

TOWN COUNCIL MEETING

OCTOBER 24, 2000

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Presentation of Loving Cup from Wallingford England Visitor's Committee on Behalf of the People of Wallingford, England.
4. Consent Agenda
 - a. Approve and Accept the Minutes of the September 26, 2000 Town Council Meeting
 - b. Approve and Accept the Minutes of the October 10, 2000 Town Council Meeting
 - c. Consider and Approve Tax Refunds (#92-99) Totaling \$4,598.26 – Tax Collector
5. Items Removed from the Consent Agenda
6. Consider and Approve Acceptance of a Donation from the Benevolent and Protective Order of Elks in the Amount of \$512 for the Purpose of Purchasing Rescue Mannequin Equipment for the Wallingford Fire Department Training Division – Asst. Fire Chief
7. Consider and Approve a Transfer of Funds in the Amount of \$512 from Other Revenue Miscellaneous Acct. #001-1075-070-7040 to Rescue Mannequin Acct. #001-2030-999-9033 – Dept. of Fire Services

8. PUBLIC QUESTION AND ANSWER PERIOD

9. Consider and Approve Appointing Andrew Bravo to the Board of Education to Fill a Vacancy Which Expires 1/2002
10. Consider and Approve Revised Job Descriptions for Network Administrator and Asst. Network Administrator in the Data Processing Department of the Electric Division – Personnel
11. Consider and Approve Releasing an Electric Division Easement on Property Owned by Owen Stone on Pent Highway – Director of Public Utilities
12. Consider and Approve a Budget Amendment in the Amount of \$77,000 Increasing Maint. of Transmission & Distribution Lines Acct. #431-673 and Increasing Source of Fund Section – Appropriation from Cash – Water Division
13. Consider and Approve a Transfer of Funds in the Amount of \$1,875 from Contingency Fund Acct. #8050-800-3190 to Telephone System Acct. #3010-999-9905 – Health Director
14. Consider and Approve Granting a Bid Waiver in the Amount of \$7,500 to Connecticut Computer Service to Provide Training for the Town's Computer Network Staff - Mayor
15. Consider and Approve Granting a License Agreement Between the Town of Wallingford and the First Congregational Church to Allow Church Members the Perpetual Right to Access Prince Street through the Town Hall Parking Lot and to Cause a Driveway from South Main Street to Become One Way – Law Department
16. Consider and Approve Granting a License Agreement Between the Town of Wallingford and Choate Rosemary Hall Foundation, Inc. Granting Choate the Privilege to Use Certain Highway Right-of-Way Land Owned by the Town for Use to Install, Locate, Maintain, Repair and Replace a Fence for Pedestrian Traffic Control and Aesthetic Purposes – Law Department

17. Report Out from the Mayor on:

1. New Information Received on School Renovation Project
Since the School Bldg. Committee's Formal Presentation on
to the Council on September 19th

2. Progress Made to Date on the School Renovation Project

As Requested by Councilors Mike Brodinsky and Jim Vumbaco

18. Executive Session Pursuant To Section 1-200(6)(b) of the CT. General Statutes to Discuss Strategy and Negotiations with Respect to Pending Litigation in the Matter of Ronald Gagliardi v. Town of Wallingford – Law Department
19. Consider and Approve Settlement of a Workers' Compensation Matter as Discussed in Executive Session
20. 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

TOWN COUNCIL MEETING

OCTOBER 24, 2000

6:30 P.M.

ADDENDUM TO AGENDA

21. SET A PUBLIC HEARING to Consider and Approve Adopting an Ordinance Entitled, "Ordinance Providing Tax Abatement for Members of Volunteer Fire Departments" – November 14, 2000 at 7:45 P.M.

TOWN COUNCIL MEETING

OCTOBER 24, 2000

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Correspondence – No items presented	
3. Presentation of Loving Cup from Wallingford England Visitor's Committee	1-2
4. Consent Agenda – Items #4a-addendum #4d	2
5. Withdrawn	
6. Table Accepting a Donation from the B.P.O.E. of \$512 to Purchase Rescue Equip. for Wlfd. Fire Dept. Training Division	2-3
Remove from the Table and Approve Accepting the Donation	34
7. Table Approving a Transfer of \$512 to Rescue Mannequin Acct. – Dept. of Fire Serv.	3
Remove from the Table and Approve a Transfer of \$512 to Rescue Mannequin Acct. - Dept. of Fire Services	34
8. PUBLIC QUESTION AND ANSWER PERIOD – Request to Re-name Killen Rd.; Complaint re: groundwater drainage problems on Shady Drive	3-13
9. Approve Appointing Andy Bravo to the Board of Education to Fill a Vacancy which Expires 1/2002	13
10. Approve Revised Job Descriptions for Network Administrator and Asst. Network Administrator in the Data Processing Dept.	13-18
11. Approve Releasing an Electric Division Easement on Property Owned by Owen Stone on Pent Highway for no consideration – Dept. of Public Utilities	18-19
12. Approve a Budget Amendment in the Amount of \$77,000 Increasing Maintenance of Transmission and Distribution Lines Acct. and Source of Fund Section – Appropriation From Cash – Water Division	19-21
13. Approve a Transfer of \$1,875 to Telephone System Acct. – Health Director	21
14. Withdrawn	

<u>Agenda Item</u>	<u>Page No.</u>
15. Approve Granting a License Agreement Between the Town and the First Congregational Church to Allow Church Members the Perpetual Right to Access Prince Street through the Town Hall Parking Lot and to Cause a Driveway from South Main Street to Become One Way – Law Dept.	15-22
16. Approve Granting a License Agreement between the Town and Choate Rosemary Hall Foundation, Inc. Granting Choate the Privilege to Use Certain Highway Right-of-Way Land Owned by the Town for Use to Install, Maintain, Repair and Replace a Fence for Pedestrian Traffic Control and Aesthetic Purposes – Law Dept.	22-23
17. Report Out by the Mayor on: 1. New Information received on School Renovation Project since the School Building Committee's Formal Presentation to the Council on September 19 th 2. Progress made to date on the School Renovation Project As Requested by Councilors Brodinsky and Vumbaco	24-33
18. Executive Session – 1-200(6)(b) – Strategy & Negotiations with respect to Pending Litigation	34-35
19. Unaddressed	
20. Executive Session – 1-200(6)(D) – Purchase, Sale and/or Leasing of Property	34-35
<u>Addendum</u>	
21. SET A PUBLIC HEARING for November 14, 2000 at 7:45 P.M. to Consider and Approve Adopting an Ordinance Entitled, "Ordinance Providing Tax Abatement For Members of Volunteer Fire Departments"	34

TOWN COUNCIL MEETING

OCTOBER 24, 2000

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, October 24, 2000 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:35 P.M. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Brodinsky, Farrell, Knight, Papale, Parisi, Rys, Vumbaco & Zappala. Councilor Centner is vacationing out of state. Mayor William W. Dickinson, Corporation Counselor Adam Mantzaris and Comptroller Thomas A. Myers were also present.

A moment of silence was observed in lieu of a blessing.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence - No items were presented.

ITEM #3 Presentation of the Loving Cup from Wallingford England Visitor's Committee on Behalf of the People of Wallingford, England.

A few months ago Mr. Parisi attended a function, on behalf of the Mayor, at which he was presented the Loving Cup from Oxfordshire, England Town Council to the Town of Wallingford, Connecticut, U.S.A. to mark the friendship between the two towns, July 1994. Each trip the cup is passed back and forth between sister communities. In the year 2002 the Loving Cup will journey back to Wallingford, England. At this most recent passing to Wallingford, Connecticut, a request was made that the cup be presented to the Wallingford Historical Society to be put on display for the residents of Wallingford to view.

At this time the cup was jointly presented by Mayor Dickinson and Chairman Parisi to Robert Beaumont, President of the Wallingford Historical Society. Mr. Parisi also recognized David and Nancy Hetzel for their continued support and dedication to the program.

Mr. Beaumont thanked the Town for allowing the Historical Society to serve as the repository for the Loving Cup which will be on display on the second floor of the Historical Society's residence.

(Unidentified speaker) stated that a proclamation by the Governor of Wallingford, England which dedicated August 6th as exchange day, marking the thirtieth anniversary of the exchange between Wallingford Ox on England and Wallingford, CT. The cup can be displayed either at the Town Hall or alongside the other memorabilia at the Historical Society; if the Council so wishes.

Mayor Dickinson stated, it can be displayed in the Town Hall for a while and then be transferred to the Historical Society.

ITEM #4 Consent Agenda

ITEM #4a Approve and Accept the Minutes of the September 26, 2000 Town Council Meeting

ITEM #4b Approve and Accept the Minutes of the October 10, 2000 Town Council Meeting

ITEM #4c Consider and Approve Tax Refunds (#92-99) Totaling \$4,598.26 – Tax Collector

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, Items #4a-addendum #4d, seconded by Mr. Farrell.

VOTE: Centner was absent; all others, aye; motion duly carried.

ITEM #5 Items Removed from the Consent Agenda – Withdrawn

ITEM #6 Consider and Approve Acceptance of a Donation from the Benevolent and Protective Order of Elks in the Amount of \$512 for the Purpose of Purchasing Rescue Mannequin Equipment for the Wallingford Fire Department Training Division – Asst. Fire Chief

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

Mr. Parisi asked if anyone from the Dept. of Fire Services or the Benevolent and Protective Order of Elks was present for this item?

Mr. Rys pointed out that it was noted at the previous Town Council Meeting that an additional donation from the BPOE would be forthcoming to the Fire Department Training Division. Perhaps the Fire Department representatives present at that time were under the

impression that their attendance was not required at tonight's meeting for the second donation.

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

VOTE TO TABLE: Centner was absent; all ayes; motion duly carried.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$512 from Other Revenue Miscellaneous Acct. #001-1075-070-7040 to Rescue Mannequin Acct. #001-2030-999-9033 – Dept. of Fire Services

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

VOTE: Centner was absent; all ayes; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Bruce Manke, who gave an address of Lot #9, Fairlawn Farms, Phase IX Subdivision near Grieb Road stated, I am here with some of my neighbors to personally present our request for a road name change to the Town Council. These people (neighbors) are among the majority who want the name changed and have come to see with their own eyes whether you will serve the interests of the people, tonight. As every member of this Town Council is aware of the history of choosing a name for the Phase IX subdivision in the Fairlawn Farms development here, in Wallingford, has been long and convoluted. This new road is still under construction and all the while its residents have worked through proper and discreet channels for over six months to change the name of the road quietly and with sensitivity for the privacy of the Killen family. We have expressed to the members of the Town Council our very clearly stated discomfort with the name the Council decided to select for our new road and for these six months we have been asking in the same dignified manner to have the name changed to a more tranquil-sounding name, using the Town Council's own pre-approved list of historic names. From the beginning, we have stated clearly, consistently and without mitigation, that our discomfort with the word "Killen" has nothing whatever to do with any specific person, but everything to do with the sound of the word, itself, used in context with the name of a road; the road we must live on and the road which no member of the Town Council lives on. The Council is also aware that during this time, as a measure of our willingness to demonstrate that our request had nothing whatever to do with Bert Killen, we proposed many alternative ideas to honor Mr. Killen, all of which have been dismissed out of hand by the Council. In every conversation and every piece of correspondence, which we are happy to make available for the record, we have stated that we wanted to handle this matter quietly and with dignity but that we would not be dissuaded from our objective to achieve a more tranquil-sounding name for our road. Now it has come to this. In a meeting with Mayor Dickinson, the

Killen family has made it clear that they will accept no other honor, except the road name at our location, even though they are fully-aware that the vast majority of the residents of the new road are extremely uncomfortable with the way the road name sounds. The family knows that we object to it strenuously. There is absolutely no legal precedent that the Council can fall back on to insist that the name of this road remain as it is. According to Town Council meeting minutes there have been numerous road name changes and road name changes that were not on the Town's pre-approved list. These namings and changes were enacted both previous to and subsequent to the change of Argyle Road to Killen Road. A couple of quick examples; November 25, 1997, the Council approves a road named Vumbaco Road; we move forward to 1999 when the Council approved these road names; Feb. 1st, Roxbury Lane; Feb. 22nd, StonyBrook Road and Amy Lane; April 13th, Schwecky Court; May 25th, Taylor Lane; Chardon Lane; and finally in 1999, your own Planning & Zoning Office gave approval to the name Argyle Road which was to have been our road. Mr. Farrell's rather dubious complaint about Argyle Road, by the way, was that it was "too exotic for Wallingford" and on Mr. Farrell's say so, you all agreed to simply through the name out, create your own amendment on the spot and use the opportunity to approve a name from your list in the interest of your good friend. You were warned that this name choice might cause a problem, but you chose to disregard the suggestion. The minutes of the June 22, 1999 meeting bear this fact out. I have those minutes with me and I will read them if you wish, but I can move on if you will accept my word that this is exactly what happened. The Town Council has created a problem for itself. We note that Mr. Farrell has sponsored many of these motions for road name changes. How is it that the same person can get numerous road name changes so easily, but an entire neighborhood phoning, writing, lobbying and petitioning for over six months cannot? According to Council meeting minutes, every time Mr. Farrell suggests a name change for a road, the Council approves without hesitation. I refer to your January 13, 1998 meeting during which Mr. Farrell proposed no less than three road name changes; all of which were approved by you (Town Council). Squire Place to Meriman; Manor Court to Davenport Road; Churchill Drive to Dana Drive; all names from your list, yes, but given immediate approval, nonetheless. Now the Council wastes a good portion of this year telling us, the charter residents of a new road, that they, the Council, cannot and will not grant a change for a road name, the majority of us do not want. Perhaps a reminder is in order here. The Town Council is in the business of representing a majority of the will of the people. The Town of Wallingford is not a private clubhouse. You are elected to your positions and your job is to serve the people, not to dictate personal preferences to the voters. Mr. Farrell has proposed other street name changes in the time since and in every case the Council has granted the change. Mr. Farrell is interested in history; so are we. We are interested in one more thing; peacefulness, beginning with the very sound of the name of the road, itself. And by a vote of the majority of those of us who live on the road, we have a right to enjoy peace as we observe history. Tragically, since the time since we have began lobbying for the road name change we seek, multiple acts of highly-publicized violence have been perpetrated by and against children. Add to this any purely local news

which regularly describes violence and killing within a thirty mile radiance of where we live and you have to understand that having a "Killen Road" in Wallingford just isn't helpful. Many here will remember that the Black Panthers dumped Alex Rackley's dead body somewhere in Wallingford a number of years ago. A street with a name like Killen Road would be so inviting, it makes the families on our road shudder that we would be stuck with such a name. It doesn't matter that the Council may find our concern implausible. The opinion of the Council is ultimately irrelevant if the request of the people is reasonable. The only relevant fact is that the families who must live on this road find it plausible and reasonable. By its lack of response to our simple request, it seems the Town Council presumes to disregard the democratic ideal of majority rule; the most basic principal of law in this country. We have presented a democratic majority of taxpayers who want a name change for our new road and there is no reason on earth for you to not grant this very reasonable request. To the residents of our road, it doesn't matter who Mr. Killen is, whether he is deified by some or vilified by others. To the residents of our road, it does not matter that Mr. Killen demands that he be given this or no other honor. The simple, clear, irrefutable, irreducible fact is that the democratic majority of the taxpaying voters of our new road do not like the sound of "Killen Road" and we are willing to accept another name from the Council's pre-approved list. Therefore, we formally present to the Council tonight, and I presented it to the secretaries here, the hand-signed petitions from each of the residents who want this change made. There will be eighteen homes. At the moment we have fourteen petitions and you now have copies of them. That number is likely to increase following this meeting. In light of these petitions, we ask that at least one of the Council members make a motion for a Rule V waiver and place our request to change the name of Killen Road to Carrington Road on the agenda for this meeting tonight and that a vote be taken immediately following. If the Council still refuses our request, then we are entitled to an answer from each individual Council member to the following question; "For the record, what is the basis of your refusal to grant our reasonable request, supported by petitions from a clear and democratic majority of the residents of this road?". Who would like to begin?

Mr. Parisi replied, you make your presentation and you'll be finished, o.k.? Have you concluded your presentation?

Mr. Manke stated, I have a question that I would like to have answered.

Mr. Parisi answered, we are not answering questions. You make your presentation and you'll be done.

Mr. Manke stated, I understand....

Mr. Parisi stated, we will go on to the next speaker.

Mr. Manke stated, however, each of you is an elected individual and, in this particular case and as a voter, I think I have a right to hear from each member of the Council.

Mr. Parisi replied, if you want an answer from any of us you are welcome to contact us and we will give you an answer. We don't entertain speaking from the audience (in response to comments made off microphone from a resident in the audience).

Mr. Manke stated, according to Robert's Rules of Order, the Chair is not allowed to interrupt the speaker while he is speaking.

Mr. Parisi answered, I was not interrupting, you weren't speaking.

Mr. Manke stated, I think I have a right to hear from each individual member on this case as to exactly what your reason is for not recognizing a simple democratic majority of residents on a reasonable issue.

Mr. Parisi replied, you have talked to most of us on the telephone and you are welcome to call me or any other Councilor and I am sure that we will be happy to give you as much time as you need.

Mr. Manke stated, well, gentlemen and Madame, you can answer this question now or you can answer the question to the media later but you will be compelled to answer this question, otherwise please give us our road name change now and the matter will come to an end.

Mr. Parisi replied, we will not be compelled. Let the media call and we will deal with them as they call. That is fine. You want to call, you are more than welcome to, you know that; we have spent many hours on the phone. I am more than happy to share time and I am sure that every Councilor is. O.k.?

Mr. Manke asked, you have no response to the question?

Mr. Parisi answered, that is my response. That is our response, yes.

Mr. Manke stated, you will have to answer this question, though.

Mr. Parisi answered, when you call, we will be happy to.

Jack Agosta, 505 Church Street, Yalesville stated, Bert Killen was a well-liked man who did a lot of good for this town. I would suggest that the name of the street be changed to "Bert Killen Road". "Killen Road" to me...this is an overreaction. Bert Killen deserves to have a road named in his name. We should keep it that way.

Mr. Parisi stated, alright, let's let that rest. I want to stay away from a debate, if we can. James Killen, stated, I am proud to say my name, especially in this Chamber. I am not prepared to say too much tonight and I will not be responding to Mr. Manke's arguments here and now. I have attempted to speak with him in the past and I don't think now is the appropriate time. I do want to make clear to the Council and all the members of the public is that Mr. Manke has misrepresented my father's (Bert Killen) position. My father has demanded nothing. As you all are aware, my father did not demand or even request to have a road named after him; it was something that the Council gave to him as an honor, for which he is extremely grateful. My father has demanded nothing in response to Mr. Manke's proposal. My father was simply asked his opinion in a discussion with Mr. Manke, at which point Mr. Manke assured us that there would be no escalation to a public issue. Obviously, that has not come to pass and we express our opinion and he disagrees with that opinion. But for him to state in front of this Council that there have been demands from my father or my family is an outright lie and that is all I would like to say on this position at this time.

Alison Manke, Lot #9, Fairlawn Farms Subdivision stated that Mayor Dickinson met with Mr. Killen, personally, at which time Mayor Dickinson said to my husband that, in fact, Mr. Killen said that he would accept this or no other honor; it was the name of the road or nothing else. Additionally, one of my questions is, at the beginning of this you said it was the "Question and Answer Period". I would like to have an answer to the question as to why it has taken us six months to get any kind of movement from the Town Council on anything? And to say, "call us; call us; call us; call us", I know that you (Mr. Parisi) and Bruce have had enumerable phone calls. I know that Bruce has spoken with most of the people on this Council. We are the majority of the taxpayers that live on this road. This has nothing to do with Mr. Killen, himself; absolutely nothing. All that matters is that we have a majority of people on our road that don't want this to be the name of our road and it is really that simple and that clear. As far as Mr. Killen not saying...that is not untrue. I would like, if at all possible, for Mayor Dickinson to clarify that for Mr. Killen's son.

Mr. Parisi stated, I would like to correct one thing; there was movement on this and it was very, very specific and continual. The Council designated the Chairman to speak for the Council in discussions with Mr. Manke. I returned every single call that he made and instituted a few myself. I don't want you to try to paint this that you waited forever for responses because you didn't.

Mrs. Manke replied, no; I am sorry, that is not what I meant. Yes, you responded to phone calls that we have made to you. The Council has been responsive to the phone calls but unresponsive to the issue. If someone wants to name their road "Killen Road" that is fine. It is just not the name we want for our road and we have a majority of people that live on our road that want it changed. Why has it taken us six months to get this name changed?

No one wants to hurt Mr. Killen's feelings. I know that you know from every bit of correspondence that that has never been our intent. As far as us going to the media, we did not escalate anything. It was other members of the community, talking about things in luncheonettes that brought a reporter to our front door, which Mr. Peters (R-J reporter) can verify. We did not contact the media in any way, shape or form.

Mayor Dickinson stated, I did not speak with Bert Killen. I spoke with his son and, at that time, there were no demands made. I questioned what that feeling of the family was and given the feeling of the family and what I feel is a continuing desire to honor Bert Killen, I indicated that I could not be supportive of the name change.

Paul Cumberlidge, 32 Shady Drive stated, I am here with quite a few of my neighbors. Our neighborhood has a water problem from groundwater drainage. We have been in touch with the Town Engineer and the Mayor's Office regarding this. Basically, in my personal situation, I have full use of my yard about three months out of the year. I am paying taxes on this property that the Town allowed to be built and developed like it is. I have no way to correct it. If I add topsoil, I will be pushing water into my neighbor's yards or into my house. I have been in touch with the Mayor and the Town Engineer has come out and we have been trying to get this resolved. It is not just my house but the neighborhood. The Town approved the development and we are just trying to get everything corrected.

Mayor Dickinson stated, I questioned Inland Wetlands, Brent Smith (Environmental Planner) provided a report that he had no record of any recent involvement of a wetland being altered. I believe the area was built in the 1950s and it must have been wet then since many of the homes do not have any basements which is usually an indication that there was a wet condition at that time. I spoke with the Town Engineer who went out there as well as Mr. McCully from Public Works. We have a planned meeting to go out there again because I wanted to review the area but, as I indicated at a meeting in the office, if this is a naturally occurring phenomenon; this is at the bottom of the Ward Street hill, the natural flow of all water is off of the hill down toward Kondracki Lane, if it is not aggravated by water from the highways, we are not in a position to be able to do a whole lot since that is the natural flow of the ground water. I have asked them to take a look at storm water from roads and make sure that we are not creating a situation through improper direction or some other means of dealing with the water from the roads but, the topographic feature has the water flowing from the top of the hill down. As you know, we have had a wet year and all of that combines to create a wet condition.

Mr. Farrell stated, I did walk that area and I did see all the water that the gentleman is describing. My own sense of it was that I thought it was a water leak; the water I saw was relatively clean water and did not appear as though it had traveled any distance. I thought

it was a water leak from somewhere in the street going to a particular property. It was very soggy out there; I totally agree with that.

Mr. Cumberlidge stated, I agree, our area is at the bottom of a hill but for some other houses in the neighborhood, it is almost level and they have the same problem. The house next to mine, his neighbor is up higher and it drops off so the water comes from their yard when it rains. There is a drainage area behind my other neighbor's house where water runs down and that goes into a pipe under another neighbor's yard, so that has got to be Town drain water. I realize the area is not a dry area but, in the Spring when you go out and are this deep in mud because you can't walk through your yard, it is not an acceptable thing.

Mr. Farrell stated, the day I went out it was a very dry day and yet, all of your properties were very wet and muddy.

Mr. Cumberlidge replied, yet, here we are paying taxes on property that we can't even use and then you want to raise taxes and property values. It is just not acceptable.

Mr. Parisi asked the Mayor if there was any way he could institute speeding up trying to find out what is happening?

Mayor Dickinson repeated, we have had visits out there by Engineering as well as Public Works and, to date, they have not been able to determine that it is a condition caused by improvements made by the Town. Now the next question would be, how do you re-direct natural water and not create a problem somewhere else through the re-direction of the water? If it is a natural occurring high water table, there is some significant issues that arises to where you take that water and how you intercept it. I don't have answers for that right now.

Mr. Cumberlidge stated, it would be good if, when you were coming out, we would be notified ahead of time so that each of the neighbors could show you the different problems. If it is a high water table, maybe the area should not have been developed. There are other houses next to me that have basements, just these certain few that don't that are really having a problem. It is as though the Town, in development, knew that the water was going here and said, "we won't have to worry about it" and fifty years later, here we are and we have to deal with it.

Mayor Dickinson answered, I understand but, houses built fifty years ago, conditions can change. I don't know what the conditions were fifty years ago. Undoubtedly, there are more houses in that area as well as all areas. We can make sure you know when we are going to be out there. When we deal with naturally-occurring wet conditions, it is extremely difficult to alter that because what it is indicating is that there may be springs, or any number of reasons why....

Mr. Cumberlidge answered, there is a spring, I realize that. What I am talking about is groundwater that runs from neighbor's yards into mine. I talked to John Thompson and he has basically said that if I am having any problems with this, it is a legal issue. In other words, I should sue the Town. I don't want to do that, I just want to get this resolved so that myself and my neighbors can use their yards which we are paying taxes on.

Mayor Dickinson clarified, what John Thompson was saying was, if there was a condition that one property owner is directing water onto another property owner's....

Mr. Cumberlidge interrupted to say, that is not what Mr. Thompson said. I asked him about it; I know you weren't there when he said it. He said, that is a legal issue and you ought to take it up with the Town. To me that is saying that he wants me to sue the Town. I don't think that is appropriate.

Mayor Dickinson answered, as a general rule, we do not do work on private property. Where there is a condition that is caused by the Town, where there is a condition caused by involvement of Town offices in some way, then naturally there is a responsibility on municipal government. But where there is a naturally-occurring condition, there is severe limitations on what can be done. If there is a naturally-occurring spring, I am not sure what can be done to re-direct the water from the spring.

Mr. Cumberlidge repeated, it is not so much the spring but run-off water from other neighbor's yards.

Mayor Dickinson asked, up the hill from yours?

Mr. Cumberlidge answered, yes. In the Spring, maybe it is July or August, if we have a hot summer, before my yard is fully dried out enough that I can cut all the grass in my yard.

Mayor Dickinson replied, I understand.

Mr. Cumberlidge replied, I don't think you do understand.

Mayor Dickinson answered, I do. I am personally aware of another property in Town that, in the Spring, is wet because there is a hill above the property and the water comes off the hill and makes that area of the property virtually unusable and an inability to mow the grass.

Mr. Cumberlidge stated, it is not one area, it is the whole yard. I will stop for now because there are other people who want to speak.

Dawn Madore, 58 Kondracki Lane stated, I am one of Mr. Cumberlidge's neighbors. We just spent money and had a drainage ditch put in our back yard because of this problem with the water. I had Henry (McCully) from Public Works come out prior to me doing this and we have a dry stream that is running between our house and our next door neighbor's house. The Town is the one that put that stream in and from what Henry said to me when he came out was that the Town put drainage up behind us on the street because of the water problem approximately six or seven years ago, he did not have the exact time. He was asking me if the stream was what was backing up into my yard for the water and I informed him that it was not; it was coming from the people behind us. He said that we should try the drainage ditch and see what happened. He stated that he would give us permission to hook into the curtain drain so we had a ditch put in across our back yard, down the side of our yard which cost us a little bit of money, we had it hooked in and it helps with getting the yard dry faster but we have a stream coming from our rear neighbor's yards. In the next storm I can take a video camera and bring it out back to show that I have three inches of water coming from the back fence, down to my house and down the side of my deck. That is not needed. I can't plant grass, I can't plant flowers, everything is washing away. There is a stream going and he told me that there was something the Town did six or seven years ago and you (Mayor) are telling me that it is natural and the Town is not responsible. If the Town did something six years ago to try and fix this and it is not working, isn't your responsibility to have it fixed now? I am the one who called, we cannot use our yard, it is completely useless to us.

Mayor Dickinson answered, that is why I am going to go out there but, to date, Public Works and Engineering have indicated to me that they do not know of any reason that this is caused by action of the Town. That is the report I have from them. Even with that I have indicated that I will go out and take a look at it.

Ms. Madore asked, why did Henry tell me that the Town did try and correct something six years ago? My landscaper that did the job (drainage ditch) told me that happened six or seven years ago.

Mayor Dickinson stated that he would have to talk to Henry since that was not what he indicated when speaking with him.

Mr. Parisi suggested that they talk a walk out there and see what is happening.

Mayor Dickinson repeated, we had scheduled a meeting out there but, unfortunately, other things got in the way but another meeting is scheduled and we are going to go out there but I can't hold out false hope. At this point the reports I have are indicating that it is not caused by the Town.

Mr. Parisi stated that there will be a meeting and reinforced that the Mayor will notify the one or two individuals, whose names he has, of the date and time of the scheduled meeting.

Ms. Madore asked that the Town's officials come out to her yard when it is wet, that way they can see how useless the yard is; how they will sink in it when walking in the yard. She will take a video camera out to videotape where the water is coming from.

Robert Madore, 58 Kondracki Lane stated, I feel that the Town would be somewhat responsible because that area was developed in the 1950s with the Town's approval. If you check the property now, it is drier. Now is not the time to check the property, the time to check the property is in the Spring; January – June. If you look at it now, you won't find anything unless it is pouring out.

Mr. Parisi suggested that the meeting occur in Spring.

Mayor Dickinson stated, there again, I point to the topographic feature. Everywhere in Wallingford, if you have a hill and you get a heavy rain, water will be coming down off of the hill because it is surface run-off. Depending upon where you are on the hill, it will dry out quicker. That is a naturally-occurring feature. If the Town is aggravating that in some way, that is what we want to look at. Every hill in town has that feature.

Mr. Parisi stated, that would be the purpose though, to clear up precisely who said what. Right now, there seems to be difference of opinions on how things were presented.

Mr. Cumberlidge replied, I understand what you keep stating; there is a hill in the area. If I have water in my yard and make a ditch to direct it to my neighbor's yard, my neighbor can sue me or have me correct it. This has happening all the way from the top of the hill. Are all of us supposed to sue all of our neighbors all the way up the hill?

Mayor Dickinson answered, generally at law it would be an artificial directing of water. If it is sheet run-off that hits the yard and takes its own course through the natural topography, you are not liable for that as a general rule because you aren't changing what God has put there. At the point you dig a ditch and direct the water in a certain way, at that point you can create liabilities because you are forcing the water in a manner in which it would not normally flow. When it is flowing with the natural topography, as a general rule, it is the issue of what nature puts out there and the ground and environment absorbs it or does not absorb it.

Mr. Cumberlidge answered, maybe the Town should not have let these houses be built.

Mr. Parisi stated, we are going on and on and....

Mr. Cumberlidge stated, it has been that way for quite a while.

Mr. Parisi stated, it is important to have the meeting and let's see exactly what the problem is and maybe some advice can be given. Maybe there is a problem that can be....I am not even going to venture a guess on what the answer is at this point. I think the first logical step is to have the Mayor and Town departments out there and some of the neighbors there. It seems to me that we would want to see it when it is happening, not when it is dry.

Mayor Dickinson stated, I think we intend to go out there in the near future to look at what the storm drainage and other features look like. Again, anywhere you have a hill, you will have water from the rain storm.

Mr. Parisi stated, let's be doubly sure of what the situation is and I think you can appraise that when it is happening. That is only fair to everyone.

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

ITEM #9 Consider and Approve Appointing Andrew Bravo to the Board of Education to Fill a Vacancy Which Expires 1/2002

Due to the resignation of Patricia L. Corsetti from the Board of Education on September 19, 2000 a vacancy currently exists. At the Republican Town Committee's regularly scheduled meeting on October 11, 2000 Andrew Bravo was endorsed for appointment to fill the vacancy. Mr. Bravo has previously served as a member of the Wallingford Board of Education making him a qualified candidate for appointment to fill the vacancy.

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

VOTE: Centner was absent; all ayes; motion duly carried.

Town Clerk, Rosemary A. Rascati performed the Swearing-In Ceremony at this time.

(Applause)

ITEM #10 Consider and Approve Revised Job Descriptions for Network Administrator and Asst. Network Administrator in the Data Processing Department of the Electric Division – Personnel (Appendix I)

Substantial revisions to the above-mentioned job descriptions have been negotiated and tentatively agreed upon with CILU Local #17 and the Town. As part of the negotiations the Town has agreed to pay for certain specialized computer training for the affected employees. There is no change in compensation for either position.

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

Ms. Papale asked for a brief explanation or summary of the changes made to each job description.

Personnel Director, Terence Sullivan stated, about a year ago when the Town was getting closer to replacing its outdated mainframe system with a LAN/WAN network personal computer base systems to tie in utilities, finance, revenue collection and a lot of activities, we wanted to embark on negotiations with all of the affected groups so that we could allay any fears they may have about the change to bring the computers online, train new software, new ways of doing business. It became evident that at least these two positions had to change. The language in front of the Council this evening is pretty much hardware and software related components for the LAN/WAN systems. The former job descriptions were strictly based upon COBALT programming and mainframe activities which is now passé in Wallingford. The revisions will bring the job descriptions into a more contemporary, modern language with modern equipment. The revised descriptions received their birth from consultants who are specialists in this field, so we took their lead. We refined it through negotiations. The pyramid committee worked on it and then we negotiated it with the local unions and came out with this product. The job descriptions spell out precisely what kind of training and background is needed to perform these jobs. When we change technology, we have to make sure we have people who can handle the change. We have job descriptions that spell that out in detail and we have given the tools to the employee so that they can be trained and be successful in those jobs to help the Town perform its duties more efficiently.

Frank Wasilewski, 57 N. Orchard Street asked if there are any additional wages that go along with the change?

Mr. Parisi answered, no.

Mr. Wasilewski asked, are the individuals occupying these jobs at the top level of their salary?

Mr. Sullivan answered, the one remaining employee is at the top step. There is no change in compensation. The other employee retired a few months ago.

Mr. Wasilewski asked if he will be eligible for more money?

Mr. Parisi answered, he will be eligible for raises as they come along.

Mr. Wasilewski stated, we educated the employee on the job. We set him up to learn the job. We did not do too well with the computer system; it took a long time before we got these computers on line. What we had running did not do a very good job. I don't know how much more these employees will get in salary increases and benefits, not now but next year they will be getting raises.

Mr. Parisi stated, if there is a general increase, they will be eligible, yes.

Mr. Wasilewski stated, they get raises now; contractual, merit and anniversary. That incentive enough for them to do a better job.

Mr. Parisi stated, when they reach the top of their step (raises), that is it. That is when they get the general increases, as everyone else does.

Mr. Wasilewski stated, but the Town has re-classified other jobs in Wallingford when they reach a certain plateau so they can earn more money. When they reach that plateau, their anniversary raises come automatic anyway so they are not really to the top. They get their money and everyone in Wallingford, I think the higher-ups, are well-compensated.

Raymond F. Smith, Director of Public Utilities stated, these two individuals, and one has recently left us, did a heck of a job of trying to get us through some very difficult times. They cannot be blamed for a lot of the problems that we experienced. I want to make that clear.

Mr. Parisi stated, that is water over the dam. I don't want to get into that, Ray.

Mr. Smith stated, but the inference was that they were not doing their job and they have been.

Philip Wright, Sr., 160 Cedar Street asked, is this in any way connected to or a part of the study that is being done by consultants for all managerial jobs?

Mr. Sullivan answered, these positions are included in the study. If this job description is adopted tonight, I will make sure the consultant has them. Of course there is one employees less so there is only one to interview but it is very much part of the group that is having their entire package studied; the compensation and duties, basically.

Mr. Wright asked, is the consultant who is performing the study likely to suggest different areas of change in reporting and the like or is this just checking to see if they are underpaid or overpaid?

Mr. Sullivan answered, the process has several components... in a nutshell, there is a certain salary survey of the labor market, there is a review of the current job duties, the employee is allowed to express his/her opinion on where those duties may have changed over the years because jobs do change. The interview process and the statistical review of what other towns are compensating like positions, there will be a recommendation for a salary schedule pay grade assignments and job description changes.

Mr. Wright asked, this is another way to ratchet up salaries, is that it?

Mr. Sullivan answered, not at all. The study could come back with a recommendation that there be no change in certain salaries. It is too early to tell what the consultant is going to recommend.

Mr. Wright asked if the hiring of the consultant was approved by the Council?

Mr. Sullivan answered, the contract was awarded based on a bid through our purchasing ordinance.

Mr. Wright asked, was the Council informed of this study that was going to be performed?

Mr. Parisi answered, yes they were.

Mr. Brodinsky asked, what would be the consequences of the Council voting this down?

Mr. Sullivan answered, the jobs in question are in dramatic change. They have been forced to fall into this environment. We are almost playing catch-up. They are basically performing these tasks. If these were turned down, I would hope to get some recommendations on where you thought it should go so that we could bring that back to the table and discuss it but we believe these (job descriptions) accurately portray not only where we want to be but when we want to replace, for example we have a vacancy right now, this will help us attract the qualified person and not have to worry about the training so much when they come on board. They should hopefully possess these skills and licenses.

Mr. Brodinsky stated, my question was getting to the need for the change. The need is to have the work actually match the description clearly but why is that so important? Is that wrapped up in management/union negotiations or is that a recruiting problem or is it a salary issue?

Mayor Dickinson stated, a lot of it is caused by the new computer system. It has a network facet and that is why this is a Network Administrator. Previously it was a Data Processing Manager for a stand alone system. This is now a Network Administrator and the duty is

one that oversees a system that now reaches offices that were not currently part of the Data Processing computer capability. This now reflects what the computer system that we purchased has created; someone who will deal with a network that now places finance and utilities all on the same network and you need someone with that responsibility and that was not previously the situation. The main part of this is caused by our acquisition of the computer system.

Mr. Brodinsky asked, this is a new position basically, not just a job description change.

Mr. Sullivan answered, it is basically a shift in responsibilities from a mainframe to a network based system. This is the same people, no change in salary, we just updated the job descriptions to reflect what the job is.

Mr. Brodinsky asked, the need for going through this process is what? I tried to get at it by asking what happens if we don't do it; the job will still get done, the people will still be doing the job that needs to be done; they will be getting the same pay. I am trying to get my arms around the item.

Mr. Sullivan answered, if we don't adopt a job description that reflects the duties that the Town wants its employees to perform, we won't be able to recruit against the new vacancy which will call for a background in programming that we just don't use any longer. We need to make this change so we can fill the vacancy and move on.

Mayor Dickinson added, also to direct the activities of the employee in accordance with what is expected on the job. If you have a Data Processing Manager and you are asking them to deal with other departments on a network, conceivably they could say, "that's not in my job description". If the job description is not accurate with the duties being performed and an employee is directed to perform duties on the network and the job description says that it is a Data Processing Manager and says nothing about the network, conceivably you could have someone saying, "I am not being paid to do that, the job I am doing as Data Processing Manager has nothing to do with the network".

Mr. Sullivan added, it opens up all kinds of possibilities, for example, on merit rating when someone mentioned earlier that there are these raises based upon performance. The evaluations are tied to the job description. The duties that you are evaluated on are those reflected in the written document. It makes sense to bring this up to date with current practice.

Dave Gessert, Vice Chairman of the Public Utilities Commission stated, this procedure has been going on for a while where these types of things are handled by the Personnel Department, negotiated and then they come before the Council. I would like to respectfully request, and have no objection to this one and feel it is totally proper, I would

like to suggest that down the road we look at these things before they come before the Council, that they get approved by the Public Utilities Commission because right now the Commission has no role in this, we are strictly observers. It is probably appropriate that if we have to fund these position, then we should certainly be approving them before they come to you. I suggest that we look to do that in the future.

Mr. Parisi asked if Mr. Gessert would like the item referred to the P.U.C. for action?

Mr. Gessert answered, no. This needs to be addressed but, in the future...

Mr. Parisi stated, you should take care of that within your own area. It is up to you to iron this out with the parties involved.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #11 Consider and Approve Releasing an Electric Division Easement on Property Owned by Owen Stone on Pent Highway – Director of Public Utilities

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

In the early 1920s a cross country right-of-way easement was acquired by CL&P across the subject property to provide wholesale supply from Meriden to the Washington Street electric plant. At a subsequent date the easements were transferred to the Borough Electric of Wallingford. Records pertaining to this easement do not show monies paid for said privilege. It is therefore reasonable to assume that Borough Electric did not expend monies to obtain the easements. It then follows that the Town should not seek monies to release said easements obtained in this manner.

The Public Utilities Commission approved release of the easements prior to this meeting.

Mr. Farrell asked if this is the same matter the Council acted upon approximately one year ago and was represented by Atty. Loughlin?

Raymond F. Smith, Director of Public Utilities stated, we have acted on several easements; they come up piece meal over the years as someone wants to develop a parcel. This is not the one that was represented by Atty. Loughlin. Another such easement will be coming before the Council at its next meeting. The PUC acted on it at its most recent meeting. It will be the same conditions; it is the other end of this line.

Mr. Brodinsky asked, who is looking for the release; why do they want it; what is the potential financial impact upon the person who wants it if they don't get it?

Mr. Smith replied, Mr. Owen Stone, property owner, requested the release because he wants to do something on his property, I am not sure what it is. There is an encumbrance which we vacated fifteen years ago and we have no future needs for running anything in there. What value it has to his property? That would be a question for an appraiser.

Mr. Brodinsky asked, has the Town released, without consideration, old, unused easements in the past?

Mr. Smith answered, we have. The only one that had a value was in Yalesville. The Town had to pay to acquire property having to do with the Yalesville substation. We sold that via bidding process. That was an actual parcel acquired by the Electric Division. Easements have been released; to the best of my knowledge, all have been released without payment.

Mr. Brodinsky asked, roughly, about how many?

Mr. Smith answered, maybe 1-2 dozen, without consideration.

Mr. Parisi stated, wasn't it about a year ago we decided that if money was paid for an easement then we would try to recoup the money?

Mr. Smith answered, there was discussion on that. There was a decision to research that particular one and we determined that we could not find anywhere that monies had been paid. The only one I am aware of, again, was Yalesville substation where we acquired a parcel.

Mr. Zappala asked, is there any advantage to us to release the easement?

Mr. Smith answered, no, there is no advantage or disadvantage. It is just an unused right-of-way. In fact, since the other end of the right-of-way is no longer attached-all the way down, we have to go back and re-acquire if we ever conceivably want to build anything. Most of the area is now occupied by buildings. The interim pieces have been developed and there are buildings that sit where the easement used to be. We have no need for it.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #12 Consider and Approve a Budget Amendment in the Amount of \$77,000 Increasing Maint. of Transmission & Distribution Lines Acct. #431-673 and Increasing Source of Fund Section – Appropriation from Cash – Water Division

On September 22, 2000 the Water Division experienced a water main break on Church Street (Rte. 68) which resulted in significant damage to the recently resurfaced roadway.

In order to make the needed repairs to the road and ensure that this will not reoccur, the Water Division proposes to replace approximately 306' of existing main. Subsequently the road will be temporarily repaired and, in the Spring, final road reconstruction will occur. Funds in the Division's current budget are not sufficient to accomplish the proposed main replacement and road repair, hence the request for a budget amendment.

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

Mr. Brodinsky asked, will any other account be prejudiced in any way as a result of this action?

Roger Dann, General Manager of the Water & Sewer Divisions replied that no other account will be compromised.

Frank Wasilewski, 57 N. Orchard Street inquired as to the age of the pipes, how long a section of pipe will be replaced, the average lifespan of the pipes and the status of the Maintenance and Distribution account. He pointed out how said account was cut by \$30,000 in the current fiscal year. He was unable to find the account titled, "Appropriation from Cash" in the Water Division's budget. He asked where he would find such account listed and how much money was currently in it?

Mr. Dann answered, there was already an appropriation from Cash for the current year's budget for the purpose of the rate stabilization. Cash of the division results from the activities of the division in prior years where our revenues would have exceeded our expenditures and therefore we have in reserves some amount of cash which is available and can be used in this particular case for unexpected emergencies.

Mr. Wasilewski asked once again, how much cash do you have?

Mr. Dann answered, we have not completed closing out last fiscal year's budget. At the end of the prior fiscal year, I want to say that the total cash of the division is in the range of about \$2 - \$2.5 million, however some of that was allocated to other purposes, whether it be rate stabilization or future project needs of the division. The portion of the cash not allocated to other needs was about \$1 million.

Mr. Wasilewski asked, do you invest that money?

Mr. Dann answered, yes.

Mr. Wasilewski stated, although I question Mr. Dann many times he does do a good job. He asked if the work will be put out to bid?

Mr. Dann answered, the main installation will be done using our own staff. The road reconstruction will be done utilizing existing bids that are in place, whether for milling or paving.

Mr. Wasilewski asked, is it the same outfit that did Church Street in Wallingford? Are they in the bidding process?

Mr. Dann answered, the water main installation will be done using our own resources.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #13 Consider and Approve a Transfer of Funds in the Amount of \$1,875 from Contingency Fund Acct. #8050-800-3190 to Telephone System Acct. #3010-999-9905 – Health Director

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

Mr. Farrell commented that he has had the opportunity to visit the Health Department offices a number of times this year and because of the increase in personnel there, it is very cramped. I think it is a good idea for them to be moving into the larger offices upstairs given that we have the room.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #14 Withdrawn

ITEM #15 Consider and Approve Granting a License Agreement (Appendix II) Between the Town of Wallingford and the First Congregational Church to Allow Church Members the Perpetual Right to Access Prince Street through the Town Hall Parking Lot and to Cause a Driveway from South Main Street to Become One Way – Law Department

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

Church members will exit the church parking lot through the Town Hall parking lot and out onto Prince Street and not through the driveway that will become one way under this agreement. The church had a right to exit out that driveway and they have given that up under this licensing agreement and will exit the church property out through the Town Hall parking lot to Prince Street. They can still exit out behind the church to Center Street if they so choose.

Mayor Dickinson explained, previously, the right-of-way beside the American Legion Building that exits onto South Main Street was two-way. The owner of what is now

known as the "Meeting House" for the Congregational Church would enter and exit over that right-of-way. In order to better facilitate traffic in the parking lot, as it has now been paved, we have posted it one way in. You can only enter into it off of South Main Street. Exiting, for church members or anyone else, would be out through Prince Street. The intent was not to have two-way traffic on that right-of-way. Either party can cancel this licensing agreement at any time.

Mr. Vumbaco asked, is there any increase in liability to the Town by allowing the traffic to travel over the Town's property? What would the increase in liability be if there is an accident there if someone gets hurt, killed, maimed, etc.?

Atty. Mantzaris stated, I imagine if we let our parking lot go into disrepair, there may be some liability but that would be to every member of the general public, including members of the church. I would say, no increase in liability, in answer to your question.

Mr. Zappala asked if the church requested this licensing agreement or the Town?

Mayor Dickinson replied, the Town requested this in order to better manage traffic in and around the parking lot. It is to our advantage also because we actually own that driveway out onto South Main Street and we want that to be one-way. The church would have the right of the two-way traffic. In exchange for them recognizing that it is better for everyone just to have one-way traffic there, they are granting us a license to make it one way and we are granting them a license over our parking lot to exit onto Prince Street. It really is for traffic flow. It is the Town Engineer's plan for the parking lot.

VOTE: Centner was absent; all others, aye; motion duly carried.

ITEM #16 Consider and Approve Granting a License Agreement (Appendix III) Between the Town of Wallingford and Choate Rosemary Hall Foundation, Inc. Granting Choate the Privilege to Use Certain Highway Right-of-Way Land Owned by the Town for Use to Install, Locate, Maintain, Repair and Replace a Fence for Pedestrian Traffic Control and Aesthetic Purposes – Law Department

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

Mr. Farrell stated, what is being asked for here is a fence that is going to be in certain sections of North Elm Street and Christian Street. This is something that came out of a series of suggestions that were made by neighbors to Choate school about trying to minimize the potential for a car running over a student since, unfortunately, the students do run out into the street and, to some degree, the cars aren't actually forgiving about that. A committee formed about a year ago to try and work this out. I got invited to serve on the committee because I am one of the neighbors on North Elm Street. The purpose of the

fences is, I made the point that we want to prevent accidents and that we need to regulate where the students are going to cross so that residents know approximately where to expect them to be crossing, rather than just anywhere. One of the suggestions in response to what I said was these very low fences that are almost like a split rail fence made a little more substantial than that; approximately 3' in height. They are more intended to say to the students, these are the places you cross, not just any place you would like to pick along this 2,000 foot stretch.

Mr. Knight asked, did they consider how the fences are going to funnel all the traffic to a very small area at the corners of Christian and Elm Streets?

Mr. Farrell answered off microphone, therefore his comments could not be recorded.

Atty. Mantzaris stated, Michael Clemizewski, Choate Rosemary Grounds Officer was supposed to be here tonight but I don't think he is here. I am not sure if I told him to be here at 8:00 p.m. or 8:30 p.m. to answer questions we may have regarding this.

Mr. Knight stated, it is interesting that this whole thing developed and picked up speed in terms of its importance when Councilor Farrell purchased his house on North Main Street. For the protection of the students, this is becoming necessary.

Mr. Zappala stated that the fence appears as though it is going to be located on Town property.

Atty. Mantzaris answered, that is what this licensing agreement is all about; it will be located on Town property.

Mr. Zappala asked if we are setting a bad precedent?

Atty. Mantzaris did not believe so. In his opinion the agreement is being granted to make a situation safer for both students and motorists, not for the benefit of any one individual property owner. He reminded Mr. Zappala that either party to the agreement can cancel at any time.

Pasquale Melillo, 15 Haller Place, Yalesville asked if there is any possibility of the Town being held liable if any accidents occur?

Atty. Mantzaris stated, Choate agrees to accept any liability that comes out as a result of what this license agreement does. The fence is Choate's responsibility, not the Town's. Choate accepts any liability under this agreement.

VOTE: Centner was absent; Zappala abstained; all others, aye; motion duly carried.

ITEM #17 Report Out from the Mayor on:

1. New Information Received on School Renovation Project Since the School Bldg. Committee's Formal Presentation to the Council on September 19th
2. Progress Made to Date on the School Renovation Project

As Requested by Councilors Mike Brodinsky and Jim Vumbaco

Mayor Dickinson stated, I have received most of the information that I was looking for and I am in the process of putting it together. I had a conversation with the architects last night. I expect that I will be able to get something out to the Council tomorrow or the next day the latest. My recommendation is for you to set a special meeting for the end of this week or the beginning of next week. All parties should be available for the meeting.

Mr. Brodinsky asked if the Chairman would be organizing or calling the special meeting in accordance with the Mayor's suggestion?

Mr. Parisi answered, yes I will.

Motion was made by Mr. Rys to Set a Meeting for October 30th at 6:30 P.M. to Meet with Regards to the School Project, seconded by Mr. Farrell.

Mayor Dickinson stated, you may want to say, "Discussion and Possible Action"

Mr. Rys added a Friendly Amendment to the Motion to Include the Words, "Discussion and Possible Action".

Mr. Brodinsky asked, what would be the format that you would envision for the meeting and, by the way, I am very pleasantly surprised that this is apparently all worked out before I asked the question, but that's fine.

Mr. Parisi stated, it wasn't all worked out...we are moving along at a reasonable pace.

Mr. Brodinsky asked, what will be the format that you have apparently discussed for the meeting?

Mr. Parisi answered, the Mayor will make his presentation to the Council.

Mayor Dickinson stated, you will have the information I have. If you want me to say anything further, I can do that. You want to make sure that the Board of Education is aware so that they can be in attendance. Dr. Cirusuolo, the School Building Committee can all be invited to make sure that they are aware and in attendance. It is possible to make a decision at that meeting or, if there isn't a consensus to do that, schedule another meeting after that. Make sure they are aware that the meeting is on and I would think that we have sufficient people here to have a discussion.

Mr. Zappala asked, don't we have to waive Rule V to make a motion?

Mr. Parisi answered, no.

Mayor Dickinson felt the motion related to the item. A special meeting can be called by members without even being on an agenda so, we are not deciding anything, just setting a meeting date which is all related to this subject.

Ms. Papale stated that she was glad this was moving along. She was not comfortable with having so little time to digest the information before holding the meeting on Monday and potentially voting on it at that time. The Mayor stated that he would forward information to the Council by Thursday, the latest. That would not give the Council, in Ms. Papale's opinion, enough time to review the material before Monday's meeting at which time they may be asked to vote.

Mayor Dickinson stated, whether a vote will occur or not Monday or at a subsequent meeting, that is a matter of what will occur in the course of the meeting. The information I share with you may or may not be as important to you as it is to me. It may be information you are looking for or, it may not be. I will share my thoughts on it and it may help that night or, it might not.

Ms. Papale asked, does the information tell us whether or not the Board cut different schools from the project or that they came up with a figure?

Mayor Dickinson replied, no, it relates to questions I had regarding the schematic report; most of it. It deals with the ADA (American with Disabilities Act) component; I had questions as to why the boilers weren't in there...it is questions like that. I wanted a letter indicating the reimbursement from the state...some of it is housekeeping, some of it is going to the cost of the matter.

Ms. Papale asked, has the Board of Education came down with any other numbers to you?

Mayor Dickinson replied, the only change I have is the Board's list of the vote they took and they moved some components of the project around.

Mr. Vumbaco stated, two weeks ago at the last Council meeting, we had somewhat discussed a special meeting at the request of Mr. Brodinsky and myself and I was hoping at that time that we would be sitting down and holding a joint special meeting with the Board of Education, Building Committee, Administration of the Board of Education, as well as the Town Administration, to discuss in detail this plan so we could begin hammering it out. Tonight I am not hearing that that's the case, that we are thinking of doing. I would like a little clarification as to exactly what this special meeting that we are discussing this evening or thinking of setting up this meeting because I, for one, am not willing to sit down and vote on any issue with this without having a detailed discussion. I also request as part of this motion that it is not suggested or inferred that the Board of Education and Building Committee come to the meeting, if they so desire. I would like the motion to state that the Council is requesting that they be in attendance at the meeting to discuss the matter with us. The only way this Council can intelligently vote on any project of this magnitude is to have as much information as possible, which needs to be provided by the professionals. It should not be left up to the discretion of the Board of Ed and Building Committee to attend, they should be requested to come.

Mr. Parisi stated, I am sure they are going to come.

Mr. Vumbaco stated, I want to make sure that they are here. That is what we discussed, in depth, two weeks ago when we got into a timing issue. Now, lo and behold, there it is; less than twenty days later and we got the information. We had requested a special meeting be held within twenty days; as a matter of fact we even had thirty days in the original motion and that wasn't good enough because we didn't want to hold anyone to any specific dates. Here we are less than twenty days later and we now have that information which is exactly what the Mayor said that night. I think we got caught up into a situation here where we play partisan politics and I am looking forward to sitting down with everyone in a non-partisan venue to discuss this line by line, if necessary. I want to be assured that we have affordability Monday night before I am willing to vote on this special meeting. If the majority of this Council is going to fluff it over and I am not going to be able to sit here and spend hours going over this, if I believe it is necessary, then I am not going to vote in favor of the special meeting.

Mr. Parisi stated, at the last meeting the information had not been received; whether or not that fits your plan is unfortunate but it had not been received so it could not be presented. The Mayor received the information the other day, he is going to formulate it and present it to the Council. At that time the Council can do what ever it chooses to do. It can accept it with no action; it could accept it with action; it can do what ever it chooses to do. There is no pre-designed plan for this to happen. The information will be presented and then it is up to the Council to decide what it will do.

Mr. Vumbaco asked, will you address my question as to whether or not we are going to request those individuals to be in attendance as part of this motion?

Mr. Parisi stated, what is the difference if they are invited or requested? If they are notified of the meeting, you don't think they will be here?

Mr. Vumbaco replied, I want to be assured they will be here as well as the Building Committee, architects, etc., we need the people here to be able to answer the questions. If we get involved in a meeting and we don't have people to answer questions and we are asked to vote on something, how can you intelligently make a vote? That is all I am saying. I understand that two weeks ago we did not have the information available, that is why we requested a meeting within thirty days so that we would have the information available.

Mayor Dickinson stated, we can confirm whether or not the other parties can be here on Monday. If they can't be, we can hold off having the meeting.

Mr. Zappala asked the Mayor, what do you expect us to do Monday, at this meeting, besides receiving your information?

Mayor Dickinson stated, I am expecting that you will have already received that information. You will receive it either Thursday or Friday. The purpose of the meeting is to open up a discussion regarding the project. Any remaining questions that may be on the minds of anyone and at that meeting, or a subsequent one, hopefully arrive at a conclusion as to what direction to take. We need to have a meeting in order to have parties from the Administration there in order to answer some questions. We can't lose that opportunity.

Mr. Zappala stated, from what I understand you are more concerned with the (school) Administration is willing to do?

Mayor Dickinson answered, no, the meeting on Monday is to discuss the project information that I have supplied you this week and open up discussion. If enough parties are there and there is an idea of what people want to do, a vote can be taken. If it is not that case, people need more time, we can schedule a subsequent meeting. But this is to start the process of discussing the entire project with all of the pertinent parties, that is all.

Mr. Brodinsky stated, I want to make sure that our intentions match and we don't come to a meeting and one or more members of the Council are surprised that we don't get into a game of "gotcha" kind of government. My intention on the special meeting is that the door would be open for us to go through the project school by school and, if necessary, line by line and ask questions of the Board of Ed as to the rationale and reasoning for

various items that are included in the renovation project. Would that intention be fulfilled, Mr. Mayor, in your vision of how this meeting would go?

Mayor Dickinson answered, any questions that are raised by any person can be answered at the meeting?

Mr. Brodinsky asked, is that a yes? Do you agree with that, as far as you are concerned? I know you cannot speak for Mr. Rys who made the motion but, as far as you are concerned, would you agree that that would be an appropriate format?

Mr. Parisi stated, that decision would be up to the Council.

Mr. Brodinsky asked Mr. Rys, is that your intention?

Mr. Rys answered, no, that was not my intention.

Mr. Brodinsky asked, what is your attention, then, with respect to the meeting?

Mr. Rys answered, just to listen to what the Mayor had requested from the Board of Education and that is it. We are going to have a public hearing in the near future.

Mayor Dickinson stated, I think we are getting confused on this. This is just a public meeting and it is the time to ask questions. You will have information from me this week so you may not have any questions of what I provide to you.

Mr. Parisi added, and you may have a lot, but that information you will already have at the point you are walking into a Monday meeting. The purpose of the Monday meeting is to start discussion on the overall project. We want the Board of Ed., Building Committee and architects to be here. I expect that they will be. If, for some reason, some or all cannot be here, we still need to have the meeting in order to deal with one component of this; the finance area. Beyond that, there can be more than one meeting. We can have as many meetings as it takes where anyone can ask all the questions on aspect of the project.

Mr. Brodinsky stated, I asked the question as to what your expectations were, with respect to the meeting and whether my intentions would be accommodated and I was advised by the Chair that it is really not your call, it is up to the Council to determine the tenor and content and agenda of the meeting. Then I asked Mr. Rys if we would be able to go through the school agenda item by item and Mr. Rys said, no, that was not his intentions. I am seeing a conflict of intentions and I want to clear that up.

Mayor Dickinson stated, there is not a conflict. Any time a special meeting is called by the Council, unless you limit it in the call of the special meeting, the Chair runs the

meeting and people ask questions and it follows the course of any other meeting, as long as it pertains to the subject matter. It is the same as any other meeting that is ever called; everyone asks their questions and, as long as it is germane to the subject matter that is on the agenda, no one is ever shut off.

Mr. Parisi stated, I would like to make an observation. If we have the meeting going and someone makes a motion; if you make a motion, what am I supposed to do, ignore it? I can't do that by our rules.

Mr. Brodinsky stated, this is not a meeting intended for motions, as I understand it. This is an information-gathering meeting.

Mr. Parisi stated, that is what I am saying, how can we limit?

Mr. Brodinsky asked, so are you saying that someone from your side of the aisle is intending to make a motion that will be passed that night? That seemed to be what you are saying.

Mr. Parisi stated, no, I am not saying that at all.

Mayor Dickinson stated, the call to the meeting will say, "discussion and possible action". Motions can be made at any meeting. It is not meant to shut anything off; it is not meant to create anything but an opportunity for questions to be answered and, if everyone is satisfied, action to be taken. If people are not satisfied, another meeting can be scheduled. All it is meant to do is start the process of arriving at a decision regarding the school project.

Mr. Brodinsky stated, I do not mean to make this more complicated than it is. From my perspective, it is very simple until Mr. Rys made his comments. My intention was, that the meeting where we begin the item by item, school by school analysis. I asked Mr. Rys who made the motion, whether that interest could be accommodated. His answer was, "no" so I will bring it back to Mr. Rys. Mr. Rys, what was your intention in making the motion? He can speak for himself, Mr. Chairman, he made the motion.

Mr. Parisi interrupted, wait a minute. He isn't; we will determine, in essence, what we are going to do.

Mr. Brodinsky replied, that I understand. I am just asking my colleague what his view was of the meeting? It is very simple. What he had in mind?

Mr. Rys answered, to get the information from the Mayor; that was my intention.

Mr. Brodinsky asked, and if some of your colleagues wanted to go school by school and item by item and get an explanation, would there be any attempt to block that?

Mr. Parisi asked, what if they didn't want to do that?

Mr. Brodinsky answered, I don't know.

Mr. Parisi stated, that is the question I will ask you. They can ask questions if they want to but, what if they don't want to? Then it will be dealt with by majority.

Mr. Brodinsky replied, let's not play "gotcha politics", let's flush it out.

Mr. Parisi replied, I am not trying to play "gotcha" but you are trying to pin something down that can't be pinned down. You want everyone to commit to a specific process and procedure before it even happens. I don't know that we can do that.

Mr. Brodinsky stated, I was just alerting all of you that it seems as though this would be the opportunity to begin the process of going school by school, item by item and I want to know if those intentions will be frustrated and, apparently, the answer is, "I am not going to tell you".

Mr. Parisi answered, no. The point is that you are asking if everyone wants to go item by item, school by school.

Mr. Brodinsky asked, what are your thoughts, Mr. Chairman?

Mr. Parisi answered, I don't think I prefer that.

Mr. Brodinsky stated, and Mr. Rys is shaking his head (no); he does not want to do it either.

Mayor Dickinson stated, the question to ask is, if someone asks the question on any given line item, is that out of order? It should be answered. If anyone wants to go through it all, they can go through it. Probably what the Chairman is saying is, no one wants to say that each of you wants to do that, but that doesn't shut off anyone from doing that.

Mr. Parisi spoke at the same time the Mayor did and his comments could not be discerned. When the Mayor finished speaking Mr. Parisi is heard saying, "...I agree, I agree, I agree and then we look for a disagreement. If there are specific areas of disagreement and you have a question or whatever, then that should be asked. I think that is just a different way of getting to where you want to go.

Mr. Brodinsky stated, just so that it is clear, I have a lot of questions on a lot of schools and, at some point, I will be asking those questions or trying to, wherever that may be and whenever that may be.

Mr. Parisi stated, I am not going to try and stop you from asking questions. If that is what happens, that is what happens. Everyone should be here and your answers should be available.

Mr. Vumbaco asked, I am going to be leaving this discussion with the impression that we will be, at least, requesting or inviting the Board of Ed, Building Committee, Superintendent's Office to this meeting?

Mr. Parisi answered, they will be notified of the meeting.

Mr. Vumbaco stated, they will be notified but that is not an invite. You are just telling them that the meeting is going to be there?

Mr. Parisi answered, they will be.

Mr. Vumbaco asked again, so they are going to be notified, we are not going to ask them to join us as a team to discuss this? We are just going to say that we are having a meeting and if they want to show up, that is fine?

Mr. Parisi answered, right.

Mayor Dickinson stated, the call for the special meeting; the purpose is discussion and possible action regarding the School Renovation Project. Anything that is relative to that subject is open for discussion.

Mr. Vumbaco stated, that is all we are asking for, Mayor.

Ms. Papale stated that she cannot understand why all the interested parties are only going to be notified and not requested to be here? Why is that a problem?

Mr. Parisi answered, I think it is a question of semantics. I will not order them to come.

Ms. Papale asked, why? We have joint meetings....

Mr. Parisi stated, we will notify them and I am sure they are going to be here.

Mr. Vumbaco answered, the answer is probably because we requested it, Iris.

Mr. Parisi answered, I don't think so.

Mr. Vumbaco replied, I am beginning to believe so, Mr. Chairman.

Mr. Parisi stated, if you want to take that attitude, that is fine.

Ms. Papale stated, I get many notices about many meetings and, if I get a notice that says that there will be a special Board of Ed meeting, I may put it aside. But, if I get the notice saying that they would like me to attend, that goes on top of my desk.

Mr. Parisi stated, I am reasonably confident that they will be here for this hype.

Ms. Papale stated, I understand that and I know they will be here but I just cannot understand why it could not be that they were asked to be here. I just don't get it.

Mr. Parisi asked Board of Ed member, Mike Votto, in the audience, should I demand that you be here, should I invite you or should I just notify you? Will you come if you are notified, Mr. Votto?

Mr. Votto answered that he will attend the meeting.

Pasquale Melillo, 15 Haller Place, Yalesville stated, this one of the biggest projects the Town has been faced with. It looks like this project is going to be accepted or rejected without line item scrutinizing. How can you possibly get the most practical and proper solution without line item scrutinizing? Can we be sure that the Board of Ed will not be holding their own meeting this Monday night? The homeowners of this Town are going to be saddled with a huge tax increase from this project and it should not have come to this. If proper preventative maintenance programs had been put in place, we would have never come to this. With the bonding costs of this and other projects occurring in Town factored in, the average taxpayer is going to be "socked". That is why you should exercise line item scrutiny.

Jack Agosta, 505 Church Street, Yalesville stated that he was concerned that if everyone is not present at the meeting and someone like himself has questions at the meeting, all the answers will not be forthcoming. Why not just tell them they have to be here?

Mr. Parisi answered, we can't tell them that they have to be here. I have every confidence that they will be here. They have been here every other time that they have had to be here; I have not doubt they will be here. We will make every effort to have them here.

Mr. Agosta asked if the dollar figures will be available on Monday as to approximately how much this project will cost each taxpayer?

Mr. Parisi was not sure whether that information will be available Monday or not. When we ask the question of him, that is when we will find out what his answer will be.

Ms. Papale asked that the motion be repeated.

Interim Secretary, Dawn Pello replied, the motion is to hold a special meeting on October 30th at 6:30 for discussion and possible action on the school renovation project.

Mr. Melillo asked if the meeting will be televised?

Mr. Parisi answered, I don't know. I haven't even thought about it.

Mr. Melillo stated that it should be.

Howard Greenberg, 9 Gina Lane asked, if the meeting is voted for Monday, is it possible that a major decision could be made?

Mr. Parisi replied, at a meeting, anything is possible. Any motion can be made.

Mr. Greenberg replied, having said that, I don't know if the Council heard that Mr. Votto said that he would be in attendance but he also said that he would recommend that the other parties be requested to be there. As long as it is possible that a decision could be made, I would suggest that all parties be requested or required to attend or the meeting not be held until everyone can be here.

Mr. Knight made a motion to move the question.

Mr. Brodinsky stated, order I would like to made a motion to amend the motion as a point of order, Mr. Chairman.

Mr. Rys stated, I second it.

Mr. Brodinsky stated, I make a motion to amend the motion which would be a point of order and the motion is to Delete the Phrase, "and possible action". The reason for that is that there have been such a push to take action at this meeting that I suspect or I am worried about some sort of a set up so that we don't have time to vote.

VOTE ON AMENDMENT: Centner was absent; Farrell, Knight, Rys and Parisi, no; Brodinsky, Papale, Vumbaco and Zappala, aye; motion failed.

VOTE ON ORIGINAL MOTION: Centner was absent; all ayes; motion duly carried.

ITEM #6 & 7 Motion was made by MR. Rys to Remove Items #6 & 7 From the Table, seconded by Mr. Farrell.

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #6 Consider and Approve Acceptance of a Donation from the Benevolent and Protective Order of Elks in the Amount of \$512 for the Purpose of Purchasing Rescue Mannequin Equipment for the Wallingford Fire Department Training Division – Asst. Fire Chief

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

VOTE: Centner was absent; all ayes; motion duly carried.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$512 from Other Revenue Miscellaneous Acct. #001-1075-070-7040 to Rescue Mannequin Acct. #001-2030-999-9033 – Dept. of Fire Services

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

VOTE: Centner was absent; all others, aye; motion duly carried.

ADDENDUM ITEM #21 SET A PUBLIC HEARING to Consider and Approve Adopting an Ordinance Entitled, “Ordinance Providing Tax Abatement for Members of Volunteer Fire Departments” – November 14, 2000 at 7:45 P.M.

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

VOTE: Centner was absent; all others, aye; motion duly carried.

ITEM #18 Executive Session Pursuant To Section 1-200(6)(b) of the CT. General Statutes to Discuss Strategy and Negotiations with Respect to Pending Litigation in the Matter of Ronald Gagliardi v. Town of Wallingford – Law Department

ITEM #20 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

Motion was made by Mr. Rys to Enter Into Executive Session, seconded by Mr. Knight.

VOTE: Centner was absent; all ayes; motion duly carried.

The Council entered executive session at 9:00 P.M.

Present in executive session were all Councilors, with the exception of Mr. Centner, Mayor Dickinson and Corporation Counselor, Adam Mantzaris.

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

VOTE: Centner was absent; all ayes; motion duly carried.

The Council exited executive session at 9:07 P.M.

ITEM #19 This item was never addressed. No mention was made to withdraw.

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

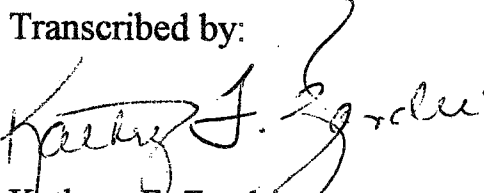
VOTE: Centner was absent; all others, aye; motion duly carried.

There being no further business the meeting adjourned at 9:08 P.M.

Meeting recorded by:

Dawn Pello, Interim Secretary

Transcribed by:


Kathryn F. Zandri
Town Council Secretary

Approved by: *Robert F. Parisi*
Robert F. Parisi, Chairman

11-14-00
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

11-14-00
Date

Appendix I

NETWORK ADMINISTRATOR
Town of Wallingford

POSITION TITLE: NETWORK ADMINISTRATOR

DEPARTMENT: Electric Division

GENERAL DESCRIPTION:

This is very responsible professional information technology management work involving the design, implementation and maintenance of local and wide area computer networks (LAN/WAN) in offices and remote sites.

Work involves the responsibility for administering LAN/WAN computer networks and planning, scheduling and coordinating the installation of related hardware and software. Provides technical support for users and administers system directories and security as assigned. Modifies network configuration parameters to meet standard performance levels. Oversees network wiring and maintenance activities. May provide user education activities.

This position also has the responsibility for making difficult scheduling and work prioritizing decisions. This work requires that the employee have considerable knowledge, skill and ability in information technology and LAN/WAN operations and procedures.

SUPERVISION RECEIVED:

Works under the direction of the General Manager, Electric Division or other supervisor as assigned.

EXAMPLES OF DUTIES:

Performs system administration function for local and wide area networks, including security and file maintenance and backup/restore activities. Recommends policy and procedures for local and wide area networks.

Designs, installs and maintains local and wide area network software and hardware components. Evaluates new network systems for integration into overall technology plan.

Specifies wiring and connectivity components according to planned and project utilization. Establishes connectivity between personal computers, local area networks and vendor server based systems. Configures and installs personal computers and related software onto the network(s). Establishes and provides backup and disaster recovery procedures for the network(s).

Consults with department and unit heads to determine effective application of information technology to meet operating needs of agencies. Provides information technology, networking, electronic communication and office automation recommendations to departments. Plans for and performs network expansion and upgrades. Analyzes request for network equipment and software. Provides network troubleshooting and support for users.

Provides direction and training to user departments for connectivity to local and wide area networks. Provides lead supervision to others as assigned.

NETWORK ADMINISTRATOR
Town of Wallingford

Counsels employees, supervises training and administers union contract language. Takes disciplinary action as required including the issuance of oral and written warnings and suspensions. Recommends higher level discipline. Recommends selection of candidate for open positions. Reviews employee performance evaluations and reclassification requests and makes recommendations to the supervisor. Assures safe work practices.

Prepares budget for unit and administers budget within approved allocations. Orders supplies for work unit. Assists in preparation of bid documents.

May respond to alarm system that protects LAN/WAN computer systems and offices as required. Performs related work as required.

KNOWLEDGE, SKILLS AND ABILITIES:

Considerable knowledge of information technology and LAN/WAN processing operations, systems, administration. Considerable knowledge of advanced information technology processing.

Considerable knowledge of user applications.

Considerable ability to keep current in a rapidly changing field. Good ability to train others and to clearly communicate technical information technology processing concepts to persons outside the field. Good ability to plan, organize and direct an information technology processing operation and staff.

Good ability to lead a work group. Good ability to monitor progress, and adjust resources to accomplish work objectives. Considerable ability to establish and maintain effective and courteous working relationships with coworkers, superiors, vendors and others.

QUALIFICATIONS:

A bachelor's degree from a recognized college or university in computer science or a related field plus five (5) years of progressively responsible experience in all phases of information technology processing, including supervisory and managerial experience and installation and support of personal computer workstations. Three years of such experience in the administration of LAN/WAN systems and maintenance and experience working in UNIX and/or Windows NT environments is desirable. An equivalent combination of education and qualifying experience substituting on a year-for-year basis may be allowed.

SPECIAL REQUIREMENTS:

Must possess and maintain a current and valid Microsoft Certified Professional (MCP) Microsoft Certified Systems Engineer (MCSE) certifications or equivalent, or obtain the same within one year of hire. Must remain current in information technology field consistent with the Town's information technology needs including training and certification requirements determined by the Town.

Must possess and maintain a valid State of Connecticut Motor Vehicle Operator's License.

ASSISTANT NETWORK ADMINISTRATOR
Town of Wallingford

POSITION TITLE: ASSISTANT NETWORK ADMINISTRATOR

DEPARTMENT: Electric Division

GENERAL DESCRIPTION:

This is responsible professional information technology work involving providing assistance in the planning, implementation and maintenance of local and wide area computer networks (LAN/WAN) in offices and remote sites.

Work involves the responsibility for assisting in the administration of LAN/WAN computer networks and planning, scheduling and coordinating the installation of related hardware and software. Work also includes the responsibility to provide technical support for users and administer system directories and security as assigned. Responsible for performing network wiring and maintenance activities.

This position also has the responsibility for making standard scheduling and technical decisions. This work requires that the employee have good knowledge, skill and ability in information technology and LAN/WAN operations, procedures and equipment.

SUPERVISION RECEIVED:

Works under the general supervision of the Network Administrator or other supervisor as assigned.

EXAMPLES OF DUTIES:

Installs and maintains hardware equipment to include configuring equipment's basic operating systems. Installs and maintains software and software upgrades as assigned.

Assists in system administration for local and wide area networks. May recommend policy and procedures for local and wide area networks. Assists in budget preparation and bid specifications for work unit. Conducts training to user departments for connectivity to local and wide area networks.

Installs and maintains users on the LAN/WAN. Creates and maintains "user-friendly" menu-driven systems for users as required.

Manages network backup operations and disaster recovery plan and provides network security services. Monitors network performance to ensure network speed and connectivity meet the needs of end-user software. Specifies wiring and connectivity components according to planned and project utilization. Performs various hardware repairs and connections between personal computers, local area networks and vendor server based systems. Provides network troubleshooting and support for users.

Makes recommendations to supervisor on hardware equipment purchase requirements. Purchases software and hardware packages to meet Town's needs as assigned.

ASSISTANT NETWORK ADMINISTRATOR
Town of Wallingford

Maintains a current software and hardware library related to the LAN/WAN including disks, manuals and other literature. Schedules the delivery of hardware and software to appropriate departments as required. Arrange for necessary service when equipment experiences technical difficulty. Acts as liaison between end-users and computer technician vendors in resolving hardware or software problems related to the LAN/WAN.

Stays current with developments in equipment and software and other technical areas related to LAN/WAN systems.

Prepares reports as required. May respond to alarm system that protects LAN/WAN computer systems and offices as required. Performs related work as required.

KNOWLEDGE, SKILLS AND ABILITIES:

Good knowledge of information technology and LAN/WAN processing operations, systems and administration. Good knowledge of advanced information technology processing and user applications. Good ability to keep current in a rapidly changing field.

Good ability in oral and written communications.

Good problem solving ability and ability to devise solutions.

Good ability to train others and to clearly communicate technical information technology processing concepts to persons outside the field.

Considerable ability to establish and maintain effective and courteous working relationships with coworkers, superiors, vendors and others.

QUALIFICATIONS:

A bachelor's degree from a recognized college or university in computer science or a related field plus three (3) years of experience in all phases of information technology processing, including installation and support of personal computer workstations. Two (2) years of such experience in the administration of LAN/WAN systems and maintenance and experience working in UNIX and/or Windows NT environments is desirable. An equivalent combination of education and qualifying experience substituting on a year-for-year basis may be allowed.

SPECIAL REQUIREMENTS:

Must possess and maintain a current and valid Microsoft Certified Professional (MCP) and Microsoft Certified Systems Engineer (MCSE) certifications or equivalent, or obtain the same within one year of hire. Must remain current in information technology field consistent with Town's information technology needs including training and certification requirements determined by the Town.

Must possess and maintain a valid State of Connecticut Motor Vehicle Operator's License.

LICENSE AGREEMENT

AGREEMENT made this day of , 2000, by and between the TOWN OF WALLINGFORD (the "Town"), a municipal corporation organized and existing under the laws of the State of Connecticut, acting herein by its Mayor, William W. Dickinson, Jr., hereunto duly authorized, and The First Congregational Church of Wallingford (the "Church"), an ecclesiastical corporation organized and existing under the laws of the State of Connecticut, acting herein by its Senior Trustee, John Bradley, hereunto duly authorized (collectively, the "Parties").

WHEREAS, the Church owns a right of way (the "Driveway") for ingress and egress over a portion of the premises known as No. 41 South Main Street in the Town of Wallingford, which premises are owned by the Town, which Driveway provides access to and from the Church's parking lot located on the westerly portion of the premises known as 35 South Main Street in the Town of Wallingford, which premises are owned by the Church (the "Church Lot"); and

WHEREAS, the Town owns the premises known as Nos. 41 and 45 South Main Street in the Town of Wallingford, which premises include a parking lot which abuts both the Driveway and Prince Street (the "Parking Lot"); and

WHEREAS, the Town wishes to convert the Driveway into a one-way "entrance-only" passway from South Main Street to the Parking Lot; and

WHEREAS, the Church requires a passway both to and from the Church Lot to a public highway for its members and guests.

NOW THEREFORE, in consideration of the mutual agreements contained herein and other good and valuable consideration, the receipt of which from the other is hereby acknowledged by each of the Parties, the Parties agree as follows:

1. The Church hereby gives and grants unto the Town, and unto its successors and assigns, the right to convert the Driveway into a one-way "entrance-only" passway from South Main Street to the Parking Lot; and
2. The Town hereby gives and grants unto the Church, and unto its successors and assigns, the right to use the Parking Lot for ingress and egress to and from the Church Lot from and to Prince Street for its members and guests.

The Parties hereby agree that the rights given and granted in this License Agreement are revocable and may be terminated at will by either party, provided the party revoking said rights so notifies the other party in writing. In the event of such termination, the effective date thereof shall be no earlier than ninety (90) days after the date of receipt of said written notice of termination.

IN WITNESS WHEREOF, the parties hereto have hereunto affixed their hands and seals to this instrument on or as of the day and year first above recited.

Witnesses:

Witnesses:

TOWN OF WALLINGFORD

BY: _____
WILLIAM W. DICKINSON, JR.
Its Mayor, Duly Authorized

THE FIRST CONGREGATIONAL
CHURCH OF WALLINGFORD

BY: _____
JOHN BRADLEY
Its Senior Trustee, Duly Authorized

LICENSE AGREEMENT

LICENSE AGREEMENT made as of the 5th day of October, 2000, between **The Choate Rosemary Hall Foundation, Inc.**, a Connecticut corporation having an address of 333 Christian Street, Wallingford, Connecticut 06492 ("**Choate**"), and **The Town of Wallingford**, a Connecticut municipality having an address of Town Hall, 45 South Main Street, Wallingford, Connecticut 06492 (the "**Town**"). Choate and the Town agree to the following terms and conditions.

1. **LICENSE**

The Town hereby grants to Choate, its agents, representatives, employees, invitees, contractors and subcontractors, for the term and upon the conditions hereinafter specified the privilege to use certain land owned by the Town, located at the intersection of North Elm Street and Christian Street, Wallingford, Connecticut and more particularly described as a strip on the east side of North Elm Street south of Christian Street a distance approximately 360 feet in length and varying between 3 feet to 7 feet in width, a strip on the south side of Christian Street east of North Elm Street a distance approximately 220 feet in length and varying between 4 feet to 7 feet in width, and a strip on the west side of North Elm Street north of Christian Street a distance approximately 300 feet in length and 4 feet in width (the "**Property**"), said Property being shown on Exhibit A, attached hereto and made a part hereof, for use to install, locate, maintain, repair and replace a fence on the Property for pedestrian traffic control and aesthetic purposes. The Town represents that it is the record owner of the Property and has full right and authority to grant the privileges herein set forth.

2. **TERM OF LICENSE**

This License shall commence on October 1, 2000 and extend for one year, and shall automatically renew unless either party so notifies the other in writing at least sixty (60) days prior to the expiration date or unless earlier terminated as set forth herein.

3. **PRIVILEGES GRANTED BY AND LIMITATIONS ON THIS LICENSE**

- a. This License Agreement operates only to grant a privilege during the term hereof to use the Property twenty-four (24) hours a day, seven (7) days a week for the purposes set forth in paragraph 1.
- b. Choate shall keep its Fencing (as hereinafter defined) on the Property in a clean and neat condition and shall not create a nuisance through its use of the Property.

4. **EXPENSES TO BE BORNE BY THE CHOATE**

Choate shall pay all costs, fines, expenses or fees incurred by it or any of its agents, representatives, employees, invitees, contractors or subcontractors in connection with the uses permitted under this License Agreement.

COMPLIANCE WITH LAWS

Choate agrees to obtain and comply with, at its sole cost and expense, all applicable governmental permits and/or approvals necessary or appropriate for the use by Choate of the Property, and to comply with all governmental laws, ordinances and rules and regulations applicable to the use by Choate of the Property.

6. **RISK OF LOSS**

All risk of loss or damage to the fencing and any related materials (collectively the "Fencing") placed or located upon the Property by Choate or its agents, representatives, employees, invitees, contractors or subcontractors and to any persons while entering or situated on the Property in connection with this License, shall be Choate's sole responsibility and the Town assumes no risk, obligation or responsibility for any such loss or damage incident thereto.

7. **INDEMNIFICATION**

Choate shall defend, indemnify, and save harmless the Town from and against all losses and all claims, demands, payments, suits, actions, recoveries, fines, penalties and judgments of every nature and description, including, without limitation, injury or death of persons or damage to the Fencing or the Property arising by reason of any exercise of the rights of Choate hereunder and/or any act or omission by Choate in the execution of or in connection with any of Choate's work on the Property.

8. **NOT ASSIGNABLE**

This License may not be transferred or assigned by Choate.

9. **REVOCAION AND SURRENDER**

If Choate shall be in default in the performance of its obligations hereunder, the Town may at any time prior to the expiration date of this License as set forth in paragraph 2, above, revoke this License, and Choate shall surrender the privileges of this License. In the event of a default by Choate in the performance of its obligations hereunder or any breach by Choate of the terms of this License Agreement, the Town agrees to give Choate notice of intent to revoke the License and an opportunity to cure such breach or default sixty (60) days before the effective date of such revocation.

Choate agrees to give the Town notice of intent to surrender its privileges during the term of this License at least thirty (30) days before the effective date of surrender.

Upon the effective date of the Town's revocation or Choate's surrender, if applicable, and in any event upon the expiration date of this License, Choate's privileges to use the Property shall cease. Choate agrees to surrender the Property upon the effective date of termination, revocation or surrender as aforesaid, if applicable, and otherwise upon the aforesaid expiration date, in a clean and neat condition free from the Fencing and all other material or equipment brought onto the Property or used by Choate incident to this License, or otherwise. Neither the expiration or termination of this License nor the Town's revocation nor Choate's surrender of this License shall affect or impair any obligations of Choate required under this paragraph or relating to indemnification under this License Agreement.

10. **NOTICE**

Unless otherwise specified, all notices to be submitted by Choate or the Town shall be sent to the following:

To Choate:

The Choate Rosemary Hall Foundation, Inc.
333 Christian Street,
Wallingford, Connecticut 06492
Attn: Director, Facilities Services

To the Town:

Town of Wallingford
Director of Public Works
29 Town Farm Road
Wallingford, Connecticut 06492
Attn: Henry McCully

11. **BINDING**

This License Agreement shall be binding upon and shall inure to the benefit of the parties and their respective successors and permitted assigns.

12. **GOVERNING LAW**

This License Agreement shall be governed by and construed in accordance with the laws of the State of Connecticut without giving effect to any choice or conflict of law provision or rule that would cause the application of the laws of any other jurisdiction.

13. **COUNTERPARTS**

This License Agreement may be executed in one or more identical original counterparts, all of which, taken together, shall constitute one and the same instrument.

[signature page follows]

IN WITNESS WHEREOF, the parties hereto have hereunto caused this License Agreement to be executed as of the date first above-written.

**THE CHOATE ROSEMARY
HALL FOUNDATION, INC.**

By E. J. McCarthy
Its
Hereunder duly authorized

THE TOWN OF WALLINGFORD

By _____
Its Mayor
Hereunder duly authorized
William W. Dickinson, Jr.

4ws402!.DOC\3413\1\229108.02

EXHIBIT A

**[ATTACH A DRAWING/DIAGRAM
INDICATING THE LICENSE AREA]**

RECEIVED FOR RECORD 11-3-00
AT 4 H 35 M P AND RECORDED BY
Suzanne P. P. P. TOWN CLERK