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Emergency Town Council Meeting

Rosemary A. Rascati
Town Clerk
(10)

September 30, 1985

5:30 p.m.

An emergency meeting of the Wallingford Town Council was held on this date in Council Chambers. The purpose of the meeting was to discuss with the Mayor the extent of the storm damage. The meeting was called to order at 5:32 p.m. by Chairman Gessert. All Council Members were present for the meeting.

Chairman Gessert states that this meeting was called to allow the Mayor the opportunity to talk with us and explain what has been going on and where do we stand and to bring the Council up to date. Obviously, financial matters will be coming before the Council that they will have to address but they don't have the answers or the exact numbers tonight. This was a disaster and we are trying to clear it up and the Mayor did want to address the Council and fill them in on the progress so that when people call, you can fill them in on what is happening. He then turns the floor over to the Mayor.

Mayor Dickinson states that they will have Ray Smith, Bob Beaumont, and Dick Nunn from the Utilities. He then states that in general overview, he is sure they are getting a lot of calls. As time goes on, people are concerned about when they will get electricity. First of all, in terms of the Electric Division, we have 14-15 crews now. Normally the Town has 4, we have an additional 10 and 2 more coming in from New Hampshire. So we have quite a few extra crews beyond what we normally have. They will be working and have been working around the clock. He believes 36 hour shifts. When they go on and when they come off Ray Smith could answer better. The two schools that did not have power, hopefully will have by the end of the day and those are Moran and Highland. Schools will not be in tomorrow because of hazards in travel. Most roads are open though today Grove Street, Clintonville, and North Whittlesey to his knowledge were still closed to traffic. Chairman Gessert then states that the debris on Clintonville Road has been moved and it is now passable. Mr. Krupp then states that North Turnpike is closed but this is not because of debris. It was closed and then opened and now they are working on it again so it is closed. Mayor Dickinson then goes on to say the Public Works has been working. They worked last night. From here on in they will work daylight to dusk shifts of 12 hours. We will be looking to hire and are hiring additional help. Contractors who will dispose of the brush and what is beginning to clog the streets. The Fire Department has been providing light at night for the crews of the Electric and a tanker truck has been going out to residents on streets that have well water. The truck will be going out from 5:00 p.m. on tonight and will be doing the same thing tomorrow night. The high schools have been opened and they will be opened again tomorrow. 6:30 a.m. to 8:00 p.m. for showers and water supply. The landfill will be open until 6:30 daily. The normal time is 3:00 and it will remain that way for garbage. But anyone with debris from the storm will be allowed until 6:30 daily through Saturday. If someone wants to use a fire alarm, they should use the telephone instead of depending on the boxes because of the uncertainty of the electrical lines. In general, there are a lot of areas expected to be repaired today, but probably from what he is told, it could be the end of the week before individual homes are in. Large blocks should be in within the next 2 days. He did say schools were out. It is an emergency situation as far as travel, as far as schools being open. It is not safe for buses or for walkers. In terms of the Council and the budget, we are going to be hiring additional crews to remove the brush. The Fire Department has been providing people, in addition the tanker truck will be going out, and of course the Electric Division will continue to spend money on equipment as well as the extra crews. As he indicated, they will have probably 12 additional crews. All of this means dollars and there is no way to tell what amount of money is necessary. We are going to have to move ahead to meet the emergency, get the power restored, get the streets free of debris, schools back in operation and he wants them aware that

the funds will have to be appropriated at some point. Another item that came up today is that they are going to need a bulldozer down at the dump because as the debris comes in you have to be able to keep pushing it back into the bulky waste site or the residents won't be able to bring the refuse in. Public Works will be picking up. If people put debris out by the road it will be picked up. This will be Town wide. This is also why they want to put on additional people, to move the process. Obviously, if this backs up into the leaf season, we will have major problems with traffic flow. 603

Mr. Killen then asks if he will try to set up a schedule and publish it as to when they will be on certain streets as they do with leaves? Otherwise they will go by and people will not have their debris out. Will we follow a schedule?

Mayor Dickinson states that he will have to set a schedule up with Mike Cassella. He doesn't think this is something that will happen overnight.

Chairman Gessert states that the initial shot will be to get the areas where they are piled up on the side of the road. They were working on South Main Street last night until midnight, they did No. Main Street today, they were on Elm Street late this afternoon.

Mayor Dickinson states that in terms of an overview, he feels it is important that everyone keep in mind that Wallingford has 180 miles of local roads and 35 miles of State roads. That is 215 miles of roads. There are not many other towns in the State that have our geographic area. That means they get strung out. Everyone of those roads has power lines on it and everyone is subject to damage. It just is a tall order to handle that. We had 16,000 people out and we are down to 1500 or so now. Due to the amount of damage, work has progressed well but there are still people without power. He is still without power so there is no discrimination.

Mr. Holmes then asks when he says 14 crews, does that include the trimmers, the digger derrick etc.

Mr. Nunn then states 11 line crews, 4 tree trimming, and 1 digger crew

Ray Smith then states that they just did get another crew from New York that is leaving 7:00 p.m. tonight. One of the Vermont crews arrived late this afternoon and they do have another crew coming from Vermont. This gives us 9 outside line crews, a digger crew and 4 tree crews.

Chairman Gessert then says that he has been down to the Electric Division offices at various times since Friday and the amount of work put out by Ray Smith and his staff is the maximum amount required by any human being. It has been one hell of an effort by everyone. You have been doing a wonderful job. There are some people out there who are not satisfied but you can't please them all. You have done a fantastic job and he just wanted to say this publicly.

Ray Smith thanks him and states rightfully the staff does deserve it. They more than we. They are the ones receiving all the complaints. It is tough for people to understand, especially if they are isolated, to understand the complexity of the problems and the extent of it. He then goes on to say they may be talking $\frac{1}{2}$ million dollars. He really can't say. They are still finding areas that are out of service.

Mr. Krupp then asks if they have established a policy as to how they are going to handle claims for spoilage? He checked the Department of Consumer Protection today and also talked with several insurance companies and was told if it was an individual failure where the line was severed between the pole and the house they would cover it, if it was a general outage, no.

Mr. Smith states that at this point to go out and determine if it is a general outage or an individual outage is near impossible.

Mr. Krupp then states someone raised a question about is there a policy or not.... Mr. Smith then states that their first concern is to make the thing safe and then put it back into service. They haven't even thought about the policy.

Mr. Krupp then states he is sure other people are experiencing the same things he is and that is calls dealing specifically if they have any financial recourse on spoilage. 604

Mr. Nunn states it is the position of the Commission that there is no liability upon the Utility or the Commission for spoilage in that storms such as this are determined an act of God and all he can refer them to is that if there are any claims forthcoming, they will be submitted to the Town Attorney or the Utility attorney or the insurance company and be left in their hands. At this point they take the position that the responsibility of spoilage is not the liability of the utility. This is their stand. If this is a correct stand or not, only the legal aspect can ascertain that.

Mrs. Bergamini then states that she doesn't feel they should have to take that on. She has been with the Town of Wallingford since 1958 and she has emptied her freezer three times for bad storms and never would it have occurred to her, in an act of God, to bill the Town for what she lost in her freezer. She has never heard of any town being responsible for anything like that. Her question is can you possibly tell us what areas are still out. Especially in East Wallingford and is there any kind of time?

Mr. Smith says he does have an update. There are some sections that have just been restored. They are Rembert, Williams, Meadow Street, No. Birch in the mid section. Marriot Circle, Northfield Road. Balsom is not restored, this could be a couple more days. This is right in the middle of that whole section. This is too much work. South Elm Street, in the area of Pond Hill has just been restored. The major areas still out include Clintonville Road, No. Farms Road, Durham, Laurelwood, Maplevue, Williams Road, No. Airline, East Main and Old Durham, Quigley. Mrs. Bergamini then asks if he has dates and Mr. Smith replies Tuesday or Wednesday. Mrs. Bergamini then states part of No. Airline was restored. He then states some sections. He is generalizing when he says East Main and Old Durham because this takes in Perkins Drive etc. No. Farms goes up and includes Tankwood, Rockledge area. There are still a lot of sections in Northford. They still have some parts of Yalesville. Mrs. Bergamini then asks about the area that has the grinder pumps.

Mr. Nunn states that is Chimney Sweep. Mr. Smith says he thinks this section is in. New Cheshire Road won't be until Wednesday. This is a bad section. Mr. Smith then states that after you see them all, on a scale of 1-10 they are all 9's.

Chairman Gessert then asks Mr. Smith if he has given a list to the Fire Department the areas that don't have power and don't have water. Do they have this list so they can hit that area with the tanker truck for water supply. Mr. Smith states he can check and make sure this is available.

Mr. Nunn states that the procedure they have is that the telephone crews in the workroom on John Street, has a list on the blackboards so that when someone calls in they identify what street they are on and they are told the most current knowledge they have. They have all manned those phones at one time or another and this is where they gather their information. If they don't have a specific answer, they will try to get it from one of the distribution people. They never say they will have it tonight and then they will be out for 2 more days. Rather, they do it the other way and say maybe within the next 2 days. They cannot be more specific than that because even when they send a crew out, they sent one out for example for a 45 minute job and when they got out there there was much more damage and it took them 5½ hours to finish when it should have been a 45 minute job. It is not an exact time to tell people when they will be back in service.

Chairman Gessert states that they commit themselves to put the tank truck out there and they should know the roads. Especially the ones with wells.

Mr. Smith states that they are out there now on No. Branford Road, So. Branford Road, Whirlwinds Hill. He then states he would like to review what their priorities are. The first thing they attempt to restore would be the Emergency Centers. The Police and Fire.

These are life and death situations. The medical facilities would be Masonic Home and Gaylord. Then they start with the major feeders. There is no sense starting at one end of the street if there is no source at the other. Then they get into the sub-feeders. Then you wind back in the smaller streets that might pick up 50 homes. Then on So. Elm Street has a major feeder of about 25 homes. Then of course traffic lights became a problems in Yalesville section. Even on John Street. This is basically the sequence. There are still some major areas out. No Whittlesey is one of them. This was so much work we felt we would have to leave that go and get some of the easier sections and then go back there. There are still areas where they haven't gotten rid of the major trees that fell. 605

Mr. Killen then asks if they are not sending their crews to a given area, they are spreading them out?

Mr. Smith states that there is only one, maybe two, double crews working. They had a double crew on So. Turnpike all last night until 5:30 this morning. They lost 4 spans, 3 poles in that area.

Mr. Killen then asks if they are following a program set up at the Utility office or do they just go.

Mr. Smith says it is all dispatched from here. This is one of the problems they have with the customers. People are stopping the men and saying you are not leaving until you take care of me. They tell the crew they have to take orders from us or else you lose control. They are scattered all over. One thing they do is send the tree crew first. There is no sense sending a line crew if the tree is going to take the line down. Basically this is done first.

Mr. Killen then says he has a list of where they are working and where they will possibly be working. Not that this will be in order. He states that people have been calling him because the answer they are getting is they have no idea. This is not how we should operate. Mr. Smith says they have an idea and Mr. Killen says this is not what they have been saying. Mr. Smith states that he has listened to the people on the phones and he has heard them say, they won't get it immediately but it should be soon, however there is no guarantee. Mr. Killen then states he can understand about no guarantee but he cannot understand no idea. This is why he is asking.

Chairman Gessert states the information that was given to the people handling the phone calls, and he was there, Marie and Steve, but they weren't given the schedule for today, the next day and the next day. When they posted it on the board, they said here are the areas that have gotten restored, here is the areas they are working today. Some people called and said I am not one of those areas and when are they going to do me. Nobody was in a position to tell them tomorrow or whatever. They only had what areas were restored between last night and today and what areas they would be working on today.

Mr. Killen then states that makes sense but if he calls up and says this is Mr. Killen on 280 North Colony, when will you get to my area, if he is told they have no idea, he may have well just as not made the call. If they tell him they are working in certain areas and they may be there in a day or two this at least gives him some idea. No idea leaves you cold. A person called him just before he left and said they were getting nowhere. He said call me just before, around 5 or 6. She called him at 5:15 and she said again she called and got no idea. She lives on So. Whittlesey Avenue on that one block area that isn't being touched. Again the answer was there is no idea when they are going to be reached. Someone along the line should have some idea of when they are going to be reached. Mr. Nunn then asks what block she is in and Mr. Killen states she is below Prince Street. Between Prince and Ward. It has lights on either side but he thinks Ivy Street is out and from Prince to Ward is out.

Mrs. Bergamini states while she was in the office she heard the girls saying it is not on the list for today. Then they would say if you like call back tomorrow morning and maybe then they could give them a better idea. They did this many times because she heard it and she did it herself. They are not on today's list and this is one thing they did say.

Mr. Smith says that one of the problems is working until midnight, 3:00a.m. he is making up the list for today because they don't know how far they are going to get. They almost had someone killed on So. Turnpike Road. Something let go in the middle of this thing. Also, they may have a setback. The day before, Feeder 7 went back out and took out Yalesville Sub. After it was connected & all restored. The problem is, he couldn't say if there will be power on Clintonville Road and No. Farms Road tomorrow. They have this schedule, if they clear through this, they will set their priorities from there. Mr. Smith says they will get to those people. 606

Mr. Killen states those people are trying to be as orderly as Mr. Smith. He couldn't do his job if he didn't have someone feeding him information. These people are trying to decide whether to stick it out for another night, should they go to their mother's house, should they pack it in etc. If they are told flatly it will be 5 days before you get it, this is what they are looking for.

Mr. Diana states that he agrees with Bert. One of the problems is they are not getting the information out to the people. In the earlier stages of this thing, the information was kind of a blanket. We are reaching the point now where we are getting a recording. Your areas will be reached withing the next 24-48 hours is what the recording says. He doesn't think anyone would mind if they only knew. Like Bert Says, you could be packing everything up to take your family to a motel and as you are going down the driveway the lights are going on. Frankly, he is not going to defend it. He is going to be a little less patronizing. He feels the people of the town have a right to know what is going on. They may not like it, but they have a right to know what is going on. He has no doubt that the Electric Division is working their butts off. No one is ever going to say otherwise. They are out there working some ridiculous shifts just to get the job done. We brought in additional crews. Can he ask when the additional crews were brought in?

Mr. Smith states that 2 of the crews got here before the storm. They arrived approximately 11:00 a.m. Friday morning. He can't remember times off the top of his head but he can find out. Holyoke got the first couple of crews in Saturday night. They have been coming in piece meal as they can be relieved. They are still checking with other areas. Eastern Mass. is just devnasted. They can't release anybody. A lot of the people in New York have gone to Long Island.

Mr. Diana then states you can't call your neighbor because they are in the same boat you are. People understand that. He called today because his business doesn't have electricity. He got a nice young lady and she told him he wasn't scheduled for today. At least then he could plan his day accordingly.

Mr. Smith says put yourself in their situations. People say why not today. They have mild spoiling, someone is dying in the other bedroom etc. You hear all kinds of stories. They really get testy. He saw a girl holding the phone away from her ear because people really yell.

Mr. Diana then says they are having the meeting on a Monday night. The storm was on Friday. He tried calling the Mayors office in the afternoon and got no answer. He can understand this but directly after the hurricane he tried to call his office to find out what was going on and what could be done to help. He was not able to reach anybody. The Mayor then asks him who he called. Mr. Diana states he called the Mayor's office. The Mayor then replies did he call the Police and Mr. Diana says why would he call the Police. Mayor Dickinson states that the Fire Dept. was the emergency command center during the storm and thereafter. Once the storm was over, he could be reached either through Fire or Police and after that he was with the Fire Chief and with the Electric Division. The police could have told you at any time or the Fire, or had been able to reach him at any time. Mr. Diana states he did what any citizen would have done and that was to call the Mayor's office. What he did after that was he called around and he finnally got in touch with Councilman Krupp and the two of them drove around that evening and tried to see if there were any problems and see what they could do. It was frustrating because they couldn't climb up the poles and fix the wires. We went down to the Electric

Division and Ray mustered up enough courtesy to show them around and get rid of them and he doesn't blame him. They wanted to see what was going on and how they could help. As far as he is concerned the meeting tonight is terrific but it is 3 days late. We should have had a meeting Friday evening, Saturday or Sunday. 607

Mayor Dickinson states there was no need for a meeting prior to this. We had an emergency department head meeting on Thursday. They had another on Friday. The coordinations with Red Cross and Civil Defense, everyone was here on Thursday and Friday. From there on, it was emergency services out there and he thought it was necessary for him to be with the Fire and Police and Electric to coordinate whatever plans had to be implemented for evacuation or whatever.

He was there on hand at the Fire Department and at the Electric. There was no need for a Council meeting at that point. If anyone needed to reach him, they could do it through 911 or the typical emergency numbers. As Public Safety Director, emergency is where he has got to be. That is the emergency numbers. He is sorry someone wasn't able to reach him but if he had called on Saturday afternoon, he would have gotten him in the office. If he called Sunday, he would have been at Electric or at the office and Monday of course regular office hours were open.

Chairman Gessert states that the bottom line is Friday night you would have had a little difficulty getting a quorum because Bert was running a shelter. Ray Rys was directing traffic around downed wires. He was answering phones for the Electric Division. Mrs. Bergamini states that Saturday afternoon, Steve Holmes and herself were manning the Mayor's phones.

Mr. Diana states that is nice but why wasn't the rest of the Council notified. Mrs. Bergamini states they weren't notified. They did what they could to help. Mr. Diana states they also did what they thought they could to help but it became very frustrating and they through their hands up. We got a lot of phone calls and normally he doesn't. He was very frustrated when he had no information to give out to people. He feels at this point, the Mayor's office should put out via the media some time updates. Possibly through WMMW radio so that people know if they listen at certain times they will get updates is one way of looking at it. The Electric Division could take off the recording at the Electric Division and start talking to people as much as it hurts. Mr. Nunn then asks what recording that is. Mr. Smith then replies that once you get beyond all the lines are busy, the recording comes on. Mrs. Bergamini states there are 7 lines to go through. How many more do you want. When you put the phone down it rings again. Mr. Diana then states that if this is how the system works, then you can't put a stone through it. Mr. Diana then states that one of the things he is concerned with, and he sees they opened up the schools for shower and so forth, he is wondering if there is a way to go a little further with that and help out with the food supplies. Is there a place food can be brought to because of all the freezers down. Or should we even consider a financial assistance program in any shape or form because some people as you know go from week to week financially. If there is no electricity and they can't work, they can't earn. Is there some sort of short term financial assistance program. We don't have a lot of people left, 1500, but that is still a lot.

Chairman Gessert states that fortunately it happened on a weekend where most people didn't lose time from work. Also the weather has been on our side.

Mr. Diana then asks if we have insurance. He read today where Northeast Utilities didn't have insurance to cover this. We don't have anything like this.

Mr. Smith states this would be a very expensive policy. Chairman Gessert then says Lloyds of London might take you but the premiums would be so ridiculous. It would be very expensive. Mr. Diana then says he is merely relating to a newspaper article he saw that said they didn't have any and he wondered if we did.

Mr. Nunn then states that there is a point he wants to bring up on liability or the part of damage. When a primary line gets empowered once again because the lines have been reconnected. That area now has power. If a particular home has their ground wire broken and they don't have a ground wire, they will have high voltage in the home. It sounds like a pathetic thing that you have to do, but if you want to protect your equipment, you

better cut your main breaker off your own house because you could be doing damage to anything that is 110, 120. The 240 lines are no problem. This is the responsibility of the home owner. The lights are no problem. They may burn out earlier but so what. There are other problems like dishwashers, dryers etc that could be burned out because of that high voltage. It has to be the responsibility of the homeowner to recognize that. Call if you have questions on this. They got many calls.. Sometimes they also have some low voltage problems. Mr. Smith states that the only thing he takes exception to is where Mr. Nunn said that an area where the power is restored. This is not necessarily true. There are individual services that we finally realized handle their own problems. At that point, their street crews have been told, don't waste 2 hours on one customer when they can go 2 hours and get 20 people back power. This has been their policy. That means that certain individual houses can go up to the weekend and perhaps even Saturday before they are restored. There is a big pile of individual services they have to get back to. 608

Mr. Diana states that again one of the biggest things they can do is to get information out to the public. If we could put it on WMMW through public service or paid announcement whatever. He uses this because it is timely. The newspaper would be 12 hours behind. If there is any way we can do something via the radio, this would be worthwhile.

Mr. Smith states he has talked to the radio every day. He missed them today because he was out on the road. The Mayor states he was on Friday, Saturday, Sunday and was on again today. Chairman Gessert states he was on WPOP on Sunday. We have tried to get the information out. He states the Mayor had a press conference today to get them up to date as to what was happening. He then states that as far as the schools being open for showers and water, he believes the churches were notified. They could then announce it. Mrs. Bergamini states that she had a lot of problems getting through to the Record Journal on Saturday. Nobody was in the Record Journal and she knew Rita Swingler lives in North Haven so she got her at home and she got her editor in New Haven. As far as the Record Journal, she finally got an editor who said he would try to get the information printed. WELI was excellent. They called them and on the very next 5:00 bulletin, everything was said about the showers and the dump.

Mayor Dickinson states that the police were out with bullhorns and they were the ones who dropped the messages off to the churches Saturday night so they could be announced for services.

Mrs. Papale then states Governor O'Neill has made CT a state of emergency. How is it going to be determined as far as each town receiving money or is it something we just have to sit back and wait for or will we be getting something back positively?

Mayor Dickinson states what they are trying to do is qualify for Federal Assistance. He had a call today from the State Civil Defense Officer saying they will be sending someone in to try to assess some time this week. At the point they come in, he will be sure Ray Smith gets in touch with them and other appropriate personnel. They will want to review what damage there was in Town and go back with their report. Mrs. Papale then asks if he will make this report or if individuals will have anything to say or will he do it for the whole town. Mayor Dickinson says he believes this will amount to assessing the overall damage within the community. They will be looking for governmental agencies for that. He knows the Red Cross went through and on the streets estimated \$190,000. That may be a little low. Overall the structural damage to buildings in the Town of Wallingford is fairly minimal. Mrs. Papale states that when she came in she heard Ray Smith say $\frac{1}{2}$ million dollars. This is where she was concerned. Where the money would go to offset the budget. Do they have to put it upfront and then expect reimbursement.

Mr. Myers states that we would probably have to put it up front and then apply for reimbursement from the government and it could be several years before they see it back. If there is anything that is reimbursable, he is sure they will all apply for it. In their discussions they are going to try and keep track of all these costs.

Mrs. Papale then asks how they will decide what towns need it.

Mr. Myers states that usually they would have to indicate what your costs related to the storm were. Then they would take the money and by formula would allocate the money. It would not be 100% reimbursable but whatever that portion would be by formula, would be reimbursed. 609

Mr. Nunn states they got some previous money from a flood that had occurred. It is not an unprecedented procedure. They had received money in the past.

Chairman Gessert states he did see Congressman Morrison in Yalesville and he did say he would be happy to offer any assistance on accepting applications.

Mr. Myers states that again, Wallingfords financial position will come in handy here.

Mr. Beaumont states that there was a meeting held at 1:30 this afternoon for department heads involved in the emergency services and this topic was brought up.

Mr. Holmes then states that Dave stole his line earlier in the evening and he did want to commend you people on a superhuman effort. Not only those in the Electric division but the Fire Department, the regulars and the volunteers, Public Works, The Police, they all pitched in and did a fantastic job. Some of the people that called him were saying where are the crews. He states they have 16,000 customers without power and have restored close to 15,000. You can be sure the crews are out there working.

Last night he took a ride through the Yalesville section and there were 3 crews working through the night. Chimney Hill got energized at 3:30 a.m. Because you don't see them at night, they are out there working. Although we have many people back on line, it is still no consolation to those who are still without power. The only thing we can say is please bear with us. You are not being forgotten. There are some heavily devastated areas and we are doing what we can.

Mr. Smith then states again they have gotten extremely good help from the Police and Fire Departments. Public Works has gone out of their way. He also thanks the Council people for their interest. The ones that did come down and answer the phones also.

Chairman Gessert then states that he wanted it known for the record that Mr. Holmes did slight Bert Killen and the Red Cross. Mr. Killen then states that as Ed had mentioned earlier, people with individual problems, those are something the Red Cross could probably address. The phones are still open. This disaster is their cup of tea so if you have individual problems this is where to call. This is what they are there for.

Mr. Polanski asks how much trouble it would be to let homeowners know which line they are on. He found out after the Ice Storm. He knows that at the end of the road they had power and he knows that he didn't. Could they let them know which feeder line they are on.

Mr. Smith states that is a problem because they do a lot of switching even during the course of normal operation and maintenance.

Mr. Polanski then states that wouldn't they be better off if they were told they are out because this whole section is out. Would it be too much of a problem.

Mr. Smith states that you may be on Yalesville substation. This goes to Feeder 1 or Feeder 7 depending where you're located.

Mr. Polanski states what he is saying is he could not come up with a map or information sheet to send out to all the customers and let them know where they are located and what system they are on.

Mr. Smith states that lines in Wallingford sometimes go for miles. Especially if they are in a remote area.

Mr. Polanski states that this goes along with what Ed and Bert were saying. Just to let the people know that their area was out rather than have them calling and be told they don't know.

Mr. Smith then states that some of the old sections of town, the lines go down the street, up the street, over the street and down the street. This would be difficult. 610

Mr. Polanski states there is no way to get information out to the customers so that when they call up and say they are on this street, how come I don't have power and my neighbor does.

Mr. Smith then states that some people are out of power because of a fault right at the Power Station. If you trace it back it goes up Old Colony, up New Colony, across Pent Highway, up to the right, back to Yalesville subsection and then comes back around. We track a couple of places and very few of them are simple. If you're close to the main station then it is only 1/4 mile away. But if you are way out, they have 60 square miles of service. 40 square miles in Wallingford and 20 in Northford. To track some of those lines... he got lost in Ridgeland the other day. He had been up there before but he left the map in the other car.

Chairman Gessert states that one of the things that happened nearby, in Meriden and Cheshire was that Northeast Utilities looked at the severity of the storm and as it started to break and everything started to go down, they pulled the plug. For what it is worth, they cranked up the Pierce Station and this was ready to go into service in case we lost the main transmission from Northeast Utilities who is still providing some service to the people in Town, with what we have available.

Mr. Killen states that many times a little gentlemen used to sit in the front row and say I don't care what you do but don't get rid of the Electric works. When the others are out, we always have power.

Mr. Diana then states that so called plug was pulled because of danger, not because of anything else.

Mr. Smith states that one advantage is that if trees push into the wires, they may not come down but they push the lines together. The lines short circuit and burn themselves down. If we had pulled the plug, by the time the wind was over and the time the trees were restored to their original position, they may have been able to save some lines. If they had pulled the plug, restoration would have been completely different. They would probably have left the whole town out for at least 24 hours. They would have had to start working out from the middle. There were some customers who were only out for a couple of hours. Some never lost power. Mr. Killen states he never lost power. There has never been a storm in town where he lost power on Colony Street.

Mr. Rys then states that on Sunday a line went down. He heard it. He had a few people ask him why line crews were there.

Mr. Smith states that when the line went down they lost a lot of customers. Yalesville substation was that whole feeder. They had to go back and restore those areas. When it came down it also took some of the commercial establishments on Route 5. One of the problems they had the first night was they couldn't even get meals for the people. Saturday morning he had to wait in the door for breakfast because all the people from Meriden and Cheshire were in Town because this was the only place open. This is why they were looking to restore some of those areas. Yalesville substation is about 1500 people.

Mr. Rys had another question from an individual who had seen a truck up on North Branford Road repairing a line at the Rod & Gun Club. He doesn't know if this was true. His reply was that this particular line had to be repaired before another area could be restored. They had the impression that someone was getting special attention. He doesn't think this happened.

Mr. Rys then asks if lines are torn away from the house, who is responsible.

Mr. Smith states that generally they are the responsibility of the homeowner. If there is damage on the service coming down. If it is just the matter of reattachment and the thing just needs to be reattached to the house, our men can do that. If there is any physical damage to the equipment, the service etc., it is

the homeowners responsibility to get an electrician. This is what they talked about. Electricians are calling saying hey this house is ready for service but we just aren't going to get to them. 621

Mr. Rys states what happens if this line was torn away from the house due to the fact that a tree hit a pole on the street that went right into their property.

Mr. Smith states in that case they cut them off. In some cases they have to go back in some cases and inspect to see if it is their responsibility. It is kind of callous in some cases but it has to be done if you look at the overall picture. You cannot spend 2-3 hours on an individual service unless it affects the whole situation. They can work 2-3 hours and get a dozen fixed.

Mr. Rys states he knows of a couple of instances where people say that tree that wasn't even theirs fell on the pole which pulled the line out of their house.

Mr. Smith states in those cases, he believes home owners insurance does cover that.

Chairman Gessert then states we are beginning to debate this subject. There are members from the general public and he would like to let them ask questions if they wish.

Zonna Sorota asks when repairing certain areas, do they take into consideration people suffering from life threatening situations. There is a lady down the street who has to be on a respirator, ventilator, has to have suctioning done. Her husband has a generator, he has to be there to keep this thing going. As you know Gaylord lost 2 generators. It took 15 minutes to get our line restored.

Mr. Smith states they try to give some consideration but from what he saw there were dozens of these types of situations all over. What they did tell many, in fact they told one person last night, they would have to call the Red Cross.

Mrs. Sorota also says she is suffering from Agoraphobia and she has not left her bed. She would go into a complete attack if she had to leave. Our area, 3 streets in the Ridgeland area did not have power, and when you called, someone who answered when Phil Moran called said Ridgeland, where is that? We have spent 27-28 years in taxes here. We ought to know.

She then asks if they take into consideration when they call and say hey there is someone here on life support.

Mr. Smith says they try to, depending on the crew assignments and what is already out, if there is nothing they can do for a couple of hours they will try to advise.

Mr. Nunn states if a primary line is out, there is nothing you can do, depending on what the problem is. It is unfortunate this person could not respond to emergency treatment. For instance the Red Cross, The Fire Department, or the Local Hospital. These are the only vehicles he could say.

Chairman Gessert states this is turning into a debate. They have had people on dialysis machines and obviously a lot of serious situations and they do what they can. Are there any other questions from the public before we adjourn? There are none and the meeting adjourns at 6:39 p.m.

Lisa M. Bousquet
Council Secretary

Approved: David A. Gessert
David.A. Gessert, Council Chairman

10-8-85

Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

10-9-85

Date

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10/10/85/dbf	

REVISED

TOWN COUNCIL MEETING

October 8, 1985

7:30 p.m.

- (1) Roll call and pledge of allegiance.
- (2) Public Question and Answer Period.
- (3) Accept donation of Flag from Kathleen & Richard McCormick.
- (4) Consider Report of the Building Rehabilitation Committee for the
Handicapped.
- (5) Consider and approve adoption of Resolution to amend the 1985-86
Budget to include \$250.00 received from Northeast Utilities Fun
Runs for Education, requested by Mayor William W. Dickinson, Jr.

- (6) Consider request of Double A Transportation company to decrease liability coverage (TABLED).
- (7) Establish new Accounts and Appropriate funds for costs incurred in Hurricane Gloria, requested by Mayor William W. Dickinson, Jr.
- (8) Consider & approve adoption of Resolution authorizing a Municipal Solid Waste Management Services Contract, requested by Mayor William W. Dickinson, Jr.
- (9) A Formal Commendation to all Town employees and Volunteers for their courage and self-sacrifice in assisting Wallingford in recovering from the disastrous impacts of Hurricane Gloria, requested by Councilman James A. G. Krupp.

(10) Note for the Record the following financial reports:

Wallingford Public Library
 Visiting Nurse Association
 Senior Citizens Center

- (11) Discussion and possible action pertaining to the following, requested by Councilman Edward L. Diana: (TABLED)
 - (a) Send letter to State Legislature and Governor O'Neill asking that the General Assembly consider putting a ceiling on the amount that a municipality can be sued.
 - (b) Enlist, by way of letter, the help of all Councils of the area towns affected by the recent insurance problem and ask that they too send a letter off to their legislatures.
 - (c) Set Up and discuss the possibility of again forming a Regional Self-Insurance Consortium.

(12) Discussion on Library lease, requested by Councilman Albert E. Killen.

(13) Accept Town Council Meeting Minutes of September 5, 1985. (Special Meeting) (TABLED)

(14) Accept Town Council Meeting Minutes of September 24, 1985.

(15) Accept Town Council Meeting Minutes of September 30, 1985.

(16) EXECUTIVE SESSION to discuss Personnel Matter.

Town Council Meeting

October 8, 1985

7:30 p.m.

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

Public Question and Answer Period

Shirley Calandrella, 17 Laden Avenue felt the Council Members should address reopening Parker Farms School, repairing other schools, a needed Town Hall, water & sewer department problems, housing increases, dam on Hall Avenue and concentrate on other problems other than the costs incurred after Hurricane Gloria. The Taber House should be gotten rid of once and for all. The State PUC and Legislature should be informed by letter by the Council that the amount should be noted on the utility bill such amount which is being paid for the hurricane and once this is paid in full, it should be taken off the utility bill. Mr. Ges-

sert indicated that Wallingford is paying its own share of the hurricane repair costs and he doesn't feel we will pay Northeast Utilities' for their costs. 614

Frank C. Totz, Jr., 51 Pine Street hopes the Resource Recovery issue will not be put to a vote tonight because he feels the town does not know what CRRA will give the town moneywise. He feels the State needs us more than the town needs them. He is opposed to the plant. Mr. Gessert noted that this is Item (8) on the agenda and all questions will be answered then.

Kenneth A. Hubbard, 43 Spice Hill Drive also requested to speak on Item (8) when presented.

Mr. Gessert commented that he appreciated everyone's patronage during the hurricane, the worst power outage in Connecticut's history, a gruesome week for the Mayor and many Town Departments.

Mr. Gessert read a letter from Mr. and Mrs. Richard J. McCormick, agenda Item (3), donation of the Town Flag which was tattered after Hurricane Gloria.

Mrs. Bergamini moved acceptance of a new Town Flag from Richard and Kathleen McCormick, Hamlet Manor, 9 Danny's Way, in memory of Mr. and Mrs. Jordan K. Silver, Sr. Mr. Holmes seconded the motion.

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

Mr. Gessert indicated that Mr. Charles J. Biondino, Chairman, Personnel and Pension Appeals Board, requested to be heard in case the Council had any questions concerning a recent action taken by the Personnel and Pension Appeals Board. Mr. Gessert felt that matter should be taken up before some of the longer agenda items.

Mr. Rys moved to go into Executive Session to discuss a personnel matter, seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Mr. Krupp who was not present for the vote; motion duly carried. The meeting moved into Executive Session at 7:47 p.m.

Mr. Killen moved to go out of Executive Session to waive Rule V at 7:48 p.m., seconded by Mr. Holmes.

Vote: Unanimous ayes with the exception of Mr. Krupp who was not present for the vote; motion duly carried and the meeting moved out of Executive Session at 7:48 p.m.

Mr. Holmes moved to waive Rule V to discuss hearing conducted by the Personnel and Pension Appeals Board, requested by Mr. Charles J. Biondino, Chairman. Mr. Polanski seconded the motion.

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

Mr. Rys moved to go into Executive Session to discuss a personnel matter, seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Mr. Krupp who was not present for the vote; motion duly carried. The meeting moved into Executive Session at 7:50 p.m.

Mr. Krupp arrived at this point in the meeting.

Mr. Polanski moved to go out of Executive Session, seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried and the meeting moved out of Executive Session at 8:10 p.m.

Mr. Polanski moved to adopt the recommendation of the Personnel and Pension Appeals Board to grant Henry McCully a one-step pay increase from the minimum to step 1 in job classification 10, effective July 1, 1985. Mr. Diana seconded the motion.

Vote: Council Members Diana, Gessert, Killen, Papale, Polanski and Rys voted aye; Bergamini and Krupp voted no; Holmes was not present for the vote; motion duly carried. 615

Mrs. Bergamini asked Mayor Dickinson for an explanation of the matter voted upon above from Mr. Stanley Seadale who was not present at the meeting.

Mr. Gessert moved to Item (4), Report of the Building Rehabilitation Committee for the Handicapped. Ms. Corrine Chace, Chairwoman, was present and explained that the Committee has been in existence for about 7 years. The Council was presented with documentation dated September 24, 1985 and Ms. Chace noted that two plans are being presented, with additional recommendations. Renovations must be made and the only choice the Council has is how many schools and exactly what you would like to do.

Mr. Gessert asked why the Council had no choice about renovations and Ms. Chace stated that Federal Government a long time ago stated that all public buildings, including schools, be made acceptable to the handicapped. If a town is not providing accessibility within its school systems, then it is discriminating to the handicapped.

Mr. Gessert asked if the town could complete renovations under Plan "A" and have one grammar, middle and high school available to handicapped and Ms. Chace indicated that according to the Town Attorney, 1 school on each level should be sufficient but the State has requested making one high school, one junior high school and four of the present seven elementary schools acceptable.

Mr. Holmes made it clear that Plan "A" at a cost of \$381,670.00 has additional engineering and architectural fees and the cost of the bond. He felt it would be prudent to hold off on any decision until the cost of removing asbestos has been determined. There definitely is a need to make the schools accessible to the handicapped.

Mr. Polanski felt that renovations, with all costs included, would amount to \$1,000,000.00, with 20 year bonding costs included. How many handicapped persons will be accommodated by these renovations? Ms. Chace did not have that figure available.

Mr. Krupp asked what percentage the State is willing to pay for the renovation of school facilities and Ms. Chace felt it was about 66%. Mr. Krupp is still not convinced that there is a need to convert any more than Sheehan High, Dag Hammarskjold and Stevens Elementary, for approximately \$400,000.00 with all costs added. If 20 to 30 people are involved, those 3 schools would be more than sufficient to accommodate those people.

Mayor Dickinson pointed out that Plan "A" assumes Parker Farms being renovated to allow access, taking up some of the burden regarding handicapped access.

Mrs. Papale asked if children who are presently bused to other towns would be allowed to stay in Wallingford if these renovations are performed. Ms. Chace indicated this is very difficult to answer because that is not the purpose of this Committee. Mr. Soldan stated that conversion of the facilities does not necessarily guarantee that the children will be brought back. Physically handicapped children can be brought back but there are others with multiple handicaps. Six are currently attending schools in town. Mr. Soldan stated that the Committee was charged with coming up with recommendations concerning the handicapped as the law mandates and the recommendations are here.

Mr. Soldan encouraged the Council to act in some way on the recommendations presented.

Mr. Diana feels there is a basic obligation involved which must be addressed and asked if the \$381,670.00 was subtracted from the 66% the State will pay. Mayor Dickinson pointed out that the State does not come and pay up front; if the town pays in cash, the State reimburses over 5 years. If the payment is not in cash, the State pays portions of the principle and interest back over the period of the term of the issue.

Mrs. Bergamini asked what needs to be done at Rock Hill and Mr. Soldan understands that the ramps and inclines are too

steep to have safe transportation for wheelchairs. Mrs. Bergamini felt that the design of Rock Hill School will not be easily renovated and have accessibility to every class. Ms. Chace felt that renovations would allow access to certain areas within Rock Hill. 611

Mrs. Bergamini asked if this plan went out to bid. Mr. Cei stated that the Council approved the hiring of an architect to assist the Committee with certain facts and to compile a report and we have worked together for a number of years. The Committee is giving the Council their report and met with the Mayor, Don Roe, and are asking you to consider the exterior of the schools.

Mrs. Bergamini asked what the architectural and engineering fees would cost on the \$381,670.00 Total Plan "A". Mr. Montana indicated it would be 8% to 12%, based upon the total price of the project and degree of difficulty, facets and problems, probably a 10% fee.

Mr. Rys asked if the Council could take action on steps 1, 2 and 3 of Plan "A" and not the exterior of the other schools or will this be unacceptable to the State. Mr. Cei stated that presently, the town is in violation. A recommendation was made in 1980. Most towns have 100% accessibility, based upon degrees of difficulty. Original on-site analysis was streamlined to make each school accessible for anyone. The other recommendation would be to make accessibility on site for parents so that an invalid parent could go and talk to a principal and that's the difference in the cost.

Mr. Rys asked again if Plan "A" were accepted, items 1, 2 and 3 with no exterior renovations to other schools, would the town be in violation of the law? Mr. Cei said yes because the first paragraph 21 of the State Building Codes says, "you shall not discriminate." We're recommending that you consider on-site accessibility both for parents over and above Sheehan, Dag and Stevens. Mr. Rys felt that providing parking and inclines would help. Mr. Cei stated that \$10,000 must be spent at a school to be eligible for reimbursement and the analysis was made based upon State Codes--near front entrance, curb cut, etc. The numbers are updated from 1981 but are not finalized. Mr. Cei pointed out that \$5,000.00 to \$6,000.00 is involved in pavement alone at one facility.

Mr. Gessert pointed out that at Stevens School, 3 spaces could be reserved for handicapped parking in front for much less than \$3,500.00--simply by having the places designated for handicapped. 4,000 square feet was repaved recently for \$3,500.00 (fire station).

Mr. Holmes feels the Council can take a variety of options, one of which is to appoint a building committee.

Mr. Krupp asked if there was documentation to support the numbers on the front page of the report other than what was provided which does not support those numbers.

Mr. Gessert feels that the Council has been given the facts and figures and they will now evaluate them and determine what can be done and how it will be funded. (See Exhibit I attached, 34 pages.)

Mr. Krupp asked for the financial backup and Mr. Montana stated that the original proposal was done 3 years ago and they have taken 10% per year which is a very nominal contingency cost escalation and multiplied it by 3 years and that is how those numbers increased.

Mr. Killen asked about the work at Moses Y. Beach for \$37,100.00 which is documented at \$18,000.00. Mr. Montana pointed out that 30% must be added to that \$18,000.00. Mr. Killen pointed out that you must double \$18,000.00 to come up with \$37,100.00.

Ms. Chace pointed out that as of January, 1985, the Red Cross has a notation of 5 children and 22 adults; 2 adults in the Adult Ed Program. This was in answer to Mr. Polanski's question on page 3 of these minutes.

Mr. Gessert thanked the Committee for their presentation.

Mrs. Bergamini read and moved the following resolution:

WHEREAS, the Town of Wallingford has received Two Hundred and Fifty Dollars (\$250.00) from Northeast Utilities from the RUN FOR FUN, and

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WHEREAS, the Town Council has recognized that funds provided to the Town of Wallingford by virtue of the Northeast Utilities FUN RUNS FOR EDUCATION are intended for educational purposes, and

WHEREAS, 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,

NOW, THEREFORE, BE IT RESOLVED by the Town Council that the General Fund Revenue Budget Account 704, Miscellaneous Revenues, be increased by \$250.00, and the General Fund Expenditure Appropriations, Board of Education be increased by \$250.00.

Mr. Krupp seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved to remove from the table the request of Double A Transportation Company to decrease liability coverage, seconded by Mrs. Bergamini.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini moved to consider request of Double A Transportation Company to decrease their \$10,000,000.00 umbrella policy to provide the basic \$1,000,000.00 coverage with an additional umbrella policy of \$1,000,000.00. Mr. Krupp seconded the motion for discussion.

Mr. Tony Autorino, President of Double A Transportation explained that last year \$11,000,000.00 liability cost \$8,700.00, consistent with the town's coverage. Mr. Gessert commented that Double A is doing a fine job with busing in Wallingford, based on complaints with other firms in the past.

Mr. Autorino explained that there are many buses carrying school children today with \$300,000.00 of insurance. He liked having \$10,000,000.00 of coverage but the rate went from \$8,380.00 last year to a still not yet firm quote but an absolute minimum of \$80,000.00 for the \$10,000,000.00 umbrella, 1000% increase. Mr. Autorino made it clear that he can obtain the coverage at that cost. The second fact is that in 2-1/2 years of busing in Wallingford, Double A has had 8 incidents and total claims are less than \$4,000.00. Basic \$1,000,000.00 coverage has gone up about 30% over last year. Mr. Autorino feels that this coverage with an umbrella of \$1,000,000.00 is consistent with what most towns are doing.

Mr. Krupp asked if an accident occurred due to gross negligence on the part of a driver which cost over \$5,000,000.00--who would share the liability for the \$3,000,000.00 over policy limits--the company, the Board of Education, the Town of Wallingford or a combination of all of them and would the Town's liability insurance cover that portion of the assessment against the Town? Mayor Dickinson stated that all three would have an exposure and whether our liability insurance covers us for the difference the Mayor would not hazard a guess. Mr. Autorino agreed all three would be sued and he mentioned that work is being done with the Legislature and the problem has come about because of wild, off the wall settlements.

Mr. Rys asked what the assumed cost will be and Mr. Autorino felt the basic coverage has gone up 30% and the additional umbrella will cost \$15,000.00 vs. the \$8,380.00 the \$10,000,000.00 was purchased for last year. Mr. Rys asked if a \$2,000,000.00 to \$3,000,000.00 umbrella could be obtained and Mr. Autorino stated this could be obtained with no question but there is a serious question as to where is the culpability and does Double A have the financial responsibility to provide it? For a fleet the size Wallingford has, the cost would be roughly \$15,000.00 per million over the basic million. Mr. Autorino pointed out that the National School Transportation Association has a carrier that will not provide more than \$300,000.00 of insurance.

Mr. Autorino pointed out that Double A has coverage from October 15 to October 15, eliminating a crisis that might result from obtaining coverage at the beginning of September. 61

Mr. Annis stated that the Transportation Committee recommended that the Board of Ed go along with this suggested coverage but when it reached the full Board, the Board recommended that we should seek something in between. Mr. Soldan stated there were 8 Board Members and the President of the Transportation Committee and it was unanimous to recommend to the Council to grant support to this proposal. (something in between).

Mr. Autorino told the Council that it is an economic fact of life that it is not in the cards to do more; furthermore, he believes that next, the situation will get dramatically worse. Double A is contractually obligated to provide \$1,000,000.00 basic coverage and a \$10,000,000.00 umbrella; however, within the bounds of contract law, common sense and economic reality, when it is not any fault of Double A that this situation exists, it is incumbent upon Double A to ask the Council to give up some coverage and they will take some part of the beating.

Mr. Gessert would like to see at least \$3,000,000.00 worth of coverage. The bottom line is, do you ever have enough insurance coverage for a major disaster and the answer to that is no. Mr. Autorino would like to see \$5,000,000.00 but you can get to the point where you can provide an economic hardship. When you consider the fact that Double A is not coming to you with a provision of \$300,000.00 which is what the State of Connecticut mandates--I am absorbing roughly a \$25,000.00 increase already--I just don't think it is fair and equitable to ask me to bear the burden of this extra million if in fact you want it. When the town had 10 to 15 million dollars of umbrella, it made infinite sense to ask Double A to have the same but if you don't have 5, or 10, it doesn't make a lot of sense to ask Double A to provide more than 2.

Mr. Diana felt that based on the information given tonight, he does not feel the Council can make a decision because they don't know what the cost will be and he does not feel he can support less than 5 million with 60 people on a bus. To be sued for 1 million dollars per person could put Double A and the Town bankrupt quickly. Most importantly, do we have double coverage by our own insurance carrier? These facts are important.

Mr. Gessert asked the Town Attorney if the Town's general liability would apply in the event of a school bus accident and Attorney McManus indicated he would have a tough time figuring out why the Town would be sued but assuming the Town was sued under some theory that we didn't adequately supervise them and assuming a worst case scenario, our umbrella would probably pick up whatever liability we have.

Mrs. Bergamini referred to the letter dated September 3, 1985 from Double A where a notation was made with basic coverage of \$1,000,000 "per occurrence" and Mr. Autorino indicated that that is where the umbrella kicks in.

Mr. Autorino believes that within the 2 million dollars, he believes Double A is providing, in today's insurance market, the maximum amount of insurance that is economically viable for what Double A is doing. If you ask Double A to provide 5 million, you have a contractual right to do that; a contractual right to say it's 10 million. We would ask you not to penalize us for actions totally outside of our control if you really believe that 2 million is not enough and decide is it worth it, in fact, for you to help us finance it?

Mr. Killen asked how long the bus contract has to run and Mr. Autorino stated one more year with a two year option which does not specify the same terms and he can assure the Council Double A would never take a contract with a 10 million dollar liability policy in today's market. Mr. Soldan pointed out that the option to renew language allows a readjustment of some of the contract language and terms, as opposed with going out to bid.

Mr. Killen felt that the wrong move made by the Council would result in the Town standing to lose. Mr. Autorino pointed out that the Town found it in their best judgment to reduce their liability insurance from 20 million to 1 million because of

not make that decision--the insurance company did. Mr. Autorino felt that if the Town said he must provide 10 million in coverage, it would make his contract not viable and he felt it would hold up in any contractual situation. 019

Mr. Krupp asked if the Council was being asked to consider an amendment to the terms of the contract with Double A--the answer was yes.

Mr. Krupp asked who signed the original contract and Mr. Soldan said the Town Attorney represented the Board of Education. Mr. Krupp then asked why the Town Council is talking about this after the contract was negotiated between Double A and the Board of Education.

Mr. Diana felt that the Council should not compromise the position of the Town of Wallingford by going any lower than 5 million dollars.

Mr. Ed Bradley feels that Double A has done a superior job. The cost of coverage has gone from \$8,000.00 to \$80,000.00 for 10 million dollars of coverage and he feels that the company should not be penalized because their record is outstanding.

Mrs. Papale indicated that 2 million dollars of coverage is not enough and just one accident could demonstrate that.

Mr. Killen does not feel it makes any sense at all to drop the existing coverage because of the decisions which have been handed down in court, especially when the Town is not paying the dollars. Ten million dollars is still a realistic figure.

Mr. Soldan commented that when the Town dropped from 20 million liability to 1 million, he is making the assumption and someone should correct him if he is in error, we also dropped the insurance coverage on our buses and vans that we own and possess. The school children in Special Ed and the Vo-Ag bus both have 1 million in liability. Mr. Diana pointed out that the Town backs up the risk.

Mr. Krupp observed that we are dealing with a private enterprise, a question which affects profitability and we are also dealing with a vendor to the Town of Wallingford who in good faith negotiated a contract that is now faced with the possibility of severe financial loss due to circumstances not under his control and that is something to take into consideration when voting.

Vote: (Motion on page 6) Council Members Bergamini, Diana, Holmes, Killen, Papale and Rys voted no; Gessert, Krupp and Polanski voted aye; motion did not carry.

Mr. Holmes moved to accept 1 million dollars of basic coverage and a 2 million dollar umbrella and have the Board of Education renegotiate the contract for another year at the same terms.

Mr. Killen felt Mr. Holmes can make his wishes known regarding the contract but that this cannot be part of the motion. Mr. Gessert felt it would be wise to take a look at the contract.

(There was no second on this motion.)

Mr. Holmes moved to accept 1 million dollars of coverage with an additional 2 million dollar umbrella, seconded by Mrs. Bergamini.

Mr. Rys asked an opinion of the Town Attorney and he felt that Councilman Holmes was suggesting modifying the existing year's contract with Double A, in exchange for extending the current contract under those same terms and conditions and save themselves a potential rate increase next year so that the Town is getting something back and are not just forgiving a requirement of the current year contract.

Mayor Dickinson suggested if the Council is looking to extend this contract, he doesn't know if the contract contains any inflation factors (Mr. Autorino stated it does not), probably a vote on it at this point doesn't mean much unless there is willingness to extend the contract. The Mayor suggested setting up a meeting to negotiate an extension of the contract.

Mr. Soldan felt it is not in the Board's best interest or the Town's at this point to consider voting on the contract until it has been discussed. 620

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

Mr. Autorino commented that if it turns out that 3 million dollars worth of coverage is an amount which is inordinate, inappropriate and financially irresponsible, he will come back via the contract's arbitration clause and send it to arbitration. If, on the other hand, it is something Double A can swallow, they will swallow it and negotiate in good faith in years to come. For the record, Mr. Autorino noted that he feels very, very poorly about this. Double A has worked very hard to give Wallingford the best school bus transportation and that many of the Council members have voted with his pocket in mind and not yours and that bothers his relationship because the Town has gone from 20 million to 1 and you are not letting Double A go from 10 to 2. Mr. Gessert indicated it was nothing against Mr. Autorino or Double A's record and everyone empathizes with Double A's position but the Council is afraid of a lawsuit and is always held up to public scrutiny.

Mr. Gessert called for a five minute recess at 10:00 p.m.

Mr. Rys moved to move up agenda Item (8) to this position in the meeting, seconded by Mr. Holmes.

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

Mr. Krupp read and moved the following resolution:

RESOLVED: That the Town Council of the Town of Wallingford approve the recommendation of the Mayor on the following resolution:

"Resolution of the Town Council of the Town of Wallingford, Connecticut, authorizing a Municipal Solid Waste Management Services Contract between said Municipality and the Connecticut Resources Recovery Authority.

Be it resolved as follows:

SECTION 1. The Town Council of the Town of Wallingford Connecticut, pursuant to Sections 22a-275 and 22a-221 of the General Statutes, hereby authorizes the form, execution delivery and performance of a long-term Municipal Solid Waste Management Services Contract with the Connecticut Resources Recovery Authority providing for disposition by the Authority of solid waste of the Municipality through the use of regional facilities providing adequate resources recovery and waste disposal processing and providing for the pledge of the full faith and credit of the Municipality for the payment of all services rendered by the Authority, which Contract shall be generally in the form and have the general terms and conditions of the Contract presented at this meeting and to be attached as an exhibit hereto and authorized by this resolution.

SECTION 2. The Mayor, the Chief Executive Officer of this Municipality, be, and hereby is, authorized, directed and empowered on behalf of the Municipality to enter into and execute said Contract in generally the form and upon the general terms and conditions as presented at this meeting, with such changes, revisions and amendments as he in the exercise of his judgement may agree to as being in the best interests of this Municipality, and which terms, conditions, changes, revisions and amendments are hereby approved and specifically agreed to, and to deliver the same to the Connecticut Resource Recovery Authority under the corporate seal of the Municipality which shall be affixed and attested by the Town Clerk, and the Mayor be, and hereby is, authorized and directed to act as the representative of this Municipality on the Policy Board to be established pursuant to such Contract.

SECTION 3. The Mayor and other proper officers of this

and empowered on behalf of the Municipality to enter into, execute and deliver such other agreements, certificates and other instruments as they may deem necessary or appropriate to consummate the transactions contemplated by said Contract. 621

SECTION 4. Copies of said Contract as executed be and shall remain on file as part of the minutes of this meeting.

SECTION 5. The terms and provisions of the Contract and the arrangements contemplated by the Contract for waste handling and resource recovery using the system described in the Contract shall be submitted to the commissioner of environmental protection pursuant to Public Act No. 85-436 as part of a twenty-year plan for the management of all solid waste generated within the boundaries of this municipality, and the Mayor and other proper officers of this municipality be, and they hereby are, authorized, directed and empowered to take all such other action as they deem necessary in connection with the preparation and submission of such a twenty-year plan to the commissioner of environmental protection.

SECTION 6. This resolution shall take effect immediately."

Mr. Rys seconded the motion.

Mayor Dickinson thinks it's important to recognize that this item is vital to the future planning of the community. It is something that has been planned over a number of years. We face a crisis on solid waste and what we are going to do with it and, as you know, I am recommending the Connecticut Resource Recovery Authority (CRRA) proposal for three reasons. We can't tell exactly what the costs will be because the cost depends on a number of variables that we can't forecast accurately right now. This is recommended because:

- (1) It is experienced.
- (2) There is a guarantor.
- (3) The product, steam electricity, is very marketable and will always bring in revenue.

For those reasons, it's a good proposal and it's in the interests of the Town, Mayor Dickinson believes, to execute the agreement.

Mr. Philip J. Hamel, Jr. also recommended that the Town Council adopt this proposal tonight. Mr. Hamel has been working on resource recovery since 1974, during the Carini administration. We tried to put together a plan in New Haven for a 15 town region and discovered we did not have adequate waste for a large scale facility. About four years ago, the Council authorized the Mayor to negotiate with CRRA and it has taken this long to get to the contract terms.

Mr. Hamel recommends CRRA because it's a proven, cost effective, efficient technology. It's got state-of-the-art pollution controls. The State of Connecticut has the most stringent air pollution regulations in the nation right now and we're going to have acid gas scrubbers and bag houses and this will be a clean and efficient plant. The Pittsfield, MA plant has been operating for four years and is an efficient type operation.

Mr. Hamel stated that CRRA has provided us with a good, basic business package. They've gotten us the best rates they can and have worked out a variable rate financing package which was recommended by Connecticut Bank & Trust, advisors to the Town, to be the best financing tool available today. Everything in this resource recovery facility package commends the plant to be built--Mr. Hamel believes it is something Wallingford should do.

The schedule on this is that other towns will begin voting on this on Thursday, October 10, 1985, Cheshire will vote and Mr. Hamel feels that Wallingford should take a leadership position on this because if we go to other towns and Wallingford has not yet voted on this, they will ask if there is going to be a plant because if Wallingford doesn't approve it, there is not going to be a plant. All other towns are being asked to approve this prior to the end of October. Hamden is scheduled to vote

on October 20, 1985, North Haven on October 24, 1985. Meriden has not scheduled their vote but there is a meeting with them on October 9, 1985 for presentation and a vote will be scheduled. 62c

Mr. Hamel feels that in his judgment, without qualification, this is going to be the best, most cost efficient and least expensive package that can be put together for the taxpayers of Wallingford at this time. He does not think there is another system that is as good and that will do the job for this cost. Mr. Hamel wholeheartedly endorses this action tonight.

Frank C. Tutz, Jr., 51 Pine Street is concerned about the environment since he saw a program on Channel 24 which talked about dioxin emissions from this type of operation. He understands that the smokestacks on this type of operation must be 165 feet tall and one of the reasons is so that the dust and carcinogens will drop far enough away from the plant. The scrubbers which will remove the carcinogens use water and this will contaminate the water. Mr. Tutz does not feel the Council should rush into a vote on this tonight. He has read the ORFA material and feels it is environmentally safe in all regards and sounds like a better plant. He also feels there will be traffic problems, highway problems and repairs to the John Street Bridge at a cost of \$2,000,000.00 because of heavy truck traffic.

Mr. Hamel commented that literally thousands of hours have been spent investigating this process and other processes and his recommendation of CRRA over others is not done lightly. The environmental impact has been looked at and it is true that the stack will be 135 feet high but it's also true that there are hills nearby and because of that, DEP treats this plant as though we were in a bowl and they want the stacks high enough so that emissions will clear that. This requires acid gas scrubbers and bag house and bag house is similar to a vacuum cleaner. The smoke, if you will, from the process, goes through a cloth, a fiberglass cloth, and the cloth traps the particles which are very finely sized. No emissions will be seen from this plant and there will be continuous monitoring of the emissions from the plant 24 hours a day. Some of the emissions the State is requiring to be monitored, there is not yet equipment to do the monitoring but as that equipment becomes available, it will be put on to the plant and monitored 24 hours a day for pollutants. This should be the cleanest plant in the United States because of the emission control systems.

Mr. Hamel stated that the dioxin problem is dealt with by requiring a certain burning temperature and by requiring a certain residence time of gases in the feeder furnace. Dioxins are produced in nearly every burning process--people who have wood stoves are producing dioxins. In this case, by keeping the furnace temperature at 1800 degrees and by requiring one second residence time with that, the State is confident that this will destroy the dioxins caused by the burning process. The monitoring of this plant is going to insure that there is not any deterioration from the performance and the standards set by the State are such that if the plant doesn't perform properly, the State will shut it down. Mr. Hamel does not see that there will be any air pollution problems.

Mr. Hamel is not aware of any liquid effluent coming from this plant which would cause water problems. It's true that the residue from the plant must be landfilled but that should be more controllable than raw refuse because many of the components of raw refuse have been destroyed and it's an ash when it gets to the landfill. We've checked with the State and the State says that the ash is a safe compound to the landfill. From every environmental standpoint that we've checked, this plant is safe. It's a lot safer than what we've been putting into the landfill. Mr. Hamel is convinced that this plant is not going to be a danger to anyone in Wallingford.

Mr. Gessert asked if he lived one-half mile from the plant and the wind comes in his direction, what would Dennis Martin tell him? Mr. Martin stated that the DEP has confirmed results that the plant will not violate any existing air quality standards, set very stringently and checked out. The plant could not be built if it would violate standards. The dioxin issue which has come up in the past--we have agreed with DEP that we will maintain combustion temperature at 1800 degrees fahrenheit and in order to insure that we do that, we do have auxiliary burners in the facility so if we get in a load of garbage which is relatively wet, these burners will kick on. CRRA has checked with

EPA about the dioxin issue and they did a risk assessment about 2 years ago and updated it about a year ago and using the numbers they have in the risk assessment indicates that there is no problem with these plants.

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Mr. Gessert asked to have risk assessment defined and Mr. Martin indicated that EPA is charged to make sure that these plants do not impact public health and welfare and they went through a very long, complicated procedure with toxic problems and looked at all the different resource recovery, particularly with dioxins, and the end result is that these plants do not appear to any threat to the public.

Mayor Dickinson pointed out that all Council Members should have Exhibit I, Summary of Environmental Design and Proponents' Criteria for Wallingford Resource Recovery Facility (two sheets). That information is available for anyone in the audience.

State Representative Mary M. Mushinsky had a comment on the tipping fee and indicated that legislators were urged in August to speed up approval of any contract that is dependent on tax free bonds so it is finalized before December 31, 1985. Any contracts not signed by that date will likely have doubling of the tipping fee. (See Exhibit II attached.)

Mr. Krupp seconds Mr. Hamel's recommendation on the basis that, like most people in Wallingford, I live here, I have children in school here and have concerns about the environmental questions and am satisfied with the information that has been provided. It appears to be safe and he has no problems supporting the proposal.

Mr. Diana worked with Phil Hamel for 2 years on the Economic Development Commission and knows the type of research he does and everyone's mind should be at ease to know that this matter has been thoroughly researched before giving his approval. This is the culmination of ten years of personal achievement for Phil and it will be very rewarding if and when it passes through the Council this evening. The CRRA, or VICON plant, was the choice going back 4 or 5 years, possibly even more, until ORFA was introduced a couple of years back. Other methods were researched and CRRA has stood the test of time and I'd like to believe CRRA is the way to go and will give it my full endorsement and will vote favorably tonight.

Mr. Polanski asked, if necessary, can all of the energy from that plant be used for electricity? Mr. Martin indicated that the generator design is an extraction generator which means that all of the steam that comes out of the plant goes through part of the generator and some steam comes out before it finishes going through the generator to go to Cynamid.

Mr. Holmes noted the concern about trucks and traffic and after discussions with the Council and Mayor, he understands there have been some restrictions placed on the routing of the traffic, not allowing trucks going through residential districts.

Mr. Holmes asked if Payment-in-Lieu-of-Taxes is presently being negotiated and Mr. Hamel answered yes and if things go well, it will be available for the next meeting. Mr. Hamel indicated that it may perhaps more than \$125,000 to \$150,000.

Mr. Rys asked if Wallingford residents could go to the site with dumpsters set up since Wallingford is the host town--at no cost? Mr. Hamel stated this is not possible and there will be a cost since personnel are needed for this. If Wallingford wants to provide this service free, they have to do it on their own. They are quite willing to provide access for residents but there will be a fee involved, but they will provide this service at their cost and will not make any money on it. The Town has the option of picking up the cost or having the resident pay for it. That is a separate agreement--the important thing is to get financing in place. There is also a municipal contract for haulers, municipal ordinances and these things have to be done during the interim period after financing occurs.

Kenneth A. Hubbard, 43 Spice Hill Drive, a member of SPARROW, also representing others, is concerned about the toxic air emissions and the health effects from a mass burning facility. Why was a mass burning plant chosen as opposed to a non-burning plant?

Mr. Hamel stated that the other plants do not have a commercial operating history that makes it feasible to look at those as something that will solve our problem. If we can't in fact solve the problem with the plant we buy, we're back at square one and we've got to go through another 4 years of planning, with several million dollars of cost, in order to find another plant if that doesn't work. The Chief Executives of the Town, the Authority and me, with my experience, were all unwilling to take the risk with something that does not have a commercial operating history. Mr. Hubbard asked if they are willing to take the risks of the health hazard with the toxic pollution being produced in this burning facility? Mr. Hamel pointed out that all of the experts talked to have said that there are no risks involved with this plant--it will be the cleanest plant in the State of Connecticut and probably the cleanest in the United States. 62

Mr. Martin stated that the State DEP is now putting together its toxic air program. The plant will meet any new regulation that comes out. More than that, there's nothing we can do--we can't look at hypothetical situations on different types of pollutants. The State has cataloged 7,000 types of pollutants that this new toxic air program will apply to and if any of those are in the flue gas of the system and the State requires us under regulations to decrease those amounts, then we will do it--that is the most we can do.

Mr. Hubbard asked if both burning and non-burning systems have been investigated and Mr. Martin stated that over the years, the Authority has investigated every system to take care of refuse and we do have criteria now, after Bridgeport, that these plants have operating experience and there just aren't any plants that have operating experience that are non-burning in nature. We would never be able to finance a plant that has no operating experience. Mr. Hubbard stated that all the plants that he knows about have had bad operating experience due to burning and most of them have been closed down. Mr. Martin stated that VICON has offered their facility to be, in a sense, a laboratory for dioxin testing. They are so sure of how good the process is that they are allowing governmental agencies to test for that and there is no other vendor in the country that will do this--that's how much confidence they have.

Mr. Hubbard pointed out that Pittsfield is not a very high density situation and there could be a difference in the dissipation and without people around, it wouldn't be noticed. Mr. Gessert noted that most of the Council Members toured the Pittsfield facility, within a quarter mile of a shopping center and residential areas are not far from it. Mr. Martin indicated there is always the same concern and what they have been looking to in terms of toxological effects within the European plants, and he does not know why, but the Europeans have a penchant for putting these plants in the middle of a downtown area. They have been operating for 20 years and if there have been any results in any of the health literature, Mr. Martin does not know about it.

Mr. Hubbard asked how many systems were investigated and Mr. Martin indicated there are 14 to 16 vendors in the State as of today. In terms of non-burning, we have people who are going to make garbage into bricks, oil, coal, etc. We have listened to them and they might all work but there just isn't any operating experience--there's no place in the country that makes garbage into bricks. There are places very near to us right now that do make garbage into a fuel, burn it as a fuel and make electricity and steam.

Mr. Hubbard stated that the Wallingford Post is going to publish an article on the subject of mass burning vs. non-burning and he strongly feels that we should allow the citizens of Wallingford the privilege of reading it, making them fully aware of both sides of the issue before any decision is made tonight.

Mr. Hubbard asked if any of the Council Members are aware of the Philadelphia decision about the trash to energy plants? Mr. Gessert said he was aware of the Philadelphia case. Mr. Hubbard has a reprint from the Philadelphia Enquirer, one where Mayor Goode abandons the trash to steam plant. "For much of the past year, Goode had insisted that trash to steam, which burns unprocessed trash, was the only feasible way to handle the City's huge volume of trash. The Mayor said he reversed his position in

the last 2 weeks, switching from trash to steam to fuel producing plants after he called and talked to 6 municipalities around the country where fuel processing plants are in operation." There is also an article written by a Councilwoman stating, "don't rush trash into steam" and her reasons why. Mr. Hubbard asked that these reprints be distributed to the Council. 625

Mr. Martin followed Philadelphia for a while and when Wilson Goode was City Manager, he was proposing the trash to energy via burning. As often happens, after he became Mayor, he decided to take a second look at everything. The truth is that you can turn this material into fuel but it still has to be burned somewhere and it will be burned in facilities if you make it into fuel and it will be burned in facilities that do not have stringent controls on them that this plant has. It compounds the problem and makes it worse. Here at the plant, we have acid gas scrubbers; we do have dioxin control and we have the very stringent particulate controls. We could turn it into fuel--in the state that is called the non-burning technology, all you are doing is turning it into something that you can haul off and burn in a boiler somewhere. What we are doing is cutting out the middle step there and burning it directly. Burning it in a boiler somewhere else makes the environmental threat worse in Mr. Martin's opinion.

Mr. Hubbard's argument is that when you're burning the fuel produced by these plants, you are burning clean, non-toxic, sterilized material, not raw garbage and there aren't any toxins to be emitted. Mr. Martin stated that if there is anybody out there sterilizing tons of garbage a day, it is the first he has heard of it. Mr. Hubbard referred to the ORFA system and Mr. Martin could not argue this point because ORFA doesn't have a commercial operating plant that we've been able to study that would give us that type of information.

Mrs. Bergamini interjected that the Council went to ORFA and sat through 7 hours with them and Mr. Hamel had 3 pages of questions about their system and they were not able to answer at least half of those questions. They were supposed to get back to us with a figure and to her knowledge, they have not. They were supposed to have a plant on line in Philadelphia and the Council considered going to see their only plant which is in operation in Switzerland and the reason we didn't is because it's a very small plant and to relate it to the Town of Wallingford was just ridiculous. All we wanted from ORFA was to see it in operation and have our questions answered. We looked at every angle of ORFA--this is not something we've decided in haste--I've been on the Council 4 years and from day one, we looked into resource recovery. Mayor Vumbacco went to California with Phil Hamel at least 7 years ago to investigate another process there which was supposed to be terrific and turned out to be a dud, a pyrolysis plant. We've literally run out of time.

Mr. Gessert stated that he was very pro ORFA, liked their concept better and what they do with the garbage, munch it, crunch it, separate it, sort it, sterilize it and resell it. However, one of the problems that we ran into with ORFA is not the fact that they couldn't answer questions on what they could do. There were too many problems. One, they do not have an operating facility of commercial size; there is one under construction in Somerville, MA which will be on line within another year, one in Philadelphia and one in Greeley, CO but the fact is that none of them are on line today to take a look and see how they work. The facility in Bridgeport didn't work either and that wasn't ORFA's. The problem wasn't with what they could do with the material and could they contract to market it--Mr. Gessert believes they could. As of September 25, 1985, they did not have a contract to sell it for particle board, etc. The biggest problem came down to one of financing. We discussed it with them. Tyson, who is a tremendous steel and development company all over the world, guaranteed them financing for their first couple of projects and my last conversation with Ron Denney (ORFA) is that Tyson backed out of support for Wallingford and is waiting until they get the next couple of plants on line before they commit any funds to future plants. On May 9, 1985, the Council went to Philadelphia to visit ORFA and much time was spent researching it. In theory, Mr. Gessert would vote for their plant in a minute but there is no funding for their plant and we're running out of time. The only thing ORFA has to offer right now is about \$21 a ton for tipping fees vs. around \$23, with no financing guarantees; there are not many alternatives if a decision is to be made.

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Mr. Hubbard asked what the rush is for and Mr. Gessert stated that we are presently under orders to close the Wallingford landfill and are spending about \$400,000 a year on the closure process. When we look at the federal tax laws and financing laws, if the tax advantages are removed from this type of facility and we decide to do it in 1986, the tax advantages could disappear between now and then and we could say, yes, that is the way we should have gone on October 8, 1985 at \$23 a ton and we will be looking at \$50 a ton. Mr. Hubbard asked if the \$23 a ton is guaranteed and Mr. Gessert has a proposed rate schedule to the year 2007, starting out at \$22.80, jumps significantly in ten years and after that, it's almost cut in half from the present rate. There is escalation and finance costs figured in.

Mayor Dickinson wanted to make it clear that the tipping fee is not guaranteed but is based upon current inflation and financing costs, based upon the market as it is now. If the tax laws change, both Congressmen Rowland and Morrison were in meeting with us two and one-half weeks ago and they indicated that it is probable that those tax laws will change and if they change, that tipping fee will double because the private investor, which this is, is with the tax laws now. We'll pay the cost if it doubles. Whereas there's not a guarantee in the tipping fee, the contract does dictate how the tipping fee will be developed and however high the financing costs go, they will be passed on to us in the tipping fee. Mr. Gessert pointed out that Bristol, CT is looking at a \$43 tipping fee now, up to a high of \$79.80 in the year 2007.

Mr. Hubbard understands that the Westchester burning plant is such a dirty operation that New York State had to lower its air standards in order to keep it in operation and there are a lot of problems in that area.

Mr. Holmes asked if any of the plants on which Mr. Hubbard distributed literature are VICON plants and Mr. Hubbard said no. The facility being proposed by Mr. Hamel is the Pittsfield, MA facility which has not been deemed environmentally dangerous. Mr. Hamel agreed that is correct and while there have been some plants that have been operated improperly, some of them by municipalities, he adds, with a private profit motive, the vendor is going to risk a great deal if he allows himself to be closed down. Mr. Hamel stated again that this plant will be monitored by the State of Connecticut.

Mr. Hubbard feels there will be emissions from this plant and he does not believe Wallingford can afford any more emissions and the EPA has already come out and stated in report that this area is 2 to 20 times dirtier than the average U. S. city. If we add to that, we are going to be in serious trouble.

Mr. Edward R. Bradley, 2 Hampton Trail feels there is continual talk about DEP enforcement, etc. A public hearing was held last night about air laws being proposed by DEP in Connecticut and the public reaction was that they are not stringent enough. Connecticut Fund for the Environment in New Haven agrees they are too weak. DEP's solution to a lot of the solutions of toxic air is through pollution--pollution is not the solution. The only way to reduce toxic air is by reduction. If we have to rely on these people, we're putting our faith in the wrong hands. Mr. Bradley feels it is the responsibility of this Town to oversee the operation. You've heard residents on many occasions raise issues concerning DEP, air quality and water quality. DEP is a so-called expert and Mr. Bradley challenges that--it's these people in the Town that have done the research and they abide by standards that we have to live by but they don't cover all realms alike. They deal with exposures to the adult population and don't take into consideration children in the exposure levels. DEP does not have the Town of Wallingford on its most endangered species list and are not looking after Wallingford's best interests. Address the water quality and erosion problems on the East Side to see what is going on there.

Mr. Bradley asked whose responsibility is the initial construction and start-up costs? Mr. Hamel indicated that the Authority will be funding 75% of the hard capital costs, plus some development costs. The vendor will put in 25% of the hard capital costs as an equity contribution. Mr. Bradley asked where the money was coming from for the on-going mortgage and operating costs. Mr. Hamel explained that the capital costs and operating maintenance costs which are fixed by bid after the signing of the contract will be paid through energy revenues and through the

tip fee so that the energy revenues, in a sense, will reduce the tip fee. Mr. Bradley stated that the tip fee will be \$23 a ton and asked what the current tip fee is at the landfill and Mr. Hamel replied \$25--the tip fee is \$16 but the cost is \$25. Mr. Bradley figures a 28% increase in tipping fees but Mr. Hamel pointed out that taxpayers are subsidizing the cost of the landfill at \$25 today. There was a study done several months ago and over the life of this project, it will cost less than operating the landfill. The public is not really aware yet that you just can't put garbage out at your curb and have it disappear. There are many problems with landfills and Wallingford has experienced a number of problems with its landfill over the past couple of years and will likely experience more and costs will likely keep escalating. This plant will more than likely cost less over the 20 year period that we could continue to use the landfill, if we could continue to use the landfill. 627

Mr. Bradley stated that the public was told by power companies that when nuclear power plants came on line, the rates would go down and he feels we are in the same boat here.

Mayor Dickinson pointed out that everyone should keep in mind that we are running out of space in the landfill. If we do not move with this project, what are we going to do with Wallingford's trash? If we look to build a transfer station and ship it out of town, out of state, the costs will be much higher. We're confronted by a crisis. When we are out of space at the landfill, we've got to dispose of the trash by State Law. If we don't have this project, we have to have another place to go.

Mr. Bradley asked what the time limit is and Mr. Hamel felt from 5 to 7 years. Mr. Bradley wanted to know if ORFA is the only non-burning facility and Mr. Hamel stated it is as far as we know right now, on this scale. With this size plant, this is by far the most viable. You can all guess what escalating fees will be but if you take a look at the Pittsfield plant, operating more than 4 years and their tip fee is \$13.50 and their costs have not spiralled. This plant has proven itself in terms of being a cost effective system and in terms of being able to produce the energy they say they are going to produce.

Mr. Bradley asked about the burning of wet trash and this question was covered completely in paragraph two, page 14 of these minutes.

Mr. Martin stated that you would have to get 3 days of continuous wet trash in order to see so much moisture put into the incineration process that would cause the temperature to lower but in case that does happen, the oil burner is the backup.

Mr. Bradley asked what Wallingford is going to do if the surrounding towns back out of this and Mr. Hamel explained that Mayor Dickinson does not intend to sign this contract until such time as the other contracts are in place. We will probably have a mutual signing. Under the terms of the contract, if the Authority is unable to get 125,000 tons of waste per year, for the plant, then it's a project that doesn't fly. If the Authority is unable to get financing for the plant, the project doesn't fly. There are certain protections for the Town in there. The Hamden Council has 15 people on it and the people Mr. Hamel has spoken with believe this is going to pass.

Mayor Dickinson reminded everyone that construction time is needed and that cuts down significantly the time left in the landfill. Secondly, the Mayor wants it clear that he is not signing this contract tonight--the contract will only be executed at the point that there are a number of other pieces in place, including agreements from other towns. Thirdly, you have a fellow legislator here from Branford, an RTM member, Joseph Scalabrino, who is Chairman of their Rules and Ordinances Committee, and he's interested in this discussion and Branford is concerned about the same subject.

Mr. Scalabrino indicated that Branford is in the same position of the tax exempt bond status, losing the ability to sell bonds at the same rate that they are going for now and one thing this meeting has shown me is that you people are much more informed

than we have been. I wish I had a chance to go to ORFA or the plant in Pittsfield. Mr. Hamel has been a great asset to him and he thanked the Council for allowing him to come up here tonight. 628

Mr. Totz asked if this facility is going to be built on Cyanamid property or Wallingford property and Mr. Martin stated it will be built on Cyanamid property. Mr. Totz asked about the possibility of Cyanamid opening this plant off Toelles Road to eliminate traffic on South Cherry Street. Mr. Gessert felt this was a good point and has addressed it to the Mayor who will talk to people there. Mr. Hamel explained that the problem with that is that permits were filed, some 4 months ago, and in order to have new air modeling done by the State, we may not be able to finance this property by the end of December. Mr. Gessert felt if it were feasible to build an access road, it should be considered to keep some of the traffic off Route 5.

Mr. Polanski felt that this Council has bent over backwards to view new technology. Take a look at the water filtration plant where we viewed an alternative method and if that is viable, it will save the town \$10 or \$15 million and the suggestion should not be made that this Council has turned its back on technology.

Mr. Killen wonders what control there will be over the vehicular traffic. Mr. Hamel explained there will be an annual operating plan with routes for the trucks spelled out, with restrictions. Most of the traffic will be on state roads, with very little on town roads and little impact on town roads.

Mr. Killen asked why only Wallingford's tipping fees drop down and others don't. Mr. Hamel noted that the basic difference is all the other projects went to Northeast Utilities for front end subsidy and C. L. & P. is paying 4.2¢, more or less. They are asking for 8¢ because they need front end financing. If we didn't have the steam sales at Cyanamid in the first year, our tip fee would be \$45.

Vote: (Resolution on pages 10 and 11 of these minutes)
Unanimous ayes; motion duly carried.

Mr. Krupp moved to establish the following new line item accounts: 201P-143 Overtime - Storm Gloria, 201P-405 Supplies & Materials - Storm Gloria, 203R-143 Overtime - Storm Gloria, 204R-405 Supplies & Materials - Storm Gloria, 503-143 Overtime - Storm Gloria and 503-405 Supplies & Materials - Storm Gloria. Mr. Rys seconded the motion.

Mayor Dickinson informed the Council that Mike Cassella would have been present tonight but he is barely able to talk. Mike indicated to the Mayor that currently, Public Works has an expenditure of some \$83,752.33. It's possible, depending on the progress in eliminating the storm debris, that we may need another \$25,000.00 but the Mayor won't know that until the end of the week, above the \$159,000.00 Mike has as a projection.

Mr. Myers pointed out that what's involved here would be employees' payrolls and he needs a feeling from the Council that the additional \$25,000.00 would be added; otherwise, the paychecks will be stopped. Mayor Dickinson indicated the Council could vote tonight to add it or get a sense that you wouldn't have a problem with it being spent and okaying it later or have a special meeting. Mr. Killen felt the funds should be added tonight if they are available.

Mr. Killen asked Mr. Myers why outside contractors and rental of equipment was not broken down separately within the accounts and Mr. Myers felt that he would like to keep just six accounts; otherwise, he must be looking all over if he can apply for reimbursement or State Aid on any of this.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp moved the transfer of \$201,284 from the General Unappropriated Fund Balance to the following accounts: 201P-143 - \$11,686, 201P-405 - \$910, 203R-143 - \$4,174, 204R-405 - \$400, 503-143 - \$72,664, 503-405 - \$111,450 - TOTAL \$201,284.

Vote: Unanimous ayes; motion duly carried.

Mr. Krupp stated that he asked for Item (9) to be placed on the agenda only on the basis that while we look at the problems that came with the storm and everything else, it's easy to overlook what a lot of us saw, especially on Friday and Saturday night, September 27 and 28. Many people realize the efforts of the Electric Division employees and they deserve to be commended but we tend to overlook Public Works employees and their contribution--they were working the same kind of hours. The volunteer firemen who were directing traffic in high risk areas, as well as the explorer scouts, the Police Department, all of whom on Friday night were in risk situations--lack of light, danger of branches still coming down, etc. What we saw in these people was a certain type of heroism--they went out and did their job under extremely trying circumstances. Mr. Krupp felt these people deserve a special commendation and special recognition for this. 629

Mr. Gessert also felt that everyone should recognize that dedication and formal recognition will be given to all those who worked long, hard hours at the next Town Council Meeting.

Mr. Polanski asked if anyone knows of specific acts of heroism, it should be brought to the Council's attention so they can be awarded a certificate of appreciation.

Mrs. Papale moved to note for the record the financial reports of the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center for the quarter ending June 30, 1985. Mr. Holmes seconded the motion.

Mr. Krupp asked that the appropriate authority be reminded that the Committee on Aging's appointed term expires at the end of this year and some kind of action should occur within the next two and one-half months to give status to insure continuity of that agency. Mayor Dickinson indicated that they are investigating the avenue of considering incorporating. Mr. Krupp stated that according to their minutes, no progress is being made in that area.

Vote: Unanimous ayes; motion duly carried.

Mrs. Papale moved to remove the following item from the table
(a) Send letter to State Legislature and Governor O'Neill asking that the General Assembly consider putting a ceiling on the amount that a municipality can be sued.

(b) Enlist, by way of letter, the help of all Councils of the area towns affected by the recent insurance problem and ask that they too send a letter off to their legislatures.

(c) Set up and discuss the possibility of again forming a Regional Self-Insurance Consortium.

Mr. Polanski seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Diana requested withdrawal of agenda Item 11(a) "Send a letter to State Legislatures and Governor O'Neill asking that the General Assembly, in its next session, consider putting a ceiling on the amount that a municipality can be sued. I feel this would be an important bit of legislation and could ultimately lead to lower insurance premiums and/or a more logical approach to municipality self-insurance."

Mr. Diana has sent such a letter and got a reply back today from Governor O'Neill.

Mr. Diana encouraged the Council to consider sending a letter to all Councils of area towns affected by the recent insurance problem and ask that they too send a letter off to their legislatures asking for support.

Mr. Diana also requested setting up and forming a Regional Self-Insurance Consortium and consideration of the formation of an Insurance Commission in Wallingford. This should not be put on the back burner. This will be a very pressing issue now, through the election and for years to come and this Commission will be very beneficial to all. An Insurance Commission can be looking into our policies on a full time basis and it would be most advantageous to the Council to have one.

Mrs. Bergamini wholeheartedly agrees but asks who will serve on an Insurance Commission. The people with the expertise cannot serve because then they cannot bid on the Town's insurance. Mr. Diana recognizes that problem but he is only looking for people who can research the matter and make intelligent decisions, a group of 4 or 5 people. Bar graphs could be established detailing the various coverages. 630

Mr. Diana moved that Wallingford, as a group, send a letter to our surrounding towns asking that they initiate a letter off to their legislatures for their support in our program asking the State to consider a bill to put a ceiling or cap on what a municipality can be sued. Mr. Holmes seconded the motion.

Attorney McManus stated that one of the most popular concepts floating around today that absolutely mystifies him, because lawyers, doctors, engineers, towns, high risk type professions and businesses are paying insurance premiums they don't like to pay, is what we want to do is deprive the victim of whatever the lawyer, doctor, engineer, town or manufacturing concern did to them and take the remedy away from them and that is the proposal. Councilman Diana stated that is not the proposal.

Attorney McManus urged the Council to think first about the concept of what they are doing. Mrs. Bergamini asked how a settlement of \$6,000,000 is justified in the case of a 6 year old boy who was killed and Attorney McManus stated the circumstances involved. Mr. Diana's concern is the person who slips on a curb and falls and sues the Town for \$1,000,000.

Mr. Diana asked if it is not within the scope of the Connecticut Legislature to change to law. Attorney McManus pointed out that the other extreme the Council is complaining about is the juried system and, believe it or not, it's the best system on the face of the earth that he knows of. You can point to isolated cases but we have in this State a system that we call sovereign immunity and in some cases, the sovereign is still totally immune. Recognize that 70 years ago, that was horribly unjust. Mrs. Bergamini brought up the Mianus Bridge situation where some ended up on welfare and asked where the justice is there--a couple and a young child from Illinois in Time Magazine recently.

Mrs. Bergamini interjected that she and Iris went to the CCM Conference at the Plaza last week and she attended a seminar on "Liability Insurance for Municipalities." East Hartford's Risk Manager stated that he knew Wallingford was going to have problems when a certain settlement hit the papers because insurance companies pick up on such items even though the town was self-insured - in that instance. Mayor Dickinson pointed out that everyone in the State was affected by recent insurance cost rises, not just Wallingford. Mr. Gessert indicated that it wasn't just Connecticut, either.

Vote: (motion on page 24) Unanimous ayes; motion duly carried.

Mr. Diana asked the Mayor about setting up and forming a Regional Self-Insurance Consortium and Mayor Dickinson stated it has been discussed, Council on Governments, and Jim Butler has been looking into it, as is CCM.

Mrs. Papale stated that CCM is getting together to fight this. Mayor Dickinson said that CCM dues for Wallingford last year were about \$9,000.00 and it's not in the budget. There are two organizations, Council on Governments and CCM. CCM is the Conference of Municipalities for the State and have already formed a risk management pool for workers' compensation coverage. That would probably be the most useful forum or insurance organization for liability. The Council on Governments is really a planning agency but they have had discussions about insurance also.

Mr. Gessert suggested inviting CCM to a meeting and the Mayor felt they would be anxious to attend. Mrs. Bergamini felt that the seminar was excellent and urged other Council Members to attend in the future.

Attorney McManus suggested that the Council might also want to consider working this problem--loss ratio is known, past history is known, exposures are known and you know if you are insuring

yourself--you are paying over 1 million dollars a year. You know the claims history and you can project future costs because the history is a reasonable barometer. You may want to consider self-insurance. 631

Mr. Gessert pointed out that if Wallingford goes with North Haven and they are sued because of Upjohn, Wallingford goes down the drain. Mr. Krupp pointed out that could be true because of Cyanamid in Wallingford.

Mr. Diana felt that an Insurance Commission could work on this on a full-time basis and the concept is worth looking into since there is no cost. Mayor Dickinson does not have any objection to this but asks if anyone on the Council can sit down right now and lay out what coverages they have on homeowner's and auto insurance. If that cannot be done, where are you going to find an average individual to lay out the insurance coverage for the Town. Mr. Diana pointed out that there are people who are willing to volunteer--he's had 2 or 3 agents, Horvath in particular, who would help with the Commission, not on the Commission. Once it is laid out, it is simply a matter of updating on a yearly basis.

Mr. Diana moved that Mr. Krupp draft a resolution to be presented at the next Town Council Meeting to form an Insurance Commission with stated goals, some members appointed by the Mayor and some appointed by the Council. Mrs. Bergamini seconded the motion.

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

Mr. Gessert left the meeting at midnight and Mrs. Bergamini chaired the balance of the meeting, items (12) through (15).

Mr. Killen stated that he could find no record of the lease approval of the library site by the Planning and Zoning Commission. He contacted Linda Bush and she could find no record and he felt it should have been approved before it was approved by the Council.

Mr. Killen moved that the Town of Wallingford lease to the Wallingford Public Library Association all the land and buildings described in Volume 509, pages 473 through 477, of the Wallingford Land Records, for the same period of time and subject to the same conditions contained in said lease, with the exception of the "Taber Residence," the boundaries of which are described in Volume 479, page 340, paragraph 3 of said Wallingford Land Records and the land immediately beneath such structure.

Mr. Diana seconded the motion.

Mr. Killen explained that his purpose for this motion is that he would like to retain control of the Taber House and the land beneath it for the Town of Wallingford, a last ditch effort on his part to save some of the pieces.

Mrs. Bergamini asked Attorney Lunt the date of the original lease and Mr. Killen said it was December 16, 1981. Mrs. Bergamini asked the Town Attorney if there was a statute of limitations on such action. Attorney McManus stated that he is not in a position at this time to offer an opinion on Mr. Killen's solution because he has not been asked but he thinks it would have to back beyond the question did P & Z approve the lease.

Attorney McManus stated that when the Town of Wallingford acquired the land, it was acquired essentially for the purpose of leasing it to the library. Litigation was then entered into which went on for some time involving the heirs of the Simpson Estate where the entire concept of what is actually is on the ground out there vis-a-vis the Wallingford Library Board was approved by the Superior Court and the Attorney General's Office. If the intent is to even touch your existing vote on the Taber House, you could pass this thing 20 times over and it won't even touch it. The bottom line is that Attorney McManus is not comfortable with the underlying conclusion that in fact the lease to the Library Board was not contemplated within the terms of the original acquisition which was approved by the Planning and Zoning Commission and remember that P & Z has absolutely no say over the terms of the lease--they can only approve the use. Attorney McManus is not sure that the original acquisition did not carry with it the approval of what later happened and within the court

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case that involved the Attorney General's Office and Superior Court and the judgment that came out of it--what Attorney McManus would prefer is if Councilman Killen had asked the question because the underlying assumption he does not feel is necessarily true and Attorney McManus would like to have some time to find out if it is true. Attorney McManus stated that even if this motion were passed, it would not touch the vote the Council has already taken--it would touch absolutely nothing as to what happens to the Taber House.

Mrs. Bergamini asked if Mayor Dickinson had signed the contract and Mayor Dickinson stated that the contract was signed and Mrs. Bergamini felt that this point is moot. Mr. Killen still wished to reserve the land.

Mr. Polanski asked how a 99 year lease could be changed at this point and Mr. Killen pointed out that the lease did not go before Planning and Zoning and he referred to a recent case in Guilford in which P & Z had not given their approval. Attorney McManus asked if Mr. Killen went back to the original approval of the acquisition and Mr. Killen stated he did and he is aware that the Planning and Zoning Commission was not aware of what they were doing because the motion agreed that they would demolish the buildings on the property which flies in the face of Mrs. Taber's contract of sale to the Town. Then they agreed to rescind that particular motion.

Attorney McManus asked if the Planning and Zoning Commission who approved the acquisition of the property knew it was to be leased to the Library Board for library purposes--Mr. Killen replied that they approved 2 particular sites for a library site, a motion "to approve both the following described sites as suitable for a proposed library, North Main Street known as the Taber package, located at 188 and 216 North Main Street, including rear land, and Prince Street located at the Northeasterly corner of the intersection of Prince Street and South Whittlesey Avenue."

Attorney Lunt stated that he has been involved with the library for years and took the action in which the Superior Court approved the exchange by the Library Association to be allowed to sell the old library and give the money to the Town in exchange for the Town acquiring the land and building a library building and leasing it to the library. This was an exchange to allow the old library building to be sold and this exchange had to be approved by the Court and approved by the Attorney General. The Planning and Zoning Commission approved the Taber site as suitable for library use and that is exactly what the site is being used for and Mr. Killen is wrong when he says that they must approve the lease--if the Town was going to turn around and lease the property for use as a waste disposal plant, yes, of course it would have to go back to approve the lease because now they are changing the use. The Town is using the property for a library and that use was specifically approved by the Planning and Zoning Commission.

Attorney Lunt would be glad to answer any other questions but he also wanted to point out that the Court judgment is binding upon the Town and that Court judgment was based upon the validity of that lease between the Town and the Library Association.

Mr. Killen doesn't believe that when this matter went before the P & Z that the Gaetano property was part of the property that was asked for and there have been changes since the beginning. Mrs. Bergamini stated that the Gaetano property had nothing to do with the Taber House.

Mr. Killen's question is why is the Library Board being deprived should the Town take back under its own wing the Taber land--they have the land that is necessary for the library. You have to realize that the terms of the contract for sale are added as part of the deed but none of those terms will continue after the death of Mr. and Mrs. Taber--there are loose ends and a lot of things are subject to interpretation and Mr. Killen's interpretation is that if you are going to lease public property, it is supposed to go before P & Z as a separate entity and it wasn't done. Attorney McManus pointed out that the lease goes to the use and P & Z doesn't approve terms and conditions of a lease and P & Z approved the site plan for use for library purposes.

Mrs. Bergamini stated that she is not going to turn this issue into a debate because it has been debated for too many years. Her point is that Mr. Killen reads the budget thoroughly--if we are so wrong in our interpretation, how is it that the former administration for 2 budgets have \$7,500 slated for the demolition of the Taber House and nobody ever questioned it. Mayor Dickinson removed that \$7,500. Why was this not challenged then? Mr. Killen stated that the fact that money was put in for demolition did not mean it was going to be demolished. Mrs. Bergamini felt that it was always the understanding. . .Mr. Killen objected to "it was always the understanding" and this cannot be found after a search of the records and this was not uttered. Mrs. Bergamini felt that the original site was planned so that the Taber House would eventually go and this was presented to Planning and Zoning. 633

Mrs. Bergamini stated that there were propositions from the outset for the Taber House which were always turned down while she was still on the Library Board because it was known that nothing was going to be in the Taber House except the Tabers. Mr. Killen cannot understand why not one single sentence to the effect of demolition can be found. Mr. Killen feels that Mrs. Bergamini does not know what is being voted upon and he is on the short end and it hurts sometimes.

Mrs. Papale does not want to go back on her word on anything and Mr. Killen is asking her to remember this. . .when the time comes for expansion, it's not going to be the Library Board who is going to expand--it will be this particular group here as the economics dictate on that particular day. Mrs. Papale asked why Mr. Killen felt it would be good for the Town to retain control of the land on which the Taber House sits and Mr. Killen stated that his initial wish was that the house had not been sold and we would not be in this mess right now if we had done this when the lease was signed, as Mrs. Taber said in her contract for sale--read the contract for sale and see whether or not we violated it. If it had been put into parcels A & B at that time and the Town had retained parcel A, the Taber House, and gave the rest to the library, what would they have lost?

Mrs. Papale asked Mr. Killen if he felt this matter should be tabled tonight and have Attorney McManus give the Council more information and Mr. Killen felt if the Council was going to defeat it anyhow, you might as well defeat it--it depends on whether you care what the terms are.

Mrs. Papale moved to table the subject of the Taber House, seconded by Mr. Holmes.

Vote: Council Members Bergamini, Krupp, Polanski and Rys voted no; Diana, Holmes, Killen and Papale voted aye; motion to table did not carry.

Vote: (Mr. Killen's motion on page 26, paragraph 7)
Council Members Bergamini, Holmes, Krupp, Polanski and Rys voted no; Diana, Killen and Papale voted aye; motion did not carry.

Mr. Krupp moved to remove from the table the subject of acceptance of the Town Council Meeting Minutes of the September 5, 1985 Special Meeting, seconded by Mr. Holmes.

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

Mr. Killen asked Mrs. Bergamini if she received an answer from Chuck Walters about a motor being guaranteed and Mrs. Bergamini indicated she did receive an answer.

Mr. Holmes moved acceptance of the Town Council Meeting Minutes of September 5, 1985, seconded by Mr. Krupp.

Vote: Council Members Bergamini, Diana, Holmes, Killen and Rys voted aye; Krupp, Papale and Polanski passed; motion duly carried.

Mr. Rys moved acceptance of the Town Council Meeting Minutes of September 24, 1985, seconded by Mr. Krupp. (See below.)

Mr. Killen pointed out that the summary page noted the meeting to continue on Thursday September 24, 1985 at 7:30 p.m. and

Mr. Rys moved acceptance of the Town Council Meeting Minutes of September 24, 1985, as amended, seconded by Mr. Krupp.

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

Mr. Krupp moved acceptance of the Town Council Meeting Minutes of September 30, 1985, seconded by Mr. Holmes.

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

Mr. Killen noted that on page 5 of the minutes of September 30, paragraph 6 should read, "Mr. Killen asked if Mr. Smith has a list. . ."

Mrs. Bergamini asked if item (16) was the Executive Session handled at the beginning of the meeting and Mayor Dickinson said it was.

Mrs. Bergamini requested that Mayor Dickinson explain to Mr. Seadale that he can tell Lisa Bousquet if he wishes to be called when the Council would like him to attend a particular Council Meeting.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 12:30 a.m.

Delores B. Fetta
Substitute Secretary

Approved *David A. Gessert*
David A. Gessert, Council Chairman

October 22, 1985

Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

October 22, 1985

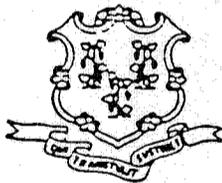


Exhibit II
Town Council Minutes
October 8, 1985

State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONN. 06106

REPRESENTATIVE MARY M. MUSHINSKY
ASSISTANT MINORITY LEADER
EIGHTY-FIFTH DISTRICT

66 SOUTH ELM STREET
WALLINGFORD, CONNECTICUT 06492

MEMBER
ENVIRONMENT COMMITTEE
ENERGY AND PUBLIC UTILITIES COMMITTEE

October 8, 1985

David Gessert, Chairman
Wallingford Town Council

Dear Dave and Council Members,

I am aware you are considering whether or not to proceed with the waste-to-energy plant very soon. Concerning the tipping fee of the plant, I want to relay advice that was given to all state legislators recently at the National Conference of State Legislatures. We were urged to speed approval of any contract that

is dependent on tax-free bonds so it is finalized before December 31, 1985. This will avoid doubling the tipping fee, which would result if the proposed federal tax changes eliminate the protected status of these bonds.

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Sincerely,

Mary Mushinsky

Mary Mushinsky
State Representative 85th district