

TOWN COUNCIL MEETING

MAY 9, 2000

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Granting Permission to Wallingford Center Inc. Use of the Parade Grounds, Town Hall Lawn area, Parking Lot and Sidewalks as well as South Main Street from Center Street to Prince Street area between the Hours of 3:00 A.M. on Saturday, October 7th to 8:00 P.M. on Sunday, October 8, 2000 for Celebrate Wallingford Festivities
 - b. Approve and Accept the Minutes of the April 11, 2000 Town Council Meeting
 - c. Approve and Accept the Minutes of the April 17, 2000 Public Hearing on the F.Y. 2000-2001 Budget of the Town of Wallingford
 - d. Consider and Approve a Transfer of Funds in the Amount of \$400 from Purchased Services – Secretarial Acct. #001-7011-901-9000 to Office Expenses & Supplies Acct. #001-7011-401-4000 – Environmental Planner
 - e. Consider and Approve One (1) Merit Increase Approved by the Mayor
 - f. Note for the Record Mayoral Transfers Approved to Date
 - g. Note for the Record Anniversary Increases Approve by the Mayor to Date
 - h. SET A PUBLIC HEARING for May 23, 2000 at 7:45 P.M. to Approve a List of Municipal Projects and Corresponding Resolution to be Submitted to the State of CT. Under the Neighborhood Assistance Program

4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Consider and Approve Adopting the F.Y. 2000-2001 Budgets of the Town of Wallingford and Setting a Rate of Tax for F.Y. 2000 – 01
7. Conduct a PUBLIC HEARING to Consider and Act Upon an Ordinance Appropriating \$2,420,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 2000-2001 and Authorizing the Issuance Of \$2,420,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose – 7:45 P.M.
8. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of CT. Department of Public Health for Funding Through the 2000 Preventative Health Block Grant in the Amount of \$7,411.00
9. Consider and Approve a Resolution Authorizing the Mayor to Sign an Agreement Between the State of CT and the Town of Wallingford for Rights-of-Way Activities In Conjunction with Urban Systems Improvements for the Reconstruction of North Main Street Extension – Engineering
10. Consider and Approve a Budget Amendment in the Amount of \$40,000 Increasing Maintenance of Distribution Reservoirs and Standpipes Acct. #800-672 and Decreasing Use of Funds Section, Projected Bond Interest West Side Tank Acct. - Water Division
11. Report Out from the Department of Parks & Recreation Regarding the Readiness of Community Pool for the Summer of 2000 Including the Dates of Operation; Lifeguard Staffing; and Needed Repairs, if any as Requested by Councilors Brodinsky, Papale, Vumbaco and Zappala.
12. Discussion and Possible Action Regarding Best Practices and General Procedures To Identify and Purchase Open Space in the Future as Requested by Councilors Brodinsky, Papale, Vumbaco and Zappala. (This item is intended to be a discussion on possible future courses of action rather than an examination of past open space purchases.)

13. Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Regular Salaries and Wages Acct. #001-2030-101-1000 to Professional Services Labor Attorney Acct. #001-1320-901-9001 – Law Department
14. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes Pertaining to the Purchase, Sale and/or Leasing of Real Estate – Mayor
15. Executive Session Pursuant to Section 1-200(6)(B) of the CT. General Statutes To Discuss Pending Litigation Involving the Matter of Bristol Myers v. Town of Wallingford – Law Department
16. Consider and Approve the Settlement of Pending Litigation Involving Bristol Myers v. Town of Wallingford – Law Department

TOWN COUNCIL MEETING

MAY 9, 2000

6:30 P.M.

SUMMARY

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12. Discussion and Possible Action Regarding Best Practices and General Procedures to Identify and Purchase Open Space in the Future - Brodinsky, Papale, Vumbaco and Zappala Withdrawn
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16. Consider and Approve the Settlement of Pending Litigation Involving Bristol Myers vs. Town of Wlfd - Law Dept. UnAddressed

TOWN COUNCIL MEETING

MAY 9, 2000

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, May 9, 2000 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:34 P.M. Councilors Brodinsky, Centner, Farrell, Knight, Papale, Parisi, Rys, Vumbaco and Zappala answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr. arrived at 6:45 P.M.; Town Attorney Janis M. Small arrived at 6:53 P.M.; Comptroller Thomas A. Myers was also present.

A blessing was bestowed upon the Council by Rev. Sydney Parker (Ret.).

The Pledge of Allegiance was given to the Flag.

Chairman Parisi announced that Consent Agenda Item #3h has been taken off of the agenda and will be taken up under Item #4. Also, Item #12 pertaining to Open Space has been withdrawn and will be placed on a future agenda.

At this time the Chairman called upon Youth & Social Service Bureau Director, Craig Turner, to make a presentation.

Mr. Turner stated, this year the Wallingford Board for Youth, in cooperation with the Wallingford Department of Youth and Social Services recognized local youth who fulfilled the requirements for the Presidential Community Service Award. This year, ninety students from the Town of Wallingford have been recognized for their generous volunteer service to the community. These services included tutoring, being a big brother or big sister for young children, distributing meals to those less fortunate and giving time, help and comfort to the senior citizens. In honor of these civic-minded youths, I would like to highlight one particular student who went above and beyond the call in responding to the needs of two local families. On December 30, 1999 a fire destroyed the residence and the property of two local families. These families lost everything. In response to this disaster Tara Foley, a senior at Mark T. Sheehan High School, in cooperation with the Wallingford Elks' Club conceived, organized and produced a benefit pasta dinner that raised more than \$4,000 in relief funds for these families. These funds assisted the families in purchasing food, clothes, and other basic essentials that we all too often take for granted. In recognition of this act of community service, Tara has been awarded the

United States President's National Youth Service Award in recognition of significant community service.

At this time Ms. Tara Foley and her parents, Jim & Jan Foley were presented to the Council and public.

(Applause).

Chairman Parisi announced that it is National Teacher's Week and he extended congratulations to all the Town's teachers, wished them an exceptionally good week and thanked them for the good things that they do.

ITEM #2 Correspondence

No items of correspondence were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Granting Permission to Wallingford Center Inc. Use of the Parade Grounds, Town Hall Lawn area, Parking Lot and Sidewalks as well as South Main Street from Center Street to Prince Street area between the Hours of 3:00 A.M. on Saturday, October 7th to 8:00 P.M. on Sunday, October 8, 2000 for Celebrate Wallingford Festivities

ITEM #3b Approve and Accept the Minutes of the April 11, 2000 Town Council Meeting

ITEM #3c Approve and Accept the Minutes of the April 17, 2000 Public Hearing on the F.Y. 2000-2001 Budget of the Town of Wallingford

ITEM #3d Consider and Approve a Transfer of Funds in the Amount of \$400 from Purchased Services – Secretarial Acct. #001-7011-901-9000 to Office Expenses & Supplies Acct. #001-7011-401-4000 – Environmental Planner

ITEM #3e Consider and Approve One (1) Merit Increase Approved by the Mayor

ITEM #3f Note for the Record Mayoral Transfers Approved to Date

ITEM #3g Note for the Record Anniversary Increases Approve by the Mayor to Date

ITEM #3h SET A PUBLIC HEARING for May 23, 2000 at 7:45 P.M. to Approve a List of Municipal Projects and Corresponding Resolution to be Submitted to the State of CT. Under the Neighborhood Assistance Program

Motion was made by Mr. Rys to Approve the Consent Agenda Items #3a-g, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM#4 Items Removed from the Consent Agenda

ITEM #3h SET A PUBLIC HEARING for May 23, 2000 at 7:45 P.M. to Approve a List of Municipal Projects and Corresponding Resolution to be Submitted to the State of CT. Under the Neighborhood Assistance Program

VOTE: Brodinsky & Farrell abstained; all others, aye; motion duly carried.

Brodinsky abstained due to his serving on the Board of Directors of the Ulbrich Boys Club, an applicant for the Neighborhood Assistance Program.

Farrell abstained due to his involvement with the Historic Preservation Trust and Center Street Cemetery Association, both applicants for the program as well.

PUBLIC QUESTION AND ANSWER PERIOD

Frank Wasilewski asked if the surrounding towns, such as Meriden and Cheshire, who are currently in the process of conducting their town-wide spring trash pick-up, bring their residents' junk to our landfill or incinerator?

Mr. Vumbaco explained that Wallingford's landfill is officially closed. The items collected are brought to Wallingford's Transfer Station, not our landfill or Trash to Energy Plant. It is then separated into roll-offs and brought to the proper landfill sites outside of Wallingford.

Mr. Wasilewski next questioned the rate of contribution made by the Trash to Energy Plant yearly. He was under the impression that the PILOT (Payment In Lieu of Taxes) payment had ceased, if not decreased substantially.

Comptroller Thomas Myers replied, the contribution made by the Wallingford Trash to Energy facility changes with the mill rate. If the millage goes up 4%, as an example, the PILOT payment will increase by the same 4%.

Mr. Wasilewski stated, when the mill rate does not increase, the payment to the Town does not either. Yet, the incinerator has been an extremely profitable business. Wallingford did not derive any additional benefits in those profit-making years because our tax rate did not increase.

Mayor Dickinson explained, in the same vein, if the company is not making any money, we don't want to see no payments to the Town. If the contribution is tied to the business' profits, then it is within the ability of the person who operates a business to make it lose money, then they would pay nothing. The PILOT figure of \$900,000 was negotiated in the 1980s with the stipulation that the figure increases with the mill rate.

Mr. Wasilewski stated, one of the reasons they are making more money is because they generate electricity and sell it at a higher price than the manufacturers can produce electricity. He thought the plant could be more generous in its contribution to the Town.

Mayor Dickinson stated, previously they sold steam to Cytex and that contract was bought out because it was felt to be a benefit to the project to generate the electricity. The electrical contract ends in 2004, I believe. At that point there is a serious impact on the project because of that lack of revenue which is in the millions of dollars. That has to be planned for. It was decided that they would pay taxes similar to what others pay and if the taxes go up, they go up; if they go down, they go down; if they stay the same, it stays the same.

Pasquale Melillo, 15 Haller Place, Yalesville, stated that he is concerned over the fact that our school system lacks air conditioning, causing the children to suffer.

Mr. Parisi stated that it is a Board of Education issue, more so than a Town Council matter.

Mayor Dickinson explained that, historically, the schools have not been air conditioned due to the fact that during the hottest part of the year, the schools are out and unattended. To air condition the schools would be extremely costly. To his knowledge, there has been no threat of harm to the health of the children due to lack of air conditioning in the school system.

Bernadette Renda, 753 North Main Street Ext. asked, which Councilors serve on the Public Safety Committee?

Mr. Farrell answered, Mike Brodinsky, Bob Parisi and himself.

Mrs. Renda asked the committee to look into the matter of missing street signs throughout

the town due to the fact that her grandson was in need of transportation via a special van and the driver could not find Wallace Rowe off of Route 5 due to the fact that the street sign was missing. She was concerned that a resident may find himself in need of emergency medical treatment and said treatment may be delayed due to a missing street sign. She had contacted the police department regarding her personal experience and they have assured her a sign will be placed to mark Wallace Rowe.

Mr. Farrell noted the suggestion.

Philip Wright, Sr., 160 Cedar Street addressed the issue of salaries of town management employees. In researching the issue, he has discovered that of the last 26 supervisory/management employees who receive Merit Increases, 20 were rated above-average and 6 were rated superior. This seems quite abnormal, in his opinion. It does not seem to meet any normal curve that he or anyone else is familiar with. All 26 being above-average or superior is not quite reality. He asked that the Council look into the matter. He stated, as a former manager working in the private sector, had he rated all of his employees in this fashion, come review time for his position, his actions would not have been looked upon favorably by his supervisors.

Mr. Wright also suggested that the Town consider a "buy-out" of all the salaried employees on a one time deal to get their pay periods down to twice per month instead of every week. There exists no normal management position where people who are on yearly salaries are paid weekly. In those years that have a 53rd week, that extra week's salary adds up. It could save a lot of problems in handling salaries, in general.

Mr. Parisi explained how the Merit Review system works; only those employees who are on steps in the pay grade are reviewed and rated. That employee's immediate supervisor rates the employee and sends the information along to the Merit Review Committee which is comprised of Councilors Centner, Papale and Parisi. The Merit Review Committee does not have the authority to change the rating of the employee, they merely review the material and ask questions of what documentation is submitted. Not frequently, but on occasion the committee has had some situations where the merit increase was not passed immediately. He stated that he could not argue with what Mr. Wright found, he acknowledged that he was right and most assuredly accurate. The committee has asked the questions and after they ask the questions and weigh the answers, it matches up with the evaluation. There isn't much more the committee can do than what they currently do.

Mr. Wright asked, isn't it incumbent upon the Administration or Council to say that employees have to meet some kind of a normal curve or pretty close to it.

Mr. Parisi answered, there are parameters on the form that have to be met and the person rating their employee feels those parameters have been met.

Mayor Dickinson noted that the only employees receiving merit increases are still on steps, which is probably better than 50%. Those supervisory employees who have reached the top step of their labor grade and no longer are subjected to the merit review process. He did not want people to think that all management employees get reviewed; they all do not.

Ms. Papale stated, what you are asking of the committee is difficult for us to do. No one knows better the day to day work performance of the employee being reviewed but that employee's manager. About ten years ago a review came before the committee and those on the committee were more aware of a problem occurring in that office than the employee's supervisor so the committee stopped it and the merit increase was not given until the matter was resolved. It is difficult for the committee to tell a department head that their employee should not receive the rating the department head has assigned the review. Maybe the committee is not even worthwhile.

Mr. Wright stated, Lake Wobegone and Wallingford are one in the same; all people are above average.

Jack Agosta, 505 Church Street asked, how many unions has the Mayor scheduled negotiations sessions with on the MLK Day issue?

Mayor Dickinson answered, approximately 8 or 9.

Mr. Agosta asked, will you be present at these meetings?

Mayor Dickinson replied, no, it is not my responsibility to negotiate; it is the responsibility of the Personnel Director.

Mr. Agosta asked the Mayor if he has changed any of his demands?

Mayor Dickinson replied, I am not at liberty to discuss what our position will be in the bargaining.

Mr. Agosta asked, would you accept non-cost concessions?

Mayor Dickinson replied, I am not at liberty to discuss what our position will be in the bargaining.

Mr. Agosta asked, are you going to try and resolve this before it goes to mediation?

Mayor Dickinson answered, our effort from day one is to resolve it through negotiation and if parties can agree prior to mediation, that's fine. If it goes to mediation, then it goes; the full road, of course, is binding arbitration. I think all parties are duty bound to make a good faith effort to resolve the issue.

Mr. Agosta stated that he would like to see the issue resolved before it got to the mediation stage. It would take away the bad reputation the Town has received if it can be resolved before mediation.

Mayor Dickinson stated that he would like to have it resolved sooner than later, himself.

Public Question and Answer Period was declared closed at this time.

ITEM #6 Consider and Approve Adopting the F.Y. 2000-2001 Budgets of the Town of Wallingford and Set a Rate of Tax for F.Y. 2000-01

(see specific budget motions on pages that follow)

With regards to motion I to Adopt the Total General Fund Revenue Budget of \$97,563,908 for the Fiscal Year Beginning July 1, 2000, the following comments were made by Councilors, the Mayor and public:

Mr. Brodinsky stated, I think most people know that the Council has spent a lot of time in workshops and at meetings and at home behind our desks and on the telephone and in informal meetings with department heads to try and get a position on the budget. I am voting no, against the budget, for three reasons; the first reason is that the budget we are voting on or proposed, guarantees a \$1.5 million shortfall for the Board of Education's budget. I think that is going to have consequences; noticeable and unnecessary consequences. Instead of voting for a \$1.5 million shortfall we can do better without raising taxes. We made a suggestion during one of the budget workshops that \$450,000 could be put back into the Board of Education's budget again, without raising taxes and here is how, it is not that difficult; historically, the Town has under-estimated its revenues year in and year out for at least the last ten years on an average of 2.8%. This year's budget or the budget that we are about to vote on contemplates revenues from outside sources of about \$96 million. That means that if history repeats itself for the eleventh year in a row, we are going to get in more than \$96 million, we will get in 2.8% more or, about \$2.7 million. That \$2.7 million, as soon as this budget is passed, is on its way to the Town Hall, it is there and to disregard what history has taught us, to close our eyes to that extra 2.8% of revenues that will be coming in, to disregard that in the name of caution or being

conservative, I don't think is prudent fiscal planning. I think what we need to do is recognize the money that is coming in and then decide what we are going to do with it. The suggestion that we made, add \$450,000 to the Board of Education Budget, is a very small slice of that \$2.7 million. In fact, it is 17% of the revenues that history says we are going to be getting. Even though all the data available says that we are going to be getting closer to \$98.7 million of revenues from outside sources; that is what history says; we weren't suggesting that we take the entire \$2.7 million, or even 1/2, or even 1/3, just less than 1/5 and put it back to the Board of Education's budget. That could be done without raising taxes. We made that motion during our workshop; it was defeated and that is the first reason I am voting no on this budget.

Mr. Brodinsky continued, the second reason I am voting no is that I think this budget has fat. When we are running operating deficits and it looks like we are beginning to; we had an operating deficit of \$16,000 this past year; the year we are about to end looks like we are going to have an operating deficit of over \$1 million and the budget we are about to vote on calls for an operating deficit of about \$1.4 million. When we are looking at budgets like that, it is important, I think, to try and cut fat when we can and where we can. We made a motion during a workshop to invite the Council to engage in a non-partisan collaborative effort to try to trim only 1% of the budget that was not going to the Board of Education. That amounts to \$400,000. It would have taken another night; maybe another workshop; but an effort to trim about 1% or \$400,000 is well worth the effort. That motion was defeated. I think it should have passed. For that reason I am voting against the budget. The third reason involves a very small amount of money, \$25,000, which we wanted to see in an open space fund. That begins to incorporate a pay-as-you-go philosophy towards open space purchases. I know that \$25,000 is not going to buy a lot of open space but I also know it is a beginning, a start, and a fund like that would and could grow. I think it is a very forward looking proposal and I think that should have passed. For those three reasons, I am voting no. I see there are several motions (associated with adopting the budget) and, Mr. Chairman, I am not going to repeat my comments after each one. I chose to make them now, thank you.

Mr. Centner stated, just a quick response in a statement form to Mr. Brodinsky's first opening dialogue; if you look at this budget that is going to conclude June 30th, if we are really under-collecting 2.8%, the numbers that come out for this year for the budget balance was \$1.7 million on a \$93 million approximate budget which is really 1.8%. I wanted to make the statement that I don't fully agree with your opening dialogue.

Mayor Dickinson stated, we continue to speak about operating deficits. The Town is not experiencing operating deficits. It is very clear that we are in compliance with all accounting standards. The budget that you have before you is put together with the same consistency of approach that we have used over past years that has resulted in, I believe, a

successful financial record for the Town. I would urge that we continue to utilize those principles that have brought us success.

Mr. Vumbaco stated, I will not belabor the point that Mr. Brodinsky made but, I have a feeling that he read off of my paper. Basically, I will also be voting no on this budget. My main reason is that I do not agree with the random cuts that were done with the Board of Education. It seemed to me that there was more of a bottom line issue here; that when the budget was prepared, we were only going to give a 4.1% increase and there was random cuts along the line on the major line items like salaries being cut over \$1 million when there are only new salaries being brought on board of \$359,000. I don't agree with the Board of Education cuts. I think, again as Mr. Brodinsky has stated, if we were to have sat through a third or fourth workshop on a bipartisan effort, we probably could have found dollars within the budget to help support some of these educational programs. One example of it to me was the utility budgets. The department heads were told to reduce their utility or electric budget by 5% and yet, the PUC reduced the rate by 12%. That means that there is money in there that could have been used for something else. I don't agree with the 1.2 mill increase, I think that could have been reduced through a bipartisan effort on the part of this Council to reduce the department budgets to come more in line with what I felt could be something we could live with. I recognize that motions the night of the first budget hearing could have been made by us but I think it would have been futile unless we did have this bipartisan support. The motion was made to attempt that and it was defeated along party lines 5-4. Basically, I don't agree with this entire budget, I think there is room for movement and therefore I cannot support this budget. Thank you, Mr. Chairman.

Frank Wasilewski, 57 N. Orchard Street stated, in the last ten years, every program that has been started by the Board of Education, none of them have been dropped. In the last ten years there has always been a balance in the BOE's budget. Grant you, the Mayor did cut the budget but he increased it. He did not cut it down where he was cutting their programs, they were still able to do what they have to do. I have a lot of confidence in the Superintendent and the BOE that they can supply quality education with the money that they have in this year's budget. I am not against education but they do get quite a bit of money here, in Wallingford. The Town is very good in maintaining their schools. They are going to spend millions of dollars to bring them up this year. Many towns do not do the same. The BOE budget should stay the way it is.

Philip Wright, Sr., 160 Cedar Street stated, at the last Republican Town Committee Meeting, the Mayor came in with a dozen or so copies of the budget. There were many years when I came here and I studied the budget and I figured out what should be done and had opinions and expressed them. That all came to naught. And while I applaud those of you who have tried, it is futile. When the Mayor goes to print, there will not be, as long

as Bill Dickinson is our Mayor, there will not be a change in anything that is put in that budget book. Thank you.

Pasquale Melillo, 15 Haller Place, Yalesville stated that money should be added to the budget to allow the purchase of modern air conditioning systems for the schools. There is no need for a tax increase. The town is getting an additional \$240,000 from the state that we can do anything we want with it. He was dismayed with the computer problems and felt that the Town should take action against the vendor, settling out of court. He was of the opinion that the Town spends too much money on busing of students and suggested that much of the busing be eliminated, saving the Town about \$250,000.

Jack Ross, 38 Gopian's Trailer Park asked, what happens to the money that is passed from the State to the Town that comes from the casinos? Why is there a cut in the budget if we are getting all of this money from the casinos?

Mr. Myers stated, the approximate \$600,000 received from the State by us from the casinos is included in the budget each year. It is a level dollar amount from year to year and does not grow much.

Geno Zandri, 37 Hallmark Drive agreed with Councilors Brodinsky and Vumbaco with regards to their philosophy on the BOE budget. I was present at the Public Hearing and the workshops at which Dr. Cirusuolo stated that with the current funding the Town has allotted him in the new fiscal year, and the mandated programs from the State, certain programs that exist in the school system today would have to be cut. Since this budget has been put together, I believe that the State is giving additional dollars to the Town in excess of \$300,000. I feel those dollars should be earmarked to offset some of the cuts in the BOE budget.

Robert Sheehan, 11 Cooper Avenue questioned why the agenda item does not reflect what the mill rate will be? Why doesn't the motion include setting the mill rate?

Mayor Dickinson explained that the agenda lists a description of the items that will be discussed and possibly acted upon at the meetings and is not a listing of the action that will be taken. It is merely to inform the public of the item of business is. There are several motions required to adopt the budget, one of which will be to set the mill rate. That motion will be one of the next two motions to be made.

Frank Wasilewski, 57 N. Orchard Street stated that he has been told by someone in the know that the budget is so complicated, it can only be understood by an accountant. There are no accountants on the Council, so Mr. Myers is the only one in the room who understands the budget.

Mr. Vumbaco stated that the budget is complicated and his is a Certified Accountant.

This brought to a close discussion pertaining to the first motion made on adopting the budget.

With regards to the motion to Adopt a Resolution to Approve the Appointment of Levitsky and Berney as the Town's Auditor for the F.Y. beginning July 1, 2000, the following comments were made by Councilors.

Mr. Vumbaco asked, how long has Levitsky and Berney been the Town auditors?

Comptroller Myers answered, since 1983; 17 years.

Mr. Vumbaco asked, in normal business practices, at least with the companies I have been involved with, it is usually when you are dealing with auditors, every five to seven years we go out to bid just to keep, if anything, the team that is there honest; why are not pursuing the bidding process on this issue? Why are we just point blank appointing the same auditors for seventeen straight years?

Mr. Parisi replied, the Comptroller has recommended that the auditor be kept on. He is very satisfied with their performance. We have received several national awards for accounting practices and procedures of which they are, in essence, a part of. The General Motors auditor, with all due respect, has been around for something like 64 years. I understand what you are saying but, like everything else, you can always find several exceptions to the rule.

Mr. Vumbaco stated, I am not questioning Mr. Myers' suggestion or recommendation, nor am I saying that this company is not a good company. You are absolutely right, they have given us plenty of terms but I guarantee you that if you go to General Motors, you will find out that they went out to bid anyway, if anything, to keep them honest. What have the rates been over the last five or seven years? What type of increases have there been?

Mr. Myers answered, the last three or four years they have had no price increase. I don't believe they have had a price increase for this work, F.Y. 2001. But, speaking to your comments about change, it is true that in many small companies auditors are changed, especially where auditors come in and have to prepare the financial statements or records for that organization. In Wallingford, the auditors come in and they perform what is known as a balance sheet audit. We prepare all our own work. They truly come in and test and review our numbers. They do not come in and prepare balance sheets or statements of revenues, expenses and changes in retained earnings, schedules of cash flows

or any of the other formal financial statements. We prepare that work in house, they come in and review it. If they find some inconsistency or they find a number that they want to change, they also sit down with us and review that number. We prepare our own work, that is a big difference in rotating or changing auditors, where the auditors come in and have to prepare the financial statements for the client. There also is a philosophy... amongst the auditors that change for the sake of change usually does not produce any positive result. If you are happy with your present service provider, you would seek to remain with them. You would only look to change if you were dissatisfied. If you felt you were not receiving the service, if you were not receiving advice, from time to time we call Levitsky & Berney, or if we were using a different firm, we might call the auditors during the year, just for advice in looking at a technical accounting issue as to whether we were going to handle it correctly or not. That is some of the philosophy that sits behind our decision. In addition, Wallingford's finances are reviewed by the auditor; Moody's, Investor's Services, Standard & Poor's in connection with a credit rating and then we submit ourselves to a peer review by the Government Finance Officers' Association of the United States and Canada. That peer review is performed by independent people within that organization and they measure the quality of your accounting system and your financial reporting against national standards. I don't have to speak to the credit rating, everyone is familiar with it. For twelve consecutive years we have been awarded a certificate from the Government Finance Officers' Association of the United States and Canada. The statistic that I like to use, and not every community will put themselves before this peer review. There are 36,000 cities and towns in the U.S. Approximately 1,400 have this certification from the association. Not everyone applies. Not a lot of communities want to put themselves before that type of a technical review. We do. It is just, in my opinion, another check, another set of eyes looking and saying, "are we doing what we should be doing?"; "are we reporting and adhering to the standards that we should be?"

Mr. Vumbaco stated that he agreed and was not questioning the integrity of the reports, just the procedure and the fact that we have been doing it for seventeen years. He stated, I am just trying to bring a little bit of my personal business sense here, that is all.

Mr. Brodinsky stated that he had a procedural problem. He was not sure why this item had such a close nexus to the budget; that it would require a waiver of Rule V. Retaining an auditor has very little to do with adopting a budget; they are separable. Requesting a vote on the auditor should be separately listed on an agenda item. You can pass a budget without hiring an auditor or waiving a bid. It can be done, there is no question about it. Therefore, in order to proceed you have to waive Rule V. Had I known that the issue of an auditor would be on the agenda, I would have done some research to find what the standards are in the industry; what business are doing because this has been sort of a sore spot with me to have the same auditor for so many years is a bad business practice. I am

caught a little short personally by seeing this in a motion when I don't see it on the agenda. The other issue is, why is time of the essence? Why do we have to waive the bidding? Generally, you waive the bidding because the Town would be harmed in some way if you don't. When someone in town or a town official says that we want to waive the bidding because we are comfortable with a particular vendor, that is when you don't waive the bidding; that is exactly when you want bidding. I have the utmost respect for Mr. Myers. I have been in his office...he has explained the intricacies of a point to me and I find him very knowledgeable, extremely trustworthy and in no sense should my comments be taken as a slur on him but the selection of an auditor is to protect the town. The auditor is the watchdog over the financial wing of the town. To say that we are going to keep an auditor because we are comfortable with them is exactly why you change auditors, so that relationships don't become more important than the business end of what an audit is all about. I don't see that the requirements of waiving the bidding procedures have been met. I don't see why this is a motion without waiving Rule V, and the reasons to keep the same auditor on year after year after year, the reason being because we are comfortable with them, is exactly why, from time to time, you get a new auditor. An auditor is going to be the watchdog and when person after person says we are keeping the auditor because we are comfortable with them, that is why the town should have a new auditor periodically. This should not be a motion tonight and we should certainly not be waiving the bidding based on any comment that I have heard.

Mr. Parisi responded, I don't want to insinuate in any way that you are complaining about Mr. Myers but I would say, as long as I can remember, this the procedure that we have adopted. I don't even like that statement because it doesn't mean that everything is cast in cement and we can't ever have change but, for all my years on the Council, this has been the time when the auditor was picked. It has been challenged, on occasion, for a different auditor but it has always been decided in this sequence and at this time, in the budget process.

Mr. Brodinsky asked, what takes precedence, Rule V or the way you are used to doing this as a rule.

Mr. Parisi answered, this is not subject to Rule V because this is listed on the agenda within the budget process.

Mr. Brodinsky stated, I am looking at item #6 on the agenda and it has nothing to do with an auditor. The selection of an auditor is entirely separable from adopting the budget and merely because you have done it for so many years is no reason to continue.

Mr. Parisi replied, I understand your position but, again, I am going to say that this is the procedure and it is open to question at any time.

Mayor Dickinson stated, before I became Mayor, it has always been here. If there is a real concern about it, obviously there is an objection...the Town Attorney is indicating that it should be listed as a separate item and it has not come up before and we are all kind of thinking about it anew here. It probably, technically, we should have a waiver of Rule V. If not, we can put it on another agenda.

Mr. Rys asked, if we are stating that the Council hereby approved the appointment of Levitsky and Berney as the Town Auditor, do we really need to have the waiver of Rule V? It becomes part of the agenda, no?

Mayor Dickinson answered, the issue is one that goes to Freedom of Information and the alerting of anyone to the subject for tonight's meeting. It has never come up before; it has always been done this way but adopting the budget would not necessarily have to deal with choosing an auditor. The point is well taken that you would not be alerted to that by the agenda item. If there is serious concern about it, it would either be a waiver of Rule V or put it on another agenda.

Mr. Parisi asked, are you telling me then, at this point it is illegal?

Mayor Dickinson answered, without a waiver of Rule V...I don't know that it is illegal, but I think there is a valid point that it could be a violation of F.O.I.

Mr. Parisi stated, I apologize to you, Mr. Brodinsky. Evidently I am defending something that for too many years has slipped through the Law Department.

Mr. Brodinsky replied, no need, we can all learn together.

Mr. Parisi continued, I am rather upset about it and I would say, quite frankly, that we had better open our eyes and pay more attention to what we are doing when it comes to this budget because I am publicly embarrassed to have sat on this Council for twelve terms and supported this resolution, in essence, illegally. I hope I don't have to do it again, Mayor; I don't want a response.

Motion was made by Mr. Rys to Table the Item, seconded by Mr. Centner.

VOTE TO TABLE: All ayes; motion duly carried.

Mr. Parisi stated that the item will be put on the agenda of the next meeting.

With regards to adopting the budget of the utilities, the following comments were made:

Frank Wasilewski, 57 N. Orchard Street suggested that the Council reject the budget of the utilities for the simple reason that they are operating in a deficit, especially when they have money in Retained Earnings and there is no reason why there should be a deficit budget for the three departments in the public utilities.

Pasquale Melillo, 15 Haller Place, Yalesville stated that the Electric Division has approximately \$11 million in Retained Earnings as surplus. Why should the division end up with a deficit?

Mr. Parisi replied, it has been explained many times.

Mayor Dickinson stated, there was a rate reduction that was approved. As a result of that, the Electric Division, over a period of time, will not be realizing a positive Net Income. Funds are used, however, to subsidize the rates through the Retained Earnings vehicle.

Mr. Melillo stated, the Grand List has grown and there will be more taxes collected from business and industry.

Mayor Dickinson explained, the Electric Division does not relate to whether or not businesses are paying taxes or not. They are paid for the use of electricity which depends upon how healthy the economy is, what type of industry it might be and is subject to whether or not an industry constructs its own generating capability such as Bristol Myers which reduces the amount of electricity which is purchased from the Wallingford Electric Division. There are a variety of factors that affect how much power is purchased.

Geno Zandri, 37 Hallmark Drive stated, I question the legality of the Electric Division budget, being that it shows a deficit when we have a state statute which says that we have to be making at least a 5% profit. The rates that have just been set are for a four year term at the end of our present contract. I feel that over those four years we will not show a profit but a deficit. I therefore question the legality of it.

Mayor Dickinson answered, to my knowledge we hired a consultant who analyzed the rates, made recommendations based upon their understanding of the law and our operation. I believe anything that I have been told means that we are in compliance with statutes.

Frank Wasilewski, 57 N. Orchard Street stated, the Electric Division is reducing the rates 12% but if you look in the budget, they are anticipating a larger income coming in to them this new fiscal year and it does not come to 12%. Actually, they are not losing that kind of money or taking that much out of Retained Earnings because their sales are going up. That is another reason why I say, reject this budget.

Mr. Melillo suggested that the Council start the budget sessions all over again.

John Letourneau, 3 Regent Court stated, one of the things that is happening in town with our Retained Earnings in the Electric Division is, in the future, we will need that. What is happening with the electric rates right now throughout the state is, there is such a wide fluctuation with the rates that we are really lucky in Wallingford that we have the rates we have. There is a website that shows what is happening with electric rates. Today, a megawatt hour sold for \$4,000 on the open market where it is normally \$100-200 per megawatt hour. Northeast and United Illuminating customers will be facing a \$.56 increase per kilowatt hour. There are a lot of unknowns happening in the electric industry and I was privileged to be in a meeting of electrical engineers, sitting with Northeast Utilities and United Illuminating representatives; they don't know what is going to happen. Before we start getting into the retained earnings and budget of the Electric Division, I think it is wise to leave them alone, approve their budgets, because there are going to be problems in years to come where that retained earnings is going to be needed.

(budget motions follow on next pages)

TOWN OF WALLINGFORD

Annual Budget Adoption
For the Fiscal Year Beginning July 1, 2000

I. Mr. Knight _____

MOVED: TO ADOPT THE TOTAL GENERAL FUND REVENUE BUDGET OF \$97,563,908
FOR THE FISCAL YEAR BEGINNING JULY 1, 2000.

Mr. Farrell _____ seconded the motion.

VOTE: Brodinsky & Vumbaco, no; all others, aye.

Motion Passed

II. Mr. Rys _____

MOVED: TO ADOPT THE TOTAL GENERAL FUND EXPENDITURE BUDGET OF
\$97,563,908 FOR THE FISCAL YEAR BEGINNING JULY 1, 2000.

Mr. Centner _____ seconded the motion.

VOTE: Brodinsky & Vumbaco, no; all others, aye.

Motion Passed

III. Mr. Rys _____

MOVED: ESTABLISH THE PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING
JULY 1, 2000 AT 25.9 MILLS.

REAL ESTATE AND PERSONAL PROPERTY TAXES IN EXCESS OF \$100 SHALL BE MADE IN TWO INSTALLMENTS. THE FIRST OF WHICH IS DUE JULY 1, 2000, PAYABLE ON OR BEFORE AUGUST 1, 2000. THE SECOND INSTALLMENT SHALL BE DUE JANUARY 1, 2001, PAYABLE ON OR BEFORE FEBRUARY 1, 2001. REAL ESTATE AND PERSONAL PROPERTY TAXES OF \$100 OR LESS SHALL BE PAID IN ONE INSTALLMENT DUE JULY 1, 2000 AND PAYABLE ON OR BEFORE AUGUST 1, 2000 AS PROVIDED BY CONNECTICUT STATUTE, CHAPTER 204, SECTION 12-144.

MOTOR VEHICLE TAXES SHALL BE MADE IN ONE INSTALLMENT DUE JULY 1, 2000 AND PAYABLE ON OR BEFORE AUGUST 1, 2000 AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-144A. DELINQUENT MOTOR VEHICLE TAXES SHALL BE PAID ONLY IN CASH OR BY CERTIFIED CHECK OR MONEY ORDER AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-146.

CHECKS IN PAYMENT OF PROPERTY TAXES WHICH HAVE BEEN RETURNED BY THE BANK SHALL BE SUBJECT TO A FIFTEEN DOLLOR (15.00) HANDLING FEE.

Mr. Knight _____ seconded the motion.

VOTE: Brodinsky & Vumbaco, no; all others, aye.

Motion Passed

IV. Mr. Rys

MOVED: TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED: a. THAT THE TOWN COUNCIL DEEM IT TO BE IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BIDDING PROVISIONS OF CHAPTER VII, SECTION 4, SUB-PARAGRAPH 8 OF THE TOWN CHARTER, IN THE SELECTION AND HIRING OF THE FOLLOWING:

TOWN AUDITOR

b. THAT THE COUNCIL HEREBY APPROVES THE APPOINTMENT OF Levitsky and Berney AS THE TOWN AUDITOR FOR THE FISCAL YEAR BEGINNING JULY 1, 2000.

Mr. Farrell seconded the motion.

Motion was made by Mr. Rys to Table this item to a later agenda, seconded by Mr. Centner.

VOTE TO TABLE: All ayes. Motion Passed

V. Mr. Rys

MOVED: TO ADOPT THE BUDGETS OF THE DIVISIONS OF THE DEPARTMENT OF PUBLIC UTILITIES FOR THE FISCAL YEAR BEGINNING JULY 1, 2000 AS HEREIN STATED:

Electric Enterprise Fund

Operating Revenues	<u>39,847,000</u>
Operating Expenses	<u>37,970,179</u>
Operating Income (Loss)	<u>1,876,821</u>
Non-Operating Revenue	<u>1,131,785</u>
Non-Operating Expenses	<u>1,231,489</u>
Net Income (Loss) Before Operating Transfers In (Out)	<u>1,777,117</u>
Operating Transfers In (Out)	<u>1,885,124</u>
Net Income (Loss)	<u>(108,007)</u>
Working Capital: Sources of Funds	<u>4,187,976</u>
Uses of Funds	<u>4,187,976</u>

Water Enterprise Fund

Operating Revenues	<u>5,741,762</u>
Operating Expenses	<u>4,456,596</u>
Operating Income (Loss)	* <u>1,285,166</u>
Non-Operating Revenue	<u>452,513</u>
Non-Operating Expenses	<u>855,418</u>
Net Income (Loss)	<u>882,261</u>
Working Capital: Sources of Funds	<u>2,944,937</u>
Uses of Funds	<u>2,944,937</u>

Sewer Enterprise Fund

Operating Revenues	<u>4,128,639</u>
Operating Expenses	<u>4,920,444</u>
Operating Income (Loss)	<u>(791,805)</u>
Non-Operating Revenue	<u>601,253</u>
Non-Operating Expenses	<u>413,656</u>
Net Income (Loss)	<u>(604,208)</u>
Working Capital: Sources of Funds	<u>1,826,172</u>
Uses of Funds	<u>1,826,172</u>

Mr. Centner seconded the motion.

VOTE: Brodinsky & Vumbaco, no; all others, aye.

Motion Passed

VI. Mr. Rys

MOVED: TO ADOPT THE BUDGET OF THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2000 IN THE AMOUNT OF \$2,587,272 REVENUES AND \$2,587,272 EXPENDITURES.

Mr. Knight seconded the motion.

VOTE: All ayes.

Motion Passed

VII. Mr. Rys

MOVED: TO APPROVE SPECIAL FUNDS OF THE BOARD OF EDUCATION OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 2000 AS ATTACHED HERETO AND MADE A PART HEREOF.

Mr. Farrell seconded the motion.

VOTE: All ayes.

Motion Passed

VIII. Mr. Rys

MOVED: TO APPROVE SPECIAL FUNDS OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 2000 AS ATTACHED HERETO AND MADE A PART HEREOF.

Mr. Centner seconded the motion.

VOTE: All ayes.

Motion Passed

IX. Mr. Rys

MOVED: TO AUTHORIZE THE CHAIRMAN TO SIGN THREE COPIES OF THE FINALIZED BUDGET. TWO TO BE FILED WITH THE TOWN CLERK AND ONE TO BE PLACED ON FILE IN THE WALLINGFORD PUBLIC LIBRARY.

Mr. Farrell seconded the motion.

VOTE: All ayes.

Motion Passed

Town Council Meeting SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY May 9, 2000
 22
 YEAR ENDING JUNE 30, 2001

	FY 6-30-99 ACTUAL	1-31-00 ACTUAL	1999-00 APPROVED	2000-2001 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
CAFETERIA						
Revenue	1,492,721	745,366	1,536,943	1,596,705	1,596,705	
Expenditure	1,443,371	719,760	1,536,943	1,596,705	1,596,705	
TITLE I						
Revenue	222,851	175,000	222,851	222,851	222,851	
Expenditure	222,851	124,819	222,851	222,851	222,851	
ELEMENTARY SCIENCE GRANT (Bristol Myers)						
Revenue	17,309	20,000	-	-	-	
Expenditure	17,309	2,028	-	-	-	
TITLE VI (Chapter 11)						
Revenue	31,310	10,000	31,310	31,613	31,613	
Expenditure	31,310	-	31,310	31,613	31,613	
TITLE VI-CLASS REDUCTION						
Revenue	-	63,468	63,468	-	-	
Expenditure	-	63,468	63,468	-	-	
BILINGUAL GRANT						
Revenue	3,628	-	3,614	3,614	3,614	
Expenditure	3,628	-	3,614	3,614	3,614	

SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY

YEAR ENDING JUNE 30, 2001

	FY 6-30-89 ACTUAL	1-31-00 ACTUAL	1999-00 APPROVED	2000-2001 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>TITLE II (Eisenhower Math & Science)</u>						
Revenue	22,277	15,000	22,277	21,960	21,960	
Expenditure	22,277	12,565	22,277	21,960	21,960	
<u>TITLE IV (Drug Free Schools)</u>						
Revenue	36,307	20,000	36,307	29,644	29,644	
Expenditure	36,307	10,080	36,307	29,644	29,644	
<u>VOCATIONAL ED (PERKINS)</u>						
Revenue	33,979	10,000	33,979	33,996	33,996	
Expenditure	33,979	4,620	33,979	33,996	33,996	
<u>ADULT ED TUITION</u>						
Revenue	99,036	56,524	108,500	108,500	108,500	
Expenditure	99,036	39,678	108,500	108,500	108,500	
<u>ADULT BASIC EDUCATION</u>						
Revenue	191,334	131,013	188,745	191,113	191,113	
Expenditures	191,334	132,612	188,745	191,113	191,113	
<u>ADULT ED ACTIVITY</u>						
Revenue	614	-	2,000	1,000	1,000	
Expenditure	693	-	2,000	1,000	1,000	
<u>FAMILY LITERACY</u>						
Revenue	25,000	30,000	25,000	47,846	47,846	
Expenditure	24,931	27,712	25,000	47,846	47,846	
<u>PRIVATE INDUSTRY COUNCIL</u>						
Revenue	29,950	11,486	29,950	40,124	40,124	
Expenditure	29,950	16,511	29,950	40,124	40,124	
<u>IDEA - PART B</u>						
Revenue	330,400	281,379	384,199	417,821	417,821	
Expenditure	330,400	306,480	384,199	417,821	417,821	
<u>PRE-SCHOOL HANDICAPPED</u>						
Revenue	33,165	10,000	34,962	36,613	36,613	
Expenditure	33,165	1,375	34,962	36,613	36,613	
<u>VO-AG EQUIPMENT</u>						
Revenue	99,406	-	-	-	-	
Expenditure	99,406	-	-	-	-	
<u>OUTSIDE SERVICES</u>						
Revenue	55,159	24,181	52,000	52,000	52,000	
Expenditures	46,259	19,134	52,000	52,000	52,000	
<u>TECHNOLOGY INFRASTRUCTURE</u>						
Revenue	77	-	-	-	-	
Expenditures	77	-	-	-	-	

SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY						
YEAR ENDING JUNE 30, 2001						
	FY 6-30-99 ACTUAL	1-31-00 ACTUAL	1999-00 APPROVED	2000-2001 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>SUMMER SCHOOL</u>						
Revenue	27,273	31,490	29,350	31,400	31,400	
Expenditure	28,580	31,182	29,350	31,400	31,400	
<u>DRIVER EDUCATION</u>						
Revenue	5,280	-	-	-	-	
Expenditure	5,280	-	-	-	-	
<u>ACHIEVEMENT GRANT</u>						
Revenue	11,516	36,221	36,221	-	-	
Expenditure	11,516	5,741	36,221	-	-	
<u>SCHOOL TO CAREER GRANT</u>						
Revenue	25,000	37,500	50,000	-	-	
Expenditure	25,000	15,834	50,000	-	-	

YEAR ENDING JUNE 30, 2001

	FY 6-30-99 ACTUAL	1-31-00 ACTUAL	1999-00 APPROVED	2000-2001 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
SCOW						
Revenue	58,696	43,892	59,457	66,057	66,057	66,057
Expenditure	55,213	30,454	59,457	66,057	66,057	66,057
SSEB						
Revenue	4,603	8,390	4,783	4,783	4,783	4,783
Expenditure	4,603	1,730	4,783	4,783	4,783	4,783
YSB (DCYS)						
Revenue	260,807	20,513	258,613	265,730	265,730	265,730
Expenditure	260,807	122,251	258,613	265,730	265,730	265,730
COUNCIL ON SUBSTANCE ABUSE						
Revenue	16,710	7,275	19,380	15,675	15,675	15,675
Expenditure	12,337	2,389	19,380	15,675	15,675	15,675
CRRA (SERVICE CONTRACT GRANT)						
Revenue	27,521	24,900	33,200	31,500	31,500	31,500
Expenditure	27,521	15,308	33,200	31,500	31,500	31,500
TOWN AID ROAD						
Revenue	285,148	164,512	329,023	329,023	329,023	329,023
Expenditure	315,658	187,428	329,023	329,023	329,023	329,023
DRUG ENFORCEMENT PROGRAM						
Revenue	14,084	36,000	36,000	40,000	40,000	40,000
Expenditure	14,084	30,836	36,000	40,000	40,000	40,000

SPECIAL FUNDS TOWN GOVERNMENT - SUMMARY						
YEAR ENDING JUNE 30, 2001						
	FY 8-30-99 ACTUAL	1-31-00 ACTUAL	1999-00 APPROVED	2000-2001 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
LOCAL CAPITAL IMPROVEMENTS						
Revenue	278,170	-	294,444	296,587	296,587	
Expenditure	278,170	260,060	294,444	296,587	296,587	
LOGIP ADDITIONAL ENTITLEMENT						
	-	-	196,295	-	-	
	-	-	196,295	-	-	
MEALS ON WHEELS						
Revenue	15,881	11,014	16,721	18,914	18,914	
Expenditure	8,770	3,201	16,721	18,914	18,914	
RECREATION DEPT PROGRAMS						
Revenue	512,107	252,851	470,000	512,213	512,213	
Expenditure	448,529	352,534	470,000	512,213	512,213	
FOOD PROTECTION PROGRAM						
Revenue	-	3,250	6,501	-	-	
Expenditure	-	1,756	6,501	-	-	
POLICE RECEPTION/CONTROL IMP						
Revenue	-	8,000	8,000	-	-	
Expenditure	-	-	8,000	-	-	

ITEM #7 PUBLIC HEARING to Consider and Act Upon an Ordinance Appropriating \$2,420,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 2000-2001 and Authorizing the Issuance of \$2,420,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

Chairman Parisi convened the Public Hearing.

Motion was made by Mr. Rys to Read the Title and Section 1 of the Proposed Ordinance in Their Entirety and to Waive the Reading of the Remainder of the Ordinance, Incorporating is Full Text into the Minutes of This Meeting, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

AN ORDINANCE APPROPRIATING \$2,420,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2000-2001 AND AUTHORIZING THE ISSUANCE OF \$2,420,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$2,420,000 is appropriated for the planning, acquisition and construction of municipal capital improvements 2000-2001: (i) Durham Road reconstruction (from Christian Street to Route 68); (ii) Gaylord Farm Road reconstruction (from the new water tank to the Cheshire Town Line); (iii) Quinnipiac River Linear Trail Phases I and II; (iv) Quigley Road to Harrison Road, additional construction; (v) lighting upgrades at West Side Fields; (vi) Pond Hill Road bridge construction; (vii) safety improvements to Pent Highway, North Plains Industrial Road; (viii) South Turnpike Road and Mansion Road; (ix) library parking lot construction; and (x) Tankwood Road Drainage, or as the 2000-2001 Capital Budget shall be amended, and for appurtenances and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs related thereto, said appropriation to be in addition to all prior appropriations for said purpose and inclusive of any and all State and Federal grants-in-aid.

Section 2. To meet said appropriation \$2,420,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and the amount of bonds of each series to be issued shall be fixed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time

of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of purchase agreement shall be subject to approval of the Town Council.

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said

bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Robert Sheehan, 11 Cooper Avenue stated, in the past, you (Mayor) have come before the Council each time you started a project or the project was completed and bonded the money on the individual project. You never did it all at once. The money has always been appropriated. They have already approved the money set aside, but going to bond, you always reserved doing that until after the project was completed. Why the difference this year?

Mayor Dickinson answered, every year we have the Capital & Non-Recurring Budget and every year the ordinance is adopted that approves funding for a series of projects listed on the Six Year Capital Plan. This is no different than what we have done every year. There are projects beyond the Capital & Non-Recurring program and those are separate ordinances. This ordinance deals with specific projects that are listed in the budget as the Capital & Non-Recurring program.

Mr. Sheehan reiterated, in previous years you have only bonded when the project was completed. This year you are bonding the entire budget before any work is done. That has not happened before.

Mayor Dickinson replied, we are doing the exact same thing we have done every year. This is an authorization to begin the process of design and construction of these items. We will not necessarily be selling bonds immediately, it will depend upon the schedules of the projects and the need for money. We won't necessarily be bonding the projects right now.

Mr. Sheehan believed that the Council just funded all of the projects listed in the ordinance by adopting the budget.

Mayor Dickinson explained once again, the ordinance that will be voted on now is the funding vehicle for these projects.

Mr. Sheehan stated, you have money in the budget, that was just adopted, for five years down the road.

Mayor Dickinson replied, no, there is not funding for projects five years down the road.

Mr. Sheehan stated, there is funding in the budget that was just accepted. There is \$2.4 million in it for Capital Improvement this year; that money has already been funded.

Mayor Dickinson answered, the funds are approved for expenditure on the Capital & Non-Recurring but the ordinance before the Council enables the town to borrow cash to fund those projects. One year the public hearing did not occur and we did not adopt this

ordinance at the time of the budget. As a result we advanced the money to allow a project to start in July and we approved the ordinance at a subsequent time. We have had a Capital & Non-Recurring budget every year. The money for this is not in the budget that we just approved. This money is coming from this ordinance that will be voted on very shortly. The money in the budget that we have approved has money for debt service payments on the Capital & Non-Recurring but it does not include funds for this \$2.4 million of new projects.

Mr. Melillo wanted to make sure the Town was getting all it can of state and federal monies available for the types of projects we are planning in this Capital & Non-Recurring budget.

Jack Agosta, 505 Church Street, Yalesville asked that the Durham Street, from Christian Street to Route 68 project be explained to him. He why Christian Street was the subject of one of the projects?

It was explained to Mr. Agosta that the work is occurring on Durham Road, not Christian Street.

Motion was made by Mr. Rys that the Ordinance Appropriating \$2,420,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 2000-2001 and Authorizing the Issuance of \$2,420,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose be Adopted, seconded by Mr. Farrell.

Mr. Zappala stated that he is aware of the problems the Town is having with Harbor Ridge, specifically the lack of cooperation on their part to do their share of the required construction work on Quigley Road. He wanted to know how that will be affecting the action the Council would like to take tonight? Will the Town be able to do the Quigley Road to Harrison Road construction project? Is there any way to put pressure on the individual who is uncooperative?

Town Engineer, John Thompson answered, we anticipate doing the Quigley Road/Harrison Road intersection starting in about two weeks with the water main relocation work and then having the intersection reconstructed as soon as we can get the grading redone. Anticipating that schedule, we sent another letter to Redstone advising them of our schedule and asking, again, for their cooperation in trying to get their work at our tie down point with them coordinated so that we would have both projects being constructed at the same time. As you know, we are having a very difficult time with Redstone in having this work coordinated and the best we can do is anticipate what the future roadway of Harrison Road will look like when it is finally reconstructed by

Redstone and proceed with our work. It is one of those situations where we just can't wait any longer; we have to make the intersection safe and we are going to move ahead.

Mr. Zappala stated, I know you are trying very hard to get this resolved and you are not getting a good response from Redstone, that is why I brought this matter up. What action can we take to make sure that job gets done? They are crossing the road with their golf carts; is there some legal action we can take to make this man do the job he is supposed to be doing and not have to wait five years to get it done?

Mr. Thompson answered, I would take any offer of assistance; I would take any advice from the Law Department or any other department that could give me some insight into how to get this work coordinated and to get it done. We just don't have any solution at this point.

Mr. Zappala stated, the road is in very pitiful condition and we should do all we can to get it done.

Mr. Parisi stated, I have spoken to Mr. Thompson several times on this; gotten him to write a letter again and hand-carried that letter to the legal counsel and asked him to please do everything in his power to make this vendor comply with what was an agreement. I can assure you that will be done. I hope some notes will be taken and followed up on and made sure it is done. I share your concern, we all do.

VOTE: All ayes; motion duly carried.

ITEM #8 Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of CT. Dept. of Public Health for Funding Through the 2000 Preventative Health Block Grant in the Amount of \$7,411.00.

Mr. Rys read the resolution into the record and accompanying correspondence into the record. (Appendix I)

Correspondence from Health Director Mary Ann Cherniak Lexius explains how the block grant is a federal grant that is available to local Health Departments annually. The amount of the Town's allocation is population-based and can be different from year to year. The acceptable uses of these funds are as follows: Cancer prevention, Cardiovascular Disease Prevention, Injury Prevention and Surveillance/Monitoring of various public health risk factors such as Childhood Lead Poisoning Prevention, Occupational Health and Risk Factor Surveillance. In 2000, the amount of funding available to Wallingford is \$7,411.

In keeping with the change of acceptable uses of these funds, we wish to utilize the funds to target Childhood Lead Poisoning Prevention.

Mr. Farrell stated, your letter states that the \$7,411 will be used for two purposes; one is to provide education on Lead Poisoning and the other is to define the housing stock in the town by several parameters such as age, single-family vs. multi-family, owner occupied vs. rental. Please define how this will be accomplished.

Ms. Lexius explained, it is the beginning of creating a demographic database on the housing stock here. It is an opportunity to also look at census information, age of children that may be living in these areas and looking at the risk, exposure to, toxic levels of lead. The database might illuminate at a future date other areas that we would want to be doing programming other than just education to painting contractors and homeowners. Maybe we need to do outreaching to young families. It is the creation of the beginning of a database, having assistance from a college student to work with our Assessor and Town Clerk's Office and vital statistics and collate what we know. We can begin approaching the prevention of childhood lead poisoning.

Mr. Farrell stated, I recognize that people may be sanding and refinishing the exteriors of their homes that have been previously painted with lead-based paint. My problem isn't with the health education and doing a town-wide education effort, but I don't see why it is necessary to create this demographic data that, in some ways, is going to become a black mark against certain properties. It is a well-known fact that any building constructed before 1978 is going to have some level of lead paint. If there is such an easy, bright line that we cross, why do we have to put together this data that someone else could use against some of those property owners at a later date? I see very often when I am doing housing matters. You will get this issue brought up, rightly or wrongly, and it is used as a pry against landlords. I don't know why, through a public health effort, we need to go about creating this kind of database that we know as a bright line rule, prior to 1978, there is a 90% chance that you are going to have lead paint. I don't like government collecting data that could be used against someone at a later date. Public health, public education, I think is wonderful. I guess I don't trust my government enough not to misuse the data down the road.

Ms. Lexius asked for guidance as to what the Council would be comfortable with. Her initiative is to one to better define where the risk is for children especially between the ages of 0-6.

Mr. Farrell asked, is it necessary to do what you are asking?

Ms. Lexius answered, we can couch it in a different way.

Mr. Knight stated that he concurred with a lot of Mr. Farrell's statements. He stated, we have recently seen the excesses of the federal government in the census forms that have recently been sent to our houses. Many, many Americans object to the collection of this much data. I object strongly to going around and collecting this kind of information on everybody in this community. If you want to do something, educate the people that have this problem; educate the children not to chew on the windowsills; educate the contractors on how to mitigate this lead paint problem. But when you start snooping around and collecting data on every single person in this community, depending on if they happen to be politically correct and not have a house that may have lead paint, I think you tread on their rights. The government does this all the time; unintended consequences. We have the best of motives and it ends up the worst of consequences. I would vote this down if there is any possibility that this kind of data collection takes place.

Ms. Lexius explained, the data collection is not done door to door. It is an assimilation of data that we already have in the Town Hall. I hear your comments and we can adjust this, we can make it strictly educational. I am not immovable on this task. The intention is not to harm.

Mr. Knight stated, if I hear that this will be used specifically for education and not for data collection, I will vote for it. Otherwise, I will not.

Mr. Rys asked, the money that is available here; is it a suggestion being made by you? Not the money but the idea of the lead...

Ms. Lexius answered, this is one component; one method that we may use the funds. We can choose... in your read of my description of the background information, we have various opportunities to use this money.

MR. Rys asked, if we don't use this money here, can it be used for another project?

Ms. Lexius answered, yes, we could request to use if for another fashion. As long as it is on the list of acceptable uses of the funds.

Mr. Rys stated, the last thing I want to do is tell a department head how to run their department or what to look for but recently you have seen in the news, I have spoken to the Mayor about this one day, is the West Nile mosquito. Just recently on the news this morning I heard that they found one in North Haven. Are we doing anything as far as looking into some type of program that we can eliminate them here in Wallingford?

Ms. Lexius answered, department heads met this afternoon for almost two hours where I provided a presentation to my colleagues, all the departments that would have perhaps the potential of having involvement down the road as the summer progresses. I provided a boiler plate description of a lot of the information that has been coming through to my office from four different state agencies. We were doing just what you were asking; we were coming together to put our minds together; this is the information that is in front of us, how do we want to approach it as a community?

Mayor Dickinson stated, the West Nile mosquito issue is an accepted use for these funds.

Mr. Rys stated, North Haven was the recipient of a \$5,000 grant.

Ms. Lexius answered, not all communities in the State of CT. were eligible for these first monies that have been cut loose for larvae sighting programs. Only those communities that, last year, had positive West Nile virus tested in bird nests. That money was made available for their use first. Last year we were fortunate in that we did not have a positive crow tested on this community. My understanding from the various meetings that I have attended, there may be money cut loose down the road by the Governor but right now the first priority is where the problems were detected last year. We are in line for applying for grant money.

Mayor Dickinson stated, we are looking at education programs right now. The bottom line issue is to use the preventative measures such as the sprays to keep insects off; at dusk wear long sleeved shirts, and if you have ponding of water on your property in tires and things like that, eliminate those. Clearly, the amount of water that is standing in the town, be it wetlands or watercourses, we are loaded with that and it would be impossible to eliminate all places where mosquitoes will hatch. We have to be cautious and alert people to the same hazard as we have been alerted to the tick issue and Lyme Disease.

Mr. Rys stated, as far as the lead issue; I am not very much in favor of...I don't know how you would actually be able to...are you going to go into someone's house? If you are going to accumulate data...

Ms. Lexius stated, that would be a collection of information on age of housing stock through the Assessor's Office. It would be the assessment of information that we have in Town Hall. This can be work for a student at 10 hours a week to accumulate and assemble information that we already have; the vital statistics on the residents and what not. It would not be intended to be a house by house definition but really on an area-wide. Where are the areas where we have populations of children living and what is the age of the housing stock....that would really just give us further information if we should be doing further educational programs on maintenance of your own homes and what not, it also

helps us in that periodically we work closely with the housing inspector and he will go in and see a peeling paint situation and we will go out and take paint samples, if it is a significant concern because there are small children in the home. It really is just an assimilation of data that we already have in the Town Hall that is not organized in a demographic description. It is not difficult to change the application for the grant, which we have not done yet. This is really just put out for your discussion which is excellent.

Mr. Rys stated, I like the idea of the education but the parents have a lot of responsibility. The suggestion of putting brochures into the school system is a good idea but I think most parents, if they are responsible, should have somewhat of an idea that you don't chew on paint. Hopefully we can get that message out through the education process. I don't like the data collection process.

Mr. Parisi asked, how many cases of lead poisoning do we have reported?

Ms. Lexius answered, between one and two. That is lead poisoning in children; that is a blood lead level of 20 or greater. We have approximately a dozen that are in the next range down but...

Mr. Parisi asked, I want to know how many serious cases of lead poisoning do we have per year?

Ms. Lexius answered one or two per year in children. We have far more than our occupational lead exposures in adults which is the impetus for the direction I wanted to go in education of the contractors.

Mr. Parisi read the acceptable uses for the funds listed in Ms. Lexius' correspondence. He emphasized the language, "...of various public health risk factors". He stated that he would think a public health risk factor could be the West Nile mosquito. That is certainly a public risk factor and a very, very important one because it is moving this way and I know that they are picking up birds....they are starting to come in the experimental station on a daily basis.

Ms. Lexius stated that her office is aware of that.

Mr. Parisi stated, one or two cases of lead poisoning a year; fifteen of them on an adult basis, wouldn't seem to me that that is a very difficult program to conduct for adults but I would say that cardiovascular disease, if you read the Meriden Record, we pretty much have our share of people passing on with that; Cancer prevention...some of the other things I think are far more important than would have...would benefit far more greatly the majority of people in this town if we conducted a program. My feeling is that, in fact, we

are going in the wrong direction and we should review perhaps and re-submit this. I can't support it as it is.

Mr. Centner stated, I can see the underlying benefits and effort you are looking to do, however, in principle, I have not ever voted for any measures I feel are intrusive. Those individuals who are out there and know me...the roller skating ban I didn't vote for; I felt these measures were intrusive so I concur with the aforementioned statements from my colleagues. I feel this measure would be too intrusive on homeowners. I don't agree with any data collection in this fashion. As long as your subparagraph 1 remains in this measure, I won't vote on it. However, if subparagraph 2, the education element, I am satisfied with that. I think it is important. As stated by the Chairman, with the other approved programs, I feel have significant importance as well. I would be happy to vote in favor for something of that nature.

Mr. Parisi asked, when is the deadline?

Ms. Lexius answered, May 15th.

Mr. Vumbaco stated that his wife is in the same line of work so he is familiar with the subject matter. So much is being made out of nothing. We are only talking \$7,400. I don't believe that this whole collection of data is going into people's households and naming the street numbers of who potentially could have lead issues. What Ms. Lexius is trying to explain here is, in order to develop an educational process, you need to have some base data so that you can target your educational material into the areas where it is most needed. If I understand you correctly, what you are going to be able to say is that there is 422 homes that were built in 1990. You are not going to be saying that they are on S. Orchard Street, you are going to be saying that there are 422 homes that are built, in order to target the educational material. It is not identifying anybody. I think that the issue of being concerned about government stepping in and stepping on people's toes is unfounded. I sit on the Environmental Committee of Healthy Wallingford 2000+ and this is one of the issues that we identified. As Chairman of the Health Wallingford 2000+ Committee on the Environment, this was an issue that we found to be very, very important in town. The \$7,400 is not going to go a long way for cardiovascular. There are plenty of organizations in town and plenty of dollars available to help in those other areas. Very few dollars are available for lead abatement. If you can save one child's life for the \$7,400., I am all in favor of this. I will be voting to support this, thank you.

Mr. Parisi asked how we are going to determine what houses have lead?

Ms. Lexius replied that it would be based on the age of the house. It would start pre 1950 because we are pretty sure that those homes have materials that contain toxic levels of lead.

Mr. Parisi asked what if the houses are sided?

Ms. Lexius replied in that era lead was used in plaster and in varnishes.

Mr. Parisi asked what if the interior was painted over which is an accepted encapsulation for lead.

Ms. Lexius answered it is not.

Mr. Parisi stated that as we went through this at Gaylord - after the State checks it a part of it is to sand and repaint as a requirement.

Ms. Lexius stated that is correct and it is a removal process. She stated that this is to substantiate whether or not we need to do further health education programs. She stated that people need to be exposed to the proper information. She stated that her office responds on an enforcement pass. Where we have to go out and closing down a job and asking contractors where their data is? We are trying to prevent this.

Mr. Parisi asked how much lead paint is sold today?

Ms. Lexius answered that to her knowledge that it is not on the market today with toxic levels.

Mr. Parisi stated that we are dealing with something that has been prevented by legislation.

Ms. Lexius stated that we are dealing with deeper levels of paint that would come through a house that has been painted several times.

Mayor Dickinson stated this is an issue for very young children or a baby that can reach a window sill. In the course of time there may be some loose chips that may have lead content and a baby may ingest it. This may not be a frequent thing but it is one they are concerned about letting people know there could be a hazard.

Ms. Lexius stated that no one is doing education in this area.

Mr. Parisi stated that there may be other things that we could gather information on that is far more important to us in this town. In the inner city where painting and maintaining is practically unheard of this program would be extremely important. He stated that with our

inspection procedure that when we have a rental property vacated the inspector goes in there and does not miss much.

Ms. Lexius stated that we are doing a Cancer Screening Day on May 20th.

Mayor Dickinson stated that this is not just for rental property. It is for single family ownership or any property. He asked if this is possible without the data review?

Ms. Lexius answered definitely we could revise this.

Mayor Dickinson stated that we could eliminate the paragraph regarding the data collection and still go ahead with the public information that would be a benefit to everyone.

Mr. Parisi stated that he hoped that with all that has been in the newspaper that everyone should be informed.

Mr. Brodinsky asked about the procedure. There is \$7,000 out with the State and do we have to ask for it to get it?

Ms. Lexius replied that is correct.

Mr. Brodinsky asked if the application has to be specific as to what we are going to do with the money?

Ms. Lexius answered that her application is quite specific because this is a federal grant. So we have to give them a pretty good description of what we intend to do with that money.

Mr. Brodinsky asked about the language in which the Federal Government use the word surveillance. He asked whether surveillance meant collecting stuff that you get from the Town Hall and not spying on people?

Ms. Lexius replied yes.

Mr. Brodinsky stated that he believed there could be lead poisoning going on that is unreported. He asked if this could diminish the effects of lead poisoning whether or not it is reported?

Ms. Lexius answered yes. This could reach the adult population that very rarely gets their blood lead tested.

Mr. Parisi asked if she received statistics from hospitals as to what cases they have treated?

Ms. Lexius answered yes on children and on people who work in professions were they have exposure to toxic levels of lead.

Motion was made by Mr. Knight that an amendment be drafted that under no circumstances will these funds be used for the purpose of assembling data concerning the housing stock in Wallingford, seconded by Mr. Farrell.

Mr. Brodinsky asked if the amendment carries and you delete the data base and you have only put in one use does that kill the application?

Ms. Lexius answered right.

Mr. Farrell stated that he has spoken to people in more urban communities where unfortunately older buildings have lead paint that has become a terrible detriment. The data collection that goes into that has become a detriment to some of these communities in getting people to redevelop their center course. He stated that who knows how the data will be used against a property owner or the community at large. He stated that in the northeast there is a quantity of lead in our soil because of decades of industrial use in our area. He does not see this data collection.

Mr. Knight asked if it was worth losing the \$7,000 because we failed to do the data collection? He asked are we so craven for federal dollars that we will allow our privacy to be compromised? He stated no.

Mr. Parisi asked if she felt this would prejudice your application? Did you have a second choice?

Ms. Lexius answered I did. The other was Access to Health Care for Minority Groups in the Community. That would entail doing a surveillance of the minority that are working with SCOW and talking with them about the barriers that exist their access to health care.

Mr. Parisi stated that it sounds meaningful to him and he could get involved with that.

Ms. Lexius stated that there are a lot of places she could see this money being utilized.

Mr. Parisi asked the Council if they had any feeling about that direction as a second priority?

Mr. Brodinsky stated that he did not want to lose \$7,000.

Mayor Dickinson suggested that the Council amend this to reflect just the education portion. If it is determined that the lead paint issue will not qualify then they should authorize the submittal of an application on the Access to Health Care for Minorities.

Mr. Parisi stated that the second priority item is more meaningful to the Council but I don't mean to speak for everyone.

Ms. Papale stated that she is on the Board of Directors for SCOW. She stated that they do have clients that this would be very important to. Everything in SCOW is confidential. She feels that this is a better way to go.

Geno Zandri, 37 Hallmark Drive, stated that one of things if you own a home in town and you are going to sell it is a disclosure item. Also if it is a certain age the building testing may be mandated.

Mr. Knight withdrew his amendment, Mr. Farrell withdrew his second.

Motion to Amend was made by Mr. Rys To Restrict the Subject Matter of the Preventative Health Block Grant Application to Access to Health Care for Minority Groups, Seconded by Mr. Centner.

VOTE ON AMENDEMENT: Vumbaco, no; all others, aye; motion duly carried.

VOTE ON MOTION AS AMENDED: All ayes; motion duly carried.

ITEM #9 Consider and Approve a Resolution Authorizing the Mayor to Sign an Agreement Between the State of Conn and the Town of Wallingford for the Rights-of-Way Activities in Conjunction with Urban Systems Improvements for the Reconstruction of North Main Street Extension.

Mr. Rys read a letter from John Thompson to the Mayor and the Resolution into the record.

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

Mr. Farrell asked where would we stand on this project and would we have authority over the project that we need?

Mr. Thompson replied yes that we are taking over the right of way phase from the State. They estimated that it would take about 2 years and we feel we could do it in 4 to 6 months. We would have control of the process.

Bernadette Renda, 753 North Main Street Ext., asked when will the project be starting and what are the actual plans?

Mr. Thompson replied that the request before the Council tonight is to address the right of way phase. We had proposed some wall improvements and now the walls have been taken out and we are going to do some grating instead. We have to go back to the neighbors and obtain an easement to do grating on the properties. We anticipate that the right of way phase will take 4 to 6 months to complete and then we would finalize the designs. Then we would go to advertising this fall and hopefully go to construction in Spring 2001.

Ms. Renda asked now that the wall will be taken out what will you plan to put there so that the dirt does not start eroding?

Mr. Thompson stated that the curve plan is to flatten the slope out which means going back further towards your house. This is why we need to get an easement. We are trying to make the abutters a part of the process.

Robert Sheehan, 11 Cooper Avenue, asked about the original proposal. He asked if there would be any widening of North Main Street Ext.?

Mr. Thompson said there wouldn't be any appreciative difference.

Mr. Sheehan asked how much right of way do you have?

Mr. Thompson replied that out on North Main Street Ext. that the right of way - that is the land the town owns outside of the curb - would be in the 8 to 10ft. range.

Phil Wright, 160 Cedar Street, asked if he was doing anything down by the cemetery?

Mr. Thompson answered that there will be no widening of the road. They are looking at trying to address the sidewalk and the curb as a special feature. The Council has guided us into addressing the concern about the increased pedestrian activity on the hill. We are trying to deal with that in a unique design concept.

Mr. Wright asked about the design concept. He asked does that mean your going to have the distance between the sidewalk and the curb?

Mr. Thompson replied they are looking at different options. They are trying to come up with the most economic and safest solution.

Geno Zandri, 37 Hallmark Drive, asked if the road that enters from the park will be eliminated?

Mr. Thompson replied yes.

VOTE: All ayes; motion duly carried.

ITEM # 10 Consider and Approve a Budget Amendment in the amount of \$40,000 Increasing Maintenance of Distribution Reservoirs and Standpipes Account and Decreasing Use of Funds Section, Projected Bond Interest West Side Tank.

Mr. Rys read a cover letter into record.

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

Mr. Knight asked about the original amount estimated for the cost?

Mr. Dann replied it is about \$170,000. This amount included funds for the actual construction activities and for some engineering and inspection services. The bids for the engineering services and the bids for the tank works total is \$202,000.

Mr. Knight asked if both the engineering and the painting went up?

Mr. Dann said that primarily it is the painting.

Mr. Knight asked how much for the painting itself?

Mr. Dann replied about \$144,000.

Mr. Knight asked if it went up almost 1/3?

Mr. Dann replied it is up almost 15 or 20 percent. The low bidder was \$176,000 and the high end was \$323,000.

Mr. Knight asked about the requirement for painting this?

Mr. Dann answered that first the removal of the existing coatings takes place by sandblasting process, then multiple coats of new epoxy paint on the interior and exterior. There is a requirement for containment and disposal on the exterior side because the paint does contain lead.

Mr. Zappala asked why can't we go out to bid again?

Mr. Dann stated that the funds are allocated in the current years budget. We would not have funds in next years budget without coming back at a later date and providing for that. When we were looking at the pricing we were unsure whether we would get better pricing with a project in the short term or if we gave the contractors the option of bidding with a more favorable time frame. We bid this with two time periods. One would be done in the current fiscal year and one would allow the work to be done in the fall. The price to do the work now is lower by \$20,000 than what the lowest price we received to do the work in the fall. It appears that we will get better pricing to do the work now than the fall. If we re-bid that would the pricing hold up? I don't know but these companies are looking at their work schedules both in the short term and the remainder of this year.

Mr. Zappala asked what the urgency is to do this right away? He stated the price is higher than we thought it was supposed to be and sometimes we go out to bid more than once when the price doesn't come within our budget.

Mr. Dann replied that there is nothing in an emergency nature. It is something that needs to be done. He questioned about whether or not a re-bid would result in better pricing. The best price received is to do the work now.

Mr. Rys asked how many bidders there were?

Mr. Dann replied yes 5 bidders.

Mr. Rys asked are all the bids public? So if you went out to bid everyone would know what the low bidder was? Legally would that be a problem?

Mr. Dann replied that he didn't know if there would be a legal difficulty with that. The bids exceeded available funds, if that had not been the case then there would be a question of good faith in the process. With everyone's price out there it now allows someone else to come in and bid with the knowledge what other people have already bid. We may find that the bidders who put there prices out there may be reluctant to bid again. We may end up with a smaller selection.

Mr. Zappala stated that it wouldn't reckon any law to tell the public we are not willing to pay their price. If we go out to bid they may realize that this is not the price we want to pay because it is high and we might have a good chance to get the job done on a price we are willing to pay. We would send a message that we want to pay what we would like to pay. He stated he doesn't think it would hurt us to go out to bid again.

Mr. Rys stated that several years ago we went out to bid and when the bids came in everyone knew what the bids were who had bid on the project. Then something came back to the town that we weren't doing it correctly. There was a lot of confusion. He stated that he has a problem going out to re-bid based on what happened in the past.

Mr. Zappala asked Mr. Myers if it was kosher or not to go out to bid again?

Mr. Myers replied that the bid specifications contain the language that we can reject all the bids. We are not limited to taking a bid once we put it out. We can reject all the bids and bid again. That language is standard in all the specifications.

Mr. Knight asked if there is any justification to going out to bid again since we have a low bidder?

Mr. Myers answered that it could be a concern once we put a bid out and then we change it. He stated that there are situations that cause us to re-bid. In some cases venders put in a bid just to let the town know they are interested in doing work with the town but there work schedules might not permit them to take on the work. In the past we have done re-bids where bids have come over budget amounts. We have done re-bids if the budget was exceeded.

Mr. Dann replied that in some cases where the bids came back in we felt that a change in the specifications might result in better pricing. So we would go back out and change the specifications and re-bid it. There have been occasions where we came in over budget and decided we wouldn't re-bid it. Our success has been mixed. There is not a guarantee that if you go back out for a re-bid that you are going to see better pricing. In this particular case where we bid two different time frames for this specific purpose of trying to find out if we allow the vendors to place this project in what was a more favorable time frame. It was something they could plan for the fall. We thought we would get better pricing. That did not turn out to be the case. I am not encouraged that putting it back out to bid is going to result in a better price.

Geno Zandri, 37 Hallmark Drive, stated that going out to bid is risking the chance for this to come in higher. If you set a precedence of doing this you may scare people from bidding at all because they feel that if they put a bid in and that things don't go the Town's way that they are wasting their time bidding. In the construction business there is a lot of work out there and no forecast that things are going to change. Going out to re-bid this right now may backfire.

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

ITEM # 11 Report Out from the Department of Parks & Recreation Regarding the Readiness of Community Pool for the Summer of 2000 Including the Dates of Operation; Lifeguard Staffing; and Needed Repairs, if any as Requested by Counsilors Brodinsky, Papale, Vumbaco and Zappala

Parks & Recreation Director, Tom Dooley explains that the pool was scraped and swept in the fall of 1999. The pool was drained last week. We should be able to start power cleaning it tomorrow. After the pool is power washed we will re-scrape it and paint it by the end of May or early part of June. We will give ourselves 4 or 5 weeks for the pool bottom to cure and then fill it the last few days of June. We hopefully will open July 1st or 2nd. We had held back \$67,000 to make sure this project is completed in a timely effective way. He stated in regards to staffing we had 11 people tested and 10 past and we have hired 10 guards from last year. This allows us to hire 1 person who we recruited and trained and gives us a pool to draw from in the next year. He stated that he has been asked if other organizations can utilize our pool to help staff their own organizations. We are making that available to people who are having a difficult time. It has been very successful and he is very proud of the program. The landscaping on both sides of the pool and on the embankments as you go into the pool should be taken care of in the next 10 days. Some trees and shrubbery will be replaced. We are presently working on bids for equipment items in terms of new flooring in the pool house, furniture and shade awnings and will hopefully get that in place by mid July.

Mr. Knight asked how long the scraping and sanding will take?

Mr. Dooley replied that we anticipated getting in earlier in April but because of the rain we couldn't but we are OK. It will take 4 to 5 weeks for the pool to cure.

Mr. Knight asked if TPA has seen the landscaping?

Mr. Dooley answered that they have not been to the pool in the new year. We have been in close contact with them and they are aware of the damage that has been done. We will not sign off on that until it meets exactly what we want done.

Mr. Knight asked who do we still owe money to?

Mr. Dooley answered TLB.

Mr. Knight asked about the plans for parking?

Mr. Dooley replied that he is working with John Thompson, Engineering to develop a parking lot behind the community pool. We are in the application process and will appear before Planning and Zoning. We will not have a parking lot back there this summer. We are looking to hire a person with a public service license. We are scheduling the Youth Service van so that we can provide that service. We have looked into a possible path from Harrison Park, and one way traffic on Beaumont Avenue for the future.

Mr. Knight asked how does Sheehan pool get much activity during the summer?

Mr. Dooley replied no. We have reduced the hours there.

Mr. Knight asked how much are we spending to keep Sheehan open during the summer?

Mr. Dooley answered about \$10,000.

Ms. Papale asked where and when can the pool tags be purchased and how much will they cost?

Mr. Dooley answered \$5.00 and max of \$25.00 for a family. The tags can be purchased at the Recreation Dept. starting Jan 1st.

Mr. Zappala asked if the pool will be open later?

Mr. Dooley replied yes July 1st through Labor Day.

Bernadette Renda, 753 North Main Street Ext., asked about opening earlier in the morning and later in the evening?

Mr. Dooley replied we could open it earlier but it can dangerous keeping it opened later.

Ms. Renda asked about turning right on red when exiting the parking lot? And are you going to put speed pumps in the parking area?

Mr. Dooley replied we could look at that.

Robert Sheehan, 11 Cooper Avenue, asked when is the pool normally opened?

Mr. Dooley answered the last weekend in June.

Kathryn Zandri asked what proof does one need to purchase a pool tag?

Mr. Dooley replied proof that they are a Wallingford resident.

Ms. Zandri asked if you have to show your license again when you go to the pool so that we are sure that people are not handing them to non-residents?

Mr. Dooley replied no.

ITEM # 13 Consider and Approve a Transfer of Funds in the Amount of \$15,000 from Regular Salaries and Wages Acct. to Professional Services Labor Attorney Acct.

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

VOTE: All ayes; motion duly carried.

ITEM #14 Executive Session Pursuant to Sect. 1 -200(6)(d) of the Conn General State Statutes Pertaining to the Purchase, Sale and/or Leasing of Real Estate.

ITEM #15 Executive Session Pursuant to Section 1-200(6)(b) of the Conn General State Statutes to Discuss Pending Litigation Involving the Matter of Bristol Myers vs. Town of Wallingford.

Motion was made by Mr. Rys to Enter into Executive Sessions as Listed above, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council entered into Executive Session at 10:17 p.m.

Present in Executive Session were all Councilors, Mayor Dickinson, and Attorney Janis Small.

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

VOTE: All ayes; motion duly carried.

The Council exited Executive Session at 10:44 p.m.

ITEM #16 Consider and Approve the Settlement of Pending Litigation Involving Bristol Myers vs. Town of Wallingford.

UnAddressed

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

VOTE: All ayes; motion duly carried.

The meeting adjourned at 10:45 p.m.

Meeting recorded and transcribed by:

Kathryn F. Zandri
Town Council Secretary

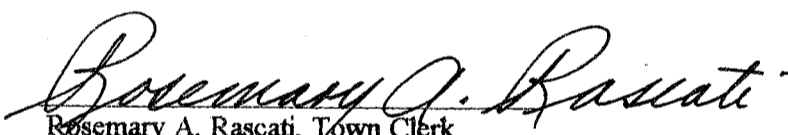
Meeting transcribed by:

Patricia A. Sgambati
Asst. Town Clerk

Approved:


Robert F. Parisi, Chairman

5/23/2000
Date


Rosemary A. Rascati, Town Clerk

5-23-2000
Date

RECEIVED FOR RECORD 5-16-00
AT 4 H 45 M P M AND RECORDED BY
Bernard P. [Signature] TOWN CLERK

MARYANN CHERNIAK LEXIUS, MPH, RS
DIRECTOR OF HEALTHD. B. SMITH M. D.
MEDICAL ADVISORGEORGE YASENSKY R. S.
REGISTERED SANITARIANDEPARTMENT OF HEALTH
WALLINGFORD, CONNECTICUT 06492
PHONE: 204-2055

Town of Wallingford, Connecticut

RECEIVED
MAYOR'S OFFICE
APR 11: 16

IN MEMORIAM

DR. MARK T. SHEEHAN
DR. JOHN T. SPIGNESI
MR. JOSEPH BARBERINO
BEATRICE YOUNG
FRANCES GIOVANNI

MEMORANDUM

Date: May 1, 2000
 To: Mayor William W. Dickinson, Jr.
 From: Maryann Cherniak Lexius, MPH, RS, Director of Health *Maryann Cherniak Lexius, MPH, RS*
 Re: Request for Town Council Action to adopt a Resolution certifying the Mayor's authority to file an application with the State Department of Public Health For funding through the 2000 Preventive Health Block Grant in the amount of \$7,411.00.

Background Information:

The Preventive Health Block Grant is a federal grant that is available to local Health Departments annually. The amount of the Town's allocation is population-based, and can be different from year to year. The acceptable uses of these funds are as follows: Cancer Prevention, Cardiovascular Disease Prevention, Injury Prevention and Surveillance/Monitoring of various public health risk factors such as Childhood Lead Poisoning Prevention, Occupational Health and Risk Factor Surveillance.

This grant was received by the Town in 1999, in the amount of \$7,266.00, and was used to fund A part-time food service inspector with the Health Department. Local Health Departments have been notified that these funds may no longer be used to fund positions that are considered to be essential services, such as Sanitarian hours.

In 2000, the amount of funding available to Wallingford is \$7,411.00. In keeping with the change of acceptable uses of these funds, we wish to utilize the funds to target Childhood Lead Poisoning Prevention.

The most significant public health impact pertaining to potential exposure of toxic levels of lead In Wallingford have been related to homeowners or painting contractors improperly removing exterior paint in such a manner that paint containing toxic levels of lead are broadcast in the nearby neighborhood.

In an effort of prevention of such occurrences, we wish to utilize these funds to:

- 1) define the housing stock in the Town by several parameters, such as age, single-family vs. multi-family, owner occupied vs. rental.
- 2) provide Health Education to homeowners and area painting contractors on the acceptable methods that both accomplish their task of paint removal, while doing so in a safe manner for themselves and the neighborhood.

These funds will be used to pay an hourly wage (wage amount to be determined with the assistance of the Personnel Department) of a college student studying in the field of Health Education or an individual with equivalent experience in the field of public health, to assist the Health Department in the above stated efforts of surveillance. Also, we plan to provide an educational program for homeowners and contractors, as stated above. Other expenses include educational materials and advertisement.

Town Council Action Requested:

Please include on the May 9, 2000 Town Council Agenda a request for the adoption of a Resolution certifying the Mayor's authority to file an application with the State of Connecticut Department of Public Health for funding available to the Town of Wallingford through the 2000 Preventive Health Block Grant in the amount of \$7,411.00.

A Suggested Resolution is attached for your convenience.

Thank you.

CERTIFIED RESOLUTION OF LOCAL AGENCY

Certified a true copy of a resolution duly adopted by the Town Council of the Town of Wallingford at its meeting on May 9, 2000, and which has not been rescinded or modified in any way whatsoever.

Date

Clerk

Secretary

WHEREAS, it is desirable and in the public interest that the TOWN OF WALLINGFORD make application to the State of Connecticut Department of Public Health in such amounts as may be made available for undertaking a Preventive Health Block Grant for Fiscal Year 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD that the Mayor, William W. Dickinson, Jr., file such application with the State of Connecticut Department of Public Health, to provide such additional information as may be requested, to enter into and amend contractual instruments in the name and on behalf of the Town and to act as the authorized representative of the Town.