next step?

Mayor Dickinson said, there are other pieces that are under consideration.

Ms. Papale asked, do we have to set a public hearing date?

Mayor Dickinson replied, that will be when the appropriate time comes.

Ms. Papale said, I know how hard the Conservation Commission and your office are working. Hopefully, we will have the open space that we wish for in the future.

Mr. Zandri stated: I am not opposed to open space. The part that bothered me was the idea of the taking of the Terrell parcel off 68. We have other parcels open to us for purchase, and we can set monies aside. It would have ended in a major court battle, and it would have cost us. Some of the arguments used for that site--e.g., that it would cause traffic or school enrollment problems--can be used for any parcel anywhere. There is more land around that we can pursue for a right of first refusal, such as Blue Hills Farm, Galko Farm, Gaylord, and others. So I will be voting tonight to repeal this ordinance. Thank you.

Mr. Parisi stated: From two months ago, as this project moved forward, it became obvious that the contractor was able to do work on the land and that it might potentially drive up the price of the land. I am bothered that two Council people were impugned on this because they live near those parcels. I would certainly hope that

we would not have to be in constant fear of being accused of bettering our own land or whatever. I respect Mr. Centner because he speaks his mind. We have had our disagreements. Mr. Rys is a man of the utmost integrity. He is a hard-working Councilman, and I truly resent anyone accusing him. I will vote to rescind this very grudgingly because I, too, know that it's in the best interest of the Town of Wallingford. But I will hope that we will try to acquire land--and "open space" means that it's open space and that it does not have any particular use. It's supposed to be beautiful. I still commend this Council for having the foresight to try and solve this problem. Are there further comments from the Council? Hearing none, are there comments from the public?

Mrs. Valerie Nolan, 7 Templeton Road, said she has had calls from citizens concerned about future school enrollment totals due to the Terrell project. Highland School at this point is not anywhere near capacity. Most of the classes at Highland now have 17 children, so there's definitely room for more children. We average two children per home when you build a development like this, so about 160 children. Also, the children are not all the same age at the same time; and I have seen quite a few other properties for sale in that area. I think there's room in other schools, if children have to be moved. I think your comments are very worthwhile; I want open space, too. It's very desirable for the Town to acquire open space, but I don't think that it should be done without some kind of plan in place--so we don't run into the same problem where eminent domain might figure into it. There is supposed to be "Freedom from Fear". Eminent domain could be used against me, against you--and we should be free from that fear.

Mr. Reginald Knight, 21 Audette Drive, felt that where people live in relation to a property shouldn't be an issue. The important thing is the method of taking land. In January it was reported that the Town Council approved the naming of streets in that development. And then the next thing is the big stick, the eminent domain. I think that should be used very rarely and for a real purpose that's for the whole Town. In England, the towns border one another so closely that they legislated greenbelts to separate them. Also, you could buy small pieces which would enhance the Town. Harriet Wallace Park on North Elm Street is a pretty small triangle. It's a nice, quiet place with green trees and some benches. It wouldn't have to be as large as a golf course or anything. I agree with Mr. Parisi that the land wouldn't have to be for any particular purpose. Maybe just have walking trails for all the public. That would be a benefit--to see the wildlife. The deer don't have space, so I would like to see room for that. The people who went for the referendum are not against open space. It's the method of taking--the bargaining process--and the fact that there's other space available. A committee was just started which is going to ask to meet with the Town and the Mayor and with an expert on open space land. Then all could work together, rather than as adversaries. There's no reason to go about it by eminent domain. Let's do it the nice way, not with a big stick. Thank you.

Mr. John Young, 104 Pierson Drive, said, I had hoped that the Chairman would have waited for the public to speak before you people made your comments. I feel very discouraged and betrayed. In the September 17, 1997, Record-Journal, Mr. Farrell promised to bring the Planning and Zoning Commission before the Council to discuss this, saying: "I think the message about open space is coming across loud and clear." Tonight he changed his mind. I have a statement to read.

To paraphrase Mr. Young's statement: I have been in the battle from the beginning. People know where I stand. By nine to zero you voted in executive session to purchase this land. It seems that eight of you changed your minds. I feel you bowed to pressure. This whole purchase of open space has turned into a personal and a political war, pitting citizen against citizen and political parties and councilors against others. The media has made it a circus. They even had sportswriters writing editorials. Advertising is money, and that's why the newspapers got involved. Pierson Drive has become a tourist attraction. People even come to use this undeveloped road to cut through to Route 68. I want it to be blocked off. It's just wetlands where they're going to build. You can stand at the end of Pierson and look. It's a river in there.

Mr. Young continued: On the personal attacks, I think those are uncalled for. There's no reason to think that

it's a conflict of interest on their part. The neighbors in my neighborhood met one or two years ago to discuss how to stop this purchase and development. Ray Rys was invited as a Councilman, and we appreciated his support. Tonight, I'm upset. I wanted a referendum. You should have given it to them. I read that 2,500 people signed for the referendum. That's why we're here tonight. I do question the validity and integrity of how some of the signatures were obtained. Councilman Zandri even got people's signatures before a Town Council meeting in chambers. One person signed for the referendum, and he said, "I don't know what I'm signing." I don't think half of the people who signed it knew what they were signing. To me, this was not an ethical way to get signatures. I got a copy of the Code of Ethics.

Chairman Parisi said, I don't know that it's illegal for a councilman to carry a petition around. I think it would depend on the circumstances.

Mr. Young said he had called others in the area, and they said they would never do it and that it was unethical.

Chairman Parisi said, it's not my prerogative to judge any person. I would just accept the vote as it comes.

Mr. Zandri said, just because a person is a councilman doesn't affect his right to circulate a petition. I don't know of any rules regarding how a petition has to be circulated.

Mr. Young asked, what about the traffic light out on 68? Who would pay for it? It's a State road.

Mayor Dickinson said it would probably be a 50-50 sharing of the Town and the State.

Mr. Young asked, what about the executive session and people not knowing what went on? There were six Republicans and three Democrats. If the Democrats didn't like what was going on, why didn't they ask the Republicans for an answer?

Chairman Parisi said the Council votes in public session, but we discuss it in executive session. It's based on the item that's discussed, on the privilege of confidentiality.

Mr. Young asked if this is to be repealed for all three parcels or just for the Terrell parcel.

Chairman Parisi said, it's for all three parcels.

Mr. Young asked, so you're not going to buy the other two parcels on the east side?

Chairman Parisi said, I don't know what may happen.

Mayor Dickinson said, the action tonight is to repeal the ordinance.

Mr. Young said, in the campaign you all went around Town with your R-shirts on. Does "R" stand for repeal or referendum? I applaud Rich Centner for his stand.

Mr. Philip Wright, 160 Cedar Street, said, I think the Council should be applauded, not necessarily for their vote tonight, but for standing up for open space. In years to come, history will show that this was the time that the Town was galvanized about the idea of buying open space. Out of this, something good is going to come. This has heightened the awareness of every citizen. I thank you for your courage.

Mr. Wesley Lube, 15 Montowese Trail, thanked the Councilors for explaining how they intend to vote. I think you've done the right thing. I think you're going to come back with a different proposition that is better and more successful.

To paraphrase Mr. Lube's statement: I was opposed to this ordinance because it was fiscally unsound. You had 1 1/2-acre zoning with both city water and city sewers nearby. You waited until the land was in the hands of developers, further enhancing its value. I am an open space advocate, but not at any cost. You're acting in a fiduciary capacity. It takes time to seek out open space. It would be better to look at properties in two- or three-acre residential zones that are without city water or sewers. That would be the most expensive land to develop for residential use, and it would not be subject to high-density zoning. Please bear this in mind when you're looking for land again. The Conservation Commission was initially told to examine parcels over 100 acres in size. No one in the government had the imagination to do what one individual businessman did. I was opposed to this because of the additional traffic on Route 68. Those who reside in the Ridges, as I did for 15 years, know that there is one exit out to Highland. I also oppose the ordinance because the Town has cluster subdivisions, which give "openness" versus open space. The west side has Oakdale Woods, with 30 acres of open space. But there are hundreds of other open space acres: Spice Hill, cluster subdivisions, the Farms Country Club, Gaylord, Masonic, and Ashlar, and the Quinncipiack River linear park. There's open space all over the west side--don't anyone say there isn't. I see no justification to spend money in desperation because it's our last chance. And, if two of the three parcels are being acquired as a package for a golf course, it should be made known. Fees for construction through maintenance should be made known. People from whom I sought petition signatures were knowledgeable. They follow what's going on in Town.

Chairman Parisi restated, there are eight in favor of repeal and one for no repeal.

Mr. Brit Vinall, 107 Pierson Drive, said, I know that eventually a roadway will go through. The first plan had 97 homes; then they came in with 83 and then 79. I think Mr. Renda said it best: "We showed up last." I cannot account for the Mayor and the rest of the Council members because this property was for sale since 1988. One developer came in with a plan in 1989, which was turned down. Boy, were we asleep at the switch! I applaud your courage. I think at this point it's the best action. As John Young said, the road is open. There's traffic going through, both ways. If I can't appeal to the Town, then I will appeal to T&M Builders. Something has to be done. Another concern I have is that when another dead-end street elsewhere was made into a road by North Farms Road, shortly after that some kids got hit. Now this will be extended for 200 or 300 feet, and they'll go faster before they have to take the bend. You have to look at it, please.

Mr. Andy Kapi, 6 Deme Road, said he had attended a Conservation Commission meeting, which is open to the public. Also, I acknowledge making a criticism of the Mayor in the newspaper when this first came out. I apologize to Mr. Rys, as well. I believe you shouldn't have voted on this issue, but there was no motive to impugn you. I read some Council minutes from 1994 and 1995, and I found you made remarks then about the school system and the infrastructure. So "conflict of interest" is a phrase that people interpret differently. It sometimes means the opportunity to not be wholly objective, and that's what I was questioning. On the night of your original vote for this action, I was trying to make a connection between the Planning and Zoning Commission's not being able to talk about school enrollments and your body's talking about those issues. There was some talk about having something on Channel 18 because it's illegal to stage a moratorium on development. The Planning and Zoning Commission is bound by the regulations. How are you going to make it easier for them to have those regulations to preserve the beauty of open space? Some towns have a land trust authority. I don't know what the Wallingford Land Trust's position is. But, maybe with a list of priorities and the efforts of the Conservation Commission as a negotiator or intermediary and others-- Lastly, I'm looking for education and awareness. You have an open date in July. Let's set a public hearing and televise it.

Chairman Parisi said, please keep your comments to the repeal of the ordinance.

Ms. Sharon Sanders, 37 Academy Street, stated, I supported your original decision to purchase this property. I also understand what you're saying tonight. Second, I'm sorry for the criticism that this Council has received. I concur with Mr. Parisi that open space is just open space. If it's a golf course, it's not open space anymore.

Mr. Pasquale Melillo, 15 Haller Place, was very concerned about the survival of animals, and he urged the Council to purchase open space for them. Also, in the future, let's eliminate eminent domain. Let's purchase open space that has not been developed to any degree. In admitting your mistake, you saved the taxpayers a bundle of money.

Chairman Parisi said that eminent domain cannot be eliminated because it is allowed by the State. It isn't used every day.

Mayor Dickinson said, with regard to eminent domain, we acquired a piece of land along Community Lake by using that. So we can't dismiss that as a way of acquiring property.

Mr. James Vumbaco, 81 High Hill Road, said, I don't want the issue of the Terrell Reserve property to cloud the underlying issue: We need to have an in-depth plan in place to purchase open space. Currently, I don't think we know what "open space" truly means. As Linda Bush was quoted in the paper to say: "I don't think there's a specific definition of open space in Wallingford." I think the only way we're going to get a definition for a comprehensive plan is to have the P&Z Commission, department heads, and citizens to meet on it. I'm involved with the symposium to be held at the Wallingford Public Library at 7:00 P.M. on July 27th. There will be an expert speaking on open space. I'm in favor of open space purchases, and I think we have to do it in a consistent, smart manner.

Chairman Parisi said, I think we're all in favor of it.

Mr. Mark Whitman said, I would urge the Council to consider purchasing those two other properties on Grieb Road. Isn't eminent domain in the statute to protect people from developers coming in? I think it's in the Town's interest to use eminent domain, perhaps on the other two properties.

Mr. Young said, I knew they were going to build off Pierson Drive. It will be real speedy by Mr. Vinall's house. One neighbor near there has a three-year-old. She and her friends play near the road. I'm asking why it has to be a new street, when Mr. Robles had thought of making a turn-around there. The people using this parcel are going to go out to 68. They're not going to use Pierson Drive. Maybe you can make some people happy by possibly not making it a through street. I think the fire engines and ambulance are going to come up 68 to go into there. Maybe the police cars would come in off Highland. So, maybe make a turn-about there to go back out to 68 and leave Pierson as it is. Could you look into that? I understand there are other developments with one way in and one way out.

Mayor Dickinson said, I can speak again with the police and fire chiefs. I don't think the access is necessary for the fire engine. I think it's a question of whether they would have an alternative if one access were blocked.

Mr. Vincent Avallone, 1 Ashford Court, said, I don't think the people who signed the petition have to be defended. It seems the Council members who spoke tonight feel they don't want the added cost of a lawsuit. I infer that because the developer had time to start building. That's kind of blaming the people who had the right to sign the petition. I hope that's not what was inferred by this Council. I assisted in collecting signatures, and I would say the great majority of people who signed knew what the issues were. Maybe the Council should try to understand why that many people signed the petition.

Chairman Parisi said, we could also look at it the other way, to say that 90% of the people did not have a chance to speak because of the repealing here. I'm not inferring anything. I believe that the greater majority of people did know. But three people told me that they signed it and they felt that everyone had a right to vote.

Motion was made by Mr. Zappala to Move the Question, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Mr. Reginald Knight asked to speak.

Chairman Parisi said, no, the question has been moved.

VOTE TO REPEAL ORDINANCE: Centner, no; all others, aye; motion duly carried.

The above vote was a voice vote. Immediately afterward, the Chairman and others asked for a roll-call vote to be taken by the Town Clerk, which was:

No: Centner

Aye: Farrell, Knight, Papale, Renda, Rys, Zandri, Zappala, Parisi.

By a roll-call vote of 8 Ayes to 1 No, the vote on the main motion was confirmed.

ITEM #12 Consider and Act Upon a Resolution Entitled, "Resolution Providing for Referendum" Concerning a Referendum to be Held on the Ordinance Entitled, "An Ordinance Appropriating \$4,542,000 for the Acquisition of Various Parcels of Real Property for Open Space, Recreation and Town Purposes, and Authorizing the Issuance of \$4,542,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose". - This Item #12 was Withdrawn due to the action taken in Item #11 above.

ITEM #13 Consider and Approve a Transfer of Funds in the Amount of \$12,000 from Customer Record - Data Processing Acct. #903-1 to Distribution Overhead Lines Acct. #593 - Electric Division

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

VOTE: All ayes; motion duly carried.

ITEM #15 Consider and Approve a Transfer of Funds in the Amount of \$1,550 from Self-Insurance Claims Acct. #001-8030-800-8280 to Computer Acct. #001-1320-999-9901 - Town Attorney

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

VOTE: All ayes; motion duly carried.

ITEM #16 Consider and Approve a Transfer of Funds in the Amount of \$1,500 from Self-Insurance Claims Acct. #001-8030-800-8280 to Office Supplies and Legal Expenses Acct. #001-1320-401-4000 - Town Attorney

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

VOTE: All ayes; motion duly carried.

ITEM #17 Consider and Approve a Transfer of Funds in the Amount of \$226,447 from Contingency Accrued Expenses Acct. #001-8050-800-3230 to Employee Insurance & Other Benefits - Self-Insurance Workers Comp - Maska Acct. #001-8035-800-8311 - Mayor

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

VOTE: All ayes; motion duly carried.

ITEM #18 Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes With Respect to the Purchase, Sale, Lease of Real Property

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

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

The room was cleared, and the Council entered into executive session at 10:17 P.M. Ms. Papale and Mr. Parisi returned and took part in the executive session.

At 10:47 P.M. the public and the staff members were called back into the Robert Earley Auditorium (Council Chambers).

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

VOTE: All ayes (nine voting); motion duly carried.

No motions were made as a result of the Executive Session.

ADJOURNMENT:

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

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 10:49 P.M.

Meeting recorded and transcribed by:

Kathryn F. Zandri
Kathryn F. Zandri
Town Council Secretary

Additional transcription by:

Kathleen L. Burns
Kathleen L. Burns
Interim Secretary

Approved by:

Robert F. Parisi
Robert F. Parisi, Chairman

7-21-98

Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

7-22-98

Date

ORDINANCE AMENDING AN ORDINANCE APPROPRIATING \$2,065,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF RENOVATIONS TO THE WALLINGFORD COMMUNITY POOL AND AUTHORIZING THE ISSUE OF \$2,065,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. An Ordinance entitled "An Ordinance Appropriating \$2,065,000 For The Planning, Acquisition And Construction Of Renovations To The Wallingford Community Pool And Authorizing The Issue Of \$2,065,000 Bonds Of The Town To Meet Said Appropriation And Pending The Issue Thereof The Making Of Temporary Borrowings For Such Purpose", enacted by the Town Council on November 26, 1996 and approved by the Mayor on November 27, 1996, and amended by the Town Council on March 24, 1998 and approved as amended by the Mayor on March 26, 1998, which Ordinance is hereby ratified, confirmed and adopted, is further amended to increase the appropriation and bond authorization therein by \$47,000, from \$2,065,000 to \$2,112,000, thereby making the title of the ordinance read as follows:

"AN ORDINANCE APPROPRIATING \$2,112,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF RENOVATIONS TO THE WALLINGFORD COMMUNITY POOL AND AUTHORIZING THE ISSUE OF \$2,112,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE"

Section 2. The first sentence of Section 1 of the Ordinance is amended by substituting the amount of \$2,112,000 for \$2,065,000, thereby making the first sentence of Section 1 read as follows:

"The sum of \$2,112,000 is appropriated for the planning, acquisition and construction of renovations and repairs to the Wallingford Community Pool, including, but not limited to, demolition of the existing pool pavement, recirculation and filtration systems, and construction of new concrete and bituminous pool structures and decks, utility connections, drainage and grading, installation of new pool recirculation systems, filtration systems, chemical control systems, new pool deck, safety equipment, handicap accessibility, a water play feature, and related appurtenances, or so much thereof as may be accomplished within said appropriation.

Section 3. The first sentence of Section 2 of the Ordinance is amended by substituting the amount of \$2,112,000 for

\$2,065,000, thereby making the first sentence of Section 2 read as follows:

"To meet said appropriation \$2,112,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date."