

Summary of Town Council Minutes

May 22, 1984

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Town Council Meeting

May 22, 1984

A regular meeting of the Wallingford Town Council was held on this date and was called to order by Chairman Parisi at 7:35 p.m.

Answering present to the roll called by Rosemary Rascati, Town Clerk, were Council members Bergamini, Diana, Gessert, Killen, Krupp, Papale, Parisi, Polanski and Rys. Mayor Dickinson was also present, along with Mr. Myers, Comptroller. The pledge of allegiance was given to the flag and Rev. George Stevens, Advent Christian Church opened the meeting with the following prayer:

We thank you, our Lord, that government by the people, for the people is still a part of life in this community of Wallingford. We thank you for the American way of life, for the free and open assembly, for the chance to speak, the chance to hear. We pray that this Council meeting this evening may be conducted in harmony and that these Councilmen may sacrifice self for the feelings of the majority. Bless us, we pray in your name. Amen.

Mr. Parisi thanked Reverend Stevens.

Public Question and Answer Period

Mrs. Shirley Calandrella, 114 North Whittlesey Avenue urged the Council to convert the Robert Earley facility into a town hall and sell the current building in which the town hall is located. She also felt money should be refunded to the ratepayers from the Electric Division and not used for any other purpose within any other department. She requested that the flea market on Hartford Turnpike be located elsewhere because of the traffic congestion it causes on weekends. She objected to the route the New Haven bus takes currently, coming from South Main and turning down Center Street, rather than going up North Main, causing traffic on South Main to back up to allow the bus to turn. Mr. Parisi stated that the bus company must be responsible for the route change and Mrs. Calandrella asked that the Council look into some of these things.

Mr. Peter Wasilewski, 164 High Hill Road stated that Carpenter Lane would not have a temporary road installed due to the fact that the cost had risen from \$60,000 to \$170,000 for a temporary road. Minor measures have been taken on High Hill Road and 3 police officers are on duty during peak traffic periods of Mountain-side Outing Club and there is a concern for the amount of traffic on High Hill Road and the response time during an emergency situation. There is a concern about the Bristol-Myers R & D facility which is located in a watershed area and Mr. Wasilewski is concerned about contamination of wells in this area.

Mr. Romeo Dorsey, 122 South Orchard Street asked how much of the Blue Cross insurance cost was allocated to the town and how much to the Board of Education. Mayor Dickinson pointed out that he asked Mr. Warner of Blue Cross what the breakdown was for the town, utilities and Board of Education and Mr. Warner only had overall figures which indicated a 14% reduction in the cost of insurance--the utilities pay theirs, the town theirs and the Board of Ed theirs, but different branches have different coverages and there are varying numbers of employees covered under each of the policies. Mr. Dorsey urged the Mayor and Town Council to consider a rebate on the taxes considering this reduction in insurance costs, the surplus and excess profits of the Electric Division and additional funds which will be received from the State for education purposes.

Mr. Sal Falconieri, 281 Grieb Road felt that the ratepayers of the Electric Division should be given a rebate and the excess profits should not be used to repair the MacKenzie Dam. The Water Division should be a self-sustaining operation, along with the Electric Division. 389

Mr. James Groth, High Hill Road shared the concerns of the residents of High Hill Road and stated that he was told Carpenter Lane would be completed by the end of the last week in June and hopes this is not a promise that will not be fulfilled. He feels Public Works should take a look at this area and at least put a yellow line in.

Mrs. Papale asked Mayor Dickinson what happened to change the plans on Carpenter Lane and wondered if it was due to the cost.

Mayor Dickinson stated that when this situation was presented at a Council meeting, he was fully supportive of a detour and problems were encountered which were fully set forth by the Engineering Department. The price did triple because originally the detour was planned for less than the full length of Carpenter Lane and then it was found that it was possible to detour less than the full length. The detour was going to go across the Bristol-Myers site and had to be removed when the Carpenter Lane road work was completed and the other problem was the wetlands and final approval for crossing wetlands with the detour had not been received.

Police have been stationed at Mountainside gate, at Route 68 and the High Hill Road intersection and somewhere in the middle, in contact with each other to move and facilitate traffic problems. A fire truck was sent to determine ability to handle fire apparatus and a memo was sent out by the Fire Department regarding the whole High Hill Road area and dispatchers and others are familiar with the fact that High Hill Road has to be used and all emergency personnel have been made aware of the situation. Mayor Dickinson stated that we are confronted with a situation in which probably no one will be totally happy.

Mrs. Papale expressed concern for the safety of the residents of High Hill Road. Mr. Costello pointed out that High Hill Road is not impassable and the road was widened to 18 feet in areas and trees were cut down, arrangements were made for police to direct traffic and the matter has been discussed with the Fire Department. A price was obtained for a temporary road on Carpenter Lane for approximately \$160,000 and it would not be as good as High Hill Road. Mr. Gessert felt that DeFelice would be able to have the work completed before the end of 3 weeks with all the equipment they have available and Mr. Costello pointed out that they have many other projects ongoing and not all their equipment is available for the Bristol-Myers project. They are cooperating to get as much done as quickly as possible to reduce the period of inconvenience. Mayor Dickinson wanted it made clear that the road construction was not a 3 week project and would entail a much longer period of time. Mr. Parisi felt that more trees should have been removed on High Hill Road and noted that branches inhibited pulling over to the side.

The Public Question and Answer Period ended at 8:00 p.m.

Mr. Gessert moved to move up agenda item 9, Final disposition of the Taber House, seconded by Mr. Polanski.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi asked if anyone were present with proposals on the Taber House and stated he received a call today from an architect who does have a proposal for relocating the house but he could not get cost figures for this moving by tonight. He asked for a 2 week extension and this would be an ideal situation since the Taber House would be moved somewhere else in Wallingford and remain intact. Mr. Gessert apologized to everyone who came to this meeting for discussion on the Taber House but felt this item should be tabled.

Mr. Krupp moved to table disposition of the Taber House until the June 12, 1984 meeting. This motion was seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly approved.

Item 3-Award the sale of \$5,888,000 various purpose bond anticipation notes. Mr. Parisi read and Mr. Krupp moved the following resolution:

RESOLVED, That the following bids to purchase \$5,888,000 Various Purpose Bond Anticipation Notes dated June 15, 1984, due January 18, 1985, at par plus a premium, interest rate and principal amount set opposite each bid and accrued interest from June 15, 1984, be accepted:

| Name | Principal Amount | Rate | Premium |
|--------------------------------|------------------|-------|-----------|
| United Bank & Trust Company | \$ 500,000 | 6.79% | \$ 10.00 |
| The Chase Manhattan Bank, N.A. | \$5,388,000 | 6.84% | \$157.40 |
| | | | Pro-rated |

and all other bids be rejected; such notes shall be in approximately the form previously used for such purpose, and the Mayor, Treasurer and Comptroller are authorized to deliver such notes on behalf of the Town upon receipt of payment therefor and to renew the same within the time limits prescribed by law.

Mr. Gessert seconded the motion.

Mr. Myers commented that bids were opened this morning for projects ranging from the initial architect and engineering fee of MacKenzie Dam to the renovation of the Armory to the Police Station. The high bid ranged to 7.36% and there were 11 bidders and the town was pleased to see the attention in the marketplace to Wallingford paper when offered. This is temporary financing and these notes will be due 1/18/85 at which time they will be paid down or financed for another 5 or 6 month period.

Mr. Gessert pointed out that money will be received from the state on the Pine River land acquisition and Mr. Myers noted that the town will be receiving \$403,000 which will be invested and the principal and investments will be deferred to repay the bond.

Mr. Gessert asked if the Board of Education was pursuing the reimbursement from the state on the Lyman Hall Hill School Choral Room Conversion. Mr. Myers stated he has had meetings with representatives of the Board of Ed and he understands that this project is 60% reimbursable for allowable costs; some of the costs within that \$50,000 are not allowable. Currently, there is on the town books state building grants bonded in 1980, due the town in December of 1983 which have not been paid by the state yet. The funds are not in jeopardy but it remains a question of when the state will pay. Mr. Gessert suggested that Mayor Dickinson request help from representatives and the Mayor indicated that they assisted with the \$403,000 for the Pine River acquisition and credit should be given where due. Mr. George Post of CBT noted that the state is diligently working on these grant payments.

Mr. Polanski asked why the notes were taken for 6 months and Mr. Myers replied that under state statutes, the town is allowed to temporarily finance short-term financial instruments for projects which are under construction for a period of two years. The advantage to that is if the project comes in under cost, you don't have to bond the total and you might save bond dollars in the long run. It is also a device to bond a series of projects and combine and market one bond which is more attractive.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert moved acceptance of the Town Council minutes dated May 15, 1984, seconded by Mr. Rys.

Vote: Unanimous ayes with the exception of Mr. Krupp who passed; motion duly carried.

Mr. Killen moved to waive Rule V for the purpose of reading a resolution. This motion was seconded by Mr. Gessert.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen read and Mrs. Bergamini moved the following resolution:

WHEREAS, the Town Council of the Town of Wallingford, Connecticut officially notes the passing of Mayor Alec Goode of Wallingford, England on April 21, 1984; and

WHEREAS, Mayor Goode led the first group of English visitors during our Tercentenary Celebration in 1970. Over the past fourteen years residents of Wallingford, England and Wallingford, Connecticut have exchanged visits and formed many lasting friendships as a result of the first such visit; and 391

WHEREAS, Mayor Goode was the Chief Executive of the English Council and participated in the Jount Town Council Meeting which was held July 1, 1970. This ceremony was very impressive and the presence of the English Council and the officials truly made this a memorable occasion and will long be remembered by our citizenry; and

WHEREAS, Mayor Goode endeared himself to all who came in contact with him and the residents of our community were fortunate to have had the opportunity to meet with him and gain his friendship;

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Wallingford, Connecticut, here assembled, offers on behalf of the citizens of Wallingford, Connecticut its heartfelt sympathy on the passing of Mayor Alec Goode to the family of Alec Goode and to the citizens of Wallingford, England, and directs that a copy of this Resolution be presented to the family of Alec Goode.

Mr. Krupp seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert read and Mr. Krupp moved the following resolution:

MOVED: the approval of the State Hunting and Fishing Permit Program on the former New Haven Water Company property and that the Mayor is authorized to sign the necessary documents with the State on behalf of the Town of Wallingford and affix the Town Seal thereto. This motion was seconded by Mrs. Papale.

Mr. Michael Falcigno explained that this program consists of giving out 20 daily hunting permits, strictly controlled under CGS 52-57 and there is no responsibility on the Town of Wallingford and the State of Connecticut picks up the liability on the property during the hunting and fishing season. High power rifles are not allowed and there is nothing heavier than a No. 2 shot.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi read the resolution to establish a disposition study committee for the Robert Earley facility.

Mr. Diana mentioned that two people could be suggested but not appointed by the Mayor since this committee will be appointed by the Council and Mr. Krupp suggested the resolution be amended to read two (2) to be recommended by the Mayor and appointed by the Council Chairman, to which Mr. Diana agreed.

Mrs. Bergamini asked Mayor Dickinson if he was working on this and Mayor Dickinson stated it comes down to a financial problem-- does the town bond it or get private financing to rehabilitate it or does the town sell it for office space? Figures are being obtained for maintenance costs of the bank building, 350 Center Street, Simpson School and these must be known to be aware of what offsets we have. The Mayor said he would request money at the next meeting for appraisals of these buildings since these buildings should be sold if the Town Hall is located at Robert Earley. Mrs. Papale felt Simpson School was used very frequently and Mrs. Bergamini noted that it was very expensive to run.

Mrs. Bergamini felt converting Robert Earley into a Town Hall should be done with the Economic Recovery Act, under a sale and leaseback arrangement and objects to more bonding. Mr. Diana agreed he is also opposed to more bonding and a committee could very well look at other creative financing options. It should not be put off until there is another election. Mr. Parisi felt it is fine to have a committee but money must be available. Mayor Dickinson heard a figure of \$3.5 million for Robert Earley and bonding on that would be over \$500,000 a year, 3/4's of a mill. A leaseback would cost about \$350,000 a year, without taking into account buying properties around Robert Earley for parking and that is where offsets must be determined.

Mr. Diana realizes the costs involved but has an obligation as well as the rest of the Council to be concerned about the future of the town and it would be better to move in this direction now rather than 5 or 6 years from now. By doing this, it will serve as a catalyst for the downtown district and will enhance the dollars coming into town and this is a good tradeoff.

Mr. Krupp noted at the 3/13/84 meeting, the Mayor indicated that he had no objection to this committee being formed but noted there was activity going on and this was tabled at that time because of budget sessions. This issue was addressed during campaigns by many members of the Council. This should be a joint bipartisan effort that best serves the interests of the people in Wallingford.

Mr. Gessert pointed out that there are several committees in existence now and perhaps this can be tabled for 60 days or so until a development of cost can be determined. Mrs. Papale suggested that forming the committee would allow research of many areas. Mayor Dickinson does not have an objection to the formation of this committee but feels they need appraisal figures before proceeding. Mr. Diana commented that the Police Station Building Committee did a fine job and having the police move starts the ball rolling to sell 350 Center Street.

Mr. Diana moved the following resolution, as amended:

A RESOLUTION TO ESTABLISH A DISPOSITION STUDY COMMITTEE FOR THE ROBERT EARLEY FACILITY.

BE IT RESOLVED by the Town Council in Session:

1. Pursuant to the provisions of Chapter III, Section 5 of the Town Charter, the Town Council hereby establishes an Advisory Commission, to be known henceforth as the "Robert Earley Study Committee," which shall develop, review and/or evaluate proposed dispositions of such facility and report its findings back to the Town Council by September 25, 1984.
2. The Committee shall be comprised of eleven (11) persons, resident electors of the Town of Wallingford, and shall be appointed as follows: two (2) to be recommended by the Mayor and appointed by the Council Chairman, and one (1) each by each member of the Town Council. Names of appointees shall be provided to the Council Chairman by no later than June 5, 1984; the Council Chairman shall, in turn, publish a listing of appointees at the Council meeting of June 12, 1984 and shall designate an Acting Chairman to serve until the first meeting of the Committee.
3. At its first meeting, the Robert Earley Study Committee shall elect a Chairman from among its membership, as well as any other officers which it deems appropriate.
4. Membership on the Committee shall not preclude any individual member from submitting a business proposal to the Committee for consideration by the body as a whole, either on his/her own behalf or on behalf of another person or firm.

Mr. Krupp seconded the motion.

Mr. Killen felt that the assistance of our Town Planner is needed to determine if these buildings will be needed in the future.

Mr. Musso felt that the Parker Farms School should have been used for a police facility and feels that many people would like to see Robert Earley used as a Town Hall.

Herbert Michaud of Williams Road felt that all departments can be consolidated at 350 Center Street when the police move out.

Noma Beaumont, 16 Orchard Lane suggested that the committee research what has already been done and obtain the Mayor's financing arrangements and input from the Town Planner.

Mr. Parisi understands Mr. Diana's commitment but feels committees have worked long and hard in the past and have been held off because there was no money available and we must be ready, willing and able to spend the necessary money and he does not know if we can personally afford to do that right now.

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Mr. Krupp noted that the committee has a finite life since it must report its findings by September 25, 1984. Mr. Diana noted he is not looking to spend money and the committee may come back and report that we can't afford it and this is not the time to do it but it can get this going.

Vote: Council members Diana, Killen, Krupp, Papale, Polanski and Rys voted aye; Bergamini, Gessert and Parisi voted no; motion duly carried.

Mr. Parisi noted that item 7 was withdrawn because the Town Attorney is pursuing this matter. Attorney McManus stated that Pent Highway is not owned by the town but is maintained by the town. The adjoining property owners own the road. Mayor Dickinson pointed out that there are at least 20 unaccepted major streets in town and he would be happy to provide the list to the Council.

Mr. Gessert read the 5/15/84 memo, agenda item 8a.

Mr. Rys moved a transfer of \$203 from 601-900-01, \$212 from 601-900-05, \$41 from 601-200-05 and \$104 from 601-200-03, a total of \$560 to 601-135-00. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Krupp who were not present for the vote; motion duly carried.

Mr. Polanski moved a transfer of \$72 from 601-200-03 and \$8 from 601-570-00, a total of \$80 to 799-601, seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Messrs. Diana and Krupp who were not present for the vote; motion duly carried.

Mr. Parisi read the 5/4/84 memo from Mr. Deak, agenda item 10(a).

Mr. Gessert moved to table a transfer of \$7,500 from 805-326 to CAP 516 Taber House Demolition, seconded by Mr. Killen.

Vote: All ayes with the exception of Bergamini, Papale and Parisi who voted no; motion duly carried.

Mayor Dickinson pointed out that it is necessary to bring these funds out of contingency to save them.

Mr. Parisi read the 5/15/84 memo from Mr. Deak, agenda item 10(b).

Mr. Gessert moved the transfer of \$750 from 503-130 to 506-331, seconded by Mr. Rys.

Mr. Killen noted that there have been repairs in excess of budgeted amount this year and asked what the expected life of this compactor is to which Mr. Cassella responded another 7 or so years. Mr. Gessert felt within 7 years, an alternative will be available at the landfill.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi read the 5/15/84 memo from Mr. Deak, agenda item 10(c).

Mr. Polanski moved an appropriation of \$6,000 from Unappropriated General Fund Balance to 514-201, seconded by Mr. Diana.

Mr. Krupp noted that \$6,400 was expended for utilities at Simpson School during April and felt that was a significant expenditure for a month which did not require a great deal of heat. Mr. Gessert has asked that the wall of windows at Simpson be covered in some way to reduce heat loss. Mr. Parisi asked Mr. Cassella to take this message back to Mr. Deak.

Vote: Unanimous ayes with the exception of Gessert, Krupp and Rys who voted no; motion duly carried.

Mr. Parisi read the 5/15/84 memo from Mr. Deak, agenda item 10(d).

Mr. Killen moved the transfer of \$10,000 from 805-326 to 503-A Capital, seconded by Mr. Gessert.

Vote: Unanimous ayes with the exception of Messrs. Krupp and Rys who were not present for the vote; motion duly carried.

Mrs. Papale moved the transfer of \$10,000 from 503-A Capital; \$1,200 from 506-453; \$1,100 from 504-456; \$800 from 503-130, a total of \$13,100 to 506-330, seconded by Mr. Rys.

Mr. Gessert noted the progress being made with the trench at the landfill and is hopeful that the project will come in under budget. He noted that the vehicle used to dredge the lake for material to cover the landfill has had very costly repairs and suggested the possibility of using the machine being rented for the landfill trench for a week at the lake and also suggested using a payloader to obtain material for landfill cover. An expenditure of \$13,100 for repairs to dragline tracks is half the cost of the machine. Mr. Cassella pointed out that the payloader would not be possible but the 3-1/2 yard vehicle being rented would be possible for bailing. In the meantime, the dragline is unable to be used at all because it needs repairs and the transfer requested is from other line items. Mr. Parisi asked if the clam were used 8 hours per day, would it be capable of providing all the material necessary and Mr. Cassella replied it would not since it only has a 35 foot boom with 1/8 yard bucket.

Mr. Krupp asked who made the decision to take the \$10,000 from the West Side Field Parking Lot for vehicle expenses and Mr. Cassella pointed out that the \$10,000 was in the parking lot account before the parking lot was purchased and since then, processed stone was put down and oil will control the dust problem and it was decided not to spend \$10,000 to pave this lot. Mr. Parisi advised the Council that we are waiting for a meeting with the operating engineers to possibly set something up and his recommendation at this point is not to pass this. Mr. Polanski suggested repairing this machine since it is used for things other than a dragline.

Mr. Killen asked what the size of the lake would be after dredging is completed and Mayor Dickinson stated out that DEP was specific about what areas could be dredged and to what depth and those permits are meant to protect the northern end of the lake and wetlands and some other factors. Mr. Killen suggested a cost analysis of dredging as compared to buying fill elsewhere for landfill cover.

Mr. Krupp felt that this project was started in an attempt to reconstruct Community Lake without having to dam it and the fill was a side benefit; now it seems that the main objective is the fill. If the project is stopped, the consequence has to be realized that it stops on reconstructing Community Lake and that is the point everybody seems to be missing. Mayor Dickinson felt that the dredging was not to eliminate the need for a dam but it was to deepen the lake. Mr. Gessert asked for a breakdown of costs at Community Lake and Mayor Dickinson will check on this.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi read the 5/15/84 memo from Fire Chief McElfish, agenda item 11(a).

Mrs. Bergamini moved a transfer of \$1,500 from 203R-570 to 203R-160, Fire Department. This motion was seconded by Mr. Diana.

Vote: Unanimous ayes with the exception of Gessert, Krupp and Papale who were not present for the vote; motion duly carried.

Mr. Parisi read the 5/15/84 memo from Chief McElfish, agenda item 11(b).

Mr. Polanski moved the transfer of \$500 from 203R-163 to 203R-160, seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Gessert, Krupp and Papale who were not present for the vote; motion duly carried.

Mr. Parisi read Chief McElfish's 5/15/84 memo, agenda item 11(c).

Mrs. Bergamini moved the transfer of \$1,200 from 203R-132 to 203R-150, seconded by Mr. Polanski.

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Mr. Polanski asked how there was an unusual amount of vacation requested and Chief McElfish explained that the union contract allows for minimum manning and there are two shifts of fourteen people and two shifts of fifteen and if two are on vacation and one calls in sick, you must have a replacement. Vacation time can be limited up to four people per shift. Replacement personnel are paid at time and one-half.

Vote: Unanimous ayes; motion duly carried.

Mr. Rys moved the transfer of \$1,000 from 203R-163 to 203R-150, seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Mr. Parisi who was not present for the vote; motion duly carried.

Mr. Gessert read Chief Bevan's 5/15/84 memo, agenda item 12.

Mrs. Bergamini moved a transfer of \$3,000 from 201P-300 to 201P-140, seconded by Mr. Polanski.

Mr. Krupp asked about transferring from an account which only has an unencumbered balance of \$553.53 and Mr. Myers explained that the encumbrance was overstated and is in excess of what actual anticipated gas delivery will be and the encumbrance has been reduced and funds are available. A memo dated 5/18/84 from Mr. Myers was issued to all department heads with a copy to the Council regarding encumbrances for open purchase orders. Mr. Krupp stated that from the standpoint of policy, the encumbrance system needs to be examined before the next budget hearing.

Mr. Killen asked if the \$35,000 in 201P-140 included expenses for the KKK rally and Mr. Myers stated it does. Chief Bevan noted that as of 5/18/84 payroll, there was \$87.33 left in that account. KKK rally costs and Loyalty Day Parade costs have since been deducted from this account.

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

Mr. Parisi read the 5/9/84 memo from Mr. Denison, item 13(a).

Mr. Gessert moved the transfer of \$8,000 from 626-000 to 622-000. This motion was seconded by Mrs. Bergamini.

Mr. Killen asked if the pump at the Durham Road pump station was in working order now and Mr. Denison replied it was repaired.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi read the 5/9/84 memo from Mr. Denison, item 13(b).

Mrs. Papale moved the transfer of \$2,000 from 600-000 to 622-000, seconded by Mr. Gessert.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen moved to waive Rule V for the purpose of exercising oversight over a PUC action. This motion was seconded by Mr. Gessert.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen moved that the following resolution adopted by the PUC at their meeting of 5/15/84, "Resolved that the Public Utilities Commission authorize the Electric Division staff to proceed with a credit adjustment to be applicable to the June, 1984 billings of all active customers of said Electric Division, the credit adjustment to be in an amount of three percent (3%) of each active customers' net billings for the period July 1, 1983 through May 31, 1984" be vetoed by a positive action of this Council. Mr. Gessert seconded the motion.

Mr. Krupp pointed out that it is the Electric Division's customers who paid the money to create this rather significant excess profit and it is the Electric Division's customers who should receive it in return. It is important to know that the Electric Division customers are not necessarily users of the Wallingford Water Division or, for that matter, not even residents of the Town of Wallingford since power is supplied to North Branford, Northford, a small portion of Durham and a small portion of Cheshire. It must be kept in mind that those people who would benefit from the MacKenzie Dam action are not necessarily the same population that constitutes the ratepayers. A letter dated 5/18/84 from the Town Manager of North Branford makes their feelings very well known. Do you equitably treat all the customers of the Electric Division or do you slight some of those customers to the benefit of a smaller population of people? Mr. Krupp continues to be committed to the rebate the Electric Division customers.

Mayor Dickinson indicated that this has been discussed since February and is not an easy question; we are talking about a significant amount of money--\$800,000. It is an attractive thing to say let's use the money for another needed project in town. The Mayor has not come down on that side of the issue for four major reasons:

- (1) Regarding notice--most of the time when you pay a tax bill, you know the money is for a budget or service of some kind. To be consistent and mirror some of the concerns the Council expressed last Fall regarding the Pond Hill Pump Station, where monies go for what projects, it is important for the people in town to know where their dollars are going to the best degree we can provide as possible. In this instance, those who pay for electricity expect it for electricity and this surplus situation should be returned to them.
- (2) As Jim Krupp pointed out, there are other communities served. The interests of those people have to be addressed and they are not represented here.
- (3) We have people in town who use more electricity than others. People who have electric homes will get a larger share of this credit than those without electric homes. Should we not return the credit, those people would then be paying a higher share of whatever other project we fund than should perhaps be their proportionate share. If they receive more electricity, they should receive a larger credit back; otherwise, to a certain extent, they are being discriminated against.
- (4) The Charter indicates that the utilities are to be operated on an enterprise basis and they are supposed to be self-sustaining units. If we start taking money and supporting one with the other, we again run into a situation that occurred last Fall with the Pond Hill Pump Station. In addition, I feel we violate the intent of the Charter. I am not saying that by refusing to go along with the credit we are doing anything illegal but we are going against the intent of the Charter which would provide for units that sustain themselves. If that type of situation is not advisable, then we should change the Charter; make them town departments and not provide for an accounting system and expectancy that they will sustain themselves.

These are four reasons that bring me to the conclusion that it is the best interest of not only upholding the intent of the Charter but the expectations of ratepayers as well as expectations of those who pay bills in Wallingford for all kinds of services. I think the message should be when you pay a bill for something, it should be noticed as to what that money is going to be used for. Town government should be responsive in that regard. For those reasons, I am in agreement with the PUC that it should be a credit and ask the Council to approve the credit.

Mr. Gessert pointed out that he has heard arguments about General Accounting Principles and feels they are interpreted one way one time and another way another time, no fault of Mr. Myers. During the past week and one-half, he asked many people in Wallingford where they would rather have their money if the town had an opportunity to save a million dollars in interest costs by applying these funds to repairing MacKenzie Dam and these people would rather have the money applied to MacKenzie Dam. The argument about the people in Northford is justifiable and they should get the rebate but the people in Wallingford would have a vested interest in serving our water system. The minimum water bill in Wallingford is \$45 and if you add in bonding the MacKenzie Dam and the interest costs, that would significantly increase those water rates. If you want to run this as an enterprise and want to be fair, you must factor into the rates the cost of the sewage treatment plant. Everybody talks about the bonded indebtedness and this is the first time we've had an opportunity to do something about it and save some interest of about a million dollars.

Mayor Dickinson pointed out that the position is not that each of the utilities must at all times pay for itself--that would be impossible, especially with the new sewer plant. The position is, however, that when a bill goes out, whoever receives the tax bill, the sewer bill, the electric bill, when the bill is paid, the billpayer knows what he is paying for. Mr. Parisi could appreciate the Mayor's point of view but indicated that the price of fairness is very expensive. Mayor Dickinson stated that principles will always be expensive.

Mayor Dickinson said that when he first got into office, he was confronted by a major decision--how are we going to operate the utilities? The utilities should not be used to subsidize the taxes. It is not that way in the Charter and it is not in the expectation of the public. It is deceptive to factor in rates in the utilities that address needs on the tax side. The rates should fairly represent the service rendered by that utility and not to subsidize the mill rate.

Mr. Rys pointed out that many people use electricity who have wells and there are Electric Division customers in different communities and they are entitled to this rebate. I'm going to support the decision of the Electric Division.

Mrs. Bergamini asked how the Electric Division would handle a deficit of \$800,000 and Mr. Smith indicated this would be handled through a surcharge to the ratepayer. Mr. Nunn stated that the purpose of the PUC is to set the rates so that they receive between 5% and 8% of their net investment. Mrs. Bergamini asked what the legal ramifications would be if the Council chooses to veto the resolution adopted by the PUC on 5/15/84 and not give the money back to the ratepayer and used the money for MacKenzie Dam. Attorney McManus felt that non-residents would be the only concern.

Mrs. Papale asked Mr. Nunn how the decision was arrived at by the PUC and Mr. Nunn stated that they have the responsibility for both areas and it would be nice to have that money for the Dam but morally, that money has been charged to electric rateusers and a correction would have been made earlier in the year had this profit been anticipated. It is more than a moral obligation and the PUC is charged with the responsibility of directing that money back where it came from since we did not anticipate this magnitude of profit. Mr. Smith pointed out that the ratepayers of Wallingford have no PUCA to turn to and they depend on the Wallingford PUC and Town Council and you have a moral obligation to the ratepayer as well as the taxpayer.

Mr. Parisi asked if any adjustment would be made in the rates for the next year and Mr. Nunn feels that a rate adjustment should be made if the economy continues the way it has been. Staff has pleaded with the PUC not to make a change yet until this can be thoroughly reviewed since a rate adjustment could bring about a shortfall. Mr. Nunn stated that a budget is a target you shoot for and he is embarrassed to say the target was missed by a large amount, fortunately on the high side. Over the past ten years, the accuracy has been + or - 3% or 4%. A couple of years ago, there was a shortfall of \$300,000 or \$400,000. Our intent now is not to change the rate but should that be necessary, we feel by going through the proper legal procedures and proper notice to the ratepayers, public hearings, etc., if it is necessary to change a rate, we will change a rate. A few years ago, we had to make a rate change to overcome an anticipated shortfall and the ratepayer paid the difference for a two month period.

Mr. Diana agreed that to use the money for the dam project is not a bad idea but is afraid the Council is on the brink of a very disastrous decision. Mr. Diana wished to go on record to say that the Council does not have the right to take an \$800,000 surplus--how dare the Council raise the tax mill 2+ points while there is an \$800,000 excess and a million dollar surplus in the budget which represents the 2 mills just raised. That \$800,000 should be sent back where it belongs. Mr. Diana supported the budget based upon the facts given to him at that time.

Mr. Killen pointed out that the Council could only say that the \$800,000 could not be given for a rebate and could not tell the Electric Division that this money must be spent on the dam. Some of the alternatives are that we just took out 6 months notes tonight for different projects and some of those notes could be paid off and you would not have this particular argument of mixing enterprise funds. Capital improvement projects could be paid off. If the ice storm caused damage to lines in Northford, the expense of those repairs would be borne by Wallingford and Northford does receive the benefit of lower rates than those of CL&P or UI. If the interest earned by the Electric Division came to the town according to state statutes, these are dollars that belong to the taxpayers of the Town of Wallingford. The Council as elected officials have an obligation to the taxpayers of Wallingford. A million dollar surplus does not make us look like good book-keepers.

Mr. Krupp observed that the decision made tonight by this Council for those outside of Wallingford's boundaries brings to mind the phrase "taxation without representation." The second observation deals with the 1976 R-3 rebate battle and the decision about where that money went and it went to as a rebate to the electric customers and the next rate case settlement went as a rebate to the electric customers. Mr. Krupp would hate to see that precedent broken when there is money that has been obtained in the form of excess profits and charges to the customer, that money should go back to the customer and that precedent exists at least twice in recent history.

Mr. Gessert felt it would be nice to save the taxpayers a million dollars in interest and I will be observing those people who want to charge the taxpayers for a water and sewage treatment plant.

Mr. Parisi asked if it were possible to refund only the ratepayer out of Wallingford and Mr. Lee stated it is possible mechanically to do so.

Mr. Musso feels that the money should be used to repair the dam and feels the Electric Division should not be faulted for an error contributing to excess profits.

Mr. George Soltesz, 7 Russell Street feels the rebate should be returned to the Electric Division customer and this is only fair.

Mr. Romeo Dorsey also feels that the ratepayer should get a rebate and to refund only to Northford would be discriminatory. The fact that the PUC is here tonight is simply a courtesy and their decision has been made.

Mr. Parisi indicated that a "yes" vote is against the rebate and a "no" vote is in favor of the rebate. Mr. Krupp pointed out that under Chapter XIV, Section 13 on page 32 of the Charter, 7 yes votes are necessary to veto.

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Mr. Gessert asked to amend the motion to delete the out-of-town customers from this motion and Mr. Krupp stated that the Charter only provides for veto and does not provide for amendments.

Vote: Council members Gessert, Killen and Parisi voted yes; Bergamini, Diana, Krupp, Papale, Polanski and Rys voted no; motion did not carry.

Mr. Parisi read the 5/15/84 memo from Mr. Walters, item 14(a).

Mr. Krupp moved to establish a new account 434, Extraordinary Income, Electric Division. This motion was seconded by Mr. Diana.

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

Mr. Krupp moved a budget amendment of \$200,000 from 442 and \$800,000 from 434 to 440 in the amount of \$400,000 and 442-3 in the amount of \$600,000. This motion was seconded by Mr. Rys.

Mr. Killen noted that a new account, 434, was established and a transfer of \$800,000 was being made from it but asked how the \$800,000 got into that account. Mr. Myers noted that this was a budget amendment which increases two income accounts and decreases two income accounts. Mr. Dorsey suggested debiting sales and crediting accounts receivable to simplify accounting. Mr. Lee stated that sales must be categorized by state statutes and this method of accounting accomplishes that. Mr. Killen objected to this method of bookkeeping. Mr. Myers pointed out that this is the clearest way to reflect this item.

Vote: Unanimous ayes with the exception of Messrs. Gessert, Killen and Parisi who voted no; motion duly carried.

Mr. Gessert suggested that the Council was in violation of its rules of order which indicate the meetings will end at 11:00 p.m. and Mr. Krupp noted that the rules do not provide for automatic ending but the Chairman or other Council member may make a motion to continue the meeting.

Mr. Parisi moved to continue the meeting, seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved a budget amendment of \$15,000 to 440 and \$15,000 to 501, Electric Division, seconded by Mrs. Bergamini.

Mr. Gessert objected to spending \$20,000 to run the summer test.

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

Mr. Krupp moved a budget amendment of \$15,000 to 440 and \$15,000 to 593, Electric Division. Mr. Diana seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved a budget adjustment of \$75,000 to 442-3 and \$75,000 to 408-1, Electric Division. This motion was seconded by Mr. Diana.

Vote: Unanimous ayes with the exception of Messrs. Gessert and Krupp who voted no; motion duly carried.

Mr. Krupp moved an appropriation of \$15,000 from Retained Earnings to 364. Mrs. Papale seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved the transfer of \$7,000 from 403 to 505-2, Electric Division, seconded by Mr. Rys.

Vote: Unanimous ayes with the exception of Messrs. Gessert and Krupp who voted no; motion duly carried.

Mr. Krupp moved the transfer of \$36,000 from 403 to 904, Electric Division, seconded by Mrs. Bergamini.

Mrs. Bergamini asked how many months this amount covered and Mr. Lee stated two months, \$33,000, and One Way went Chapter 11 the day the Electric Division went in to collect. Mr. Gessert asked what was currently outstanding and Mr. Lee reported \$2,022,000 and some were terminated as of 4/15/84 or are on an amortization basis and pay on a predetermined basis and if this is violated, they can be terminated. Industrial accounts are acted upon quicker than residential accounts.

Vote: Unanimous ayes; motion duly carried.

Mrs. Papale moved the transfer of \$4,500 from 403 to 431, Electric Division, seconded by Mr. Krupp.

Vote: Unanimous ayes; motion duly carried.

Mrs. Papale moved the transfer of \$3,000 from 403 to 902, Electric Division, seconded by Mr. Gessert.

Vote: Unanimous ayes with the exception of Mr. Parisi who was not present for the vote; motion duly carried.

Mr. Krupp moved the transfer of \$5,000 from 403 to 512-2, Electric Division, seconded by Mr. Diana.

Mr. Gessert objected to this expenditure for a capacity test and Mr. Krupp asked why tubes were being replaced for a unit which undergoes minimal use and Mr. Walters replied that the tubes were being repaired, not replaced. Only a third of the tubes have been replaced and this is still the economical way to go and the alternative is to retube all the boilers which is not recommended at this stage.

Vote: Unanimous ayes with the exception of Messrs. Gessert, Krupp and Rys who voted no; motion duly carried.

Mr. Krupp moved a transfer of \$35,000 from 403 to 926, Electric Division. This motion was seconded by Mr. Diana.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved a transfer of \$2,500 from 580 to 585, Electric Division, seconded by Mr. Diana.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved to note for the record the financial statements of the Electric, Water & Sewer Division for the month ending April 30, 1984. This motion was seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini moved approval of the job specifications for the position of Distribution Engineer, Electric Division. this motion was seconded by Mr. Rys. (TABLING MOTION BELOW.)

Mr. Krupp asked if this was an entry level position since the minimum requirement states no experience, just a B.S. in Electrical Engineering. Mr. Parisi noted that the specs included an equivalent combination of just experience and training with no formal education required. Mr. Walters noted that this is conceivable but he does not picture many people that way and Mr. Parisi would prefer to see this portion eliminated along with Mr. Killen. Mr. Walters recalled that the Personnel Department told the Electric Division that this was a necessity to meet requirements. Mr. Krupp stated that this provides an opportunity to hire a person with experience who would be an optimum candidate for the job but is missing a degree.

Mrs. Bergamini moved to table approval of job specifications for position of Distribution Engineer, Electric Division. This motion was seconded by Mr. Gessert.

Mrs. Bergamini asked if this position would require an auto and Mr. Walters stated one would be needed to perform the job during the day.

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

Mrs. Papale moved to waive Rule V to consider transfers for P & Z. 401
This motion was seconded by Mr. Krupp.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert moved to establish a new line item for P & Z, 701-900, Custodial Services, seconded by Mr. Krupp.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert moved an appropriation of \$200 from Unappropriated General Fund Balance to 701-900, P & Z, seconded by Mr. Krupp.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert moved the transfer of \$200 from 701-655 to 701-200, P & Z, seconded by Mr. Krupp.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert moved an appropriation of \$300 from Unappropriated General Fund Balance to 701-140, P & Z, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved the transfer of \$200 from 603-400 and \$330 from 603-520, a total of \$530 to 603-612, Town Clerk. This motion was seconded by Mr. Gessert.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved the transfer of \$550 from 603-135, \$650 from 603-901 and \$950 from 603-110 to the following accounts: \$500 to 603-410 and \$1,650 to 603-404, Town Clerk. This motion was seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved that the meeting go into executive session for the purpose of discussing pending litigation, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

The meeting moved into executive session at 11:35 p.m.

A motion was duly made, seconded and carried and the meeting moved out of executive session at 11:50 p.m. Two votes were recorded following this session.

Mr. Krupp moved authorization of a settlement proposed by the Town Attorney in the case of Manuel R. Moutinho, Electric Division employee. This motion was seconded by Mr. Gessert.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved to amend the agreement previously authorized in settlement of the case of Martin Quinlan, such amendment to increase the settlement amount by \$1,000. Mr. Gessert seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved that the meeting go into executive session for the purpose of discussing labor negotiations with Donald Powers, Labor Negotiator. This motion was seconded by Mr. Rys.

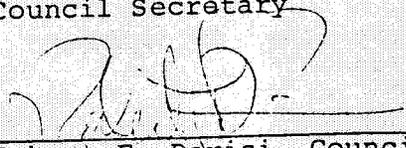
Vote: Unanimous ayes; motion duly carried.

A motion was duly made, seconded and carried and the meeting moved out of executive session at 12:35 a.m. There were no votes recorded after this session.

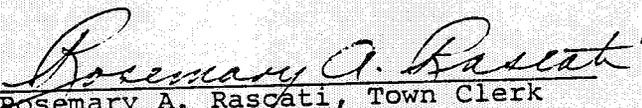
A motion was duly made, seconded and carried and the meeting adjourned at 12:35 a.m.

Delores B. Fetta
Council Secretary

Approved


Robert F. Parisi, Council Chairman

June 12, 1984
Date


Rosemary A. Rascati, Town Clerk

June 12, 1984
Date

Summary/Town Council Meeting

| | <u>Page</u> |
|--|-------------|
| Appointed Charles R. Fields to Regional Planning Agency. | 2 |
| Appointed Robert DiPasquale to Building Board of Appeals. | 2 |
| Tabled appointments to Transit Authority and Housing Authority. | 2 |
| Tabled disposition of the Taber House until July 10, 1984. | 2-4 |
| Adopted ORDINANCE AMENDING ORDINANCE NO. 306 TO INCREASE THE APPROPRIATION FROM \$100,000 TO \$1,693,000 TO FINANCE THE COSTS OF REDESIGN, CONSTRUCTION AND OTHER RELATED WORK IN CONNECTION WITH THE RENOVATION OF THE MACKENZIE DAM LOCATED ON NORTHFORD ROAD, WALLINGFORD, CONNECTICUT, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION. | 4-7 |
| Set public hearing on 6/26/84 at 7:40 p.m. on Neighborhood Assistance Program. | 7 |
| Resolution to receive grant/New Haven Water Company project. | 7 |
| Videotape and discussion of Spring Lake siltation. | 7-8 |
| Restricted Wallingford Radio Control Association from using present site for model airplane flying. | 9-12 |
| Resolution authorizing RUN FOR EDUCATION funds for education. | 12 |
| Tabled resolution appropriating \$57,000 for off-site drainage and paving at Elderly Housing Project until June 26, 1984. | 12-14 |
| Resolution establishing Charter Revision Commission and a resolution appointing Commission to be on agenda 7/10/84. | 15 |
| Appointed nine members to Robert Earley Disposition Committee. | 15 |
| Approved transfer of \$770 requested by Zoning Board of Appeals. | 15 |
| Approved transfers for Public Works Department: \$7,500 from 805-326 to CAP 516, \$550 from 515-201 to 517-201, \$1,000 from 503-201 to 503-510, \$400 from 515-201 to 521-201, \$900 from 510-201 & \$1,000 from 505-201, total of \$1,900 to 503-201-01. | 16 |
| Approved job specs for Distribution Engineer/Electric Division. | 17 |
| Approved transfer of \$1,000 from 804-832-01 to 159-575, requested by Stanley A. Seadale, Director of Personnel. | 17 |
| Approved transfer of \$11,976 from 805-326 to 145-130, requested by Donald T. Dunleavy, Purchasing Department. | 17-18 |
| Approved transfer of \$4,200 from 804-840, \$800 from 804-841, \$1,500 from 162-900 and \$3,500 from Unappropriated General Fund Balance, total of \$10,000 to 804-835 for Treasurer | 18 |

| | |
|---|-------|
| Approved following requests for Welfare Director | |
| Amended revenue budget/\$27,000 to A/C 550 and amended | |
| expenditure budget/\$27,000 to A/C 306-704 | 403 |
| Appropriated \$3,000 from Unappropriated General Fund | |
| Balance to A/C 306-704 | |
| Amended revenue budget/\$3,600 to A/C 550 and amended | |
| expenditure budget/\$3,600 to A/C 306-700 | |
| Appropriated \$400 from Unappropriated General Fund | |
| Balance to A/C 306-700 | 18-19 |
| Withdrew item 24, Discussion and possible action regarding | |
| employemnt of construction manager/police station project | 19 |
| Tabled transfer of \$900 from 201P-131 to 201P-428/Police | 19 |
| Accepted low bid of Longworth Carlson/4 police cruisers | 20 |
| Approved tax refunds of \$1,389.72 requested by Tax Collector | 21 |
| Approved transfers requested by Fire Chief Jack K. McElfish: | |
| \$ 149 from 203 NF-Capital to 203NF-500 | |
| \$ 55 from 203 NF-Capital to 203NF-500 | |
| \$ 270 from 203 NF-Capital to 203NF-500 | |
| \$ 96 from 203 NF-Capital to 203NF-500 | |
| \$ 681 from 203 NF-Capital to 203NF-500 | |
| \$ 254 from 203 NF-Capital to 203NF-500 | |
| \$ 137 from 203 NF-Capital to 203NF-500 | |
| \$ 300 from 203 NF-Capital to 203NF-500 | |
| \$ 425 from 203 NF-Capital to 203NF-500 | |
| \$ 456 from 203 NF-Capital to 203NF-500 | |
| \$ 200 from 203 NF-Capital to 203NF-500 | |
| \$ 140 from 203 R-Capital to 203NF-500 | |
| \$ 410 from 203 R-Capital to 203NF-500 | |
| \$1,927 from 203 R-Capital to 203NF-500 | |
| \$ 456 from 203EW-Capital to 203EW-500 | |
| \$ 254 from 203EW-Capital to 203EW-500 | |
| \$ 86 from 203EW-Capital to 203EW-500 | |
| \$ 137 from 203EW-Capital to 203EW-500 | |
| \$ 193 from 203EW-Capital to 203EW-500 | |
| \$ 149 from 203EW-Capital to 203EW-500 | |
| \$ 225 from 203EW-Capital to 203EW-500 | 21 |
| Waived Rule V and approved transfers for Chief McElfish of | |
| \$1,500 from 203R-132 to 203R-160, \$600 from 203R-132 to | |
| 203R-163, \$1,479 from 203R-170 to 203R-150, \$700 from | |
| 203R-195 to 203R-150 | 21 |
| Established new A/C 202-135 and approved transfer of \$378 | |
| from 202-200 to 202-135, requested by the Dog Warden | 22 |
| Approved transfer of \$250 from 132-601 to 132-901 and ap- | |
| propriation of \$1,000 from Unappropriated General Fund Balance | |
| to 804-828, requested by the Town Attorney's Office | 23 |
| Waived bid to negotiate with J & J Custodial Service | 22-23 |
| Tabled acceptance of May 22, 1984 minutes | 23 |
| Noted for record Town financial statements/May 31, 1984 | 23 |
| Meeting adjourned | 23 |

Town Council Meeting

June 12, 1984

A regular meeting of the Wallingford Town Council was called to order by Chairman Parisi at 7:35 p.m. Answering present to the roll called by Town Clerk Rosemary Rascati were Council members Bergamini, Gessert, Killen, Krupp, Papale, Parisi, Polanski and Rys. Councilman Diana arrived after the roll was called. Also present were Mayor Dickinson, Thomas A. Myers, Comptroller and Vincent T. McManus, Jr., Town Attorney. The pledge of allegiance was given to the flag.

Dr. Laszlo Medyesy, United Church of Christ opened the meeting with a scripture from the New Testament, Gospel of Luke.

Jesus said, beware, don't always be wishing for what you don't have for real life and real living are not related to how rich we are. A rich man had a fertile farm that was used for fine crops. In fact, his barns were full to overflowing and he couldn't get everything in. He thought about his problem and finally decided to tear down his barns and build bigger ones so he would have room for everything. He would sit back and think to himself, friends, you have now stored away for years to come--now, take it easy--wine, women and song for you.

But, God said to him, "You fool, tonight you die, and who will get it all?" Yes, every man is a fool who gets rich on earth but not in heaven. He also said, don't worry about having enough food to eat or clothes to wear for life consists of far more than food or clothes. Think of the birds--they don't plant or harvest or have barns to store away their food and yet, they get along alright for God feeds them and you are far more valuable to Him than any bird.

What is the use of worrying; what good does it do? Will it add a single day to your life? Of course not. If worrying cannot do such a little thing like that, what is the use of worrying over bigger things? Look at the lilies--they don't toil and spin and yet Solomon in all his glory was not robed as well as they are. God provides clothing for the flowers that are here today and gone tomorrow. Don't you suppose that he will provide clothing for you, man of little faith. Don't worry about what to eat and what to drink; don't worry at all. God will provide it for you all. All mankind scratches for his daily bread but your Heavenly Father knows your needs and will always give you all you need from day to day if you make the Kingdom of God your primary concern.

Amen.

Mr. Parisi asked for questions or comments from the public and there were none and he closed the public question and answer period.

Mr. Krupp moved the appointment of Charles R. Fields to Regional Planning Agency, seconded by Mr. Gessert.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved the appointment of Robert DiPasquale to the Building Board of Appeals, seconded by Mr. Rys.

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

Mr. Parisi noted that items 5 and 6 will be scheduled for the 6/26/84 meeting and interviews will be scheduled.

Mr. Killen moved to table appointment to Wallingford Transit Authority and Wallingford Housing Authority, seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried.

Mayor Dickinson mentioned that the Pierce Station has been in operation for a couple of days and a number of accounts, including the fuel account will definitely be overspent and he wanted the Council aware of this. Mrs. Bergamini asked if this run was anticipated and Mr. Gessert pointed out that under contract with Northeast Utilities, this run is obligatory. Mr. Lee pointed out that they were generating on two boilers but will be on three on 6/13/84 and 6/14/84. Power can be purchased cheaper than generating it but this is required. Mr. Gessert suggested any necessary transfers be placed on the 6/26/84 agenda.

Mr. Krupp moved to move item 8 Report on the Taber House to this position. This motion was seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved to remove Taber House from the table, seconded by Mr. Diana.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi stated that one potential group was unsuccessful and their proposal at this point was not workable. Mayor Dickinson and Mr. Parisi approached someone on 6/11/84 and are awaiting a response from them. There is also the potential of another meeting with a group of people who might be able to move the house and an effort is being made not to tear the house down. 405

This matter is still being pursued and this is the status at the present time.

Mrs. Bergamini: Frankly, I, and I think members of the Library Board are getting awfully tired of this. We can table this every two weeks into oblivion if we want to. A decision was never made last year because the former Council was afraid to make it because it was an election year but that never bothered Iris or me. This is becoming ludicrous. You can table it for two more weeks and that is it. This thing has been published in every newspaper including the New York Times and if a decision hasn't been made, it's never going to be made. We keep getting one proposal after another which all fizzle out. Tabling it for two more weeks is under my protest.

I want to know if Iris, Ed Diana and I are part of this committee since none of us or anyone on the Library Board has ever been called regarding what is happening behind the scenes with architects. It would seem to me that negotiations should be done with the committee or the committee should be dissolved because we are wasting our time.

Mr. Parisi noted there is only one architect and there have been no negotiations. There is an attempt to find someone with a plan to move the house because of the interest from so many people in preserving the house. There is nothing diabolical going on; it is to satisfy two groups by moving and preserving the house. In fairness, when the time comes for the final decision, if that decision is to tear the house down, I know I will feel that we as a Council in concert with the Mayor made every effort to preserve the house. If it does have to come down, it will come down and I am prepared to make the decision but I would like to exhaust every avenue that comes forth.

Mr. Gessert commented on the letter received from Rabbi Manson regarding use of the house for the art league and felt that the possibility should be pursued. Mr. Parisi mentioned the parking concerns and felt that moving the house would solve the parking problems and would not threaten the future expansion of the library.

Mrs. Papale stated that she felt a vote had been taken by the Council to either move the Taber House or tear it down and asked if the architect would be overwhelmed by meeting with the committee. Mr. Parisi stated that much has been done over the phone and there have been no formal meetings. Mrs. Papale requested that the Joint Committee on the Taber House be included in any future meetings.

Mr. Krupp stated that his vote was cast with the intent to preserve the house and he can understand the Library Board's concern and understands Mr. Parisi's concern that every reasonable effort to preserve the Taber House should be made and if it entails a slightly longer delay, it is well worth the effort. That house is not an affront to the architecture of that region, not anywhere near as much as the architecture of the library is an affront to the architecture of that region but the fact remains that's what we're stuck with. The house is a valuable historic item as a part of the heritage of this community and I'm not sure why there is this pressing desire to destroy something old to make way for something new.

Mr. Krupp (continued)

Library expansion is not likely immediately and if it involves another couple of weeks or a month to find an alternative besides demolishing the house, I don't see the harm in delaying the decision until that building has to come down and pursue all alternatives. I am in favor of tabling it until the next meeting and however long negotiations take, they should be sustained.

Mrs. Papale: The Committee for the Preservation of the Taber House should be commended for their hard work on their proposal and this Council rejected that proposal. Mr. Krupp pointed out that he rejected the proposal because he did not consider it to be a business like proposal, not because he felt the building should come down. Mr. Gessert feels the Council should not rush to tear the building down and should allow more time to come up with a solution.

406 Mr. Diana moved to table disposition of the Taber House until the meeting of July 10, 1984. This motion was seconded by Mr. Polanski.

Mrs. Bergamini asked about putting it on the 6/26/84 agenda and noted that two years ago, Mrs. Beaumont made the same comments that Mr. Krupp made tonight and Mr. Gessert made the same comments he made tonight.

Mrs. Mary Lou Williams, President of the Library Board stated that the vote taken by the Council was only to consider proposals for removing the house. The three members of the Library Board would like to be included in discussions since this committee was appointed by the Council.

Vote: Unanimous ayes with the exception of Mrs. Bergamini who voted no; motion duly carried.

Mr. Musso feels that the Taber House should remain standing and the Council should not make a hasty decision to demolish it.

Mr. Parisi read and Mr. Krupp moved

AN ORDINANCE AMENDING ORDINANCE NO. 306 TO INCREASE THE APPROPRIATION FROM \$100,000 TO \$1,788,000 TO FINANCE THE COSTS OF REDESIGN, CONSTRUCTION AND OTHER RELATED WORK IN CONNECTION WITH THE RENOVATION OF THE MACKENZIE DAM LOCATED ON NORTHFORD ROAD, WALLINGFORD, CONNECTICUT, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

Mr. Rys seconded the motion.

This ordinance is attached to and made a part of these minutes, Attachment I, page 1 of 1.

Mr. Krupp said he is opposed to this since it is dealing with a significant amount of money and there are no bids to back it up. He feels it would be appropriate to consider this ordinance when there are firm bids to back up the dollars and secondly, he is not enthused about a contingency account of \$95,200.

Mr. Raymond Denison stated that a permit was given by DEP dated March 27, 1984 specifying that construction is to be started within one year of that date and construction is to be completed within two years of that date. The project was broken down into two phases, general construction and technical construction and it was felt that by doing that, more general contractors would be able to bid, creating a competitive situation and reducing the cost of the project. To comply with the DEP permit, it is necessary to begin construction this summer with step one and complete the work by next summer.

Mr. Krupp stated he remains unsure about the contingency amount and asked why the amount requested at this time was for the entire project rather than the general construction necessary now and at a later time, come back for the funding for the next portion subsequent to the submittal of bids.

Mayor Dickinson pointed out that there is a 21 day wait once an ordinance is adopted to allow for an appeal period. Mr. DeMaio indicated that money can be floated at 10-1/2% and borrowed at 8%, thus generating funds and reducing the cost by the percentages saved. Mr. Cassella pointed out that \$76,500 is anticipated in interest income as indicated on the ordinance. Mr. Krupp is opposed to funding this kind of money without the documentation to back it up and feels the public has the right to know exactly what this will cost and if there is an urgency to phase one, he believes that only phase one should be funded.

Mr. Mascia indicated that the initial bid on the total project came in at \$1,190,000 and it is felt that the figure is reasonable since it represents all the work proposed to be done. There were five bids and the range was only several hundred thousand dollars from high to low. It is hoped to reduce the figures by 20% by breaking the project down into two portions. The first phase is a general contractor's type of work and perhaps more bids will be obtained by separating the technical portion of the project.

Mr. Musso agrees with Mr. Krupp and feels money should only be appropriated for each phase when necessary.

Mr. Gessert stated that a year ago costs were anticipated at \$1,000,000 and asked why they were so much higher. Mr. DeMaio indicated that bids came in higher than anticipated and some work will be done in preparation for the new filtration plant since it pays not to tear the dam up twice. The Town Engineer requested bigger box culverts for flooding and this will be done.

Mr. Gessert noted \$155,000 for field supervision and Mr. Mascia noted that the second phase which is the grouting and relief well work is highly technical and it is felt a G.O. technical person is necessary on the job. Mr. DeMaio stated that a lab is necessary on site to test the concrete. Mr. Mascia indicated that the first phase of field supervision will cost \$63,400 and \$10,500 of that is variable, depending on what is encountered during construction. The second phase will cost \$81,600 for resident supervision and variable costs again of \$10,000. The second half is more expensive since relief wells must be monitored during the course of grout injection.

Mr. Gessert moved to amend an Ordinance Amending Ordinance No. 306 by deleting \$95,000 Contingency amount. Mr. Krupp seconded the motion.

Mrs. Bergamini asked if this amendment would require posting notice again and Mr. Myers indicated that the Council is the financial body and able to amend and since the amount of the ordinance would be reduced rather than increased, it would be acceptable.

Mayor Dickinson asked Al Bruno and Don Dunleavy if adopting the ordinance prior to going out to bid would jeopardize the kind of bids received and the answer was with this type of thing there wouldn't be a problem.

Mr. Myers met with Ray Denison, Al Bruno and Richard Cassella and it is his understanding that this project will be pursued diligently this summer and next summer. Hopefully, merging this ordinance with the capital and non-recurring program would provide an attractive note block rate on Wall Street in New York. There is an option of borrowing in incremental stages on this. These expenditures will be able to be tracked month by month on the financial statements and there will be a separate statement issued on this project designating expenditures. These funds are restricted bond funds, controlled by bond covenants and regulation and accountability for interest expense and interest income which must be met and we must be very careful with the accounting. Likewise, this money cannot be used other than what is described in the ordinance.

Mr. Killen asked how much was spent for design work under Ordinance No. 306 and Mr. Mascia replied about \$80,000 and when the design was presented to the Town Engineer, it was apparent at that time that the structures weren't capable of handling the type of floods that were going to be passed over the spillway. Once it was determined that more spillway structure was needed, it was not determined at that time where it would be put. Mr. Killen noted that the whole concept changed and he wondered if it was known was they were going to do in the first place and if the magnitude of the project was known. Mr. Killen also questioned bonding money which would be paid back to the town in proportionate charges.

Mr. Polanski asked what the cost of this \$1,788,000 would be to the water and sewer users in Wallingford and Mr. Cassella noted that the rates would go up about 14% in 1985/86.

Mr. Parisi asked how the dam did during the heavy rain and Mr. Mascia noted that the pattern has not changed and Mr. DeMaio stated that the corps of engineers indicated it must be repaired.

Vote: (Amendment to Ordinance)
Council members Bergamini, Gessert, Killen, Krupp, Parisi and Rys voted aye; Diana, Papale and Polanski voted no; motion duly carried.

408 Mrs. Bergamini moved adoption of the Ordinance Amending Ordinance No. 306, as amended. This motion was seconded by Mr. Polanski.

Vote: Council members Bergamini, Diana, Gessert, Killen, Papale, Parisi, Polanski and Rys voted aye; Councilman Krupp voted no; motion duly carried.

Mr. Diana moved to set a public hearing on June 26, 1984 at 7:40 p.m. on the Neighborhood Assistance Program, seconded by Mr. Krupp.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi read and Mrs. Papale moved a resolution authorizing Mayor to sign agreement with State of Connecticut to receive grant for New Haven Water Company project which is attached to these minutes as Attachment II, page 1 of 1. Mr. Killen seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert noted that the siltation problem at Spring Lake is in the watershed area and the Council is Wallingford's Erosion and Control Board and is responsible by ordinance for this problem and asked Mr. Krupp to review this at a future date.

Mr. Edward R. Bradley, 2 Hampton Trail showed a videotape of the flooding and siltation beginning at Miller's Pond on the West side of Route 68, downstream of the Bristol-Myers site. The videotape was made on the Tuesday following Memorial Day. Topsoil piles were shown which should have been seeded to prevent siltation and this was not evident. Silt fences were not designed to hold water and water was going over the top of the silt fences. Mr. Bradley intended to ask DEP why the topsoil was stockpiled on the Muddy River side of the watershed rather than the other side. He also commented that there is an agreement that heavy equipment cannot be stored within a watershed and he feels that where the equipment stored is debatable. It was pointed out that no water is flowing into the holding pond and someone should have been present to divert the water into it. Mr. Bradley commented that the Bristol-Myers site was to be addressed in three stages--stage one was to cover clearing, excavating and filling of roads and building area, all lying outside of wetlands and water courses and it consisted of the following (1) install silt fabric fence along wetland boundaries prior to any clearing, grubbing or grading operation, (2) strip topsoil from only first cut (I don't know what they mean from first cut), stockpile where directed by engineer and seed; do not strip second cut until first has been completed, (3) excavate sedimentation basins where indicated with outlet pipes protected by perforated vertical riser and crushed stone filters (none were seen), (4) as work progresses, divert runoff from box roadway sections into sedimentation basins or silt fencing using stone shutes. The earth work had fully progressed all the way up to High Hill and none of that was in place. (5) Install protective riprap at culvert inlets and outlets and where shown in the plan. (6) Seed all areas except areas to be paved immediately after they reach finish grade. This is their whole soil erosion and sedimentation control plan and goes into detail with architect's drawings, etc.

Mr. Bradley read a telegram sent to Mr. Richard Gel, CEO, c/o Bristol-Myers, dated 5/30/84, 9:15 a.m. EST, 345 Park Avenue, New York, New York by Thomas Johnson, 8 Martin Trail:

Dear Sir:

Extreme and severe problems exist downstream from your company's construction site in Wallingford, CT. Spring Lake is being inundated with dirt from your construction site. Lake level dangerously high, causing erosion of property owner's land; soil deposits threaten life of lake. Residents of entire east side concerned and hold Bristol-Myers responsible. Please offer directions to correct this matter immediately.

Nothing has been heard from Bristol-Myers. Mr. Bradley did speak with the VP of Public Relations who said if it were sent to the CEO, an immediate response would have been received from the company. They are very concerned with what has happened. The state has pointed the finger at Planning and Zoning because they allowed these people to build there. Mr. Bradley asked Doug Cooper if DEP conducted an investigation of mandates being in place and Mr. Cooper replied they did not.

Mr. Gessert would like Mr. Bradley to meet with the Ordinance Committee and review the ordinance pertaining to this problem and Mr. Bradley asked for the Conservation Commission members to be present also. Mr. Krupp noted that for totally different reasons, this ordinance came before the Ordinance Committee on 6/6/84 and at that time, it was his understanding that Linda Bush, Town Planner, was working with Assistant Town Attorney Adam Mantzaris to incorporate those portions related to erosion control into the Planning and Zoning Code and that effort will begin sometime in September. Mr. Krupp suggested a meeting with Miss Bush to incorporate any changes or provisions of that particular aspect of Ordinance No. 277. Mr. Gessert asked Mr. Bradley to contact Miss Bush and also thanked David Bersch for the use of his video equipment this evening. 409

Mrs. Bergamini asked Mayor Dickinson if the Flood and Erosion Control Board's rules could be more stringent than state statutes and the Mayor indicated they probably could be but he was not sure Ordinance No. 277 would be the proper one since that ordinance deals with whether and in what circumstances you could build in a flood plain. Mrs. Bergamini will pursue that angle and get a copy of the state statute.

A member of the audience asked why Pistapaug was being used for the water supply rather than MacKenzie and Mrs. Bergamini noted that water must be pumped from MacKenzie and since there is a ready supply from Pistapaug, this was being used rather than pumping.

Mr. Shepardson indicated that he wished to obtain the Council's approval for the rules and regulations covering model airplane flying attached to his June 5, 1984 correspondence to them. Mr. Krupp referred to Airplane No. 2 and Mr. Shepardson said four stroke or electric motors would be mandatory. Mr. Heilman indicated the "mosquito" or buzzing sound was a result of the two stroke engine and the four stroke is more of a "humming" sound.

Mr. Shepardson indicated that the rules are meant to appease the two groups and create a balance and now it is up to the Council to do whatever they choose with the rules and regulations. Mr. Krupp noted that this proposal attempts to reach a compromise to allow WRCA to continue to fly and make life somewhat more bearable for the abutting property owners and the proposal appears to be reasonable.

Mr. Polanski asked what would prevent people from using this area to fly and Mr. Heilman noted that WRCA members would have badges and anyone without a badge would be subject to arrest. Mr. Polanski noted that this is not specifically stated in the Statement of Commitment. Mr. Falcigno indicated that this must be included by an ordinance. Mr. Shepardson indicated that Ordinance No. 277 includes a fine of \$100 and when Attorney Mantzaris amends Ordinance 277 to give the Park and Recreation Director the authority to enforce all rules and regulations and issuing permits for town land under the department's jurisdiction, this would be included. The Recreation Department could be called and they in turn would call the Police Department for anyone illegally flying without a permit or proper insurance.

Mrs. Papale asked if a search was made for another flying area and Mr. Shepardson indicated that most other areas are surrounded by woods and an open area is necessary so sight of the airplane won't be lost. Mrs. Papale has spoken to 3 homeowners in the area who said the noise level has not decreased and Mr. Heilman indicated that there may be flying done by persons who are not members of WRCA. Mr. Heilman stated he called Thomas Cairns who lives closest to the flying field and Mr. Cairns claims he hardly hears them anymore.

Mr. Gessert asked how many members were in the club and Mr. Heilman replied 26 and the only ones flying have four stroke engines. Mr. Gessert noted that people living in this area moved there because of the quiet countryside and if they preferred noise, they could have chosen to live downtown. CGS allow noise levels of up to 55 decibels and 64 to 70 decibels were recorded--Mr. Heilman indicated that level was from two stroke motors and four stroke would be considerably less. He also commented that the rifle range makes considerably more noise than the model airplanes.

Mr. Edwin Makepeace, 50 George Washington Trail reminded the Council that a petition was presented to the Council in November of 1983 and the Council voted to have a more suitable location found for the WRCA and 7 months have passed with no letup and a new petition showing 100% support for removal of WRCA from this area was distributed to the Council. Mr. Thomas Cairns has signed the petition and indicated that the noise level has not changed.

Mrs. Bergamini asked how many of the 26 members of WRCA are Wallingford residents and Mr. Heilman replied about 14 and since this is federal land, out of town residents cannot be excluded. Prior to this location, the WRCA was located at Tamarac but were moved for a potential golf course which never materialized. Mrs. Bergamini indicated that perhaps another community would be willing to have the club since it has been in Wallingford for 12 years and not all members are residents.

Mr. William Kapaszewski, 10 North Branford Road stated that Mr. Heilman wanted to move the flying area nearer to the rifle range and indicated that only club members could use that land. Mr. Parisi indicated this control could be granted through the Council. Mr. Killen noted that anyone could use that land.

Mr. Frank Ross, 139 George Washington Trail indicated that he found the noise level very objectionable and could not sell his house because it could never be shown to a potential buyer on a weekend because the noise would discourage any potential sale.

Mr. Diana indicated this is a very difficult decision for the Council to make and asked about the flying range and Mr. Heilman indicated flying was done west of the runway and does not approach North Branford Road and does not go over housing. Mr. Diana feels the Council members should listen to the noise generated and make a decision on that basis at a later date.

Mr. Makepeace stated that the burden of policing would lie with the property owners and they have put up with this for three years and do not want this to go on any longer and want it ended this evening. Mr. Diana asked if use of the property can be restricted by an ordinance and Attorney McManus indicated use of the property could be restricted.

Mr. William Devine, 157 George Washington Trail said that beer bottles are thrown in his yard and he has had confrontations and feels that he could be injured by the time a police officer arrives.

Mr. Killen asked if the WRCA looked at the Tamarac area again and Mr. Shepardson stated that residents in that area were opposed to relocation there because of the noise and with so many housing developments in Wallingford, it is difficult to select a site that will not be near houses.

Mrs. Colleen Makepeace, 50 George Washington Trail feels it is not up to the Council to select a new site for WRCA since it is up to the Council to uphold the state regulations concerning noise control which allow levels up to 50 decibels and one model airplane generates 64 decibels and she feels they should be put out of any residential area tonight. Mr. Makepeace mentioned to the Council that all residents have signed the petition and many are present at this meeting and the homeowners have more invested in this area than hobbyists.

Mrs. Papale asked where other model airplane flying fields were located and Mr. Heilman noted there was one in Cheshire and in Rocky Hill, New Haven and North Haven. Mr. Krupp asked what if any restrictions applied to the Cheshire club and Mr. Shepardson indicated he did not know. Mr. Krupp noted that Ordinance No. 277 as it now stands does not provide for any control over those lands. Until an ordinance which allows Stan to control that area by permits exists, no matter what you do this evening, anybody who wishes to use that property has the right.

Mr. Dan Peavey, 145 George Washington Trail feels the Council should protect the rights of homeowners in this area and it is very clear that a decision must be made to get the WRCA out.

Mr. Heilman noted that under the new rules, flying time would only be available for 4 hours on Sunday since few people would be able to fly during the week.

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Mr. Makepeace pointed out that WRCA is in violation of state statute and moving 50 feet would violate land being rented by Mr. Cella for crops.

Mr. Diana felt there were too many ifs and moved to table action on Wallingford Radio Control Association petition.

Mr. Gessert objected to tabling this item on the basis that no other suitable location could be found. Mrs. Papale felt that to be fair Council members should go to the area and listen. Mr. Polanski asked if this comes down to the Council restricting recreational areas and Mr. Parisi felt the homeowner is entitled to some rights. Mayor Dickinson commented that after perusal of the statutes, it appears there is a standard of 50 decibels and from the present decibel indication, the town cannot put something into effect which violates state standards. Mr. Heilman again stated that the new four stroke engine is quieter. As Mayor of the Town, Mayor Dickinson could not support a situation using town land in violation of the 50 decibel standard. Mr. Parisi suggested that the Mayor make the decision as safety officer of the town. Mr. Heilman asked to have a new decibel reading taken.

Mrs. Papale seconded Mr. Diana's tabling motion.

Vote: Council members Diana, Krupp, Papale and Polansky voted aye; Bergamini, Gessert, Killen, Parisi and Rys voted no; the motion did not pass.

Mr. Gessert moved to restrict the Wallingford Radio Control Association from using this property and asked the Recreation Director to find a more suitable location. Mrs. Bergamini seconded the motion.

Mr. Polanski asked if every piece of recreational property in town would be restricted and Mr. Parisi stated that an individual case will be decided tonight and it is a right to privacy on one's property. Mr. Krupp observed that he thinks the Council is establishing a precedent and raises the question about this land being unregulated and there is no ordinance governing that regulation and wonders if this action is even in order. Mr. Parisi noted that this action is based on an opinion from the Town Attorney.

Vote: Council members Bergamini, Gessert, Killen, Parisi and Rys voted aye; Krupp and Polanski voted no; Diana and Papale passed; motion duly carried.

Mr. Gessert read and Mr. Krupp moved the following resolution:

RESOLVED, that the Town Council hereby recognizes that funds provided to the Town of Wallingford by virtue of the Northeast Utilities FUN RUNS FOR EDUCATION are intended for educational purposes;

AND THEREFORE all funds received by the General Fund from such program shall in turn be transferred to the Board of Education for disposition as such Board deems appropriate.

Mrs. Bergamini seconded the motion.

Mr. Killen asked if the Wallingford schools participated and felt they should not be given the money if they didn't.

Vote: Unanimous ayes with the exception of Mr. Killen who voted no and Mr. Parisi who was not present for the vote; motion duly carried.

Mrs. Bergamini agreed that Bert's point is well taken and Mr. Killen noted that the letter was dated 3/28/84 and Mrs. Papale noted that the race is over and the Council was notified after the fact. Mayor Dickinson explained that this was sponsored by Northeast Utilities and he received word today that four people ran and a total of \$20 would be given to education. Mr. Krupp agreed that this dealt with a corporation not part of municipal government in town and the image of the town should be sustained and it was intended to be spent for education and this resolution honors that intent.

Mr. Gessert read and Mrs. Bergamini moved for discussion the following resolution:

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RESOLVED, that the Town Council commits the sum of \$57,000 for the purpose of off-site drainage and paving improvements for the Elderly Housing Project on the Simpson School grounds, provided that all pending legal appeals are settled and that a bid for construction of the project has been received and accepted.

Mr. Gessert seconded the motion.

Mr. Krupp commented that last year this was presented as a simple, straight-forward thing and all the town had to do was to provide some land and it would be funded by the state. Next, it cost \$60,000 for the ballfields to be moved and today someone indicated that it has already cost the town \$100,000. There is \$7,000 worth of engineering work being done by the town's Engineering Department and now the Council is being asked to fund an additional \$57,000. He was not happy about the site selection a year ago and is not any happier about the site but the fact remains it is apparently a reality. One thing that concerns him is throwing funding into a project such as this without any prospect of return. Last year, the Council granted a waiver of payment in lieu of taxes and he was rather surprised to read shortly thereafter at a Housing Authority meeting that an observation was offered that the reserves were healthy on this project and there was no problem foreseen. He is willing to support this expenditure reluctantly with assurance that there will be no request for waiver in lieu of taxes on this project.

Mr. Nelson indicated he could not answer for his Board but did state the Council could reject such a request.

Mr. Krupp moved an amendment to the resolution, adding at the end, "under the understanding that future payments in lieu of taxes shall not be waived in consideration of this funding."

Mr. Gessert pointed out that a future Council could vote to waive payment in lieu of taxes. Mr. Parisi asked how the taxes would be paid and Mr. Nelson noted it would be budgeted for in the rents. Mr. Parisi felt that the wrong people would be hit. Mr. Krupp felt that the alternative in doing that is that you write off \$57,000 as a sunk cost without any opportunity for return on it to the community.

Mrs. Papale would like to vote for the resolution since she was on the committee for site selection for elderly housing and at the time Simpson was selected, Engineering did not object to it. Is Public Works able to do the drainage work required? Mayor Dickinson indicated that Public Works would do everything but the paving. Mr. Parisi could not understand how the architect did not include this drainage work in the project. Mr. Nelson spoke with Mr. Costello this morning and was asked if the architect's estimate included anything on the north side and the answer was no. The drainage and detention pond was on the south side and on the north side, the water pipe ran to Martin Avenue. Mayor Dickinson pointed out that the water must be directed into the drains on Martin Avenue and the drains are presently in the middle and must be moved to the side.

Mrs. Bergamini asked about the lawsuits pending against this drainage problem and asked about committing Public Works to this and having it stopped by the courts. Attorney McManus stated that as a practical matter, the Council will decide whether this project is up or down right now.

Mr. Gessert stated he would like to vote for this but with no plans or drawings and Mr. Costello talking north side and the architect talking south side, he would prefer to see the engineer, architect and the costs fully documented. Mayor Dickinson asked Kevin Nelson if a delay in this decision would jeopardize the funds and Kevin replied he has until 6/30/84. Kevin Nelson pointed out that Mr. Rallis in effect is not part of the off site work being discussed and Mr. Gessert asked that he be present so that on-site work can be coordinated with off-site work.

Mr. Diana feels that the test of time has shown that the Hope Hill site was the better of the two locations. Another concern is that there is no chance of recovering the \$57,000. Is there any possibility of constructing 28 units? Mr. Nelson approached the state and they will not allow less than 30 units.

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Mrs. Bergamini has a problem with adding more projects to the Public Works Department since they have already been burdened with the methane project. She asked for Mr. Deak's opinion and he indicated that Public Works has the equipment but other projects will be delayed. Mrs. Bergamini stated that she did not want to hear any complaints about unpaved roads if this is added.

Mr. Killen commented that he would like a figure of what these projects actually cost. No manpower was added to Mr. Deak's rolls when the lake site was taken over and nobody was added for the methane project and the Spring was very wet which delayed many projects. Mr. Killen feels that demands cannot be made continually on the Public Works Department and expect that all the regular work will be completed with the existing manpower.

Mrs. Bergamini asked if the Housing Authority had any funds to do this work and Mr. Nelson noted that reserves are designated for specific projects and cannot be used for this.

Mrs. Bergamini retracted her original motion and moved to table resolution committing \$57,000 for off-site drainage and paving improvements for the Elderly Housing Project until June 26, 1984. Mr. Rys seconded the motion.

Mr. Musso feels this project has taken up too much time and money and suggested abandoning the project completely and letting the state give the money to someone else.

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

Mr. Krupp moved to remove from the table resolution establishing a Charter Revision Commission. This motion was seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp stated that Mr. Mantzaris would provide an alternative to his resolution providing for amendment of the Charter as follows and moved the following resolution:

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL, IN SESSION, that in accordance with the provisions of Section 7-188 of the General Statutes of the State of Connecticut, as amended, this Council does hereby initiate action to provide for the amendment of the Charter of the Town of Wallingford adopted June 6, 1961 and the amendments thereto adopted November 4, 1969, November 6, 1973 and November 3, 1981.

Mrs. Bergamini seconded the motion.

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

Mr. Krupp moved to place on the July 10, 1984 agenda a resolution appointing the Charter Revision Commission in the format recommended by the Town Attorney and that by June 26, 1984, each Council person is to provide the Chairman with the name of an appointee to the Charter Revision Commission and the Mayor is to provide two names.

Mrs. Bergamini seconded the motion.

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

Mr. Parisi stated he did not have all eleven names for the Robert Earley Disposition Committee but has the following: George W. Cooke, Joseph DiNatale, Wayne LeClaire, Edwin H. Makepeace, Andrew J. Mezzi, David Scott, Gary J. Solnik, Lawrence A. Takores, and from the Mayor, Robert N. Beaumont.

Mr. Krupp moved the appointment of the above names with two additional persons to be named at a later date. Mr. Diana seconded the motion.

Vote: Unanimous ayes; motion duly carried.

4/4 Mrs. Papale moved a transfer of \$770 from Unappropriated General Fund Balance to 702-410 requested by Zoning Board of Appeals. Mr. Diana seconded the motion.

Vote: Unanimous ayes with the exception of Mr. Krupp who was not present for the vote; motion duly carried.

Mr. Gessert moved to adjourn the meeting and continue it at 7:30 p.m. on June 13, 1984. (There was no second to the motion.) Mr. Parisi read Mr. Deak's 5/4/84 memo, agenda item 18(a).

Mrs. Bergamini moved a transfer of \$7,500 from 805-326 to CAP 516 Taber House Demolition, seconded by Mr. Rys.

Vote: Council members Bergamini, Papale and Parisi voted aye; Diana, Gessert, Killen, Polanski and Rys voted no; Councilman Krupp was not present for the vote; the motion did not pass.

Mayor Dickinson explained that if this \$7,500 is not transferred before the close of the fiscal year, this money is gone since there is no money budgeted for this in 1984/85.

Mr. Polanski moved to reconsider a transfer of \$7,500 from 805-326 to CAP 516 Taber House Demolition, seconded by Mr. Rys.

Vote: Unanimous ayes with the exception of Diana, Killen and Krupp who voted no; motion duly carried.

Mr. Polanski moved a transfer of \$7,500 from 805-326 to CAP 516 Taber House Demolition, seconded by Mr. Rys.

Vote: Council members Bergamini, Papale, Parisi, Polanski and Rys voted aye; Diana, Killen and Krupp voted no; Gessert was not present for the vote; motion duly carried.

Mr. Parisi read Mr. Deak's 6/4/84 memo, agenda item 18(b).

Mr. Krupp moved a transfer of \$550 from 515-201 to 517-201, seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Parisi read Mr. Deak's 6/5/84 memo, agenda item 18(c).

Mr. Krupp moved the transfer of \$1,000 from 503-201 to 503-510, seconded by Mr. Diana.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Krupp moved the transfer of \$400 from 515-201 to 521-201, seconded by Mr. Rys. (Public Works)

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Krupp moved the transfer of \$900 from 510-201 to 503-201-01, and the transfer of \$1,000 from 505-201 to 503-201-01, requested by Public Works. This motion was seconded by Mr. Rys.

Mr. Killen asked why this transfer was necessary and Mr. Deak stated this is the first full year with all four ballfields under his jurisdiction.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Krupp moved to remove subject of job specification for Distribution Engineer for the Electric Division from the table. Mr. Rys seconded the motion.

Vote: Council members Bergamini, Krupp, Papale, Parisi and Rys voted aye; Diana and Killen voted no; Gessert and Polanski were not present for the vote; motion duly carried.

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Mr. Krupp observed that no changes had been made in the job spec and Mr. Seadale explained that if you state that a Bachelor's Degree is required and leave it at that, you then must be prepared to prove that there is no possibility of anybody being able to fill that position without a Bachelor's. It is a result of the government's affirmative action program. Mr. Seadale suggested inserting the word "acceptable" or "A.S. in electrical engineering (power) and two years of directly related applicable experience, a B.S. in electrical engineering (power) will be considered a substitute for the two years of experience." State technical colleges produce extremely well qualified persons and this helps in terms of affirmative action. Mr. Krupp stated he only has a problem with "OR an equivalent combination of experience and training." The Council prefers to delete this phrase.

Mr. Killen moved that the job specifications for the Distribution Engineer for the Electric Division be accepted with the deletion of the last phrase, "OR an equivalent combination of experience and training." Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Seadale respectfully requested that agenda item 22 be considered.

Mrs. Bergamini moved that item 22 be moved to this position, seconded by Mr. Killen.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Krupp moved the transfer of \$1,000 from 804-832-01 to 159-575, requested by Mr. Seadale. This motion was seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Krupp moved the transfer of \$11,976 from 805-326 to 145-130 for fiscal year 1984-85, requested by Mr. Dunleavy. Mrs. Papale seconded the motion.

Mr. Killen could not recollect how those funds were put into contingency and Mr. Krupp indicated this came up when the budget was set on May 8, 1984. Mr. Krupp observed that a third person is needed in Mr. Dunleavy's department and he is now being prohibited from hiring because the funds are not available.

Mrs. Bergamini commented that she initiated this action because she was not happy with a situation within his department and in Central Services which Mr. Dunleavy runs. Mr. Myers was informed of the problems and if they continue, as long as I sit on the Council, heads will roll. If I come into your office with Mrs. Kenny and ask for a contract and am told it does not exist and upon your return three days later, the contract is produced--if that ever happens again, you will hear me. Mr. Dunleavy asked for clarification and Mrs. Bergamini explained that the Council was in the process of selecting a new copier during Mr. Dunleavy's convalescence and spent two days searching for the old contract and it was not produced until your return. We went through a problem with collating at Central Services, packets put into mail boxes get lost and this better not happen again. We are losing this secretary and will have another on board and the job specs for Central Services require collating.

Another point is that as the Town Council, the financial body of the Town of Wallingford, priority and respect is deserved. That is something the Council does not get from department heads, with very few exceptions.

Mr. Killen commended Marie for her forthrightness and for calling a spade a spade.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mr. Krupp moved the transfer of \$4,200 from 804-840, \$800 from 804-841, \$1,500 from 162-900 and \$3,500 from Unappropriated General Fund Balance, a total of \$10,000 to 804-835, requested by Charlotte C. Collins, Treasurer. Mr. Rys seconded the motion.

Vote: Unanimous ayes with the exception of Mr. Gessert who was not present for the vote; motion duly carried.

Mrs. Bergamini moved to amend Revenue Budget by appropriating \$27,000 to A/C 550 and amend Expenditure Budget by appropriating \$27,000 to A/C 306-704, requested by Mr. Francesconi. Mr. Rys seconded the motion.

Vote: Unanimous ayes with the exception of Mr. Krupp who voted no and Mr. Gessert who was not present; motion duly carried.

Mr. Diana moved to appropriate \$3,000 from Unappropriated General Fund Balance to A/C 306-704, requested by Mr. Francesconi. The motion was seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Mr. Krupp who voted no and Messrs. Gessert and Parisi who were not present for the vote; motion duly carried.

Mrs. Bergamini moved to amend Revenue Budget by appropriating \$3,600 to A/C 550 and amend Expenditure budget by appropriating \$3,600 to A/C 306-700, requested by Mr. Francesconi. This motion was seconded by Mr. Diana.

Vote: Unanimous ayes with the exception of Mr. Krupp who voted no and Messrs. Gessert and Parisi who were not present for the vote; motion duly carried.

Mrs. Bergamini moved the appropriation of \$400 from Unappropriated General Fund Balance to A/C 306-700, requested by Mr. Francesconi. Mr. Polanski seconded the motion.

Vote: Unanimous ayes with the exception of Mr. Krupp who voted no; Mr. Parisi who passed; and Mr. Gessert who was not present; motion duly carried.

Police Chief Bevan noted that item 24, discussion and possible action regarding employment of construction manager on the police station project was withdrawn.

Mrs. Papale moved a transfer of \$900 from 201P-131 to 201P-428, requested by Police Chief Bevan. Mr. Rys seconded the motion.

Mr. Krupp commented that this was discussed previously and it was noted that the dry cleaning rate for April was running significantly higher and an explanation was requested for the radical shift. Chief Bevan indicated there was not a radical shift and the problem is an underfunded account from the prior year and he recapped the monthly charges on a monthly basis. Mr. Krupp indicated that the rate was about \$570 per month and it suddenly jumped to \$900 to \$1,000 and a question was raised at that time. Mr. Krupp referred to A/C 201P-428 on the April printout and the Chief attributed it to refurbishing of clothing when a patrolman leaves employment and some spring cleaning. The Chief noted that this same account will be in trouble this time next year. Mr. Krupp commented that the Chief's letter described conditions which would have prevailed for the entire year and could not understand why through the first ten months in that account \$567 was averaged and now, with a transfer of \$1,500 in May and \$900 now, this jumped to \$1,200, more than double the monthly rate that existed in the first ten months of the year. Mr. Krupp requested documentation for this sudden shift on 5/8/84 and Chief Bevan indicated it would require a great deal of work breaking this down man for man, month by month in the patrol division. Mrs. Bergamini stated that only the bills for the last two months would need checking in that particular account. Mr. Parisi asked the Chief to check and give the Council an answer.

Mrs. Bergamini moved to table a transfer of \$900 from 201P-131 to 201P-428, seconded by Mr. Rys.

Vote: Unanimous ayes with the exception of Killen, Krupp and Papale who voted no; motion duly carried.

Mr. Parisi read Chief Bevan's letter of 5/23/84 requesting the Council to waive the low bid for 4 new police vehicles. 417

Mr. Krupp recognizes the reasons the Chief is making this request and is not arguing that a valid point isn't raised. However, opposition is voiced to waiving the bid because it was the Town of Wallingford who went out to bid and approached Longworth Carlson and in good faith, Longworth Carlson bid. If there is a question about the transit distance of the supplier, this should have been taken into consideration before going out to bid, not after. It seems unfair, unreasonable, if not somewhat unethical to go to an independent businessman and ask him to bid in good faith on a contract and ask him in good faith to put up a bond when in fact the reasons for his disqualification existed all along. I think there is a question of the credibility of the Town of Wallingford in the open bidding marketplace when something like this is done and I don't think we can reasonably and fairly deny his low bid for consideration which comes to light only after the bids have been received. There are repercussions here not just for automobiles but in the business community and cannot support this on the basis that it is not a show of good faith on the part of Wallingford to take this action.

Mr. Gessert moved to accept the low bidder, Longworth Carlson, for four Crown Victoria police cruisers, seconded by Mr. Krupp.

Mr. Rys pointed out that the Dodge Diplomat cruisers have had considerable sway bar repairs and during pursuit, the vehicle could lose control. In addition, the vehicles cannot accept chains and it would be difficult to get to Whirlwind Hill Road during a heavy snowstorm. A check with Bethany State Police indicated they have had no sway bar or front end problems or problems using chains on the Crown Victorias. I tend to believe the Ford would be better than the Dodge Diplomat. The Chief agreed and wished a Ford agency closer had bid low. Mr. Gessert pointed out that the bid by Longworth Carlson was made in good faith and Fords are good, strong running cars and he will support this bid.

Mrs. Papale noted that the power train would appear more important and Mrs. Bergamini pointed out that these are two different vehicles and Mr. Rys researched the repair record. Mrs. Bergamini also felt that police cars should be able to accept chains. Chief Bevan stated there is no significant problem with the plowing and sanding of the roads.

Mr. Killen commented that the Charter should take precedence over the ordinance which indicates that the Council has the power to accept other than low bidder and this is not stated in the Charter. Mr. Krupp referred to the Charter and indicated that the Council could make a motion to reject the low bid. Mr. Rys stated that the bidder will supply the Crown Victorias, 1985 model, for the same price quoted for 1984 models.

Vote: Unanimous ayes with the exception of Mr. Diana who voted no and Mrs. Papale who passed; motion duly carried.

Mr. Parisi read Charles L. Fields' 5/31/84 letter, agenda item 27(a).

Mr. Krupp moved the appropriation of \$1,390 from Unappropriated General Fund Balance to A/C 142-890, requested by the Tax Collector. Mr. Rys seconded the motion.

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

Mr. Gessert moved approval of tax refunds of \$1,389.72 as follows:
\$ 900.67 to Kathleen Tempelhof and Robert Freitag
31.51 to Patricia A. Beyerle
249.34 to Harold J. & Carol P. Herzlich and/or Jefferson Federal Savings and Loan Association
208.20 to Frank Fonteyn E., Jr.
\$1,389.72 Total

Mr. Diana seconded the motion.

Vote: Unanimous ayes with the exception of Mrs. Bergamini who passed and Mr. Polanski who was not present; motion duly carried.

418 Mr. Gessert moved transfers of \$149, \$55, \$270, \$96, \$681, \$254, \$137, \$300, \$425, \$456 and \$200 from 203 NF-Capital to 203NF-500 and \$140, \$410, \$1,927 from 203R-Capital, all to 203NF-500 for the purpose of repairing Engine 7, 1974 GMC/American LaFrance Pumper, a total transfer of \$5,500. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes; motion duly carried.

North Farms Chief Wilkinson announced that they are having open house on Sunday, June 17, 1984 and would like to see the Council members there.

Mr. Gessert moved transfers of \$456, \$254, \$86, \$137, \$193, \$149, and \$225 from 203EW, a total of \$1,500 to 203EW to repair body damage on East Wallingford's Engine 8. Mr. Krupp seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen moved to waive Rule V to consider transfers for Fire Chief Jack McElfish and also for the Dog Warden. Mr. Diana seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved a transfer of \$1,500 from 203R-132 to 203R-160, \$600 from 203R-132 to 203R-163, \$1,479 from 203R-170 to 203R-150, and \$700 from 203R-195 to 203R-150. Mr. Diana seconded the motion.

Vote: Unanimous ayes with the exception of Mr. Rys who was not present for the vote; motion duly carried.

Mr. Diana moved establishment of a new line item account, 202-135 Temporary Part-Time Assistant, requested by the Dog Warden. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved the transfer of \$378 from 202-200 to 202-135, Dog Warden. Mr. Diana seconded the motion.

Vote: Unanimous ayes; motion duly carried.

While under Rule V, Mr. Parisi read a letter from J & J Custodial Service, asking for Council consideration of waiver of the bidding process and renegotiation of the contract which expires on 6/30. Mr. Parisi checked with various departments at Town Hall and based on input, he would recommend renegotiating this contract. Mrs. Papale pointed out that the Town Hall has been kept very clean and this contract has been negotiated before. A concern was raised that this has already gone out to bid and Mr. Parisi suggested renegotiating the contract before accepting bids and notifying the bidders. Mrs. Bergamini asked if there were many companies bidding the cleaning contract and Mr. Krupp said that he was told one company knew they were low bid and the contract was given to someone else so they stopped bidding the job. Mr. Krupp also preferred to have the recommendation of a department head. Mayor Dickinson expressed concern about negotiating without a recommendation from a department head considering the language under which the town operates. Mr. Diana noted that there is satisfaction with the performance of J & J Custodial Service and suggested a motion to waive the bid and enter into negotiations. Attorney McManus pointed out that a determination should be made that going out to bid is not in the best interests of the town. Mr. Killen pointed out that the Council should have acted to waive the bid before going out to public bid.

Mr. Diana moved that it is not in the best interests of the town to solicit new bids, accepting past performance of J & J Custodial Service, and would like to waive the bidding process and enter into negotiations with this service. Mrs. Papale seconded the motion.

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Mrs. Papale pointed out that Mr. Parisi misplaced the letter from J & J Custodial which was dated 5/22/84 and that is the reason the Council was not informed of this earlier. There was some discussion about having a letter of recommendation from the Purchasing Agent to waive the bid and Mr. Krupp pointed out that Mr. Dunleavy could not submit a letter without a request from Mr. Deak. Mr. Killen objected to waiving the bid at this point and feels it should be a regular agenda item. Mrs. Bergamini suggested that the motion be withdrawn since this has already gone out to bid. It was decided to vote on the motion. Mr. Krupp noted for the record that his father is in joint venture with one of the probable bidders, specifically DeFrank & Sons, and he will disqualify himself from voting. Mr. Parisi also noted for the record that he would disqualify himself from voting.

Vote: Council members Bergamini, Diana, Papale, Polanski and Rys voted aye; Gessert and Killen voted no; Krupp and Parisi disqualified themselves from voting; motion duly carried.

Mr. Parisi appointed Mrs. Bergamini, Mr. Diana and Mrs. Papale to negotiate the contract with J & J Custodial Service.

Mr. Krupp moved a transfer of \$250 from 132-601 to 132-901, requested by the Assistant Town Attorney. Mr. Rys seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved the appropriation of \$1,000 from Unappropriated General Fund Balance to A/C 804-828, requested by Town Attorney. Mr. Diana seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen moved to table acceptance of the minutes dated 5/22/84, seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved to note for the record financial statements of the Town of Wallingford for the month ending May 31, 1984. This motion was seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mr. Parisi noted the letter of thanks from the Thomas Wall family.

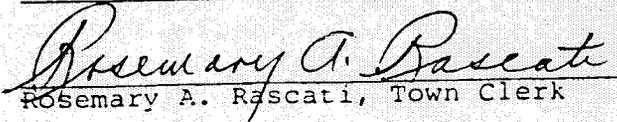
A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 12:50 a.m.

Delores B. Fetta
Council Secretary

Approved


Robert F. Parisi, Council Chairman

June 26, 1984


Rosemary A. Rascati, Town Clerk

June 26, 1984

AN ORDINANCE AMENDING ORDINANCE NO. 306 TO INCREASE THE APPROPRIATION FROM \$100,000 TO \$1,788,000 TO FINANCE THE COSTS OF REDESIGN, CONSTRUCTION AND OTHER RELATED WORK IN CONNECTION WITH THE RENOVATION OF THE MacKENZIE DAM LOCATED ON NORTHFORD ROAD, WALLINGFORD, CONNECTICUT, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

Be it Enacted by the Town Council in Session:

I.

The additional sum of One Million Six Hundred Eighty-eight Thousand (\$1,688,000) Dollars is hereby appropriated to provide additional funds necessary to finance the costs of redesign, construction and other related work in connection with the renovation of the MacKenzie Dam, including engineering fees, surveys, interest during construction, bonding costs, administrative costs, attorneys' fees and other expenses incidental and related to the renovation, said estimated costs more particularly apportioned as follows:

| | | | |
|---|---|--------------------|-----------|
| Construction | | \$1,190,000 | |
| Redesign | | 9,500 | |
| Field Supervision | | 155,000 | |
| Proportionate Charges (2% of Construction) | | 23,800 | |
| Administrative (2% of Construction) | | 23,800 | |
| Interest on Notes (7% of Total for 2 years) | | 238,000 | |
| Interest Income (9% for 3 months-Phase 1) (9% for 9 months-Phase 2) | | (76,500) | |
| Bonding Cost (2% of Construction Related Costs) | | 29,200 | |
| Contingency (8% of Construction) | See amendment on page 6 of June 12, 1984 minutes | <u>95,200</u> | removed |
| | | \$1,688,000 | |
| Ordinance No. 306 (Design Appropriation) | | <u>100,000</u> | |
| Total | | <u>\$1,788,000</u> | |
| | | \$1,693,000 | new total |

II.

That the Town of Wallingford increase the amount of bonds and notes authorized to be issued under Ordinance No. 306 from \$100,000 to \$1,788,000 to defray the additional \$1,688,000 appropriated in Section I.

2. RESOLUTION OF MUNICIPALITY

OFFICE USE ONLY

421

Project No. _____

Federal No. _____

WHEREAS, THE Planning and Zoning Commission of the Town of Wallingford
(Planning Authority)

has reviewed and approved the area known as The New Haven Water Company and
WHEREAS, the Conservation Commission has reviewed and approved the area known as

The New Haven Water Company which the Municipality desires to develop for
recreational purposes and the Planning and Zoning Commission has adopted a
(Planning Authority)
plan which designates such area for such recreational purposes; and

WHEREAS, the Municipality wishes to obtain financial assistance from the Federal Government.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL
OF the Town of Wallingford AS FOLLOWS:

1. That an application be made to the Commissioner of the Department of Environmental Protection for a grant in an amount of (\$1,206,968.00) dollars, and that the balance of the consideration for the Recreational Development will be secured by the Municipality from other sources.
2. That the State acting by and through the Department of Environmental Protection be requested to apply to the Department of the Interior on behalf of Town of Wallingford to provide the Federal share of the cost of recreational development of said land in accordance with Connecticut General Statutes and Federal Law.
3. That the Town of Wallingford * is hereby authorized and directed to execute and file such application, and to act as authorized correspondent.
Mayor of the
4. That the Town of Wallingford * is hereby authorized to enter into such agreements, contracts and execute all documents with the State of Connecticut, as may be necessary for said grant.
Mayor of the
5. That the proposed Recreational Development is in accordance with the Plan of Development of the Municipality and that, should said grant be made, said land will be retained in accordance with the provisions of Section 7-131a through 7-131m, and Section 22a-22 of the General Statutes of Connecticut, Revised to 1975, as amended.

I hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Municipality at its stated meeting held on the _____ day of _____, 19__.

Town Clerk

(Affix Seal)

*Insert authorized Town Officer or Commission, Item #3
*Insert authorized Town Official, Item #4