

Summary of Town Council Minutes

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November 26, 1985

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32-34

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34-35

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MEETING ADJOURNED.

35

TOWN COUNCIL MEETING

November 26, 1985

7:30 p.m.

- (1) Roll call and pledge of allegiance.
- (2) Public Question and Answer Period.
- (3) Consider & Approve recommended change in pay for Victor Scionti, requested by the Personnel Department.
- (4) Consider & Confirm Mayor William W. Dickinson, Jr. appointments to the Board of Ethics.
- (5) Consider & Approve the following requested by Charles F. Walters, Electric Division:
  - (a) An appropriation of \$6,743 from Retained Earnings to Personnel-Salary.
  - (b) A transfer of \$4,800 from A/C 592 to A/C 595.
  - (c) A transfer of \$1,500 from A/C 513-3 to A/C 512-4.
- (6) PUBLIC HEARING, 8:00 p.m., on AN ORDINANCE AMENDING ORDINANCE NO. 307 APPROPRIATING THE SUM OF TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000) FOR THE ACQUISITION OF THE STATE ARMORY, NORTH MAIN STREET, WALLINGFORD, CONNECTICUT, ITS CONVERSION TO A NEW POLICE STATION, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION BY INCREASING THE AMOUNT THEREIN APPROPRIATED FROM \$2,400,000 to \$2,689,000.
- (7) Consider and Approve a transfer of \$150 from A/C 201P-300 to A/C 201P-580 as requested by Joseph J. Bevan, Chief of Police.
- (8) Consider and approve the following requests by Steven L. Deak, Director of Public Works:
  - (a) A transfer of \$1,511 from A/C 505-130 to A/C 502-120.
  - (b) A transfer of \$1,403 from A/C 505-130 to A/C 503-120.
  - (c) A transfer of \$ 619 from A/C 505-130 to A/C 505-120.
  - (d) A transfer of \$7,325 from A/C 805-319 to A/C 507-642.
  - (e) A transfer of \$1,125 from A/C 503-130 to A/C 503-520-01. (TABLED)
- (9) Consider acceptance of the following roads, as requested by Linda A. Bush, Town Planner:
  - (a) Valley View
  - (b) Saw Mill Drive
- (10) Consider and approve the 1986-87 budget of The Wallingford Community Day Care Center along with the attached resolutions and agreement, as requested by Kathleen M. Queen, Executive Director of The Wallingford Community Day Care Center, Inc.
- (11) Consider and approve a transfer of \$1,675 from A/C 805-323 to A/C 140-130, as requested by Thomas A. Myers, Comptroller.
- (12) Consider and approve a resolution amending the General Fund Budget by appropriating \$840,722, as requested by Thomas A. Myers, Comptroller.
- (13) Consider and approve the following resolutions proposing Building Committees as requested by Mayor William W. Dickinson, Jr.:
  - (a) Handicapped access and Asbestos Exposure.
  - (b) Renovation & Reuse of Parker Farms School.

- (14) Consider and Approve the Financial Statements of the Electric, Water & Sewer Division of the Town of Wallingford as requested by Mayor William W. Dickinson, Jr.
- (15) Set a PUBLIC HEARING on AN ORDINANCE REQUIRING EXTERMINATION OF RODENTS PRIOR TO THE DEMOLITION OR RENOVATION OF A STRUCTURE, as requested by Councilman James A.G. Krupp.
- (16) Note for the Record the Ordinance Committee Meeting Minutes of November 6, 1985, as requested by Councilman James A.G. Krupp.
- (17) Accpet Town Council Meeting Minutes of November 12, 1985.
- (18) EXECUTIVE SESSION, requested by Vincent T. McManus, Jr., Town Attorney.

Town Council Meeting

November 26, 1985

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:44 p.m. by Chairman Gessert. Answering present to the roll called by Town Clerk Rascati were Council Members Bergamini, Gessert, Holmes, Krupp, Polanski and Rys. It was then noted by Chairman Gessert that Councilwoman Papale was on vacation and would not be present for the meeting and Mr. Diana was not going to be able to attend this meeting. Mr. Killen did arrive 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 then given to the flag.

Before the question and answer period, Mr. Thomas A. Myers then introduced Norman Rosow, Wallingford's new Tax Collector to the Council. Mr. Myers then says he is sure he speaks for everyone here in welcoming Norman to the Town of Wallingford and he considers him to be a very valuable asset to the management team of the Department of Finance, he looks forward to working with him and having him establish a working relationship with the public. He feels he will do a fine job. He then introduces him to the Council and the Council welcomes Mr. Rosow and wishes him well.

PUBLIC QUESTION AND ANSWER PERIOD

Mr. George Soltesz, 7 Russell Street, then says he would like to comment on the New Armory and is told by Chairman Gessert that he may speak on this item when the public hearing comes up on the agenda. John Murtha, 90 Farm Hill Road, then says he would like to speak about Parker Farms and is also told he may speak when that item comes up on the agenda. There are no further comments from the public.

Item 3 is then up for discussion.

Mr. Krupp then moved to approve the recommended increase for Victor Sconti; seconded by Mr. Holmes.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present; motion duly carried.

Item 4 is then up for discussion and Chairman Gessert reads the letter from Mayor Dickinson that states his appointments to the Board of Ethics. They are Rev. Dale Moyer replacing Ralph Ives and Earl F. Dewey II replacing Rabbi Manson. These terms become effective immediately upon Council approval and will expire December 31, 1985.

Mr. Krupp then moved the confirmation of the above appointments by Mayor Dickinson, seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present for the vote; motion duly carried.

Chairman Gessert then asked Town Clerk Rascati to swear Earl F. Dewey II in and it was noted that Rev. Moyer was not present. Town Clerk Rascati then swears Mr. Dewey in and he is then congratulated by the Town Council. 685

Item 5 is then up for discussion. Chairman Gessert then states that Item 5a refers to extra hours worked during Storm Gloria. This is to compensate those people for all the extra hours put in.

Mrs. Bergamini then moved the appropriation of \$6,743 from Retained Earnings to Personnel-Salary; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present; motion duly carried.

Mr. Krupp then moved a transfer of \$4,800 from A/C 592 to A/C 595; seconded by Mr. Holmes.

Mr. Krupp then comments that this is a transfer for a distribution transformer from 7/16-7/23 and it is now 4 months later. Why?

Mr. Walters says there was a budgeted amount of \$6,300 but they had not anticipated this problem. There were a lot of single repairs done also.

Mr. Polanski then asks what is station equipment? He does not feel the transformer is part of station equipment. Mr. Walters says that is the substations themselves. The transformers under this account are generally out on the poles. They are major substations.

Mr. Rys says since he does work for Data Products Corp., he will not be voting on this item.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present and Mr. Rys passed; motion duly carried.

Mr. Krupp then moved a transfer of \$1,500 from A/C 513-3 to A/C 512-4; seconded by Mr. Holmes.

Chairman Gessert then comments that this is one of the strangest bids he has seen in a long time. There was \$30,000 in the account and the bid ranged from \$31,500 to \$183,225. Does the guy that bid \$31,500 know what he bid on and does the guy that bid \$183,225 know what he bid on?

Mr. Walters says he has been trying to reach the man who is the successful bidder for the last few days but has not had any success. He has not gotten the answer yet. They all came down and looked at the piping at the Pierce Generating Station to see what they described in the bid specifications. A consultant on this type of work put the specs together and that is where the \$30,000 estimate came from. He hopes that the consultant and the successful bidder are on the same wave length. Mrs. Bergamini then wonders if the bidder will be able to do this job. Mr. Walters states that the consultant had done this type of work before when giving them the estimate.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present; motion duly carried.

Chairman Gessert then notes that Item 14 also pertains to the Electric Division and they will do this item now.

Mr. Holmes then Noted for the Record the Financial Statements of the Electric Water & Sewer Division of the Town of Wallingford; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present; motion duly carried.

Since it was not yet 8:00 p.m. it was decided to move up Item 7.

Mr. Holmes moved to move up Item 7; seconded by Mr. Krupp.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present; motion duly carried.

Mr. Holmes then moved a transfer of \$150 from A/C 201P-300 to A/C 201P-580; seconded by Mr. Polanski. 686

It was then noted that this item was under \$200 but there had been a previous transfer and this is why it is on the agenda.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale who were not present; motion duly carried.

Again, it was not yet time for the public hearing and Item 10 was moved up.

Mr. Krupp then moved to move up Item 10; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana, Mr. Killen and Mrs. Papale; motion duly carried.

Mr. Killen did arrive at the meeting at this time.

Mr. Krupp then moved to approve the 1986-87 budget of the Wallingford Community Day Care Center along with the attached resolutions and agreement; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present and Mr. Killen passed; motion duly carried.

Kathleen Queen then thanks the Council for their approval.

The resolutions and the agreement are as follow:

### R E S O L U T I O N

WHEREAS, The Wallingford Community Day Care Center, Inc. is a designated agency of the Town of Wallingford funded by the State of Connecticut through the Town of Wallingford for service to pre-school children and their parents; and

WHEREAS, The Wallingford Community Day Care Center, Inc. has been commended for both the level of service and the fiscal responsibility with which it has performed during its years of operation; and

WHEREAS, The Wallingford Community Day Care Center, Inc. is supported by State funds, voluntary contributions of time, money and material, including in-kind contributions by the Town of Wallingford; and

WHEREAS, The Town of Wallingford has not found it necessary to provide direct financial support as is done in most other towns providing Day Care service; and

WHEREAS, The Wallingford Community Day Care Center, Inc. is continually in operating difficulty because of the delay in actually receiving funds approved by the State;

NOW THEREFORE, BE IT RESOLVED:

(1) That The Wallingford Community Day Care Center, Inc. be permitted to borrow from The Town of Wallingford amounts necessary to meet the essential operating expenses of the Center between the time that the Center's program is approved by the State of Connecticut through its Department of Human Resources and the actual funding is received, but in no case to draw more than the amount approved and budgeted by the State for the period of operation as set forth in the 1986-1987 budget.

(2) The Wallingford Community Day Care Center, Inc. will repay the amount so borrowed immediately upon receipt of the State grant for the period for which the funds were borrowed.

Certified a true copy of a resolution duly adopted by the Local Agency at a meeting of its Governing Body on November 4, 1985, and which has not been rescinded or modified in any way whatsoever.

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

BY: \_\_\_\_\_  
ROSEMARY A. RASCATI  
Town Clerk

R E S O L U T I O N

WHEREAS, pursuant to Chapters 133 and 300a of the Connecticut General Statutes, the Commissioner of Human Resources is authorized to extend financial assistance to municipalities and human resource development agencies; and

WHEREAS, it is desirable and in the public interest that the TOWN OF WALLINGFORD make application to the State in order to undertake a Child Day Care Program and to execute a Grant Action Request therefor. It is understood that the Local Agency will provide a local grant-in-aid, where applicable, in accordance with the requirements of Chapter 133 and 300a of the Connecticut General Statutes, as appropriate.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 133 and 300a of the Connecticut General Statutes.
2. That it recognizes the responsibility for the provision of local grant-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the Local Agency in an amount not to exceed ONE HUNDRED TWENTY FIVE THOUSAND AND 00/100 (\$125,000.00) DOLLARS is hereby approved, and that the Chairman of the Town Council is hereby authorized and directed to execute and file such application with the Commissioner of Human Resources, to provide such additional information, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the Local Agency.

Certified a true copy of a resolution duly adopted by the Local Agency at a meeting of its Governing Body on 1985, and which has not been rescinded or modified in any way whatsoever.

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

BY: \_\_\_\_\_  
ROSEMARY A. RASCATI  
Town Clerk

A G R E E M E N T

AGREEMENT entered into between THE TOWN OF WALLINGFORD, hereinafter referred to as the "Local Agency" and THE WALLINGFORD COMMUNITY DAY CARE CENTER, INC., hereinafter referred to as the "Delegate Agency".

1. The Local Agency has executed a Grant Action/Program Design & Financing Plan, with the State of Connecticut acting by its Commissioner of Human Resources for funding program(s) to be carried out by the Delegate Agency, acting in behalf of the Local Agency. The Grant Action/Program Design & Financing Plan has been executed under the provision of the Master Contract executed between the Local Agency and the State of Connecticut on September 30, 1974.

2. The Delegate Agency and the Local Agency agree that such Master Contract and Grant Action/Program Design & Financing Plan as the Local Agency has executed with the State of Connecticut for the purpose of funding the program to be carried out by the Delegate Agency shall be and hereby is incorporated into this agreement by reference and made a part hereof. The Delegate Agency expressly agrees to be bound by the terms of said Master Contract and Grant Action/Program Design & Financing Plan and to carry out the program subject to its provisions during the period April 1, 1986 to March 31, 1987.

3. This Agreement shall be incorporated into and shall govern any other agreements that presently exist between the Local Agency and the Delegate Agency.

IN WITNESS WHEREOF, the Delegate Agency has caused this Agreement to be duly executed in its behalf and its seal hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 1985, and thereafter the Local Agency has caused these presents to be signed and sealed by the Council Chairman, duly authorized, this \_\_\_\_\_ day of \_\_\_\_\_, 1985.

Signed, Sealed and Delivered  
in the Presence of:

THE WALLINGFORD COMMUNITY  
DAY CARE CENTER, INC.

BY: \_\_\_\_\_

ANN CERRETA  
Its President

THE TOWN OF WALLINGFORD

BY: \_\_\_\_\_

DAVID A. GESSERT  
Chairman  
Wallingford Town Council

Item 6 is then up for discussion and the following ordinance is read by Mrs. Bergamini:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE APPROPRIATING THE SUM OF \$2,400,000 FOR THE ACQUISITION OF THE STATE ARMORY, NORTH MAIN STREET, WALLINGFORD, CONNECTICUT, ITS CONVERSION TO A NEW POLICE STATION, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION" BY INCREASING THE AMOUNT THEREIN APPROPRIATED FROM \$2,400,000 TO \$2,689,000 . 689

Be it Enacted by the Town Council in Session:

I.

Ordinance No. 307 entitled "An Ordinance Appropriating the Sum of \$2,400,000 for the Acquisition of the State Armory, North Main Street, Wallingford, Connecticut, its Conversion to a New Police Station, and Authorizing the Issuance of Bonds and Notes to Defray Said Appropriation" is hereby amended by the appropriation herein of the additional sum of two hundred eighty nine thousand (\$ 289,000 ) Dollars to finance the costs of acquiring and converting the State Armory located on North Main Street, Wallingford, Connecticut, to a new police station, as more fully set forth in an ordinance adopted April 26, 1983, Ordinance No. 307. Such sum in the amount of \$289,000 is appropriated in addition to the total sum of \$2,400,000 appropriated as contained in Ordinance No. 307 thereby bringing the total amount appropriated for such purposes to \$2,689,000. Such additional sum shall be expended for the costs of all parking areas and including architectural fees, engineering fees, furnishings, all construction costs and other expenses incidental to such project.

II.

The additional sum appropriated by this amending ordinance is to be defrayed by an appropriation from the general fund of the Town of Wallingford and is not to be defrayed by the issuance of bonds of the Town of Wallingford or, pending the issuance of such bonds, temporary notes.

III.

The present ordinance shall not in any manner affect the ability or legal authority of the Town of Wallingford, its Mayor, Comptroller or Treasurer, to issue bonds and notes to defray the appropriation of \$2,400,000 for the purposes set forth in Ordinance No. 307 or otherwise affect the legality of any bonds or notes issued or to be issued pursuant to such ordinance. All other terms, conditions or authorizations contained in Ordinance No. 307, specifically those contained in Sections II, III, IV and V, shall remain in full force and effect with respect to the \$2,400,000 portion of the ordinance which may be defrayed by the issuance of bonds and temporary notes.

Mr. Krupp then moved the ordinance for discussion; seconded by Mr. Rys.

Mayor Dickinson then says that the members of the Police Department have some information they would like to present and would like them to come forward. The amendment is not proposed lightly. Everyone is aware of the funding on the Police Department. Everyone will agree that the new Police Station and its ability to function is very important to the Town of Wallingford and ultimately the safety of the citizens of the community. To explain one aspect that has gotten some misrepresentation, he has the Feasibility Study of the Armory Building dated 1982. On the last page of that study, the study indicating a cost of some \$2.1 million is necessary for conversion of the Armory, the last page states, note the development costs do not include property acquisition costs. As we all know, \$230,000 was taken out of the \$2.1 million as the study indicates and utilized for purchase of the armory site meaning that the committee started out \$230,000 in the hole, using the figures that the architects prepared concerning feasibility of conversion. We are now three years later and given inflation and all of the other factors which increase costs, we are talking about an increase but not one that is over and above what inflation does given the \$230,000 that was taken out of the original funds. There are a number of items in the list submitted to make up the \$289,000. At this point he would like the members of the police department to come up and explain their increase or the amendment to the ordinance



Detective Fairchild then comments he has been with the Detective Bureau for the last 5½ years. He then says the information he has was prepared by himself, Lt. Butka and members of the State Telecommunications Commission. He then says presently their radio system has one form of radio operator. They don't have the facility for another operator in the event of snow storms, hurricanes etc. This would be for the overflow of calls. Consequently, these calls are delayed or not answered promptly. With the new console system it provides for two operators if there is a higher than normal rate of calls it will handle it. Also they do not have communication between the emergency services. The present system is 15 years old and the present survey conducted by the State indicated that the station is working below its normal level. The backup system they have now is 17 years old and does not allow for car to car or portable to portable and this function is very important. The age of the equipment they have not makes it unfeasible to convert to a console design. Right now if there is a malfunction, the entire radio, has to be taken out of service and repaired. Parts and the cost of repairs to these old radios is bad. Also at this time they are having a problem with portable radios reaching the base station. The proposed two satellite receivers would improve this. Also the low band they are on right now is not very well at penetrating buildings. The satellite receivers again would help this. They had a lot of instances where the portable radios did not function part of the time and examples would be the Mountainside Helicopter Crash, The KKK Rally, the stabbing recently on South Main Street, etc. Another part of the proposal is a recorder that records all the radio transmissions and all incoming phone lines. The recorder they have now is not capable of handling all incoming lines in the police station. 1090

Also, they don't have an instant recall on the tape recorder. Now they have to wait at least until the following day to obtain information off the taped call. The instant recall function will enable them to retrieve any call within the last 60 minutes. Often people call up and are excited and they hang up. With the new recall system this would allow for instant recall to get the person's name and address.

Chairman Gessert then says the communications system they now have is in very bad shape and in need of replacement. Detective Fairchild replies yes.

Chairman Gessert then notes that this is a public hearing and they will allow questions and comments from the public.

Mayor Dickinson then says there is a presentation for each of the items. He doesn't know whether they want to allow the men to go through with their presentation and then ask for comments or what.

Chairman Gessert then says he thinks they ought to hear from the public.

George Soltesz, 7 Russell Street, says what disturbs him about the armory price is about 3 weeks ago in the paper they had a figure of needing an additional \$55,000. Now November 23rd's paper says the figure went up to \$289,000. He was here at the 1983 ordinance when the \$2.1 million was set. At that time the Council was asked if they would hold that figure and he believes Dave Gessert said he would hold that figure. The cap was set at \$2.1 million. That was suppose to include the entire cost of purchasing, renovating and equipping the Armory. He would like to know when they set the figure of \$2.1 million, the Mayor said the \$230,000 paid for the Armory was cut off of that. That was not said at the time of the meeting. Also, why did the Town pay the State \$230,000 where West Haven paid the Town \$1. Are we billygoats or what? The other thing is that Councilman Holmes said in the paper regarding the Sewer Plant that it would be up to the Council to make sure there are no cost overruns. Once construction begins he wanted special meetings to be held to make sure costs stay on target. Now he says he favors raising the limit to purchase equipment. He also says the Police Building Committee has done a good job. The cost overruns should have been looked into.

Chairman Gessert then says at the time they looked at the \$2.1 million figure they were told they could do this in September 1982. In fact, they have built it including the \$230,000 deducted from the purchase. He hasn't seen anyone squeeze a nickel like Bill Fischer has done on this budget. They have looked for ways to economize. There were areas for tile floors and they ended up painted surfaces. Wall cover-

ings were painted. There were a lot of areas where there were costs that were ruled out to about \$450,000. Could the police move over to that building today and operate, yes. They put it together for \$2.1 million. They could move tomorrow. They would have substandard radio equipment, the same garbage they have now. They would have 8 detectives sharing 3 desks. They would still have beat up desks etc., but they could still operate with the building the way it is. 691

They would then have the \$2.1 million dollar building with everything included and bring over a radio system that doesn't work. It doesn't make an awful lot of sense. There is \$8,000 to refurbish. Also, there is \$27,000 for new furniture. They are going from 3500 square feet to 25,000 square feet. That means more access to the public, programs, desks, furniture etc. In efforts to keep costs down, there is every available piece of furniture here that could be reused and rather than replace they are sending it out to be refurbished. He has been on the Council for the last 12 years and he doesn't think they have spent \$10,000 on Police equipment other than cruisers in 12 years. They bought photographic equipment for the detective division but not much over the 12 year period. Consequently, the original equipment they had when they moved in here, they need more and some has to be replaced and refurbished. We spent \$230,00 for it because the previous Mayor and the State Representatives went to the Governor's office and made a commitment for that money. He feels we made a bad deal buying it at the price we did also. That was held by the previous Mayor and the State Representatives. They offered \$1 and were turned down. They offered \$115,000 and were turned down. This should not account for the communications system. That is something they need. George Soltesz says some of the items they are asking for could be cut and Chairman Gessert agrees. Mr. Soltesz also says the \$230,000 that was given to the State infiltrated among the pockets of the politicians.

Edward Musso, 56 Dibble Edge Road, says if you had \$100 and were told to buy something for \$100 you don't go out and buy something for \$120. They were told to spend \$2.1 million and they should have done this. The armory is a nice building. He went through it today. They - could make part of that a hotel or motel. They have all kinds of room there. However, they don't understand when you have \$2.1 million that is all you can go. The Library was suppose to last 50 years and now it is 10 years and they want to expand. According to P & Z the Police have only  $\frac{1}{2}$  the amount of parking there should be. They are going to be looking for parking area now. We the taxpayers have to suffer for this.

Howard Marshall says that in the 2 years they have gone through this situation of the \$2.1 million, they have lost 10% to inflation. This would be \$200,000 and there is money that they could have finished the building 2 years ago. The inflation would be 5% each year.

Chairman Gessert then says when the report of \$2.1 million was given, the date was September of 1982, Mr. Marshall is saying that from 1982 to 1985 there has been a 10% inflation rate over that time.

Detective Tom Hanley says he has been on the job for 11 years. He has also been a member of the feasibility and the Building Committee for the last 4 years. In regards to furniture, they have a bid in for \$27,365 for new furniture. This is furniture that will go in the public areas. They have been as efficient as they could. There is no fat at all on the furniture purchase. The 2nd half of this is the refurbished furniture. The new furniture price of \$27,365 is a price quoted by Connecticut Office Supply in Meriden. The refurbished furniture is \$8,180 and is a price furnished by Prison Industries. This is for repainting and reconditioning old furniture.

This will be put in back offices and areas out of view. This will all be used the minute it is put in the building.

Mrs. Bergamini then says they have a conference table for \$1,000 and conference chairs at \$363 each. Where did they get the figures from. Detective Hanley says they were taken from a local catalogue. Mrs. Bergamini then says they have to do some leg work. When they needed the Council chairs they set a limit of \$1,900. They got the 11 chairs for the Council for this price. That is under \$2,000. They are looking at \$3630 for chairs.

Chairman Gessert then says that the total figure for furniture was probably in the neighborhood of \$50,000. The actual bid came in 58% lower.

Detective Hanley then says what Mrs. Bergamini has is the starting point. They have about cut that in half. That is the initial proposal. Mrs. Bergamini then says \$27,000 makes her a little nervous. 690

Mayor Dickinson then says for the conference table the estimate was \$1,000 and the bid came in at \$392. Mrs. Bergamini then comments that the list they have is no good. They don't have the proper information to go on. She then says if she went through the list, she could do better. Detective Hanley then says they cut their price in half and she agrees that is not bad. He then says he is sorry they do not have an updated bid. They used a catalog for estimated prices and then put it out to bid and cut it in half.

Mrs. Bergamini then comments that when putting it out to bid as soon as they hear the Town the price automatically increases. Detective Hanley then says this furniture has to be used around the clock and has to be sturdy.

Mr. Polanski then comments they have 3 rooms they want \$10,000 for. The Chief's office, the Deputy Chief's office and the conference room. \$10,000 for 3 rooms! He then questions \$1,000 for the Chief's lateral files. What goes into these files? Chief Bevan says he maintains a complete set of Personnel files, DOT files, and his running file. He keeps all the files.

Mr. Polanski then says he would like to see a breakdown of what they are getting for the \$27,365. He doesn't buy a \$400 chair to sit in. We don't know the prices right now and he would like to know.

Detective Hanley says they are getting the same furniture they speced out at. Mr. Polanski they asks the original price for the 3 rooms mentioned was \$10,000. What did it come in at?

Mayor Dickinson then says they have to look at the bid price by number for an item and look at the specs. The conference table is item 18 and that came in at \$368. Dave has a copy of this.

Mr. Polanski then says he doesn't have this. He would like to know what these 3 rooms total. He is then told someone will add up those 3 rooms and will give Mr. Polanski the total.

Mayor Dickinson then says the specs is the only pricing they have now.

Mr. Killen says he can't understand why 2 visitor's chairs in the Deputy Chief's office have to cost \$191 a piece and the visitors chairs in the Chief Clerks and the Account Clerk's--2 for \$108. Visitors are visitors no matters who office they visit. This is the kind of breakdown he would like to see. What is wrong with a visitor's chair in the conference room. At this rate, he could see how they could break it to 50%.

Mrs. Bergamini then asks about the 2 conference rooms. Where are they?

Mr. Hanley replies one is in the Chief's office and one is in the detective bureau.

Detective Hanley replies the next item is window blinds. What they have are 33 windows they need blinds for. We don't know what they will cost but they have estimated they will come in under \$5,000. The bid won't be open until December 2nd. Some have to be custom made because of size. They want blinds for security and the next reason is to conserve climate control. All the front windows face the sun. With window blinds you can shut the sun out.

Mr. Polanski questions their estimates. Every time there is an estimate, they always go right up to the estimate as close as they can.

Chairman Gessert then says their estimate on the furniture was twice what the actual bid was. They don't always come up to the estimate.

Detective Hanley again said some of the windows are custom sizes. He then says they have looked at microfilming and have found a system that would service them. The estimated price for this is \$11,182 and this is not a lot for microfilming. Some of the reasons they

want to use microfilming is storage of records. This will hold up to 17,000 reports. He talked to the Town Clerk as to how she did it and unfortunately her system would not work with them. They are expected to maintain security and confidentiality. The system proposed here would take care of everything in house. At this point, their reports are destroyed after 7 years unless they are told to hold on to a report.

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Mr. Krupp takes exception as to whether microfilming is desirable or not. He does object to putting it into the building cost of the police station. This is an enhancement to the capability of the police station. It is not a necessary cost of construction, nor is it related to the specific instruction itself. If it is desirable, it should go through the proper channel of the 1986-87 Capital Budget.

Mrs. Bergamini then asks if they have any microfilming done now and is told none whatsoever. They have to maintain confidentiality and can't send it out to be done.

Detective Hanley says the next item is the Color Lab and Processor. This would enable them to process their own color film. Most courts require evidence in color in addition to black and white. Currently they send their color film out to Moran's Drug Store and from there it gets shipped to a lab in Massachusetts and comes back processed. We have a problem with that for security reasons because they have a lot of sensitive photographs. Sexual abuse, sexual child abuse etc. He is always concerned about what happens when they send them out. Photographs are evidence. Once you lose control of it it is in someone else's hands. Right now they have a black and white lab and the equipment is very old.

Mr. Krupp asks what is the approximate expenditure now for color photos. Detective Hanley says outside is about \$1,500. Mr. Krupp then says he can't accept any item that has a 34 year payback. Even then, there would be additional operating expenditure involved for capital supplies etc. Detective Hanley says he doesn't know what the net savings per year would be. They spend more than \$1,000 a year right now. Detective Hanley then says the police don't operate as a moneymaker. They are there to provide a service to the people in Town. He doesn't like the opinion if they have to get something it has to have a turnover in profit. Mr. Krupp then comments that in his viewpoint as a Councilman, it is hard to go back to the taxpayers and tell them I want to spend \$50,000 so I can increase your operating cost annually by \$35,000.

Mr. Holmes says they are looking at estimated cost right now. He really feels they can come in under the \$289,000 and get all they are looking for at this point. He then says in getting back to what Mr. Soltesz said earlier, he had looked at holding meetings to keep costs down and the Police Building Committee has done that. They met on occasions and they have asked for our input, presented us with alternatives and have been very informative. They have cut about \$450,000 and there has been some substantial amount of work done.

Detective Hanley then says the net cost for building that building was \$60/square foot. He can't find any contractor that would put up that building with those proportions for \$60/square foot today.

Mr. Krupp offers the same observation on the color lab as he did the microfilming. It is an enhancement of capability and does not belong within the building costs. It should be put into the Capital Budget.

Mr. Polanski then asks as of today, how much has been spent of the original ordinance.

Chairman Gessert says last night they totalled the numbers and when they got through including signs and last minute expenses, they ended up with about \$928 left. This is how close they have come.

Detective Hanley says the 4 cells are the original design of the building was for 9 cells. While the building committee was cutting items out they took out 4 cells. This left them with three male cells and two female cells. However, they did stipulate to the contractors to leave in rough plumbing and rough electricity so if they wanted to add the cells back they could. Currently they have 3 male cells in this building and 1 female cell.

What it gives them now is the same capacity there as they have here. If they have 1 female, they lose 2 cells because they can't put a male in with a female. The other three cells are for male. They have a problem with doubling up and this leaves the problem of liability. After the cells were cut, they started a DWI program and the arrests skyrocketed. At this point it requires a \$500 bond to leave jail and a lot of people are not going to be able to post that bond. They will have to spend the weekend or overnight here. Here again is a problem with people here Friday, Saturday and Sunday nights until court opens on Monday. This is why they would like to get those 4 cells back in. 694

Mr. Polanski asks about moving the cells in this building to the new building and Detective Hanley says someone has looked into that. They have discovered numerous problems. The cells here are 28 years old. One big problem is they are too low. They won't be able to put camera coverage on them. Another problem is they don't know the integrity of the cell structure. They are set in concrete and someone would have to come in with a jackhammer to get them out. Also they don't know what kind of condition the metal is in. The locks have been rewelded. He feels moving them would cause more problems.

Mr. Polanski then says someone who is an expert in steel could tell if they are deteriorating or not. He can't see \$35,000 for 4 cells. Mr. Marshall then comments the ones they have in there now cost \$8,000 a piece. Detective Hanley also says if the cells were moved they couldn't use the toilet fixtures in them. They are unsafe, clogged, damaged etc. They cost a lot more than \$100. -They are \$1,100 a piece.

Chairman Gessert then says any time you have a major construction project there are always changes. He has just looked at total dollars on Change orders for this project and it was \$35,000. 1% is \$21,000 so it is just under 2% for change orders. So there was not a lot of changing.

Detective Fairchild also comments that the flooring has gotten wet and this could be a problem with the cells. Mr. Polanski then says he can't see spending the \$35,000 if they can use what they have now. It doesn't have to look beautiful.

Detective Hanley then says the cameras would go along with the cells if they were approved. This would be part of the communication package. Mr. Polanski then says \$1,000 per camera. Detective Hanley says they are required by law to monitor the cells. At this point, someone will have to be down there with them until the camera system is put in. Mr. Polanski comments that he bought surveillance cameras for \$75 each.

Detective Hanley says Item 9 is two color monitors for the training classrooms. These are monitors for running the training classes. The training room is bigger than the Council Chambers and they are talking training 30-40 at a time.

Mr. Polanski then comments that using Mr. Krupp's statement, this is an enhancement and not part of the building costs.

Mr. Killen says he is unhappy with the ignorance of what the figures entail. He has a list of figures of Item #1, 4 of them but it doesn't tell him what he is getting. He would like to know what he is getting. We seem to be having the same purpose with coming in at different prices and so forth. He doesn't know if anyone is deliberately outdoing these things but we are the ones where the buck stops. He would like to look at these things and make a final analysis and make some suggestions.

Chairman Gessert then states that this money is not going to be appropriated and turned over to the building committee and spent on whatever they want. These items will go to bid and whenever the bid comes in, if it is less than the amount appropriated, the additional amount stays here and the bid price goes out. As far as the comment about the furniture, he couldn't agree more. Before that bid goes out he would like to see some representatives from the department meet with this Council and go through that list.

Mayor Dickinson then says they have some figures that were discussed earlier. Detective Hanley says in response to Mr. Polanski's question on what is the actual cost of the Chief's Office, The Conference Room etc. for furniture. The actual estimate was \$10,000 but the

actual price of the furniture is \$2,886. This is for all three rooms. That is a combined total. This is item 18, 38, 40, 42, 47, 49, 50. This is the Chief's Office, Conference and Waiting Room. 695

Mrs. Bergamini then says we could belabor this all night and get nowhere. She wants to appropriate some money because she doesn't want to hold up the communications system. The estimate here is \$147,000. However if this comes in at \$110,000 the other money stays with the Comptroller.

Mayor Dickinson says what they are looking at is providing for an amendment of the ordinance to allow certain purchases. For those items to be purchased (1) there will have to be a bid price (2) there would have to be a transfer of money. It will have to come back to the Council for a transfer of funds from some source to allow purchase of these items. They will see these items again.

Mrs. Bergamini says she can sense what is happening. They want to move along the communications. Obviously from their questions they are not going to go along with the other items. She would like to offer a motion to amend the total to include a certain number of items on this list, let them go with the communications but with the stipulation that they get a listing that is clear as far as the furniture and the rest of the items is concerned so that the Council can go over it and know exactly what is being paid for what.

Mayor Dickinson says there is no problem with that because there has to be a transfer of money to allow purchase even after amending the ordinance. What you want to do is amend the ordinance to allow purchase of whatever items they agree with at this time.

Mrs. Bergamini then says what if they amend the ordinance to spend \$200,000 and only \$175,000 is spent. How is that handled. She is told the other \$25,000 stays with the Town. Mr. Myers also comments they would have the ability to transfer each of the items the bid comes in for. If the bid came in next week for the communication system, they could come with a transfer at the next Council meeting just for the bid price.

Mrs. Bergamini then makes a motion to amend the ordinance for the amount from \$289,000 to the amount of \$187,545. This will take into account Items 1,2,3 & 4 with the stipulation that the only thing they are to roll on and roll fast is the communications. If they have a list they can show us for furniture and blinds, she would like the Council to see that. This is the figure she would like to see \$187,545 and that takes care of Items 1,2,3 & 4 on the list; seconded by Mr. Krupp.

Mr. Polanski states he can hear someone saying 5 years from now that they started at \$2.1 million and then went to almost \$2.7 million. He would like to see it Marie's way showing that as long as it is justified, because of problems incurred, they went for it.

Mr. Killen then asks what these figures represent. Chairman Gessert then says these figures represent actual bid prices. He would request that the Mayor instruct the purchasing department not to let this out until we have had an opportunity to sit down with these people and go through these and find out what we are getting for the money.

Mr. Killen says he sees where it was bid and once it goes out to bid we are beyond our hands. Mrs. Bergamini then says they don't have to accept the bids. Mr. Myers also comments they can't accept the bid because they don't have the funds appropriated. Mr. Killen says those 4 items include the \$27,000 for furniture. This means it is funded. Chairman Gessert then says what he is saying is that \$27,000 won't be spent until they have an opportunity to look at it.

Mayor Dickinson says there is a big difference on the way they are handling this versus the usual appropriation. Usually when you go through an ordinance the money is there and it is spent. Nothing comes back to the Council such as the Building Committee for the Renovation for the Armory. They didn't come back here every expenditure. In this case, they are not going to sell bonds. The funding source is not bonding, it is surplus or an account in the budget. This means a transfer will have to be made from one of those sources to an account for purchase of this furniture. The item will have to come back to the Council before the purchase.

Chairman Gessert says once the money is spent, once the bid is given out, let's say it is \$27,000, you come back and say here Council, here is the bill, we don't have an awful lot of input. We would like the opportunity to review that. 696

Mayor Dickinson again says it can't be spent until they have the money in a line item account. When it comes back, it will be in the form of a transfer. If they don't transfer money at that point, you can't buy a thing.

Mr. Rys then says he agrees with the others on Items 1-4. However, he questions #7. He feels by leaving this item out, they are not properly protecting the public if they have to double up on cells. He then says if you take an ordinance and set it up with this \$187,545, if the communications comes in lower, they can't take the excess of funds and use it for anything else, correct?

Mayor Dickinson says what we are doing is allowing for this ordinance to cover certain items in the conversion process. Whatever items you designate as subject matter, not dollar figures, given these estimates is an allowable amendment to that ordinance. If you cut it out, if there should be a so called savings, an item comes in below estimate, that money can not be used for anything other than the subject matter you indicated tonight as permissible for purchase under the ordinance. If it goes out tonight, it is out period under the ordinance.

Mr. Rys then says again that if that is the case the Town is not getting smaller and the cells and the cameras should be included.

Mr. Killen says the problem is that the specific ordinance here tonight does not limit it to the items listed on this page. Items 1-9. If you read the last sentence in Paragraph I it says such additional sum shall be expended for the costs of all parking areas and including architectural fees, engineering fees, furnishings, all construction costs and other expenses incidental to such project. That is all encompassing. It goes a lot further than the 9 items.

Mr. Marshall then asks if this could not be limited to all 9 items and when the Police Department comes back they could at that point not have #8, 6 or 9. If they eliminate tonight, they never have a chance.

Mr. Myers then says all our ordinances are drafted to include all costs normally associated with any project that the Town undertakes to construct or renovate. What you really have to count on is the administration. When they tell you that they are going to prove and limit funding for 4 items then that is what it is going to be. If you put all that in the ordinance, you will never be able to make heads or tails of it.

Mr. Killen then says this is subject to a referendum. People have come to believe when you say \$2.1 million that is what you will spend. When you say \$289,000 for certain objects and put in a dozen other things what are they suppose to vote on if they take it to referendum? My word? We are sitting here going over the \$2.1 so they know we lie a little bit. They are unhappy with the \$2.1 million. It is too broad.

Chairman Gessert then says the ordinance should say for the costs of furniture, communications and blinds.

Mr. Krupp was then going to make a friendly amendment to Mrs. Bergamini's motion but she asked him not to make that until she decided on something.

Mayor Dickinson then said if they want to change the wording in the ordinance, why not have Joe Fazzi suggest the language.

At this point Mrs. Bergamini withdraws her motion and Mr. Krupp withdraws his second to that motion.

Mrs. Bergamini then makes a motion to amend the ordinance that we read earlier and Attorney Fazzi is going to read the resolution as we want it to appear. He then reads the following resolution:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE APPROPRIATING THE SUM OF \$2,400,000 FOR THE ACQUISITION OF THE

STATE ARMORY, NORTH MAIN STREET, WALLINGFORD, CONNECTICUT, ITS CONVERSION TO A NEW POLICE STATION, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION" BY INCREASING THE AMOUNT THEREIN APPROPRIATED FROM \$2,400,000 TO \$2,587,545 .

Be it Enacted by the Town Council in Session:

I.

Ordinance No. 307 entitled "An Ordinance Appropriating the Sum of \$2,400,000 for the Acquisition of the State Armory, North Main Street, Wallingford, Connecticut, its Conversion to a New Police Station, and Authorizing the Issuance of Bonds and Notes to Defray Said Appropriation" is hereby amended by the appropriation herein of the additional sum of ~~one hundred eighty seven thousand four hundred forty-five~~, (\$187,545 ) Dollars to finance the costs of acquiring and converting the State Armory located on North Main Street, Wallingford, Connecticut, to a new police station, as more fully set forth in an ordinance adopted April 26, 1983, Ordinance No. 307. Such sum in the amount of \$187,545 is appropriated in addition to the total sum of \$2,400,000 appropriated as contained in Ordinance No. 307 thereby bringing the total amount appropriated for such purposes to \$2,587,545. Such additional sum shall be expended for: communications equipment, furniture(new) Furniture (refurbished), Blinds (33 total), Cells (4), With electrical plumbing and painting.

II.

The additional sum appropriated by this amending ordinance is to be defrayed by an appropriation from the general fund of the Town of Wallingford and is not to be defrayed by the issuance of bonds of the Town of Wallingford or, pending the issuance of such bonds, temporary notes.

III.

The present ordinance shall not in any manner affect the ability or legal authority of the Town of Wallingford, its Mayor, Comptroller or Treasurer, to issue bonds and notes to defray the appropriation of \$2,400,000 for the purposes set forth in Ordinance No. 307 or otherwise affect the legality of any bonds or notes issued or to be issued pursuant to such ordinance. All other terms, conditions or authorizations contained in Ordinance No. 307, specifically those contained in Sections II, III, IV and V, shall remain in full force and effect with respect to the \$2,400,000 portion of the ordinance which may be defrayed by the issuance of bonds and temporary notes.

Mr. Rys then seconded the motion made by Mrs. Bergamini on this new ordinance.

Mr. Krupp then withdrew his original motion on the first ordinance and Mr. Rys withdrew his second to that motion.

Mr. Polanski then comments that he thought that if the cells were put in they would need the cameras also.

Mrs. Bergamini then says as far as the cameras, the Chief always has time for that later.

Chairman Gesert says as far as the \$187,545, if they don't use all for furniture and blinds etc., they have the money for the cells.

VOTE: Council members Bergamini, Gessert, Killen, Krupp, Polanski, and Rys voted Yes. Councilman Holmes voted no. Council members Diana and Papale were not present; motion duly carried.

Chairman Gessert then called a 5 minute recess.

Item 8a is then up for discussion.

Mr. Krupp moved the transfer of \$1,511 from A/C 505-130 to A/C 502-120; seconded by Mr. Holmes.

Mr. Krupp then asks Mr. Deak, there are 4 transfers that are coming out of Central Garage Wages, there seems to be a lot of money in that account, why is this money available?



Mr. Deak explains that one of his men resigned and the position has not yet been filled. 69

Mr. Polanski says he is usually against transferring money from wages but since it is going for other wages, no problem.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Mr. Krupp then moved a transfer of \$2,022 from A/C 505-130, \$1,403 to A/C 503-120 and \$619 to A/C 505-120; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Mr. Rys then moved a transfer of \$7,325 from A/C 805-319 to A/C 507-642; seconded by Mr. Polanski.

Mr. Rys then asks Mr. Deak what the company is going to do for \$7,325.

Mr. Deak explains there are approximately 125 trees that have to be removed. The trees will be cut to the trunk and the branches will be taken away. If someone requests the tree trunks they will leave them, otherwise they will take them.

Mayor Dickinson then says Mr. Deak is agreeing that the tree can be left there. If the property owner asks for the tree, they will leave the tree. They will take the branches, but whatever is usable for firewood they will leave at the property owners request. If they don't request it, they have to take it away.

Chairman Gessert then says there are some trees on the side of the road where the houses are but there are also trees on the side of the road where no houses are. Are the property owners also eligible for these trees?

Mr. Deak states if someone requests them, they will leave them. They have to ask. What has happened in the past is that they left them and then two days later they got a call and were told to come pick them up.

Mr. Rys then comments that possibly there would be some way to let the residents in the High Hill area know when you will be coming around to remove the trees.

Mr. Deak explains that the trees are marked. Usually the people will call when they see the men working.

Chairman Gessert then says what Mr. Rys is asking is if he could Xerox a message saying on such and such a day they will be removing the trees and put them in the mailboxes.

Mr. Rys says some people may be working at the time they remove the trees and they wouldn't have a chance to keep them if they wished to.

Mr. Krupp then asks Mr. Deak if these trees are a Town problem, are they too close to the road, is there a lack of curbing, what is the problem?

Chairman Gessert says this is a country road and the pavement goes right to the dirt. Mr. Deak also explains that this has become a major roadway now and is heavily traveled.

Mayor Dickinson then says if we are going to notify people up there, there are a lot of people who do not live along that road. Are we saying we will notify the people living along High Hill Road or what? There are the people off the road back in the subdivision. A lot of these trees are not on anyone's property.

Mrs. Bergamini then says they should let the work be started and the people will come and say they want the trees.

Mayor Dickinson says the thing is that you might get a complaint from someone who lives back on Cliffside or whatever those roads. Why weren't they notified. You can end up with that.

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Mayor Dickinson says what you do is you set what you want as a rental and that is it. If it isn't paid then you go to the legal process. That is normally the route to take. A reasonable price is taken into account because things are being done for the Town.

Chairman Gessert then says a reasonable price is a minimum \$100 increase.

Mrs. Bergamini then says she would like the gentlemen in question to read the lease also, because it says will be responsible for the general maintenance of the park area as directed by the Lessor through its designated representative including, but not limited to, keeping designated areas clear of brush, maintenance of the rest rooms and pavilion area and or other related duties. This man has not done any of this.

Mr. Polanski then says that he understands there was an addition put on this by this man for \$10,000. Mrs. Bergamini then says he did this entirely on his own. Mr. Polanski then says that this should be taken into consideration when the lease comes up.

Mayor Dickinson then says they indicated November 30th. A new term could not start on November 30th. They will have to give 30 days notice. It will have to be the end of December.

VOTE: (on the friendly amendment) Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

VOTE: (on the transfer) Unanimous ayes with the exceptions of Mr. Polanski who voted no and Mr. Diana and Mrs. Papale were not present; motion duly carried.

Item 9 is then up.

Mr. Rys then moved the acceptance of Valley View and Saw Mill Drive; seconded by Mr. Holmes.

Mrs. Bergamini then says a department head or someone should be here for this item. Who are they going to ask questions to.

Mr. Krupp agrees that someone should be present for this item.

Chairman Gessert then says they may table this item or vote it.

Mayor Dickinson then comments that Linda Bush should not be here on these roads. P & Z has nothing to do with whether or not the condition of the road is proper. That is the Engineering Dept.

Mrs. Bergamini then questions Mr. Deak about the problem they had a few years ago on Saw Mill Drive where a man ripped up the road and then took off to Ohio and it end up costing the Town \$7,500. She then asks what portion of the road this is.

Mr. Deak explains that the part they are accepting is the upper part of the road and not the lower part that there was a problem with. He says they are not accepting the part that will connect to Dinatale's development.

VOTE: Unanimous ayes with the exceptions of Mr. Krupp who passed and Mr. Diana and Mrs. Papale were not present; motion duly carried.

Item 11 was then up for discussion.

Mr. Krupp then moved a transfer of \$1,675 from A/C 805-323 to A/C 140-130; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Item 12 is then up for discussion and Mr. Krupp moved the following resolution:

Resolved:

Whereas the Town of Wallingford has received its first installment of 1985-86 G.T.B. funds from the State of Connecticut

And Whereas

The Town of Wallingford is in a position to reasonably project the balance of 1985-86 G.T.B. funds due based upon the attached documentation, the 1985-86 General Fund budget is amended by appropriating \$840,722 as indicated herewith:

Revenue Estimate

Account 502 State Grants - School  
School Equalization (G.T.B.)

increase by \$840,722

Expenditure Estimate

Education Department

increase by \$840,722

Mr. Myers did note that the Account should read 502 for the Revenue Account. This is then corrected.

Mr. Rys seconded the resolution read by Mr. Krupp.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Item 13 is then up for discussion.

Chairman Gessert then says he has a letter from Mayor Dickinson explaining that a Feasibility Report was given to them on the Handicapped Accessibility for the Public School Buildings of the Town. He then reads the following resolution:

WHEREAS, The Town of Wallingford seeks to protect public health from asbestos exposure in the public schools, and

WHEREAS, The Town of Wallingford must provide access to its school buildings for handicapped citizens,

BE IT RESOLVED,

- A. That Sheehan High School, Dag Hammarskjold Middle School, Stevens School, Pond Hill School, Cook Hill School be improved to provide exterior and interior handicapped access.

That the Lyman Hall High School, the Moran Middle School, Moses Y. Beach School, Highland School, Rock Hill School be improved for exterior access for handicapped citizens.

The scope of work to be performed shall not exceed the work outlined in the Feasibility Study prepared by Gregory Montana and Associates and presented on December 11, 1984.

- B. That asbestos material be removed, encapsuled and/or enclosed as the Building Committee recommends in the Wallingford public schools identified as requiring such work by the State Department of Health in its June 7, 1984 report.
- C. That a Building Committee be established to accomplish the above and the following:
  1. Estimate costs for preliminary planning, secretarial expenses and report to the Mayor and Town Council for funds for these expenses.
  2. Obtain competitive proposals and recommend selection of architect and report to the Mayor and Town Council for funds for design and construction specifications for the work to be performed.

(continued)

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3. Seek public bids on the work to be performed and following bidding report to the Mayor and Town Council with construction and other cost estimates with a request for authorization to award contracts and approval of financing. Award of contract must occur following appeal period of bonding ordinance.

D. The Building Committee shall be appointed as follows:

1. One appointment by each Town Council Member.
2. One appointment by the Board of Education.
3. One appointment by the Mayor.

The Building Committee shall be appointed by December 15, 1985.

Mr. Krupp then moved the above ordinance; seconded by Mr. Holmes.

Mr. Polanski then asks which plan in that feasibility study they would be going with?

Mayor Dickinson says this is the report prepared by Gregory Montana.

Mr. Polanski then says in the feasibility study there were three plans suggested. Which one are we talking about?

Mayor Dickinson says it is designated not by plan but by the work to be performed. We are not giving a money amount. What we are saying is that the schools indicated, one group as exterior and interior handicapped access, and the other group just has exterior access.

Chairman Gessert then says he thought the idea was to do one high school, one middle school and a grammar school from each side.

Mayor Dickinson then says that the first group for exterior and interior is one high school, it includes one middle school and 3 elementary and a 4th with Parker Farms. The other group is exterior for the remainder of the schools. It was felt that given the State Mandates and use by most of the schools for voting purposes etc. and the dollars involved, it would be better to do it.

Mrs. Bergamini says she thought Dag Hammarskjold and Sheehan had access. Mayor Dickinson says not totally. All of the schools have been identified to needing some work in one way or another. This is the purpose of the building committee. We want people on there that can look at it and say wait a minute. This gives them a general working directive. They have to come in and report to the Council as to what actual work has to be done and the dollar figures.

Edward Musso, 56 Dibble Edge Road, then says he suggests they get other architects pricing. Also, one elementary, one high school and one middle school would be sufficient.

Chairman Gessert then says the Building Committee will pick the architect. It is not necessarily the person who did this report.

Al Cei then says there were handicapped provision provided at Dag Hammarskjold in the auditorium. It was not the school itself. Also, they do have an elevator at Dag.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Chairman Gessert then notes that he did send around a list to the Council Members of all the members involved in reviewing the situation with the handicapped so that if any Council member wants to appoint someone, these people are knowledgeable.

Chairman Gessert also says that if there is anyone else that they may want or anyone from the public who is interested, please feel free to contact the Council.

Jim Annis then says that he has 2 candidates for these positions.

Roger Rivers had asked to be considered for the handicapped and the asbestos program and Andrew Bravo asked to be considered for the Parker Farms Committee. These would be the appointments from the Board of Education. 703

Mr. Krupp then moves the following resolution:

WHEREAS, The Town of Wallingford finds that educational opportunity requires the renovation and reuse of Parker Farms School as a public school building,

BE IT RESOLVED,

- A. That a Building Committee be established to plan and implement the renovation of Parker Farms School as a public school building.
- B. That the Building Committee accomplish the following:
  1. Estimate costs for preliminary planning, secretarial expenses and report to the Mayor and Town Council for funds for these expenses.
  2. Obtain competitive proposals and recommend selection of architect and report to the Mayor and Town Council for funds for design and construction specifications for the work to be performed.
  3. Seek public bids on the work to be performed and following bidding report to the Mayor and Town Council with construction and other cost estimates with a request for authorization to award contracts and approval of financing. Award of contract must occur following appeal period of bonding ordinance.
- C. The Building Committee shall be appointed as follows:
  1. One appointment by each Town Council Member.
  2. One appointment by the Board of Education.
  3. One appointment by the Mayor.

The Building Committee shall be appointed by December 15, 1985.

Mr. Holmes seconded the above resolution read by Mr. Krupp.

Mr. Holmes then asks if these committees will have to be reappointed

Chairman Gessert then says they will be reappointed at the first meeting in January.

Mr. Killen then asks what is the status of Yalesville School going to be with the reopening of Parker Farms School.

Chairman Gessert says that is a Board of Education decision.

Frank Soldan says he has a recommendation he presented to the Board of Education back on 2/25/85. His recommendation was that the Board set a public hearing relating to the facility no later than March. They didn't do that. This hearing would allow residents of Wallingford an opportunity to make their feelings known to the Board regarding the various options proposed in the study particularly the reopening of Parker Farms School and the retirement of Yalesville School. Then the Board would make a decision regarding Parker Farms and Yalesville School no later than April. That was delayed because they did not have the Building Committee in place. He did recommend that the time Parker Farms was reopened that they also retire Yalesville School. He outlined reasons having to do with safety, the major highway, tremendous costs in terms of maintenance and mechanical reasons. If they don't retire it they will invest a small fortune in taxpayers dollars to maintain it.

Mr. Killen then asks what is the Boards position. He refuses to take a position until they take a position. We have to know what their position is going to be. We know what happened to two

Jim Annis then says as soon as this committee is under way, immediately he would ask the Board to seek a public forum on the disposition of Yalesville School. 704

Mr. Killen then says he feels this should have been done in the time frame outlined by the Superintendent. He then says they have every right to make a recommendation but they don't move until they know what the Board wants. They can't go ahead with opening Parker Farms when for all they know they may not want Parker Farms.

Jim Annis says at the last meeting they all seemed to want Parker Farms School. The Formation of a Bulding Committee is proof enough that they are very sincere about this thing and they will go ahead with a public forum on the disposition of Yalesville School in regards to Parker Farms.

Roger Rivers then comments that the dilemma that is aboard has been in for the last year because they have not got a firm commitment from Town Government that they would support the renovation of Parker Farms School. They did not get a firm commitment. We can't say at this time they will close Yalesville School until they know that school is going to come on line and then they can determine at what point they may retire. The Board does have a policy for closing schools that was violated when Parker Farms was closed. However, for us to come now and compound the problem by saying they were going to close Yalesville whenever, they were not sure Parker Farms was going to come on line. They need to know what that timetable is to determine when and if they will retire Yalesville. They do have the superintendents recommendation and they would not be asking to reopen Parker Farms if they intended on maintaining Yalesville.

Mr. Killen then says he doesn't know this for a fact that if the school board gets Parker Farms that they intend to close Yalesville. This is the question he asked primarily. There is no record to show what you will do if we give you Parker Farms School.

Mr. Krupp then says voting on this from his standpoint is simply dealing with an issue of reopening Parker Farms School. He doesn't feel this has anything to do with the closing of Yalesville School on the condition that they reopen Parker Farms.

Mrs. Bergamini then asks Mr. Rivers about the system they now have for closing schools. What is that?

Mr. Rivers says they establish a public hearing process in which everyone comes and voices their opinion about the proposal. If need be they have a 2nd or 3rd meeting. They do not make a decision in one evening or without prior knowledge to the citizens of the community. He can't give the chapter and verse of the policy but it is an established policy.

Mrs. Bergamini then says the reason she is asking is because she wonders if the policy has a time limit. Jim Annis says there is no time limit. Mrs. Bergamini then says say they vote this tonight and they give them the go ahead with Parker Farms, what will he do next? Mr. Annis says he would then approach the superintendent to set up a date for the disposition of Yalesville School.

Mr. Polanski then says these committees are going to be appointed by December 15th and he hopes the media will help in letting the people know of these positions.

Chairman Gesser then says as soon as everyone gets back to him and he has a majority of members he will appoint a temporary chairman so they can start. He then says if one of them doesn't have a name by December 14th, he is not going to chase them for it. As soon as he has a majority, he will appoint a chairman.

Mayor Dickinson then says what stirs this project on right now is an October 23rd letter which Frank Soldan sent to him from Nancy Harris of the State CT Dept. of Education indicating that the referenced project, Parker Farms, has been placed in Category 3 by the Dept. of Education. In December, the priority listing for school building projects will be submitted to the General Assembly for their consideration. Please be advised that the project can not be sent out for bid until final plans and specs have been reviewed by

the Dept. of Education. The categories pertain to the Type of construction involved. This is a renovation/alteration of existing building. It doesn't mean a project with another category has higher priority. He then says this is what they wanted. An indication from the Dept. that they are considering this as one of their projects. The General Assembly now has to adopt this for funding. In the interim they have a Building Committee, the Building Committee chooses an architect; when plans and specs are drawn up they have to be reviewed by the Dept. of Education, at the point they have the plans and specs it goes out to bid, at that point they will know the dollar figure and then come in with an ordinance. The reimbursement is 63%. If they sell bonds it will be over the life of the bond. This is the general framework. If the General Assembly for some reasons does not go through with it, they will be looking to fund this through the Towns Mill rate. This is before them now because it is one of the Department's priorities.

John Murtha, 90 Farm Hill Road, then says he was wondering what has been done to maintain the structure and mechanics of Parker Farms. Is the building in a position to be resurrected or has it been neglected completely.

Mr. Holmes then says any renovation to that building is going to have to comply with present day building codes. If they just took all the boards off and slipcovers off, it still may not comply. He feels it will have to be gutted regardless.

Mr. Murtha then asks about the heating system. Will it have to be redone?

Mr. Rys says what has happened to the structure is they had the Public Works Department board up the entire structure so the vandals could not get in. Also, realizing they didn't need to keep the school heated with nobody in there, the entire system was drained which should help protect it. The floors and ceiling will need work but it is a pretty sound structure. Most of it is brick. They have done as much as they could to try and protect that structure.

Mr. Murtha then says is there something that could be done in the interim to say keep the roof from leaking etc.

Chairman Gessert then says the Town is still responsible. If there is any flaws in the things done to keep out vandals they will certainly take care of it. Also, if they can prevent further deterioration, they will do that also.

Mr. Rys says where the roof is leaking, the damage is done. You can't do much more damage to concrete. You have tile on top of concrete. The tile will have to be replaced.

Mayor Dickinson then says he feels the interior of the school is in bad shape. With that said, in his opinion, the original construction was sorely deficient. He doesn't think there is any insulation in the lower framework. If you kicked in the outside wall there is no insulation. Therefore, insulation will have to be put in. Does major work have to be done, yes. It must have been very expensive to heat.

Al Cei then says that the Board did have a survey done on the school by a firm in New Haven and there is a report recommending the changes, what should be done, also the architectural changes, insulation, and work on the roof. There is a report on file.

Chairman Gessert then asks the Board to supply a copy of that report to Mr. Bravo.

Mr. Krupp then asks if that report had a dollar figure on it and Mr. Cei says yes but he is not sure of the exact figure right now.

VOTE: Unanimous ayes with the exceptions of Mr. Killen who voted no and Mr. Diana and Mrs. Papale were not present; motion duly carried.

Mr. Krupp then moved to Waive Rule V for a transfer request from the Fire Department; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Mr. Krupp then moved a transfer of \$2,010 from A/C 203R-165 to A/C 203R-120; seconded by Mr. Holmes. 700

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Mr. Polanski then asks Chief McElfish if all the motors are working on all the trucks. Chief McElfish replies as of a few hours ago, all were working.

Item 15 is then up for discussion.

Mr. Krupp then moved to set a Public Hearing for December 10, 1985 at 8:00 p.m. on AN ORDINANCE REQUIRING EXTERMINATION OF RODENTS PRIOR TO THE DEMOLITION OR RENOVATION OF A STRUCTURE; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes with the exceptions of Mr. Holmes who was not present for the vote and Mr. Diana and Mrs. Papale were not present for the meeting; motion duly carried.

Mr. Rys then Noted for the Record the Ordinance Committee Meeting Minutes of November 6, 1985; seconded by Mr. Krupp.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Item 17 is then up for discussion.

Mr. Krupp then moved to accept the Town Council meeting minutes of November 12, 1985; seconded by Mr. Polanski.

Mr. Krupp then requested clarification on page 20 of the minutes in regards to the motion of Item 13. He believes the motion was to request an advisory opinion and he would like it clarified in the minutes whether it was an advisory opinion or a complaint because the processings are different for both and the letter sent to the Board of Ethics does not clarify whether it is a complaint or a request for an advisory opinion. He believes the original motion was to get an advisory opinion.

Mr. Polanski then says he feels he asked for an advisory opinion because it would be important for future councils to know what the limitations would be for the use of this.

Mr. Killen then notes that at the top of the page it notes the recorder did malfunction and the tape was inaudible. It is Mr. Polanski's intent we are trying to get at.

Again, Mr. Polanski comments that he wanted this for present and future councils to realize what their limitations were.

Mrs. Bergamini then notes the motion said and the ethics of such a letter and Chairman Gessert says that is an advisory opinion and that was the intent.

VOTE: (on the amended minutes as noted above)  
Unanimous ayes with th exceptions of Mr. Diana and Mrs. Papale who were not present; motion duly carried.

Chairman Gessert then says before they go on to Item 18, he had received a envelope the other day with tickets to a dance to keep the mental people out of the Wallingford Convalescent Home. They have a dance this Saturday night @ \$12.50 per person, BYOB, he has tickets available for anyone who wants them.

Item 18 is then up for discussion and it is decided that they will stay in open session for this and not go into EXECUTIVE SESSION.

Attorney McManus says the Town of Wallingford was just subject to litigation on a house called the Taber House. He then says they won this because the judge really had a good brain in his head. He then says he wants them to consider a resolution addressed to Phil Robertson, Ricky, Mary Mushinsky, Ward and Representatives of the State to look at the Statute and consider what the Statute does. He has never seen a Statute that does what this one does. Anyone in the world that can write out an application that can make Bert Killen's house a historic structure. If he wanted to disassemble his house and move it to Rocky Hill, they could expose this man to literally an extended delay. If you were a private



individual, in this particular case, in over \$12,000 in attorney fees to defend your right to do with your own property. Here Bert Killen has done nothing wrong and in this Statute anyone can file for any reason. The Statute talks about destruction but it does not define destruction. In the Taber House, they dismantled this word by word and for destruction in that case was separate from the historic site. It was a metaphysical destruction. They couldn't prove a physical destruction and severance from its historical setting. In the law they decided there was some merit to their claim. It then became the duties of the property owner to prove that there was no other reasonable alternative to do with this property than what he was doing. They had to prove a negative. This is absurd. They fought the whole 4 days. The judge got sick and tired of hearing from him.. The poor property owner it was his burden that he had no other alternative to do with this property. How the Legislature has justified this lien on every house in this State is tourism. Then what you have to do is fight your way out and spend your \$12,000. Therefore, he wants them to seriously consider this resolution. He again comments it is all justified on the grounds of tourism. Anybody can do this and they don't own my house, Mr. Killen's house etc. and has no right to attach this lien.

Chairman Gessert then tells Attorney McManus if he will draft the resolution he will be happy to put it on the agenda and then take a stand.

Attorney McManus says the purpose of the resolution would be to ask our legislators to look at this Statute, what it does and ask for repeal. It is unconstitutional the way it is written.

Mayor Dickinson then says he would suggest that they not just repeal it but put some standards in it or correct it so it is more workable. To repeal it they will never get that.

Attorney McManus then says the Statute is 22A19A. He then says either repeal it or define its essential terms and change its wording.

Mr. Holmes then says if someone wants their house on the historical register that should be up to the individual property owner.

Attorney McManus then says when they file, particularly on municipal property, we can't object to it.

Mr. Killen says the key word on this thing was destruction. There is such a thing as destruction by simply moving a house. That is what they were doing. He is not familiar with the statute but he feels beauty is in the eye of the beholder. The value of something is not necessarily here what it would be someplace else. Proof of that is he would more like to go to Rocky Hill to visit the library because that is something he wants than to ever go and see the Simpson Home which means quite a bit to him where it is now. The value to him is location. There is no reason to go up there and see the Taber House.

Attorney McManus says it is his belief that our entire system of law and government is set up on a certain basic principle that ends don't justify means. You have to set a balance. What they did with this Statute is take a structure and put it into the same group of that we call Environmental Protection. We did certain things under that act in that every person in this State has an interest. He then says they had a person by the name of Professor Scully who was a professor of the history of arts and the professor of merits at Yale University. We don't do things objectively. We write them in a way that everyone knows what is going on and with the state interest in mind. To make the judgement that anyone can file a lien on my house, your house etc. is a law is wrong.

Mr. Killen then says when they sat with the big shots about the Wallingford Conv. Home they said that we write the laws but there isn't a damn thing we can do because bureaucracy has decided that is the way it is going to be. No matter how you write the laws. IRS is a perfect example. If they decide to come and take your car or house, they will do it. That is bureaucracy. We are all subject to it. There is no way to control the inner bureaucracy.

Attorney McManus then says he will prepare a resolution and put it on the agenda. He also says he is very proud of the Council as far as the recall goes. He has sent them all a copy of the brief that was filed. That is a case he calls who is in charge here

case. The briefs have been filed but an oral argument has not been scheduled. He hopes they win that case but it was certainly worth a try. That argument will not be in December.

Mr. Killen then says he was under the assumption that when the time came for the appeal it was not suppose to cost them anything. Now it will cost \$4,000-\$5,000 dollars.

Attorney McManus then says if they spent \$50,000 the money wasn't wasted. What the case does is effectively ask who is in charge here.

Mr. Killen says he is afraid of the answer. You are saying we have the right to change the form of government with no direction. Who are we. He was elected the same way he was elected by a set of guidelines. You are saying those that stayed home could decide to change the former government.

Chairman Gessert then interupts that he doesn't want them to get into a debate. However, there is one other item he would like to talk about and that is we all got a copy of the insurance premiums and he has gone through them and he finds some of the premiums absolutely ludicrous. We are paying insurance on vehicles we don't have, we are paying insurance on vehicles that have been off the road for months, we are paying insurance for \$1,000 deductible on a \$500 vehicle. He would like this Council to sit down with Charlotte and McGuire and say scratch the insurance on this and that. There is at least \$6,000 worth of insurance premium we are paying and no way in hell should we be paying because if the car got totalled, we would scrap it anyway. One vehicle is 15 years old that we bought for \$2,000 and we have \$1,000 deductible coverage. He doesn't know when they would like to get together but he wants something done.

Mrs. Bergamini then says herself, Bert and Ray can get together and do preliminary work. She then says let them do preliminary and then decide when to sit down.


Chairman Gessert then says insurance policies usually run 6 months. He is then told this one is one year. Can we change it during the year? Mr. Myers says by the time they get through prorating the premium that you will have on those vehicles you will see a minimal savings. If you do it now you can knock it off July 1.

Mr. Myers then says he has a big item on the next agenda, a resolution for a bond sale after the 1st of the year. There is nothing in there that he hasn't told them before. All the money is budgeted in the General Fund, in the Capital & Nonrecurring Fund when they did the 1986 budget. The one item he added to it, which is a \$325,000 bond on part of the McKenzie Dam money and water at the next Council they will have the appropriate transfers. He is rounding out a bond issue to sell some of that water stuff down there. That is Item 1. Item #2 he will have all their paychecks at the next meeting. Item #3 is that the finanacial statements are complete. They are waiting on one item and that is actuarial review from CETA. He doesn't want to publish his annual financial statements witout this information. He is going to bond market and it is critical. He has promised him December 1st or right there- after. That is the holdup. It is not the financial holdup but the pension items again. He wants that report done annually so they can get it done on time. He has an excellent financial report and there will be no surprises. There aren't any major recommendations from the Town. They will have a couple major things to deal with as a Council on recommendations but nothing on Town Government.

A motion to adjourn was then duly made, seconded and carried and the meeting adjourned at 11:25 p.m.

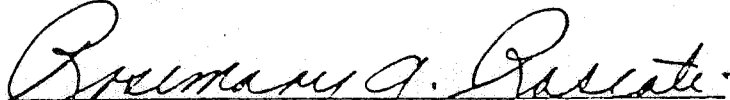
Lisa M. Bousquet  
Council Secretary

Approved:

  
David A. Gessert, Council Chairman

Date

12-10-85

  
Rosemary A. Rascati, Town Clerk

12-10-85