

Summary of Town Council Minutes

January 14, 1986

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| Roll call and pledge of allegiance. | 1 |
| Appointment of Manuel Silvia to the Housing Authority and swearing in of Mr. Silvia. | 1 |
| Approved Waiving the Bid and Awarding the bid to Anthony Julian Railroad Construction in the amount of \$302,810 as referenced in Public Bid 85-58 - Reconstruction of East Main Street. | 1-3 |
| Set a PUBLIC HEARING Date for January 28, 1986, 8:00 p.m. on an Ordinance Amending Ordinance No 320 Appropriating the Sum of \$710,000 for Various Capital Improvements in 1984-85, by increasing the amount authorized therein from \$710,000 to \$811,000. | 3 |
| Appointment of Ed Makepeace to a 5 year term on the Planning & Zoning Commission and waive the two-week waiting period, and the swearing in of Mr. Makepeace. | 3 |
| Waived the bidding procedure for repairs to the Heating System at Simpson School. | 3-4 |
| Approved a transfer of \$2,500 from A/C 514-201 to A/C 514-510. | 4 |
| Accepted the proposal by Johnson and Richter for improvements to the Railroad Station Green. | 4-7 |
| Approved the Resolution on the Sale of \$2,285,000 Bond Anticipation Notes (Resolution Attached-See Page 7) | 7-8 |
| Reappointment of the following members of the Committee on Aging: Helen K. Gaines, Muriel Lemay, Rose B. Pascale, Reverend George D. Stevens, May D. Warzocha, Walter J. Carmody, Madeline F. Erskine, Albert J. Gould, Louise W. Hodos, Erna Lovasz, George T. Mushinsky, and Andrew DelGrego as Alternate. | 8 |
| Approved Resolution on the Committee on Aging (Resolution Pages 9 & 10) | 8 |
| TABLED approval of Research Parkway/Carpenter Lane. | 11-13 |
| Rejected deed for the land the water Tower is on. | 13 |
| TABLED Approval of Farm Hill Road, Section 5. | 13-15 |
| Discussion pertaining to the Town Directional Sign Regulations | 15-18 |
| Approved the transfer of \$2,500 from A/C 805-319 to A/C 145-410 | 19 |
| Approved the following transfers as requested by Jack K. McElfish: (a) \$ 289 from A/C 203NF-Capital to A/C 203CH-500 (b) \$3,000 from A/C 203R-167 to A/C 203R-500. (c) \$3,000 from A/C 203R-166 to A/C 203R-500. (d) \$ 400 from A/C 203R-195 to A/C 203A-500. (e) \$ 401 from A/C 203CH-Capital to A/C 203CH-500. (f) \$ 210 from A/C 203EW-Capital to A/C 203CH-500. | 19-20 |
| Approved the following transfers as requested by Steven L. Deak: (a) \$220 from A/C C503-01-01 to A/C 798A-500 and \$680 from A/C C504-01 to A/C 798A-500. (b) \$6,000 from A/C 805-319 to A/C 507-642. | 20-21 |
| TABLED an appropriation of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827. | |
| Approved an appropriation of \$46,5000 from Unappropriated General Fund Cash Balance to A/C 804-825. | 21-22 |
| Approved a Budget Amendment to reduce A/C 440 by \$78,725, increase A/C 434-1 by \$322,140 and increase A/C 408-1 by \$243,415. | 22-23 |
| Approved the pay Grade change of Mr. Michael C. Holmes from Grade 16-4 to Grade 18-3 as the Electric Division Assistant General Manager. | 23-24 |
| Waived Rule V | 24 |
| Approved the transfer of \$500 from A/C 555 to A/C 505-1; \$30,000 from A/C 555 to A/C 501, and \$3,000 from A/C 555 to A/C 502-1. | 24-25 |
| Established A/C 130-603. | 25 |
| Approved the transfer of \$4,500 from General Fund Unappropriated Cash Balance to A/C 130-603 | 25 |

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| Approved an appropriation of funds in the amount of \$12,950 from Unappropriated General Fund Cash Balance to A/C 811-804. | 25 |
| Approved the following transfers as requested by Chief Bevan: | |
| (a) \$500 from A/C 201P-300 to A/C 201P-410. | |
| (b) 150 from A/C 201P-300 to A/C 201P-580. | |
| (c) 900 from A/C 201P-130 to A/C 201A-140. | |
| (d) 2,000 from A/C 201P-163 to A/C 201D-160. | |
| (e) 13,000 from A/C 805-323 to A/C 201P-629. | 26 |
| Approved an appropriation of \$3,800 from Unappropriated General Fund Cash Balance to A/C 811-803 and Approved the window blinds purchased from Aero Draperies in the amount of \$3,800. | 26 |
| Approved the reappointment of Mr. Joseph Blichfeldt to the Personnel & Pensions Appeals Board for the term of 5 years effective 12/31/85 - 12/31/90. | 26 |
| Approved the following budget resolution: | |
| Amend the 1985-86 General Fund Revenue Budget | |
| Non Operating Revenue, Account 901, Notes and Other Obligations | (\$275,000) |
| Estimated Cash Balance, Account 100-01, Appropriated from available Cash Balance June 30, 1985 | \$275,000. |
| | 27 |
| Approved the transfer of \$300 from General Fund Unappropriated Cash Balance to A/C 603-135. | 27 |
| Item 20 Withdrawn. | 27 |
| Discussion of a new Charter Revision Commission. | 27-31 |
| Noted for the record the Financial Reports of the Town of Wallingford for the Month of November, 1985. | 31 |
| Accepted Town Council Meeting Minutes of 12/4 and 12/19/85. | 31 |
| Meeting Adjourned. | 32 |

TOWN COUNCIL MEETING

January 14, 1986

7:30 p.m.

- (1) Roll call and pledge of allegiance to the flag.
- (2) Public Question and Answer Period.
- (3) Consider and Approve appointment of Manuel R. Silvia to the Housing Authority.
- (4) Consider and approve the proposal by Johnson and Richter for improvements to the Railroad Station Green, as requested by Mayor William W. Dickinson, Jr. (Members of the Beautification Committee will be present to discuss implementation of this project.)
- (5) Report on Sale of \$2,285,000 Bond Anticipation Notes.
- (6) Consider and Approve the reappointment of the Committee on Aging members as follow:

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|----------------------------|-----------------------------|
| Helen K. Gaines | Madeline F. Erskine |
| Muriel Lemay | Albert J. Gould |
| Rose B. Pascale | Louise W. Hodos |
| Reverend George D. Stevens | Erna Lovasz |
| May D. Warzocha | George T. Mushinsky |
| Walter J. Carmody | Andrew DelGrego---Alternate |
- (7) Consider acceptance of the following roads as requested by Linda A. Bush, Town Planner:
 - (a) Research Parkway
 - (b) Farm Hill Road, Section 5.
- (8) Discussion and possible action pertaining to the Town Directional Sign Regulations as requested by Councilman Edward L. Diana.
- (9) Consider and approve a transfer of \$2,500 from A/C 805-319 to A/C 145-140, requested by Donald T. Dunleavy, Purchasing Agent.
- (10) Consider and approve the following transfers as requested by Jack K. McElfish, Fire Chief:
 - (a) \$ 289 from A/C 203NF-Capital to A/C 203CH-500.

- (c) \$3,000 from A/C 203R-166 to A/C 203R-500.
- (d) \$ 400 from A/C 203R-195 to A/C 203A-500.
- (e) \$ 401 from A/C 203CH-Capital to A/C 203CH-500.
- (f) \$ 210 from A/C 203EW-Capital to A/C 203CH-500.

- (11) Consider and approve the following transfers as requested by Steven L. Deak, Director of Public Works:
- (a) \$220 from A/C C503-01-01 and \$680 from A/C C504-01, a total of \$900 to A/C 798A-500.
 - (b) \$6,000 from A/C 805-319 to A/C 507-642.
- (12) Consider and approve the following appropriations as requested by Charlotte C. Collins, Treasurer & Safety Director:
- (a) \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827 - Self Insurance-Deductible.
 - (b) \$40,000 from Unappropriated General Fund Cash Balance to A/C 804-825 - Town Insurance.
- (13) Consider and approve the following as requested by Charles F. Walters, General Manager, Electric Division:
- (a) Budget Amendment to reduce A/C 440 by \$78,725, increase A/C 434-1 by \$322,140, and increase A/C 408-1 by \$243,415.
 - (b) Budget Amendment for the recommended grade change of Mr. Michael C. Holmes, Electric Division Assistant General Manager.
- (14) Consider and approve an appropriation of funds in the amount of \$12,950 from Unappropriated General Fund Cash Balance to A/C 811-804, Police Station Capital-Project Fund Communications, as requested by Thomas A. Myers, Comptroller.
- (15) Consider and approve the following as requested by Joseph J. Bevan, Chief of Police:
- (a) A transfer of \$ 500 from A/C 201P-300 to A/C 201P-410.
 - (b) A transfer of \$ 150 from A/C 201P-300 to A/C 201P-580.
 - (c) A transfer of \$ 900 from A/C 201P-130 to A/C 201A-140.
 - (d) A transfer of \$2,000 from A/C 201P-163 to A/C 201D-160.
 - (e) A transfer of \$13,000 from A/C 805-323 to A/C 201P-629.
 - (f) Purchase of Window Blinds in accordance with Public Bid and an appropriation of \$3,800 from Unappropriated General Fund Cash Balance to A/C 811-803 for this purchase.
- (16) Confirm Mayor's appointment of Mr. Joseph Blichfeldt to the Personnel & Pensions Appeals Board. (12/31/85 to 12/31/90)
- (17) Consider and approve the following budget resolution as requested by Thomas A. Myers, Comptroller:
- Amend the 1985-86 General Fund Revenue Budget
 Non-Operating Revenue, Account 901, Notes and Other
 Obligations (\$275,000)
 Estimated Cash Balance, Account 100-01, Appropriated
 from Available Cash Balance June 30, 1985 \$275,000.
- (18) Consider and approve a transfer of \$300 from A/C 603-406 to A/C 603-135 as requested by Rosemary A. Rascati, Town Clerk.
- (19) Discussion and possible action for a new Charter Revision Commission as requested by Council Members, Diana, Gouveia, Killen and Papale.
- (20) Discussion with the Town Attorney on the Recall Suit and the Taber House, as requested by Vincent T. McManus, Town Attorney.
- (21) Note for the Record the Financial Reports of the Town of Wallingford for the month of November, 1985.
- (22) Accept Town Council Meeting Minutes of 12/4/85, 12/10/85 and 12/19/85.

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ADDENDUM
TOWN COUNCIL AGENDA

January 14, 1986

- Item 3a. Waive the Bid and Award the Bid to Anthony Julian Railroad Construction in the amount of \$302,810 as referenced in Public Bid 85-58 - Reconstruction of East Main St.
- Item 3b. Consider an Ordinance Amending Ordinance No. 320 Appropriating the sum of \$710,000 for Various Capital Improvements in 1984-1985, by increasing the amount authorized therein from \$710,000 to \$811,000. SET PUBLIC HEARING.
- Item 3c. Consider Approval of Edwin Makepeace to the Planning and Zoning Commission for a five-year term and WAIVE the two-week waiting period.
- Item 3d. Consider Waiving Bid Procedure for Repairs to Heating System - Simpson School.
- Item 3e. Consider Transfer of \$2,500 to cover of Repairs to Heating System-Simpson School

Town Council Meeting

January 14, 1986

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:48 p.m. by Chairman Gessert. Answering present to the roll called by Town Clerk Rascati were Council Members Bergamini, Diana, Gessert, Gouveia, Holmes, Killen, Papale, Polanski and Rys. 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 then given to the flag.

Chairman Gessert then introduced Peter Gouveia to all present at the meeting and welcomed him to the Council.

Since there were no questions or comments for the Public Question and Answer Period, they moved right on to Item #3.

Mrs. Bergamini then moved the appointment of Manuel R. Silvia to the Housing Authority; seconded by Mr. Rys.

VOTE: Council Members Bergamini, Gessert, Holmes, Polanski and Rys voted yes; Council Members Diana and Papale passed; and Council Members Killen and Gouveia voted no. Motion duly carried.

Town Clerk Rascati then swore Mr. Silvia in. (Applause)

Item 3a is then up for discussion which is an addendum to the agenda.

Chairman Gessert explains that this is a bid waiver. The contract for the rebuilding of East Main St., the Council appropriated \$100,000 two years ago and \$150,000 in the current year's budget. That left \$250,000 to do the first phase of the project. Unfortunately, when the bids came in the lowest bid was for \$302,000, the next was \$339,000 and the next was approx. \$390,000. At this point we have some money in additional funds for the end of the year, and he asked Mr. Costello if they could proceed with this and take a look at doing something now because they will be appropriating money in next year's budget. The question then was he asked

purchasing to contact the contractor to see if he would still hold the bid of \$302,000 bid last October. At that time, all bids were rejected because the necessary funding was not there. The contractor indicated that he would still do the job at this price and the question is do we want to appropriate the additional funds now to get the project started or do we wait until we finish the capital budget and put it out to bid again next July and start next September or do we want to start on it now. He feels the project has been around too long and it should be started. He thought the Council would want to get started knowing it has been programmed for next year's capital budget. He then says of the \$250,000 appropriated, about \$50,000 was spent on engineering and design work. Therefore, they will need additional funding of about \$100,000 if the Council proceeds with it. 10

Mrs. Bergamini then moved to waive the bid and award the bid to Anthony Julian Railroad Const. in the amount of \$302,810--Public Bid 85-58, Reconstruction of East Main St., seconded by Mr. Rvs.

Mr. Myers explains he has talked with Bond Council Attorney Fazzi and he has a draft of the ordinance that the funding would come from unrestricted and available general fund cash balances allowed by the Town Charter. The general fund can make cash contributions to the Capital & Non-recurring fund at any time from unappropriated cash balance. We would have to appropriate \$101,000 from the General Fund to the Capital & Non-recurring fund. The Town would incur no additional debt to move this project forward. They will not be issuing bonds or notes and there will be no additional bonded indebtedness to move this project at this time.

Mr. Killen then questions Item 3b and Chairman Gessert explains that Item 3b has been changed. He then says they will be awarding the bid before they pass the ordinance.

Mr. Myers explains that the reason they can award the bid is the contract will have a funding clause which states there is so much money available at this point to get the project started and the balance of funds will be available after the referendum period on the ordinance amendment and that should the ordinance amendment not pass, the Town would just have to proceed with the project with the money available and then have to seek future funding at a later point in time or another year. The awarding of the bid is to be followed by the signing of the contract. The contract can't be signed for the full amount of money because the money is not appropriated and available. There will have to be a funding clause in the contract.

Mr. Killen then says they are not guaranteed the price he is holding it to unless they come up with the full amount of money and if it gets defeated at referendum, they won't have the full amount of money.

Mayor Dickinson then says the contract could indicate the full amount, but make the final \$102,000 contingent upon the adoption of funding. It is a little bit of a gamble for him to start work right away, there is no question. He knows that the contract he is bound by that top price but the total amount of money has not be appropriated. If he is not willing to sign that contract and go ahead, we will know that we will have to put it back out to bid again.

Mr. Killen says he doesn't like to go into a contract where we don't put the money out front. The funny thing about laws is that sometimes they turn around and kick you in the teeth and say you're just as liable as they are because you awarded the contract in good faith.

Mr. Polanski then asks Mr. Costello if we wait until the summer to put this out to bid again, will it come in any lower.

Mr. Costello says you can never tell. Mr. Costello then says by the time he is more advanced into the project, more capital funds will be available.

Mr. Polanski asks how long this project will take and Mr. Costello replies 8-9 months.

Mrs. Papale then asks if we don't go ahead with this, will it cost us quite a bit more money.

Mr. Costello says going out to bid is always a gamble. They will remain at this price until the end of this month.

Mrs. Papale then says she feels if they wait, they will come in at a higher price with the way construction costs are right now.

Mr. Holmes then says he believes in going ahead with this project. This is just one road in a series of roads around town that are in need of repair. The longer we wait the more of an inconvenience it is and the more of a problem it is for the residents of the Town.

Chairman Gessert then notes that the longer they wait the more the delays happen and before you know it, it is next September before something is done about this project.

Mr. Killen then noted that he is willing to vote in favor of this because of the fact that it should be done but in the future he would recommend that they don't take this particular route.

VOTE: Unanimous ayes; motion duly carried.

Item 3b is then up for discussion.

Mr. Killen then moved to Set a Public Hearing date for 1/28/86 at 8:00 p.m. to consider amending Ordinance #320 Appropriating the sum of \$710,000 for Various Capital Improvements in 1984-85, by increasing the amount authorized therein from \$710,000 to \$811,000; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Item 3c is then up for discussion.

Mrs. Bergamini then moved the appointment of Ed Makepeace to a five year term on the Planning & Zoning Commission and that the Council waive the two-week waiting period; seconded by Mr. Rys.

Chairman Gessert then says they held a short interview with Mr. Makepeace before the meeting tonight and he has shown a lot of integrity and a lot of interest in his position as an alternate.

VOTE: Unanimous ayes; motion duly carried.

Town Clerk Rascati then swore Mr. Makepeace in as a member of the Planning and Zoning Commission. (Applause).

Item 3d is then up for discussion.

Chairman Gessert explains that this is to consider waiving the bidding procedure for repairs to the heating system at Simpson School.

Mr. Deak explains this is to install a new circulator to make new zone for the comptrollers office complete with vent and electrical work and also replace two motorized valves complete with electrical work, venting and testing of the system.

Mrs. Papale did move to waive the bid procedure for repairs to the heating system-Simpson School; seconded by Mr. Holmes.

Mr. Killen then asks when this breakdown occurred and Mr. Deak replies last Friday.

VOTE: Unanimous ayes; motion duly carried.

Mr. Holmes then move a transfer of \$2,500 from A/C 805-319 to A/C 514-510; seconded by Mr. Polanski.

Mr. Rys then asks Mr. Deak if there is any space in the Simpson School budget where this could come from. Mr. Deak replies no. Mr. Rys states he does have some money in a maintenance account but Mr. Deak replies that he has a \$700 - \$800 repair coming from that account.

Mr. Killen says in going to the Utilitites, is that heat that is figured there?

13
Mr. Roe explains that they did receive a preliminary sketch of what the Green should look like. Now they are at the point where they need to do all the actual construction and preparation. The only revision made to the sketch was that their sketch showed some additional parking, taking away from the Green. They objected to that, we rejected that but they didn't go through the trouble of having the sketch redone when they submitted it in. They never intended to have it there in the first place.

Mr. Rys asks has there been any prices as to how much the gazebo itself will cost.

Mayor Dickinson says \$20,000-\$22,000 pre-built.

Mrs. Papale then asks if much money is coming from private donations.

Lucille Trzcinski then says yes they have. They did just receive a check for \$500 from the Wallingford Welcome Wagon Newcomers Club. They did just finish a brochure that will be distributed talking about what will be done and showing sketches of how the green will look.

Mrs. Papale then comments she does know a few people who have paid half of their contribution and are waiting to see what happens to pay the other half.

Lucille Trzcinski then says once Johnson and Richter get the go ahead, they can start with drawings and then begin.

Mr. Diana then says we are being asked to waive the bid but it would be important to see the other bids.

Lucille Trzcinski says she does not have them here tonight but she would be happy to get that to the Council. She feels the bids ranged from a low of \$12,000 to \$25,000.

Mr. Polanski then asks by waiving the bid on this, they are just accepting this for the 1st phase correct? They will have to come back and request a waiver of bid on the next phase right?

Ms. Trzcinski says yes.

Mr. Gouveia then says one of the agreements in Mr. Johnson's letter states that the job superintendent will be provided by the Town. Who will actually be overseeing this work?

Mr. Roe says the Department of Engineering's inspector will do this. There will be no clerk of the works. This project is not that big. It will require visitation by the construction inspector. This will be a Town employee.

Mr. Gouveia then says he read the gazebo will be a pre-packaged structure. What is this.

Ms. Trzcinski explains it will not be built on site.

Mr. Killen then asks Mr. Roe to explain about the additional parking spaces he had mentioned before.

Mr. Roe states again that the original sketch that was done included parking space where the emergency crossover is, adjacent space. That didn't make sense to have it removed from the sketch.

Mr. Killen then says the irony of it is they have a 5-6 lane highway which is one way. We have a narrower street which is about 3 lanes and that is two way traffic. If they are ever going to do something about it, let's do it now before they get all this in play. It is not the best engineering design he has ever seen.

Mayor Dickinson then says there are cutouts down there for parking. He feels in his talkings, that that should be eliminated and allow parking along Hall and expand the green in either area where there is now area cut out for parking.

Mr. Killen then says if we are going to continue the traffic flow the way it is, there is no reason we couldn't take at least one lane and extend it North on Hall Avenue to get more width of our green.

Mayor Dickinson says the problem there is that it is a state road. To reduce the width of that road, even though it is one way, is not something that would be very easy. 14

Mrs. Bergamini then says years ago they were going to make Quinnipiac one way coming into Town and Hall Avenue going out. What happened?

Mayor Dickinson says he feels Hall should be two way along with Quinnipiac. The problem is because of the configuration of the 5 streets coming together, John Costello has indicated there is no safe way and the police back this up, there is no safe way to have the traffic lights down there if you have 5 roads all with 2 way traffic. That is the reason, I guess in the middle 70's, when the state came in with a topics program and made it one way. He has been trying to make it two way. Right now Herb Bernstein and the Regional Planning Agency is looking at our traffic light system since he has been told it is in need of repair and maybe something will come out of that.

Chairman Gessert then says this could go on for hours but let's solve the Green problem.

VOTE: Unanimous ayes; motion duly carried.

Item 5 is then up for discussion and Mrs. Bergamini read:

RESOLVED, That the following bids to purchase \$2,285,000 Various Purpose Bond Anticipation Notes, all dated January 21, 1986, LOT A due March 19, 1986; and LOT B due June 20, 1986, at par plus a premium, interest rate and principal amount set opposite each bid and accrued interest from January 21, 1986, be accepted:

| NAME | PRINCIPAL AMOUNT | RATE % | PREMIUM |
|---------------------------|---------------------|-----------|----------|
| <u>Lot A</u> | | | |
| Colonial Bank | \$ 325,000 | 5.39% | \$ 0.00 |
| <u>Lot B</u> | | | |
| Connecticut National Bank | \$1,960,000 | 5.41% | \$ 29.00 |

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

Mrs. Bergamini then moved this resolution; seconded by Mr. Holmes.

Mr. Myers then introduced George Post and Attorney Joseph Fazzi to Mr. Peter Gouveia. He then explains they had a small sale of \$2,225,000. This has put them in a position to convert part of these notes to bonds. \$325,000 for Lot A will be converted to bonds. They are planning to sell bonds on March 11, 1986. The balance, \$1,960,000 is being financed out to June when other notes of the Town are due. It is a consolodation effort. There were 7 bidders with very competitive rates. They are pleased with the interest. The interest is a small one and there is a lot of uncertainty in the market with respect to the cash laws imposed at the federal level. He then says they will recall he told them he would be selling bonds in February, he finds now that that schedule is a little bit unrealistic & a little too tight and he does not feel comfortable going down to the market in February and they will push that back to March. Because of their planning and the support they received from the Mayor and the Council, they have flexibility. That is a great thing to have. By putting it off until March, they have a better indication of what might happen.

Mr. Diana then says these are all CT banks, it that because of the interest.

Mr. Myers says they do have Shearson Lehman & Co from New York and State Street Bank & Trust is from Boston.

Mr. Polanski asks what projects these cover.

Mr. Myers says the MacKenzie Dam and the Pond Hill Pump Station.

VOTE: Unanimous ayes; motion duly carried.

15

Item 6 is then up for discussion. Chairman Gessert then reads the letter from May Warzocha from the Wallingford Committee on Aging requesting that the current membership of the Committee on Aging be continued at least until they give their report to the Town Council in early February.

Mr. Killen then moved the reappointment of the following members of the Committee on Aging:

Helen K. Gaines, Muriel Lemay, Rose B. Pascale, Reverend George D. Stevens, May Warzocha, Walter J. Carmody, Madeline F. Erskine, Albert J. Gould, Louise W. Hodos, Erna Lovasz, George T. Mushinsky, and Andrew DelGrego as an alternate.

This was seconded by Mrs. Bergamini.

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

Chairman Gessert then noted that in order to be perfectly legal they should include the resolution that is attached to May Warzocha's letter.

Mrs. Bergamini then moved the resolution on the Committee on Aging which was seconded by Mr. Rys. The resolution is as follows:

RESOLUTION CONCERNING AN ADVISORY COMMITTEE TO STUDY THE NEEDS OF AND COORDINATE PROGRAMS FOR THE AGING.

WHEREAS, a significant segment of Wallingford's population is above the age of 65 years; and

WHEREAS, elderly families occupy more than sixteen percent (16%) of Wallingford's housing; and

WHEREAS, the specific problems of the elderly group are poorly defined and met; and

WHEREAS, a large number of elderly have fixed incomes and find it impossible to provide more than essential goods and services for themselves; and

WHEREAS, it is desirable and in the public interest that the Town of Wallingford study these problems and provide services wherever possible;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD:

1. That, in accordance with Section 7-127(a) of the General Statutes of the State of Connecticut, Revision of 1958, as amended, and in accordance with the provisions of Chapter III, Section 5 of the Charter, there shall be a committee, advisory to the Council, to study the needs of and coordinate programs for the aging for the Town of Wallingford, consisting of the Mayor, the Commissioners of the Public Welfare and Public Health, all ex-officio, and twelve other members to be appointed by the Town Council, at least two of whom shall represent the private voluntary agencies in the Town; at least one of whom shall be a member of the clergy in the Town; at least one of whom shall be a representative of the age group concerned, and shall be an elector of the Town; at least one of whom shall be a representative of organized labor; and at least one of whom shall be a representative of the United Fund. There shall also be appointed not more than two alternate members. The members so appointed shall be persons interested in the consideration and solution of the problems of the aging.

2. That the committee shall study continuously the conditions and needs of elderly persons in the community in relation to housing, economic conditions, employment, health, recreation, and other matters. It shall analyze the services for the aged provided by the community, both by public and private agencies, and shall make recommendations to the Mayor and Council regarding the development and integration of public and private agencies, in cooperation with State and other services to the extent possible and shall be responsible for coordinating programs for the aging between public and private agencies within and without the Town of Wallingford to further the servicing of the needs of the aging in the Town of Wallingford and may further make application for funds to be used in serving the needs of the elderly when such projects are approved by the Town Council.
3. That the members of the committee so appointed shall serve without compensation until December 31, 1987.
4. That the committee may organize itself in whatever manner it may determine in order to carry out to the fullest extent possible the duties set forth in Section 2 above.
5. That the committee shall be known as the WALLINGFORD COMMITTEE ON AGING.

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

May Warzocha then thanks all the Council members and invites them to the Senior Center at any time.

Chairman Gessert then notes that the goodies left over from the inauguration were sent down to the Senior Center and within 48hrs. of receiving those goodies were delivered, he got a letter at his house thanking the Council for this. Someone is very efficient down there.

It is then noted that item 3 of the resolution should read December 31, 1987.

Item 7 is then up for discussion. This is to consider acceptance of Research Parkway and Farm Hill Road, Section 5.

Mr. Costello then says there is more to accepting Research Parkway. In addition to accepting the land and rights of way of Research Parkway and Carpenter Lane, you will also be asked to abandon the rights of way which are no longer necessary. Most are being abandoned to the FIP Corp. Some of them will be abandoned to one private property owner, the Inisco parcel on Carpenter Lane. They will also be asked to accept the deed for the land at the water tower that is located on Carpenter Lane and the last item they will be asked to accept is an easement for sanitary sewer which runs across the southwest corner of the Bristol Myers parcel, down to the bend at 68, east of Research Parkway.

Mrs. Bergamini then states that all they have is to accept Research Parkway.

Ms. Bush explains that was her error. She then explains that this was all part of the agreement when Research Parkway was built. FIP would get this parcel and the town would get that parcel.

Mrs. Bergamini asks if we have completed our part that we paid for and is told yes by Mr. Costello. She then asks if they did theirs. Mr. Costello says there was one contract and the bills were split in two. He won't swear that they paid half and half.

Mr. Killen then says there was a problem with how much they were going to pay, was that ever resolved? This is the extension of Carpenter Lane.

Mr. Costello says that has never been resolved.

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Mayor Dickinson then says as he indicated to Ron Kennedy, who is not with FIP now, we did not agree with their position on the extension of Carpenter Lane and at the time they knew what money was left, if they had sufficient funds to do it, they were going to do it and if it took a law suit to go after their half, they were going to do that. He doesn't have a report yet of what money is left over after the completion of the construction.

Mrs. Bergamini then says that they shouldn't go along with this then.

Mr. Costello explains that the portion of Carpenter Lane has been reconstructed. It is along that stretch that the land will be abandoned to the abutting property owners.

Mr. Polanski then asks how the costs of maintaining that road fit into the costs of the Public Works budget, how do they absorb the cost. That is about a mile long road there to plow.

Mr. Costello says he can't answer that but this is a yearly occurrence. Subdivisions are completed and roads are accepted.

Ms. Bush then says the roads are approved at least one year prior to their being accepted. This year she has sent public works a list of all roads that have been approved and future roads that have been approved and construction has not been started on so if they want to put it into their budget for the next year or two years the information is there.

Mr. Deak then says this is incorporated into his work load and he reorganizes his road crews.

Mr. Rys then asks if this section is from Route 68 to Carpenter Lane or does it also include the section north to Thorp Avenue.

Mr. Costello says it runs from 68 passed Carpenter Lane and ties in with the old section of Research Parkway.

Mr. Rys then asks what happens to the portion of road that is a cul de sac now. Will that be abandoned and Mr. Costello replies yes, portions of that will be abandoned. The easement will be retained.

Mayor Dickinson then notes that the agenda just says Research Parkway but this included part of Carpenter Lane and Ms. Bush says that was her error. Mayor Dickinson then says he doesn't feel they should touch Carpenter Lane.

Ms. Bush says this isn't a typical subdivision. The Town has never accepted a bond.

Mayor Dickinson says he does not want to release anything on Carpenter Lane until they resolve the Carpenter Lane issue.

Mr. Costello says it is all part of this deed. He then says it is a separate deed to accept the land to the water tower.

Ms. Bush says there is one deed for the road, one for the water tank and then the sewer easement.

Mr. Diana agrees with the Mayor and says he doesn't feel they should do anything about this tonight.

Mrs. Bergamini then asks Mr. Costello what would happen if they don't go along with that. Mr. Costello says the only problem will be snowplowing the road at this time of year. FIP will have to do it.

Mr. Rys then says they should table this motion. Mr. Killen says just the Research Parkway/Carpenter Lane should be tabled.

Mr. Rys then moves to table Research Parkway/Carpenter Lane; seconded by Mr. Killen.

Ms. Bush wishes to speak on this and Mr. Rys and Mr. Killen both withdraw their tabling motion.

Dickinson then says he will send them a letter saying that the same issue has to be resolved.

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Mr. Rys then moved to table Research Parkway/Carpenter Lane; seconded by Mr. Killen.

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

Mr. Costello then says the Water Tower was built just south of Carpenter Lane and east to the driveway of the Bristol Myers site. This again was part of the agreement with the FIP Corp. and has been completed for a while now.

Mrs. Papale then moved to accept the deed for the land the Water Tower is on on Carpenter Lane; seconded by Mr. Rys.

Attorney McManus feels they should wait on this also.

Mayor Dickinson says it depends on the limits for the piece for the water tank. If the road has to be expanded for reconstruction, how do we get to the water tank if that piece doesn't extend all the way to the road.

Mr. Costello says it abuts the existing right of way of Carpenter Lane.

VOTE: Council Members Holmes, Papale, Polanski, and Rys voted yes; Council Members Bergamini, Diana, and Killen voted no; Mr. Gouveia passed and Chairman Gessert was not present for the vote; motion does not carry.

Farm Hill Road, Section 5 is then up for discussion and Mrs. Bergamini reads the letter signed by Mr. Deak and Mr. Costello saying that all work has been completed in accordance with the approved subdivision plan.

Mr. Killen then moved to accept Farm Hill Road, Section 5; seconded by Mr. Holmes.

Mr. Rys asks what part of Farm Hill Road this is.

Mr. Costello says the upper part. The road in Sections 1 & 2 was accepted in 1979. Section 3 did not involve Farm Hill Road. Sections 4 & 5 involve the extension of Farm Hill Road which goes up the hill and around the bend. There will be a future section extended out to Sunrise Circle. Involved in this also is Briarwood Lane, north of Farm Hill. This is Section 4. This is to the North.

Briarwood Lane to the South is Section 6. This is not part of this but he would like to discuss it tonight. Ms. Bush then says when she sent the letter to the Council she only had the sign off on Section 5 but last night the P & Z Commission was able to accept 4 & 6. The developer would then like the Council to accept 4, 5 & 6 if they can instead of just 5.

Mr. Costello says section 4 was completed before he came to Town. Ms. Bush does have the letter signed for Section 4 but not for Section 6.

Mr. Costello explains that Farm Hill Road and Briarwood Lane are both in Section 4. Ms. Bush says everyone thought that Section 4 had been accepted because it had been built so long ago but in checking the deeds and land records, it had never officially been accepted by the Town Council. Section 5 had been done last winter and it was just the paper work holding that up and Section 6 is just being completed.

Mr. Killen questions Section 4 and Mr. Costello brings his drawing over to Mr. Killen to explain.

Mr. Costello then says Briarwood Lane is Section 6 which is the section South of Farm Hill Road is 99% complete. There is one little area there that there is a problem with the water piling near a catch basin. When the developer's subdivision is approved, he has to post a performance bond to cover all the public improvements. There is a provision in the subdivision regulations which says, "upon completion and sufficient acceptance by the commission of all public improvement required, performance bond shall be released except that amount as determined by the Town Engineer shall be

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retained as a maintenance bond until April 30 of the following year or such later date as may be necessary to correct any defects that may have developed or become evident during the winter season." That is the situation they have on Briarwood Lane, Section 6. We recommend that the road be accepted at this point in time. There is a maintenance bond in place to cover this small problem we have. The bond is only \$2,500 because the problem is small.

Ms. Bush again says the residents would like them to accept these roads and there is the maintenance bond if there is a problem. She then says if they accept this and it is a precedent, in the future maybe they should keep more money for the maintenance bond and then the work should be completed because they will want their money back. This also assures that the little items that can't be corrected during the winter months will be done.

Mr. Killen then asks why they are not all on the agenda tonight.

Ms. Bush says they will be on the agenda for 2 weeks. They didn't accept many of these roads until last night and it was too late to go on the agenda.

Mr. Killen says right now all they have is Beaumont Farms, Section 5. This is all they can act on now.

Mr. Costello says not to accept 5 without 4.

Mr. Killen then moved to table Farm Hill Road, Section 5; seconded by Mr. Rys.

Mrs. Papale wanted to speak and Mr. Killen withdrew his tabling motion and Mr. Rys withdrew his second to the motion.

Mrs. Papale then asks Mr. Costello if in two weeks from now they will have everything they need to accept these roads.

Mr. Costello says yes, they will have everything tomorrow.

Mrs. Papale then says the only problem is that if they have a large snow storm between now and two weeks, the developer will have to plow.

Mr. Diana then questions why they can't vote on Section 5 and is told by Linda Bush that you have to go over Section 4 to get to Section 5.

Mayor Dickinson then suggests that they do this item Thursday night at the special meeting. If it is an official Council meeting, they can put it on the agenda. It is then decided that they will do Sections 4, 5 & 6 on Thursday night.

Mr. Killen then moved to table Item 7b, Farm Hill Road, Section 5; seconded by Mr. Rys.

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

It is then noted that since there is an agenda already out, this will have to be an addendum to the agenda.

Item 8 is then up for discussion.

Mr. Diana says the reason they are all here is a loophole that happened last time when the Council asked for a presentation the last time he was told that Carmen was the enforcement officer and he was asking Linda to attend last time. Tom is the assistant enforcement officer and that is the reason he is here. What he is looking for is some reasonable answers for some problems that have come to light in town. He states he has been getting a lot of phone calls lately on Chaps Restaurant. This is located on Route 5 right near Everybody's market. The problem is that because Everybody's has taken up all the space for signs, he is not allowed to put a sign up. Is there anything that can be done?

Ms. Bush says they have asked anyone who has a question about the sign regulation to come to the commission and let them know what the problem was. Mr. Case did come to the commission at the beginning of December. The commission was sympathetic to his

case. They discussed possible changes. They could not come up with a change to the regulation at that time. She has not had the time since the December meeting to look into that. She will try to get to that. 20

Mr. Diana then says the other thing is Papa Gino's/Bess Eaton. Are they going to be allowed to keep their sign up.

Ms. Bush says whenever anyone is found in violation of the zoning regulation and they are making an attempt to rectify their violations, she believes this is the case with Papa Gino's. The enforcement is in a stay position. That is the law.

Mr. Diana then asks what is being done to allow them to have the sign.

Patricia Acton then says why should they allow them to have an illegal sized sign when they were told the day they were putting it up. They didn't have a permit but just came in and put up these large signs.

Ms. Bush says they came in the day before the signs were to go up, they came into her office and were told the signs were too large and they could not go up, and they went up anyway.

Mrs. Papale then asks if they aren't the franchise that is all over. Don't they use the same size everywhere?

Ms. Bush says in Meriden, they use a smaller sign. Every company franchise has various size signs, depending on what municipality they put their franchise in. Meriden's sign is $\frac{1}{2}$ that of Wallingford.

Mr. Diana then says he does not agree with the sign regulations, he feels they are too tough. He then wants to direct his question to Linda Bush.

Patricia Acton then says that Linda is their employee. She feels Mr. Diana should direct any questions on sign regulations to the Commission. The commission voted the regulations, they are responsible for them. She has the authority, not Linda.

Mr. Diana explains that he directs his questions to Linda because any time there is criticism about the sign regulations, it is Linda who answers them.

Ms. Bush then says many times people come to her office and she is the one to tell them no you can't do that and many don't understand that she is saying that because that is what the commissioners have adopted. As much sympathy as she may feel for someone, she has no authority to change what the commissioners have adopted.

Mr. Diana again says he feels this regulation is a little too tough. We should have started this regulation with the noose around the neck a little loose and then where we saw the discrepancies, tighten it up a little. He says it is a 9-5 regulation. Monday-Friday. On Saturdays and Sunday, you always find people selling something on Route 68 or wherever. This is just a case of people doing it. We have people like Chaps who can't put a sign up and these people are active members of the community, they support the community, they give dollars to the different year books and everything else, they pay taxes and we are harrasing them and saying they can't put a sign up yet the person on Route 68 who wants to go out and sell something is allowed to do it on Saturday or Sunday without any punishment.

Ms. Bush says she has been out on more than one Saturday. She has even gone out taking pictures. She does not work 8 hours on Saturday and Sunday but she has been out on weekends.

Mr. Diana says don't they agree it is wrong not to let these people advertise their business.

Ms. Acton says if he is talking about Papa Gino's, those people knew the regulations and bought the larger than allowed signs. The gentleman from Chaps came to our meeting and we spent a lot of time with him. Ms. Bush then says that she was suppose to look into something that she has not gotten to yet. Ms. Acton says this is a very big town with an awful lot of signs.

Mrs. Papale then says there are signs all over on the Boston Post Road in Guilford and Madison. It is worse than Wallingford.

Ms. Acton says they are trying to maintain some order.

Ms. Bush then says 95% of the Councils votes are discretionary. They have a choice. The P & Z commission for the most part, 95% of their votes are nondiscretionary. They are required by law to follow regulations. We regulate land use. We regulate property that someone has paid thousands of dollars for. We have to be fair to everybody. They have to let everyone know what they can and can't do with that property. Mr. Case has a legitimate concern. You can't let one do and not the other. The regulations have to be followed. The Zoning Board of Appeals is there when there is a hardship in the land. Someone's property is distinctly different from the others and the Board of Appeals handles that. 21

Mr. Holmes then says he has an item he would like to put on the agenda in two weeks that has to do with signs but he would like to touch base with the commissioners first.

Ms. Bush then says the Commission last night decided to hold an informational meeting on February 24. Anyone who is interested in the sign regulations will be invited to attend.

Mr. Case then says he feels it is essential that the people making up these regulations know that that sign translates dollars coming in the door. When he came into town, he asked if he could have a sign and was told he could in good faith. Regulations had been changed after he made the commitment to go ahead and operate his business. The result is his revenues have been much lower than projected and it is clearly because of the sign. People don't know he is there. It translates into dollars and to jobs. He probably has 6-7 employees less than he would had he had proper exposure out on the street. It really has cost him a great deal of money. The Commission has said they would work it out and so forth, but every day that goes by hurts him even further. It is a commercial zone. If you are going to open a business, you have to have a sign and have some identity. He needs assistance immediately.

Ms. Acton says they were sympathetic to Mr. Case and they do want to help him. Maybe they need more staff in the office to keep up with the complaints. If you allow one to go beyond regulations, there is another up the street with the same problem.

Mrs. Pape then says in this case he was told one thing and the regulations changed. Where his business is, she lives in Wallingford and she never noticed it until someone mentioned it to her. You can't even see him.

Ms. Bush says that is what the commission has asked her to do. To rewrite the regulations to address cases like Mr. Case's. It has been only one month and she will have to find time to do this.

Ms. Acton says Linda's office is very busy and the Zoning map was the most important thing done in the last 20 years.

Chairman Gessert then says he knows that they must understand that their sign regulations are not perfect and that they are looking into changes that will try and make it a little more perfect.

Mrs. Bergamini comments that last night at the P & Z meeting they handled the Losie family because they got in just before their map was actually approved.

Ms. Bush says under State law if the subdivision is submitted under one zone and you change the zone, it is legally under the old one.

Mrs. Bergamini then says why when his business opened, was he told he could get a sign.

Ms. Bush says when he came to the office to get a sign she told him to go to ZBA and get a variance because that is how they had done it for 20 years. It was just a couple months later that they passed the new regulations. Mr. Case did not put up the sign until the new regulations were in place. Mr. Case was stuck under the regulation when he came in to apply. Losie's applied under a prior regulation. It is a legal technicality, he had not officially applied.

Mr. Diana says he understands they were busy with the zoning map but we have people like Mr. Case who has a problem and we should have been dealing with the problem.

Ms. Acton says she knows he is partial to businessmen and she likes

businessmen too. They represent an awful lot of taxpayers who have spent an awful lot of money in Wallingford and they want to keep everything looking good.

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Mr. Diana says he does believe in free enterprise but what he is more partial to is the rights of the people of this town. When he sees rights being violated, he feels he has to defend them. He feels these people had been denied their rights. All he wants to do is get some communication going between us to relax the regulations a bit.

Ms. Acton then says that any questions they have about the zoning is more than welcome. However, calling Linda to meeting after meeting is not necessary. If you have any suggestions, feel free to call.

Item 9 is then up for discussion.

Mr. Polanski then moved the transfer of \$2,500 from A/C 805-319 to A/C 145-410; seconded by Mrs. Bergamini.

Mrs. Bergamini then asks Mr. Dunleavy if there is no other place to get this from and he replies no.

Mr. Killen then says he had requested money and that is what he got, what happened to that money.

Mr. Dunleavy then says that the number of public bids going out has increased so much that they used the original appropriation up in the first six months of this fiscal period. He will be having 40 bids which must be publicized in March and he will need the additional funding. It is also pointed out that the Police Station has had something to do with this.

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

Item 10 is then up for discussion.

Mr. Rys then moves a transfer of \$289 from A/C 203NF-Capital, Radio Pagers to A/C 203CH-500, Vehicle Maintenance; seconded by Mr. Diana.

Mrs. Bergamini then comments that they all want the same number of radio pagers and all of a sudden we can spend the money for radio pagers.

Chief McElfish explains that the bid came in lower. They never know from year to year.

Mr. Rys says they are transferring from North Farms to Cook Hill. Looking at the 11/30 budget report, which doesn't include December purchases, he sees an unencumbered \$255.10 under maintenance of buildings and under maintenance of building he has another \$369.52 and also under training, there is also an unencumbered \$300. Has all this been expended.

Chief McElfish explains that the money out of North Farms was capital money that was there and not expended. He does feel the money will be expended that Mr. Rys is questioning.

Mr. Polanski then asks who determines where the equipment goes to get repaired and why are we limited to only about 2 people who do the repairs.

Chief McElfish explains that they are very happy with the service they get. If it is a good vendor, there is no problem with dealing with them. They have tried many companies, not just two. They have used Plunski's, Chevrolet dealerships, Public Works, etc. He says they have called Circle A at 2:00 a.m. and he has come at 3:00 a.m. to help them.

VOTE: Unanimous ayes; motion duly carried.

Mr. Holmes then moved the transfer of \$3,000 from A/C 203R-167 to A/C 203R-500; \$3,000 from A/C 203R-166 to A/C 203R-500; \$400 from A/C 203R-195 to A/C 203A-500; \$401 from A/C 203CH-Capital to A/C 203CH-500 and \$210 from A/C 203EW-Capital to A/C 203CH-500; seconded by Mr. Rys.

Mr. Killen then questions Chief McElfish about the Paramedic Training. How many did he expect to take the training at budget time.

Chief McElfish says two. Only one person made it to the training school and then had personal problems and had to stop so there are no more programs being offered until spring. 23

Mr. Killen asks how we will know if someone is qualified?

Chief McElfish says they needed some 20 people. Three people qualified but only one made it to the school and then he had to drop out because of personal problems. It wasn't that they were not qualified. He hopes to have 2 more people on by for next spring.

Mr. Rys then questions the Chief on 10d he notices repairs to the Sentinel. On visiting the Station one day there seemed to be a problem with the synchronization of the belts. Has that been rectified. They have called Ontario and right now they are coming up with a modification says Chief McElfish. It is working now and they have come up with 2 different belts but Ontario is working with Ford to come up with another solution. He does assure them that they are staying on top of this.

VOTE: Unanimous ayes; motion duly carried.

Chief McElfish then thanks the Council for all they did during the loss of firefighter Goetz.

Item 11 is then up for discussion.

Mr. Rys then move the transfer of \$220 from A/C C503-01-01 to A/C 798A-500 and \$680 from A/C C504-01 to A/C 798A-500; seconded by Mrs. Bergamini.

Mr. Polanski then asks Mr. Deak how he determines it is time to stop repairing these cars and take them to the happy hunting grounds. If you have a \$1,000 car and it costs you that much to fix it, do you say no more.

Chairman Gessert then says that the Police Chief's car blew the engine. Steve's car had a better engine. They took the engine out of Steve's car and put it into the Chief's old car. Steve now uses that car.

VOTE: Unanimous ayes; motion duly carried.

Mr. Rys then moved the transfer of \$6,000 from A/C 805-319 to A/C 507-642; seconded by Mr. Polanski.

Mr. Rys then notes that Mr. Deak does have money unencumbered in the report of November. Mr. Deak explains that they have projects that will be using up that money.

Mrs. Bergamini then asks Mr. Myers how much is left in the Contingency and is told about \$33,000. She then says they haven't even had a storm yet.

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

Chairman Gessert then calls a 5 minute recess.

Item 12 is then up for discussion.

Mr. Holmes then moved the appropriation of funds in the amount of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827, Self Insurance Deductible; seconded by Mr. Rys.

Mr. Holmes then reads the letter from Charlotte Collins explaining the reason for the need of the \$3,012. The letter states A/C 804 827, Police Professional Liability Policy, has been depleted due to two claims being settled in FY86. More claims are pending and they will need the extra money.

Attorney McManus then says he doesn't know what she is talking about.

Ms. Collins explains that actually she was in error to say it was on the Policy Liability policy, it was the public officials liability in which there is a \$5,000 and it is Gianotti and Organze vs. Town of Wallingford.

Attorney McManus says this was something that was defended on by the Insurance Council.

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Mr. Killen asks when this will be paid out. Ms. Collins says it was paid out in August for \$5,000. Ms. Collins then says the Self Insurance Deductible account had \$5,000 in the account.

Mr. Killen says the total appropriation shows \$7,500. Year-to-date expenditure \$2,590, Outstanding expenditure \$731 which leaves a balance of \$4,179.

Attorney McManus then says they won that case but what happened is they billed back defense costs. They did a nice job on that case.

Mr. Myers then says his up to date balance shows \$4,269. He doesn't know if there are bills pending. He went over it with Charlotte and thought the account was exhausted. If you want to table it until the next meeting, they can come back with it then.

Mr. Killen moved to table this item (An appropriation of \$3,012 from Unappropriated General Fund Cash Balance to A/C 804-827); seconded by Mr. Rys.

VOTE: Unanimous ayes; motion duly carried.

Item 12b is then up for discussion and Charlotte Collins says that on that Item she has to increase it by at least \$6,500. She has received the audit on the General Liability Policy for 84/85. The town's portion of that is \$6,223 additional premium due on the policy. Each year the insurance company comes in and does an audit based on payroll and expenditures and adjusts the premium. Therefore, she will need at least \$6,500 more.

Mrs. Papale then moved the appropriation of \$46,500 from Unappropriated General Fund Cash Balance to A/C 804-825-Town Insurance; seconded by Mr. Holmes.

Mr. Diana then questions Charlotte on the back page of her letter it shows the coverages and the first item says autos. What autos?

Ms. Collins says that includes every town auto except Fire Dept. Autos.

Mr. Diana then asks her about where it says Fire (Property). She then explains that this is fire insurance on all buildings. He then questions the umbrella and he is told this covers the excess. It is \$1 million over our \$1 million. If we surpassed a million dollars we would have an additional \$1 million.

Mrs. Bergamini then comments about the jump in the umbrella price and Charlotte Collins explains that the reason is because she assumed the Electric Division was also covered under the umbrella. The Electric Division does not have any excess umbrella policy coverage over and above their \$500,000. When she realized that, she had to adjust the cost of the umbrella. That is why it went up. The initial premium did not change but she had to adjust. She then explains to Mr. Diana that the police Prof. Liability is basically the same as the Firemen's E&O.

Mr. Killen then asks Charlotte if she has records from the Insurance Company of what we have received from them up to date. The reason he is asking is they appropriated \$276,000, which later went up to \$510,000. That is over $\frac{1}{2}$ million in insurance and he would like to know what we are getting back.

Ms. Collins replies protection from just about everything.

Chairman Gessert then says this will be just what they will talk about at the special meeting on January 22nd. All the insurance items.

Mr. Killen says he gets mad because the insurance has tripled yet they don't know exactly what they are getting.

Charlotte Collins then says as they had instructed, RFP's did go out and will be back February 3rd for the insurance consultant.

VOTE: Unanimous ayes with the exception of Mr. Diana who voted no and Mr. Holmes was not present for the vote; Motion duly carried.

Item 13a is then up for discussion and Mr. Polanski moved the budget amendment to reduce A/C 440 by \$78,725, increase A/C 434-1 by \$322,140 and increase A/C 408-1 by \$243,415; seconded by Mr. Killen. 21

Mr. Walters then explains that during the budget deliberations last year there was awareness that the State Legislature was considering something be done with the gross earnings taxes. An assumption was made that all electric sales tax rate was going to be reduced from 5% to 4% and amendments were made to their budget to that fact. When the law was actually passed, it was only to residential sales and not to commercial and industrial sales. Rather than the \$322,140 that was put into the budget as a tax adjustment, but they are opposing, so that when they come before the Mayor and the Council with this year's budget, they will better be able to understand it. To actually state what the effect is going to be on this year's budget, that is only affecting residential sales, there is a reduction of 1% which will reduce their income by \$78,725 as best they can estimate it. Rather than have a reduction of \$322,140 in the tax figures, it is only going to be \$243,415 and that has to be paid to the state.

Mr. Killen then says the second paragraph of Mr. Walters letter says they already took into effect the fact that it was going down from 5% to 4%.

Mr. Walters says that is correct. The \$322,140 was placed as a line in the budget. A new item was created, 434-1. He then says rather than spread it everywhere, get rid of the loss because we know it is only going to apply to residential sales. He then explains to Mr. Killen that at budget time the Council put in their budget \$322,140 as a credit. They are putting a plus figure to offset a minus figure. The \$78,725 is the portion that is the 1% reduction in the residential sales for 9 months.

VOTE: Unanimous ayes; motion duly carried.

Item 13b is then up for discussion and Chairman explains this is for a reclassification of pay grade from grade 16 to grade 18 for the Assistant General Manager, Electric Division.

Mr. Walters explains that this was a pay grade change and the budget amendment he prepared was for the change in the listing on page 179 of the Personnel Detail and Salary Calculations for the 1985-86 budget. This is simply to show the change from one grade to another.

Mr. Polanski then moved the grade change of Mr. Michael C. Holmes from Grade 16-4 to Grade 18-3 as the Electric Division Assistant General Manager; seconded by Mrs. Papale.

Mr. Polanski then asks Mr. Walters when he asked for this reclassification.

Mr. Walters says that was asked for in their presentation of the recent budget back in budget hearings.

Mr. Polanski then says he was asking to see how long it took for this change to come through the Personnel Department and it looks like 6 months. Mr. Walters comments it may have even been longer than that.

Mr. Killen again says the agenda item calls for a budget amendment.

Mr. Walters again says this amendment form was strictly for the front part of the budget where you have account line items. It was his understanding that the approval that is being requested is from the Personnel Detail & Salary pages at the back of the budget which also comes before the Council for consideration and approval.

Mayor Dickinson says the sequence of events was that it was requested and put into contingency as far as money because there hadn't been a personnel evaluation. I don't think the personnel evaluation was requested from the personnel department and it got lost during the process of the budget until this fall sometime at which time it was brought to him again and then it went to Personnel. That was the process.

Mr. Killen then says this is not for approval of the budget process but merely for a change in the pay grade. Also, did it ever occur to anyone in Personnel that this would happen. An underling would catch up with the persons above him. Is this a form of promoting

the guy on top by simply putting the people under him up another notch. The guy on top doesn't have to do much to get a raise. This has nothing to do with the gentlemen in question because I am well aware of his capabilities. The reasoning behind this could be better. They should be looked at and kept in line.

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VOTE: Unanimous ayes; motion duly carried.

Mrs. Bergamini then move to Waive Rule V to entertain transfers from the Electric Division; seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Chairman Gessert then explains they have \$33,500 worth of transfers and basically it is to run the Pierce Power Plant. The Pierce Plant has not been running because of our agreement with Northeast Utilities, but we are to keep it available on a stand by basis. In talking to the Commission today they did not budget any ongoing operating costs to them. They just budgeted enough oil to run their 5-6 hour tests a few times a year that requires them by Northeast. They have been asked to crank it up and it was running last night and today. Mr. Walters then says it was still running at 8:30 and they did receive notice that they were to shut it down at 9:30 p.m. and then start up again at 6:00 a.m. and run until 9:00 p.m. Mr. Walters then says this request covers only what they know now. Today's running and tomorrow's running.

Mrs. Papale then says this seems to happen every year. Why?

Mr. Walters says they have budgeted for their capacity tests which are twice a year. As they entered into their agreement in the early 80's, they began cutting back their budget. The first year they budgeted over $\frac{1}{2}$ million for oil to run and it turns out they ran it for \$8,000. The next year they budgeted \$300,000 and ended up spending about \$20,000. The next year their experience showed they weren't being asked to run much so they dropped it to \$135,000 and they spent \$50,000. Year end, June '85, they budgeted \$35,000 and they ended up spending \$43,000. This year they budgeted \$45,000 and to the end of December they have spent \$27,000.

Mrs. Papale then says they do put some in there and is told yes.

Mr. Walters says for 3 years they only ran for tests. In 1985 they were asked to run in the summer and this is the first year they were asked to run now.

Mr. Holmes then moved the transfer of \$500 from A/C 555 to A/C 505-1, \$30,000 from A/C 555 to A/C 501, and \$3,000 from A/C 555 to A/C 502-1; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes; motion duly carried.

Chairman Gessert then notes that while they are under Rule V, they do have another request from the Mayor which he would rather not go into any detail on. The date is February 20th and the transfer is self-explanatory.

It is then noted that account 103-603 needs to be established. Chairman Gessert then asks if that is not under Public Celebrations and is told no. They are not involved right now. The Mayor says the meetings are during the day and the Public Celebrations committee is unable to attend. Mayor Dickinson then says Public Celebrations has their own bank account. We are going through purchasing. It would be easier to put it into a town account and then purchasing is handling all the purchasing aspects.

Mr. Rys then moved to establish A/C 130-603; seconded by Mr. Polanski.

VOTE: Unanimous ayes; motion duly carried.

Mr. Killen then says he would rather see this money come from the General Fund Surplus Account. That does not have an account number.

Mr. Myers then says that account would be General Fund Unappropriated Cash Balance.

Mr. Killen then moved the transfer of \$4,500 from General Fund Unappropriated Cash Balance to A/C 130-603; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes; motion duly carried.

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Item 14 is then up for discussion.

Mr. Holmes then moved an appropriation of funds in the amount of \$12,950 from Unappropriated General Fund Cash Balance to A/C 811-804; seconded by Mr. Rys.

Chairman Gessert explains that this is from the \$176,000 that was allocated for that purpose. This is for the radio system. This is the 2nd item purchased. The first was furniture for \$24,458. This comes from an ordinance but the ordinance was funded from cash balance.

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

Item 15 is then up for discussion. The Council decided to move items a-e.

Mrs. Bergamini then moved the transfer of \$500 from A/C 201P-300 to A/C 201P-410; \$150 from A/C 201P-300 to A/C 201P-580; \$900 from A/C 201P-130 to A/C 201A-140; \$2,000 from A/C 201P-163 to A/C 201D-160; and \$13,260 from A/C 805-323 to A/C 201P-629; seconded by Mr. Diana.

Mr. Killen then questions Chief Bevan that in A/C 201P-300, 5 months of the year have gone by and they have encumbered \$34,000. Is this based on facts. \$12,372 has been used through November for gas for Police Patrol. You are encumbering a large sum of money which leaves unencumbered of only about \$4,000 which gives us no lead way to go by if you have other requests for transfers. Have you already contracted for that particular amount? Chief Bevan replies no. Mr. Killen then says it shouldn't be encumbered for that amount at all. Chief Bevan says that was a guess of what they would use for gas at the beginning of the budget year. Mr. Killen says once you encumber it, we have to assume you have something to go by. You have orders in. Chief Bevan explains as they have the tank topped off, they receive the bill and it is paid. Mr. Killen then says there is no reason the \$50,000 should be encumbered at all. As long as the bill comes they just pay it. They should not be encumbered. Mr. Killen explains that none of it should be encumbered. Just use it as you go along. Don't encumber it.

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

Mrs. Bergamini then moved an appropriation of \$3,800 from Unappropriated General Fund Cash Balance to A/C 811-803; seconded by Mr. Rys.

Mr. Myers then explains that this has to be done in two parts. They have to approve the purchase of the window blinds and accept the bid of \$3,800 and then fund it.

Mrs. Bergamini then moved the approval of the window blinds from Aero Draperies, the low bidder, in the amount of \$3,800 as per specifications in Public Bid No. 85-99; seconded by Mr. Rys.

It is then explained that they will do the awarding of the bid and the appropriation of the money as one motion.

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

Chairman Gessert then notes that they have 7 new blues out there tonight. Chief Bevan comments all from East Mississippi.

Item 16 is then up for discussion.

Mrs. Papale then moved for the official reappointment of Mr. Joseph Blichfeldt to the Personnel & Pensions Appeals Board for the term of five years effective December 31, 1985 through December 31, 1990.

VOTE: Unanimous ayes; motion duly carried.

Item 17 is then up for discussion.

Mrs. Bergamini then read the following:

28

Be it enacted by the Town Council in Session:

RESOLVED: Amend the 1985-86 General Fund Revenue Budget
Non-Operating Revenue
Account 901
Notes and Other Obligations (\$275,000)
Estimated Cash Balance
Account 100-01
Appropriated from Available
Cash Balance June 30, 1985 \$275,000

Mrs. Bergamini then moved this resolution; seconded by Mr. Killen.

Mrs. Papale then asks why we are doing this.

Mayor Dickinson then says it is because we are not going to bond. We can take the money from surplus rather than issue notes. Originally it was to issue notes because we couldn't be sure of the surplus.

Chairman Gessert then says this is paying for the additional insurance costs that we had and we didn't need a note because we are taking it out of cash. It saves interest money.

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

Item 18 is then up for discussion.

Town Clerk Rascati then says she will withdraw that because she thinks there is going to be a primary and she was taking that out of Election Supplies.

Mr. Killen says she still needs the \$300. She can go to the General Fund Surplus the same as anyone else. You are producing money down there. It takes money to make money.

Mr. Killen moved the transfer of \$300 from General Fund Unappropriated Cash Balance to A/C 603-135; seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Attorney McManus then notes that he is withdrawing Item 20 on the agenda. They all got the letter from him.

Item 19 is then up for discussion.

Mrs. Papale then says that she and Ed and Bert and Peter have talked about having a new Charter Review Commission and they thought they would bring it up to the Council and see how they felt. She feels that 2 years ago when it was brought up they would now be working with a new Charter Revision Commission.

Mrs. Papale feels that the things going on now that she found out when she was campaigning, that maybe it is time to discuss it again.

Mr. Diana then says some of the things for Charter Revision are very controversial. However, there are some things that are very important to the Town and one is the recall. Right now as it stands, you can be recalled with no minimum vote showing up at the polls. If 20 show up, 20 can throw you out of office. When you have a group who can recall you for no good reason, he would at least like to have a standard test of time. For Parker Farms there was no time needed for the referendum. There are some good items to be brought up for the Charter Review. This would be a good time to get Charter Revision off the ground even though it won't take effect for a couple years. It will take a while to get going and put on a ballot. If you want to vote, from my end, I would be happy to do it.

Mrs. Bergamini says Charter Revision is a horrendous job. She says if Marybeth and herself knew what they were in for they never would have accepted it. They gave hours at the library researching and then they would have to throw it all out because a decision was in court. They would come before the Council and they wouldn't like

it and they would be back doing it again. If they had a lot of serious things that they wanted changed, then maybe she would go for a Charter Revision. The other thing that bothers her is where are you going to get these people to serve. They have already used up a lot of good people on Parker Farms and the Handicapped Committees. Then they may get someone on there who will zero in on one item and that is it. Charter revision is a very important thing and it has to be someone who is very interested in the Town and really wants to read it from cover to cover. When we did it, we had a very good group and they learned a lot but it was a tremendous amount of work. If there are a lot of things to address, maybe but for one item ...

Mr. Diana says he knows the people will have to be dedicated to do a job like this. However, he believes in a town of 40,000 they will be able to find people willing to do this. This might be something we ought to consider.

Chairman Gessert then says there are a couple of items in that that should be looked at and if we ever get to this point, he feels that one of the dangers of a Charter Revision Committee is that they start at part 1 and they can come in with changes on every page. The other way would be to say we would like you to consider so many items and leave the rest of it alone. Once they start, you can't limit their charge. If there is a question of recall, it ought to be addressed. We don't like waiving bids at this table but we have had that thing in there for \$2,000 since \$2,000 was worth \$2,000. A riding lawnmower is more than \$2,000 and it ends up going out to bid. He doesn't have any problem with Charter Revision. He may have some objectio to the P&Z Section. He would be willing to look around to find some willing people who are capable.

Mr. Gouveia then says personally he doesn't see anything wrong with having a committee of citizens to take a look at the Charter and with the aid of other citizens, seek ways to improve it.

Mr. Gouveia also says after everything is said and done, if they find that indeed the Charter is OK, that only serves as a reaffirmation that the document they have is a good document. I personally would not like to go into this for one item, but he would like to have the people's input into this and see what they have to say.

Mrs. Papale says when she was campaigning for reelection, she did talk to a lot of people and the Planning & Zoning was one thing she heard so much commotion about. Everyone seemed to complain about Planning & Zoning. We all go out and work hard to get on the boards we are on and we are only on for 2 years. Mr. Makepeace said tonight that 2 years was not enough for the P&Z Commissioner. Maybe if we had elected Planning & Zoning, the people of the Town would be happier than just by appointment. Two years ago she would never have thought of this but after talking to people on this, she has changed her mind. She was even unhappy with the directional signs. Also the problem with the recall. She did not vote for the recall so maybe she heard a lot about this. More she heard about Planning & Zoning. She has even gotten calls from 2 good people who say they are willing to serve on this committee. There are people out there who are willing to do it.

Mr. Holmes then says that when this was first brought about about the Planning & Zoning being elected, he did a lot of thinking about the subject. For a strictly political decision due to the climate out there of some of the residents, it would be ludicrous to go to an elected P&Z Commission. You would waive the right of popularity at this point. We are treading dangerous waters in talking about going to an elected Planning and Zoning. The appointed process we have now will stand the test of time allowed them. If we go to elected P & Z we will loose all kinds of control. It will be out of the administrations hands and the Town Council's hands totally. When it comes to making our decisions and when someone across from you has donated to your campaign, and this plan is before you right now, it is a very tough decision.

Mr. Killen then says it is easier for the developer to get to the nine of us than it would be for the number of voters in Town.

Mr. Holmes then says the Planning & Zoning Commission is a very influential body in town. That is going to dictate what course of action you are going to take and how this town will be layed out. We try to appoint people we feel are highly qualified.

Mr. Diana says if he were sitting in the Mayor's chair right now he would not want an elected P & Z from the political standpoint. If you are the one appointing them, you don't want to throw them out of office. This is if he were a Republican Councilman. There is more to be discussed than P & Z. There is a certain safeguard if you are a Republican. It is a legitimate concern. There are other issues there. P & Z should be elected. He has always said that. Politics would still put people on the P & Z. Whether elected or appointed. The only difference is that once you are on there, at least you are answerable to the people of town and the people in Town now become all the voters vs just an administration. There are certainly a lot of issues here and not just Planning & Zoning. 30

Mr. Diana then says nobody can ignore the issue of recall. If 30 people can show up and throw us out of office, that is not fair. He defends recall.

Mr. Killen also comments about recall and says if there are 50 people disgusted with us because of the garbage thing, then they can recall us and how do you replace us. The Council fills the vacancies. How do you do it. These are the things that have to be looked at. An elected Planning & Zoning, that is power to the people where it does belong. Not in the form of recall where you can call the guy back. Quite a few years back it was a 6-3 Republican controlled Council. One Gentlemen died and one resigned. They tried to fill it on a 4-3 vote and it went to court and they said it had to be 5 votes. You get your hands tied with some situations.

Mr. Diana and Mr. Killen do say there are other issues and you never know it until you get someone going on it.

Mayor Dickinson then says the only items mentioned for Charter Revision both deal with power. The average person could care less about either of those items. It is only the people who need or can use that power that are concerned about it. We are concerned about recall because we could be recalled. The average guy in Town doesn't have much of an opinion. Planning & Zoning, whether elected or appointed, you are always going to upset someone. You are just changing one group to another. Unless there are other more subsequent matters...we have issues coming out of our ears with all kinds of committees now. The average guy is concerned about how we are spending his money and is he getting his services. If we are fouling up administratively and we are not following up on how we provide services on a daily basis, the Charter is in the way of that. That is one thing. If all we are going to talk about is who is going to decide what and how many people can do it, it is a waste of time.

Mr. Holmes asks if this is just a general discussion or are they looking for a vote.

Mr. Killen then says recall is an issue if not more important than Planning & Zoning. It was done by a handful of people. We are subject to that. It is always there like a time bomb. A handful of people can decide to get rid of you if they don't like you.

Mr. Diana then says he firmly believes we should have a recall process. The only thing is that it has to be fair.

Mr. Killen then says the point is if it is going to be there, let's strengthen it so that the people use it.

Chairman Gessert then says there is not a motion on the floor. We have three choices, we can discuss it and take no action, we can discuss it and put it to a vote, or we can table it for future consideration. The option is yours.

Mr. Killen then says there is a timetable and before we take any action let's study that timetable. It could be the minute we decide to establish one, within a certain period of time, the clock starts running. We discussed it and let's let it lay. The agenda just says discussion and possible action therefore no action is necessary.

Mr. Musso, 56 Dibble Edge Drive, states he agrees with Mr. Killen on recall. Those people were doing their job and doing it properly and they got kicked for it. The 2nd point is Iris said she went out and all she heard about was Planning & Zoning. Whatever is the hot issue at the time is what you are going to hear.

Mr. Killen then moved to note for the record the financial reports of the Town of Wallingford for the month of November, 1985; seconded by Mr. Rys. 31

Mr. Killen then commends Mr. Myers for the fine job they did putting these reports together.

Mr. Myers states that this is due to Glen finding that quality coated paper that is a lot easier to read.

Mrs. Bergamini then notes she laid out money for the refreshments for the Swearing In ceremony. Well by the end of the day she was had no money and went to the Comptroller's office for her check. You can't get 10¢ out of them unless you have the receipts, ID, or they know who you are.

VOTE: Unanimous ayes; motion duly carried.

Item 22 is then up for discussion and Mr. Holmes moved to accept the Town Council minutes of 12/4, 12/10, & 12/19; seconded by Mr. Polanski. Mr. Killen then says he has a problem with one of the sets of minutes and while he is looking for the problem Chairman Gessert says he got a letter from the library talking about their audio-visual equipment, cameras, and they have asked that a couple of the Council people take a look at it and see what can be done to replenish what they have or figure out what they don't have. Mr. Polanski and Mr. Holmes then volunteered for this position. Chairman Gessert then says that the other thing would be for all of them to give the Council Secretary their requests for any Committee assignments. They all give the Council Secretary these.

Mr. Killen then comments that in the minutes of December 10th on Page 18 it says Mr. Krupp then moved to appropriate \$27,365 and then in Parenthesis it has budget amendment. It can't be both. This is where it is funny.

It is then decided that the vote will be on the minutes of 12/4/85 and 12/19/85.

VOTE: Unanimous ayes with the exceptions of Mrs. Bergamini and Mr. Rys who passed on the minutes of 12/4/85 and Mr. Gouveia passed on all minutes; motion duly carried.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 11:50 p.m.

Lisa M. Beusquet
Council Secretary

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

1-28-86
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

1-29-86
Date