

TOWN COUNCIL MEETING

MARCH 14, 1995

6:30 P.M.

AGENDA

1. Roll Call & Pledge of Allegiance
2. Consider and Approve Confirming Three Appointments Made by the Mayor to the Board of Ethics (Two Regular Members and One Alternate) for a Three Year Term to Expire 3/1/98
3. Consider and Approve the Accepting Five Roads Approved by the Planning & Zoning Commission at their March 13, 1995 Meeting

Ben Court	Winding Brook Lane (Woodlands I)
Ashley Lane	Clearview Drive
Autumn Leaves Road	Winding Brook Road (Woodlands II)
4. Consider and Approve Adding the Name of Ralph DelCervo to the Membership of the Golf Course Study Committee as Requested by Councilor Thomas Zappala, Co-Chairman, Golf Course Study Committee
5. Consider and Approve a Transfer of Funds in the Amount of \$1,460 from Contingency Reserve for Emergency Acct. #001-8050-800-3190 to Recreation Building Referendum Acct. #001-6010-600-6000 - Registrar of Voters
6. Consider and Approve a Transfer of Funds in the Amount of \$3,200 from Health Insurance Acct. #001-8041-800-8300 to Physical Exams Acct. #001-1590-500-5750 - Personnel
7. Consider and Approve a Transfer of Funds in the Amount of \$19,850 from Health Insurance Acct. #001-8041-800-8300 to Retirement Sick Leave Acct. #001-8041-800-8360 - Personnel
8. Consider and Approve a Transfer of Funds in the Amount of \$950 from Boiler Apparatus Acct. #512-3 and \$900 from Prime Movers & Generators Acct. #513-1 of which \$950 is Transferred to Boiler Labor Acct. #502-1 and \$900 is Transferred to Prime Movers & Generators Acct. #505-1 - Electric Division
9. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of Connecticut for Grant Funds for the Youth Service Bureau
10. Consider and Approve a Transfer of Funds in the Amount of \$460 from Printing Acct. #001-2050-400-4180 to Transportation Expense Acct. #001-2050-300-3200 - Building Dept.

11. Consider and Approve a Transfer of Funds in the Amount of \$14,700 from Sworn Officers Pay Acct. #001-2002-100-1310 of which \$13,000 is Transferred to Workers Compensation Acct. #001-2001-100-1630; \$1,200 is Transferred to Office Supplies Acct. #001-2001-400-4000 and \$500 is Transferred to Call-In System Allowance Acct. #001-2002-400-4760 - Police Dept.
12. Consider and Approve Tax Refunds (#203-213) in the Amount of \$2,785.64 - Tax Collector
13. Report Out by the Director of Public Works on the Advisory Maintenance Committee's Report on the Condition of Town-Owned Buildings/Parks
14. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
15. PUBLIC HEARING on Ordinance #421 Entitled, "Litter Ordinance" - 7:45 P.M.
16. Consider and Approve Instituting a New Job Classification Entitled, "Buyer" for the Purchasing/Finance Department
17. Consider and Approve a Transfer of Funds in the Amount of \$1,007. from Part-Time Wages (Accounting Intern) Acct. #001-1400-100-1350 to Clerks Wages (Buyer) Acct. #001-1400-100-1300 - Comptroller's Office
18. Consider and Approve an Appropriation of Funds in the Amount of \$65,000 to Non-Operating Revenue Overpayments Acct. #001-1090-090-9040 to Refunds Acct. #001-1420-800-8910 - Comptroller's Office
19. Consider and Approve Formally Establishing a Community Pool Study Committee as Requested by Councilor Thomas Zappala
20. Consider and Approve a Transfer of Funds in the Amount of \$100 from Maintenance of Equipment Acct. #001-6030-500-5200 and \$260 from Copier Supplies Acct. #001-6030-600-6120 and \$200 from Seminars & Dues Acct. #001-6030-700-7990 for a Total of \$560 to Advertising Acct. #001-6030-400-4100 - Town Clerk
21. Note for the Record Mayoral Transfers Approved to Date
22. Note for the Record Anniversary Increases Approved by the Mayor to Date
23. Approve and Accept the Minutes of the February 28, 1995 Town Council Meeting
24. Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes with Regards to the Sale, Lease and/or Purchase of Property

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6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, March 14, 1995 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Thomas D. Solinsky at 6:40 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall. Mayor William W. Dickinson, Jr., Corporation Counselor Adam Mantzaris and Comptroller Thomas A. Myers were also present. Town Attorney Janis M. Small arrived at 9:25 P.M. at which time Atty. Mantzaris left the meeting.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consider and Approve Confirming Three Appointments Made by the Mayor to the Board of Ethics (Two Regular Members and One Alternate) for a Three Year Term to Expire 3/1/98

Motion was made by Mrs. Duryea to Confirm the Appointment of Rev. Brendon McCormick as a Regular Member to the Board of Ethics for a Three Year Term, seconded by Ms. Papale.

Mr. Gouveia stated that it is important that the candidates seeking re-appointment be present for the item on the agenda. He would have liked to question the candidates for the benefit of the viewing audience who do not know what the role of the Board is and what the purpose is of the Code of Ethics.

Mr. Solinsky asked the Town Council Secretary if the candidates were aware that this item was placed on the agenda?

Kathryn Milano, Town Council Secretary responded that she did not contact the candidates due to the fact that it is the Mayor's appointments, it is the Mayor's Office requesting the item on the agenda and therefore she assumed that the Mayor's secretary and/or aide would have made the contacts.

Mr. Solinsky stated that Mr. Gouveia's concerns were fair and if he would prefer that the item be tabled it is understandable.

Mr. Gouveia stated, it was not for his benefit but for the benefit of the public that he would have liked to question the candidates. It would have given people at home more of an opportunity to learn about their government. The item does not have to be tabled.

VOTE: Zandri abstained; all others, aye; motion duly carried.

Motion was made by Mrs. Duryea to Confirm the Re-Appointment of James Kendall as a Regular Member of the Board of Ethics for a Three Year Term, seconded by Ms. Papale.

Pasquale Melillo, 15 Haller Place stated that anyone seeking re-appointment/appointment to a Board such as this (Board of Ethics)

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which is subject to so much controversy and opposing views from the public, residents and politicians, etc., should be present for their re-appointment/appointment in case anyone had any questions they would like to ask them so as to ascertain their philosophy as far as the nature of ethics is concerned.

VOTE: Zandri abstained; all others, aye; motion duly carried.

Motion was made by Mrs. Duryea to Confirm the Appointment of Willard Burghoff as an Alternate Member on the Board of Ethics for a Three Year Term, seconded by Mr. Rys.

VOTE: Zandri abstained; Duryea, Gouveia, and Killen, no; all others, aye; motion duly carried.

ITEM #3 Consider and Approve Accepting Six Roads Approved by the Planning & Zoning Commission at Their March 13, 1995 Meeting

Ben Court	Winding Brook Lane (Woodlands I)
Ashley Lane	Clearview Drive
Autumn Leaves Road	Winding Brook Road (Woodlands II)

Motion was made by Mrs. Duryea to Approve Ashley Lane; Autumn Leaves Road; Winding Brook Lane (Woodlands I); Clearview Drive; Winding Brook Road (Woodlands II).

Linda Bush, Town Planner stated that both roads are known as Winding Brook Lane and she had made an error in her letter to the Council stating one was known as Winding Brook Road. It is one road with two developers.

Motion was seconded by Mr. Rys.

Ben Court had been removed from the list due to a request by the Engineering Department.

Mr. Knight asked, how do the roads get their names?

Ms. Bush explained that most often the developer proposes one and then it is checked by the Fire Marshal's Office usually to make sure that it does not look or sound like an existing Town road. We have that problem in Wallingford and we try to prevent that from happening in the future.

Mr. Knight stated, it seems as though the streets are named after the children of the developers or some member of their family. It has occurred to him that there are probably hundreds of people who have served this community in many capacities and perhaps if suggested by the Town there would be a way to name the streets, prior to their being occupied, after someone who has donated a lot of time and energy to the community.

Ms. Bush stated that happens occasionally. We have named roads after people who have lived here such as Pogmore Drive, named after the family who owns the farm, Kazersky Drive which is named after the

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family on their farm. Family names do come into play. We have always left it up to the developer to propose the road name.

Mr. Gouveia asked, what is meant by the term "substantially completed" as stated in the letter from the Director of Public Works and Town Engineer in referring to the status of the development?

Ms. Bush responded, basically the roads are done, all the work is done. We always keep the bond through the first winter to make certain that problems don't arise over the winter such as a driveway apron that may crack, etc.

Mr. Gouveia stated that the letter was written February 22nd and asked if the project was completed prior to the beginning of winter?

Ms. Bush responded, yes. In this case there were some problems with paperwork. There is a lot of paperwork involved in accepting a road. The physical work such as paving has to be done before the winter.

Mr. Gouveia asked if Ms. Bush felt that it was a good idea to keep the maintenance bond for at least one or two years?

Ms. Bush answered, she did not know anything about roads. He should ask that question of Mr. McCully or Mr. Costello.

Mr. Rys stated, in the case of Winding Brook Lane, part of that development off of Clearview had been developed and inhabited by 1989 and this is six years later that we are accepting the road. Why?

Ms. Bush stated, State law normally gives five years before a town can call a bond and complete all of the required public improvements but because of the economy in 1991 the State legislature passed a law that said that if your subdivision was approved before October 1, 1989 you were given seven years to complete all of the required public improvements. This was one of those seven year subdivisions. The Planning & Zoning Commission can extend the time if we feel that it is warranted. This one only took six months longer than the seven years but the work was almost done and if we had called the bond then the Town would have been obligated to do the work and it made more sense in this case to have the developer finish it.

Mr. Killen asked, who has the final authority on the naming of the streets?

Ms. Bush responded, the Town. We have vetoed many road names and have requested that others be submitted in exchange. The Planning & Zoning Commission approves or disapproves the names on the advice of the Fire Department, the Chief.

VOTE: All ayes; motion duly carried.

ITEM #11 Motion was made by Mr. Gouveia to Move Agenda Item #11 Up to the Next Order of Business, seconded by Mr. Killen.

VOTE: All ayes; motion duly carried.

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ITEM #11 Consider and Approve a Transfer of Funds in the Amount of \$14,700 from Sworn Officers Pay Acct. #001-2002-100-1310 of Which \$13,000 is Transferred to Workers Compensation Acct. #001-2001-100-1630, \$1,200 is Transferred to Office Supplies Acct. #001-2001-400-4000 and \$500 is Transferred to Call In System Allowance Acct. #001-2002-400-4760 - Police Department

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Mr. Knight asked, what office machine is the Chief replacing?

Chief Douglas Dortenzio responded, calculators, adding machines.

Mr. Knight asked for an explanation of the Call In System Allowance.

Chief Dortenzio responded, it is a reimbursement account to the employees, paid several times per year, for their out of pocket expenses for calling in from pay phones to dictate reports to a transcription tank, a dictating machine. It allows the department to keep the officers out on the street rather than bring them into the station to fill out lengthy reports. Due to the accounting of the data we can tell who called in, at what time and for what purpose so that we can reimburse them. What has thrown this account off this year is that since this budget was prepared more than one year ago the telephone company raised the pay phone rates from \$.10 per call to \$.25 per call. The system is used daily, three shifts a day, seven days a week. Approximately 25,000+ new investigations are taken in each year. Reports are not necessarily generated for every call.

Mr. Zandri stated that it seems like an awful lot of quarters, can something be dropped off at the station to be typed?

Chief Dortenzio responded, it is. If we generated reports for 50% of the yearly investigations that results in 12,500 complaints. It is a lot of complaints. Many residents don't realize the volume of complaints the department handles.

Mr. Zandri was not questioning the amount of work the department was doing, he was questioning the method they were using. He asked if the Chief has looked into whether or not there is a better method to get this work accomplished?

Chief Dortenzio stated, the alternative is to bring the officers in off of the street, he does not have to reimburse them the \$.25 but he loses their availability to answer additional calls during the course of the night. They are not professional typists.

Mr. Zandri asked, when is the dictation taken from the machine and transcribed to hard copy?

Chief Dortenzio responded, the next morning.

Mr. Zandri asked, have you looked into the possibility of having dictation machines in the police vehicles?

Chief Dortenzio answered, we do that with detectives where we can find

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an inexpensive recorder, assign it to an individual so that there is a sense of ownership and the durability of the device does not come into question. In terms of the uniformed patrol force it has not deemed practical to do that. The equipment will not hold up to the abuse. It is not a new system..it has been in place for a number of years.

Mr. Zandri stated, if we are spending these types of dollars we should be looking into alternatives.

Mayor Dickinson stated, the issue for the department is that whenever you have portable equipment and it is being moved around, it is electronic and sensitive, the more frequently it is moved, the more frequently different people handle it, the greater the potential for it being dropped or having accidental abuses occur.

Mr. Gouveia asked, with respect to the \$13,000 which is going to Workers Compensation, are the individuals out of work officers?

Chief Dortenzio responded, yes.

Mr. Gouveia asked, what is the number of officers?

Chief Dortenzio answered, four.

Mr. Gouveia asked, when you have to replace the officers who are out of work, why can't you take the funds from the salary account?

Chief Dortenzio responded, you cannot because this line item, even though entitled Workers Compensation, is a replacement wage account. When we hire someone to replace the injured officer, we charge that expense to the Workers Compensation line to determine how much money is expended as a labor replacement account attributed to injuries. Because of the high number of individuals out of work due to injuries that is why the account is depleted.

Mr. Rys asked if the Chief is anticipating a good size surplus in the Sworn Officers Pay Account?

Chief Dortenzio stated that the department is in the process of filling vacancies. The earliest he will be able to replace the individuals is the third week of April.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #4 Consider and Approve Adding the Name of Ralph DelCervo to the Membership of the Golf Course Study Committee as Requested by Councilor Thomas Zappala, Chairman of the Golf Course Study Committee

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

ITEM #5 Consider and Approve a Transfer of Funds in the Amount of \$1,460 from Contingency Reserve for Emergency Acct. #001-8050-800-3190 to Recreation Building Referendum Acct. #001-6010-600-6000 -

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Registrar of Voters

Motion was made by Mrs. Duryea, seconded by Mr. Knight.

Mr. Killen asked if there was a specific reason why the transfer could not be made out of the Primary Account? A balance of \$6,699.55 remains in the account. The funds should come from that source and not Contingency.

The Registrars failed to notice the account contained a balance as large as it did.

Mr. Myers stated that the transfer slipped by everyone and if he had thought about it while reviewing the request he would have made the recommendation to take it from the Primary Account. It was an oversight on the part of the Finance Department.

Mr. Solinsky asked, if we make this transfer tonight can we make a subsequent transfer at our next meeting from the Primary Account to the Contingency Account replenish the funds taken tonight?

Mr. Myers responded, yes, if the Council wishes to we can.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #6 Consider and Approve a Transfer of Funds in the Amount of \$3,200 from Health Insurance Acct. #001-8041-800-8300 to Physical Exams Acct. #001-1590-500-5750 - Personnel

Motion was made by Mrs. Duryea, seconded by Mr. Knight.

Mr. Gouveia asked, for the purpose of clarification, when you state in your letter that you are in the process of hiring five or six new police officers are they new positions or replacements?

Thomas Sharkey, Acting Personnel Director stated, replacements.

Mr. Gouveia asked if it is part of the normal procedure to give the potential new hires a second polygraph test?

Mr. Sharkey responded, yes it is, they perform a polygraph during the early part of the examinations and then they get what is referred to as a "post-offer" polygraph. It is given to them after we have given them a conditional offer of employment. If they failed the first polygraph test that would be the end of recruitment.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$19,850 from Health Insurance Acct. #001-8041-800-8300 to Retirement Sick Leave Acct. #001-8041-800-8360 - Personnel

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Mr. Knight asked, who are the two retirees?

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Mr. Sharkey answered, Eleanor McGrath of the Tax Department and the other is Bob Gerase from the Public Works Department.

Mr. Knight asked if both qualified for the six months sick leave pay?

Mr. Sharkey stated, Eleanor had eighty-three (83) sick days accumulated and Bob has slightly under ninety (90).

Mr. Zandri asked if the issue of sick leave will be addressed at the upcoming contract negotiations?

Mr. Sharkey stated, we will propose changes that were asked for by members of the Council.

Mr. Gouveia was concerned about the effect that retirement sick leave requests can have on a budget especially since the employee has the right, by contract, to request the money up front at retirement. This could result in budget problems at the close of a fiscal year. Is there any way to address this issue so as to avoid problems? In some Board of Education contracts the individuals retiring must make their request and intentions known well in advance otherwise they must wait until the next budget year for their benefits.

Mr. Sharkey answered, that we are in negotiations with three of the pension plans currently. That is something we can bring to the table. We have been fortunate in the past, for the normal number of retirees average six to nine per year but this year exhibited an abnormal amount, twenty-four in fact, in the past twelve months.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$950 from Boiler Apparatus Acct. #412-3 and \$900 from Prime Movers and Generators Acct. #513-1 of Which \$950 is Transferred to Boiler Labor Acct. #502-1 and \$900 is Transferred to Prime Movers and Generators Acct. #505-1 - Electric Division

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Mr. Killen asked William Cominos, General Manager of the Electric Division to look into the matter of the Council not receiving their financial reports on the utilities for the month of February. The Council should have that information available if it is to act on business, especially transfers, dealing with the utilities.

Mr. Cominos will look into it.

Mrs. Duryea asked Mr. Cominos to explain why the emissions testing was done at the Pierce Plant?

Mr. Cominos responded that it was mandated by the D.E.P. (Dept. of Environmental Protection). The stack testing is mandated to be done by May of 1995.

Mr. Zandri stated that this transfer is a result of the Pierce Plant

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being called on line when there was a shortfall of power in the State. He reminded everyone that we are not required under the new contract to supply generation. It is part of our contract. We are going to have to take a hard look at that because we are getting paid \$650,000 per year whether we operate the facility or not. There is one clause in that contract that if replacement power is needed, dollars would be subtracted from that amount so we would not receive as much. We have to perform a balancing act in determining whether or not it is worthwhile to maintain this generator for the small amount of time it is called to use and just reap the benefits of having these dollars. It is something we should be looking at in the upcoming budget and in the near future.

Mr. Gouveia asked if we are going to be able to recover these funds?

Mr. Cominos responded, we will be able to recover some of the monies on the oil that we used but not on labor.

Mr. Gouveia asked, is the emissions test something that was mandated at the last minute by the State or was it not budgeted for?

Mr. Cominos could not remember it being an issue at budget time therefore he did not budget for it. These tests will be mandated annually unless the Town decommissions the plant otherwise we will still have to perform the tests even if we don't fire the plant at all during the year.

Mr. Knight stated that the decision to either decommission the plant or go forward with maintaining it will have to be made and hoped that the management of the Electric Division would have some basic conclusions by the time that the Council holds budget workshops.

Mr. Cominos is hopeful that conclusions will be drawn but could not guarantee it.

Mr. Solinsky was of the impression that the site was of more value if open and operating than decommissioned.

Mr. Cominos stated that he was not sure which was of more value. The environmental aspects of putting new generation at that site, D.E.P. would make you go through all kinds of hoops as though you were starting from scratch. He was not sure that it has value any longer. He will know more when the study is done.

Mr. Zappala asked, is it true that even if we no longer generate from the plant we must still keep manpower on site?

Mr. Cominos stated, if we decided to shut the doors on the plant we can relocate the employees. We can bring them over to 100 John Street or, for that matter, one of the options may be to bring 100 John Street operations facility over to the Pierce Plant and do something with 100 John Street, abandon it. There are a lot of options to review. The switches can be relocated outside and the radio equipment can be relocated to 100 John Street.

Mr. Killen asked Mr. Cominos to inform the Public Utilities Commission that he does not wish to get the information regarding the Pierce Plant options "under the gun" and have to make the decision two days after it is received, similar to the power contract.

Pasquale Melillo, 15 Haller Place stated that the transfers this evening are for small amounts of money and should be approved.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place stated that we should keep the Pierce Plant operating. He was opposed to hiring a consultant to perform a study on the plant, there are plenty of professionals on staff in the Electric Division to perform the study.

Joan Mongillo, unknown address, spoke on the issue of the bus route. Over two hundred fifty (250) signatures were collected on a bus petition.

Marie _____, 58 Cooper Avenue, stated that many people helped her obtain the signatures. She is concerned about the buses being taken away from those seniors who depend on that transportation to doctor's offices, grocery stores, etc.

Mayor Dickinson stated, just recently he is meeting again with the Department of Transportation. The real issue is the inability to continue to subsidize at the rate that they were which means that a fixed route system is very difficult to maintain. Unfortunately the number of riders on the bus was extremely low and as a result a system that has a bus riding through town at times virtually empty is a difficult thing to justify from a cost standpoint.

Ms. Mongillo read the following letter into the record:

"Well, seniors, here we are again. We were promised that we would not lose the town buses. Do you remember that? If you take the buses away from the elderly you are also taking away their independence. You might just as well lock them up and throw away the key because they cannot shop and they cannot bank, etc., etc. Where is it written that seniors should be deprived? How long do they have to live? Living on a fixed income anyway is almost impossible. I would think that our leaders would try to protect the elderly. They are revered in the orient. Why do they want to put money into Community Pool? It is not necessary. We had a light winter, can't we allocate some of the snow removal money to transportation? I will state that we seniors are not taking this lying down. We have a senior committee of which I am the Chairperson and nothing should be approved without the committee's approval. I also understand that the D.O.T. will be leaving us and they will be all done. We are organizing picketing which we will do at City Hall and the D.O.T. even in wheelchairs if we have to. That publicity will certainly effect Wallingford. I have asked the Mashantucket Pequot Elder's Committee for financial aid. What happened to the last fare hike? It was supposed to solve the

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problem. Thank you, Council, for your time. Please take me seriously. I hope that Wallingford has not forgotten its senior citizens. I have on my wall a saying that reads, Old Age is Not for Sissies, we all know how true that is. In going to the store tonight my husband asked on the way out, why don't we own our own buses? I think that is a good idea.

Eloise _____, 58 Cooper Avenue reiterated what Mrs. Mongillo stated. She re-emphasized with the Council and the Mayor not to look at the bus situation from purely an economic standpoint but to look at it from their standpoint for the bus truly is their independence. As we all know that about a healthy community 2000, our goals and our objectives also include personal well-being and that is effected by their independence. If you take away their bus system you will take away their independence.

Mayor Dickinson explained that the Town is going to attempt to arrive at a system that is better justified given ridership and configuration of the community. The routes were re-drawn in the Fall in an effort to attract more riders and to make it more viable. The last report he had exhibited that there were fewer riders than before.

The young lady responded that it is her understanding that when the bus routes were changed the system no longer hooked up with the New Haven or Meriden bus at a convenient time. What was happening was the seniors were waiting at Caldor's for approximately two hours if they wanted to get the bus back if they went to the Meriden Square and caught the connection. It took approximately two hours to get the bus back to town. That was a main reason the ridership decreased.

Mr. Killen stated that there must be a line drawn between the local busing and the needs of the senior citizens. The needs of the seniors should be addressed by the senior center and if they can be handled separately from the local busing then it should be done so but if we get the two intertwined, then we have the line thrown at us that if we cut out the busing we cut out the seniors.

Mayor Dickinson responded, that is another option in the entire equation. The senior center operates two buses. Currently those buses are only available to an individual who is not on a fixed route. The issue then would be, are those who are now on a fixed route eligible for the senior buses and to what extent would that create a ridership that would be beyond the ability of the current senior buses to handle? That is a piece of the equation as well. Virginia Philips, VNA Executive Director, will be accompanying us to the D.O.T. and we are coordinating with the senior center on the issue as well. It is a complicated issue which has stretched over the past one and one-half year between the Transit District, the D.O.T. and the Town of Wallingford. The relationship of the senior center and their role in this is certainly an important part of it and I think that they will be part of the solution.

Mr. Killen asked, is there a breakdown on the number of seniors, high school students and others who use it just for the sake of using it in town but do not need it? If we can boil it down to show that ninety

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percent of the demand is the seniors then it would be much easier to add the extra bus for the seniors then to try and provide a bus riding around the Town empty all day long. It would not make a lot of sense for no one would gain from it.

Mayor Dickinson answered, we do have some figures indicating ridership by school age and by the senior population. That information will be looked at in arriving at a solution that will meet at least some of the objectives of all parties.

Mr. Knight stated, only a few meetings ago we had a thirty to forty-five minute discussion about the bus system and the complications arising out of the fact that ridership continues to decline. The Mayor referred to the senior center buses and the biggest drop in the ridership over the past twelve months has been in that segment. Everything that the Transit District did over the past two to three years to increase ridership to build the routes, to continue the subsidy from the State, the first and primary group that the District dealt with was the senior citizens of the community. He wanted it understood that the problems the Transit District is facing now is an outgrowth of the fact that most people are no longer riding fixed route buses. We are not just turning the key and walking away from those buses or the riders that are left. We are making efforts at working with the State and any other agency that we can to preserve what public transportation makes some kind of economic sense. We have yet to come to the conclusion but the D.O.T. has been much more receptive over the past few months than they have been.

An unidentified woman approached the microphone next to praise all the work that the public officials have done for a good many years. She stated that this town is one of the greatest towns she has ever seen. She gave much credit to the Mayor and Council for giving her much happiness in the time she has resided in Wallingford. She has never had any reason to criticize the administrators, she has not been neglected in any way and she stated that we are one of the greatest towns when it comes to housing and elderly services. There was a mistake in the bus schedule it was put out for the students, not the seniors. Many times she went out to catch the bus and was told that this was not the schedule for her but only for the children. The schedule was not set for someone to perform daily business tasks. She waited over two hours one day in the cold to find the bus was not coming. Although she is elderly and has a lot of physical handicaps she depends on helping herself as many of the seniors do. They cannot always get transportation from their neighbors and friends. If they cannot have the assistance of the bus service to keep control of their lives so that they can continue to help themselves, you will break a lot of people's hearts. Many are proud to be able to get on the bus themselves to go to the store and purchase their own groceries rather than have to depend on someone else. Don't take that away from them, find a way, keep Wallingford the greatest.

Mario Tolla, 69 Pond Hill Road asked, how much are we coming up short for the buses? He commended the individuals who came out to the meeting tonight on this subject.

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Mr. Knight responded, at this point the shortfall between what the State is providing in the way of subsidy plus the money that comes out of the fare box which is not more than ten percent of the system's needs, the Town's share of the funding of this two bus system is approximately \$10,000-\$12,000 per month.

Mr. Tolla was amazed that we are going to worry about taking care of the elderly people in this town while the majority of the Council thought nothing about taking \$61,000 off the tax rolls in the Town of Wallingford by approving the recreation center on Fairfield Boulevard. That is not the end of it either. We may be spending \$2.5 million or more up there. Does anyone have any idea what you plan on doing in this building?

Mr. Solinsky responded, we were given a list of improvements that are going to be done if we acquired the building. Mr. McCully was involved in determining what the needs would be and how they would be met.

Mr. Tolla asked Mr. McCully if he could view that information? Is it on file and available to the public?

Mayor Dickinson answered, there were general thoughts about what improvements would have to be made to the building including the construction of a gym. There are no formal plans or drawings.

Mr. Zappala informed Mr. Tolla that the cost estimated and quoted to the Council was \$2.8 million for the required work.

Mr. Killen corrected Mr. Zappala, stating that the figure quoted was \$2.4 million.

ITEM #15 PUBLIC HEARING on Ordinance #421 Entitled, "Litter Ordinance"

Motion was made by Mrs. Duryea to Open the Public Hearing, seconded by Mr. Rys.

Mrs. Duryea read correspondence from Town Sanitarian, George Yasensky, stating that he was unable to attend due to the fact that he is recuperating from surgery and he asked that the ordinance be tabled and rescheduled for a time when he can be available.

Mr. Solinsky asked if this problem surfaced today with Mr. Yasensky?

Mayor Dickinson stated that Mr. Yasensky recently underwent surgery, appeared at work earlier this day but subsequently went home not feeling well.

Mr. Solinsky suggested that the public hearing continue and if additional information is needed the ordinance can then be tabled.

Mr. Gouveia was disappointed that Mr. Yasensky was unable to attend this evening for he was hoping to obtain Mr. Yasensky's input, as enforcer of the ordinance.

Marion Smart, 52 Forest Road stated that she had attended at least one of the Ordinance Committee meetings and she did not recall Mr. Yasensky raising any questions concerning the ordinance in intent or letter of the law.

Mr. Gouveia responded, Ms. Smart was correct, Mr. Yasensky was at one of the meetings, however, he did not characterize the participation of Mr. Yasensky as one that lacked questions or substance. The ordinance was finished that night and a lot of time has elapsed since that meeting and today. He works in the same building as the Corporation Counselor who drafted this ordinance and if he had concerns then he should have either called myself or Attorney Mantzaris.

Ms. Smart stated, the ordinance is something that will become law which will last a long time, hopefully, and the Sanitarian is a man who will hold office for considerably less time. Can't we pass the permanent need item, the ordinance? In private business if you had a situation that you could not work with then you resigned? Does it work differently in government? If he doesn't like the ordinance is he prohibited by law from resigning? She would like the ordinance passed tonight. We need something desperately.

Mr. Gouveia stated that it should not be established that Mr. Yasensky does not like the ordinance, perhaps he has legitimate concerns about it.

Walter Jones, 44 Geneva Avenue stated that he was at every meeting of the Ordinance Committee and did not recall ever seeing Mr. Yasensky present at every meeting. If he were really concerned with the issue he would be present at all the meetings.

Ms. Papale stated that the public hearing should be conducted and the ordinance continued to the next Town Council meeting for Mr. Yasensky's input. It is not necessary to read the entire ordinance but it is to make everyone aware of the changes made to it.

Mr. Solinsky reviewed the ordinance one section at a time seeking input from anyone wishing to contribute their feelings on the matter.

SECTION 1. POLICY DECLARATION

No action taken.

SECTION 2. DEFINITIONS

Jim Brown, Grove Street, Yalesville stated that he was all for the ordinance and urged the Council to make it as strong as they can. He drives Airport Road constantly and it is a disgrace. In reference to this particular section, however, he wanted to know what the newspapers that are thrown indiscriminately on people's lawns, gutters, leaves, are classified as? Is it also considered litter? It is a trashing of Wallingford. He has called the police and the Mayor's Office and has written a letter to one of the newspapers and have received no answers at all. He shared with the Council the

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litter he picked up within a half block area of his home before coming to the meeting this evening (Mr. Brown proceeded to indiscriminately throw wet, soggy, rotted newspapers, some in plastic, others, not, about the stage in front of the Council bench.). He stated that it is a disgrace and someone should own up to the actions.

SECTION 3. LITTERING OR DUMPING PROHIBITED

Jim Barker, 501 North Branford Road asked the Council to include in Section 3,a.,3 a reference to eyesores. He stated that things can be dumped, accumulated, piled on someone's property that is not necessarily litter yet is an eyesore.

Attorney Mantzaris stated that the Home Rule Statute allows the Town to declare certain things a nuisance which they can then go in and clean up even though it is on someone's private property. The materials, however, have to constitute some type of danger to safety or health in order for the Town to go onto someone's property against their will to clean it up and then charge the owner for the clean up.

Mr. Barker asked if the individuals could be cited for a violation?

Attorney Mantzaris stated that they may be. Eyesore does not have any specific meaning.

Mr. Gouveia stated that the ordinance grants the Sanitary Inspector the discretionary power and that is why it indicates in that particular section that he "may" cause such property to be cleared of such litter and the expense thereof charged to the owner. Each case has to be considered individually to determine whether or not it is simply a messy situation.

Mr. Barker asked, is there any way to arrange a program similar to what the federal government does with regards to the rewarding of citizens who report polluters? Those citizens receive a portion of the fine collected by the government. It seems to be a good idea and may help people keep an eye open for littering.

Mr. Rys asked, have the rules changed? He was informed by the Police Department that you cannot fine someone for littering whose name or personal belongings are found in the bag of litter, the individual must be caught in the act, is this true?

Attorney Mantzaris stated, according to Section 3a., 1&2 you have to see the people throwing the litter. Section 3b., however, requires that people keep their property free of litter. In most cases you have to see the person actually throwing the litter to issue a summons.

Mr. Barker stated, if we were going to "kick-back" \$250 of the \$500 fine, a lot of people will suddenly be watching for those who litter.

Mr. Gouveia stated that Section 4c. was added to the ordinance in the hope that it will stand up in a court of law. That section states, "It shall be presumed that litter, which identifies the address of a business or of a housing unit, was placed at the location where it was found by the owner of such business or the resident of such housing

unit." Whether it will hold up in court remains to be seen.

Jon Walworth asked if Section 3b., pertains to the Town as well?

Mr. Gouveia responded, I would hope so.

Mr. Walworth stated that this section may be very difficult to enforce. He stated that the ordinance is desperately needed and hopes that it will be enforceable. He did not want to see loopholes by using strict terminology which cannot be enforced. He asked that language be incorporated to allow for "reasonable effort" or a "reasonable amount of time" to elapse to allow the property owner to clean what litter has accumulated.

Mr. Killen stated that better policing of the situation will not occur simply by passing an ordinance.

SECTION 4. GENDER

No action taken.

SECTION 5. ENFORCEMENT

Mr. Zandri commented that the ordinance, as written, lists only the Sanitarian as the enforcing authority of the ordinance. He is of the opinion that the police department should be named as well.

Mr. Gouveia agreed with Mr. Zandri but stated that it is his belief that it is understood that the police have the power to enforce all of the ordinances of the Town of Wallingford whether written or implied.

SECTION 6. PENALTY

Mr. Gouveia made a motion to Amend Section 6 by add the following language to the end of the paragraph: "Any person who violates this ordinance by leaving household garbage at the curbside for more than twenty-four (24) hours shall be fined one hundred dollars (\$100)."

Seconded by Mrs. Duryea

VOTE: All ayes; motion duly carried.

SECTION 7. HEARING PROCEDURE-LITTER VIOLATION HEARING OFFICER

Mr. Zandri stated that he did not find language in the ordinance which gives an individual a warning notice or specific amount of time to clean up a problem. If there is debris on a vacant lot, the property owner should be notified and the property owner given a certain amount of time to clean up the litter. If he does not then the ordinance addresses how the situation can be rectified.

On a separate matter Mr. Zandri stated that language must be added to the ordinance to address the indiscriminate delivery of newspapers and/or free publications. Perhaps language stating that a receptacle must be installed for the publications to be placed in.

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Mr. Gouveia stated, in Section 3a. it states, "No person shall throw, spill, place or cause to be blown, spilled thrown or placed or otherwise dispose of any litter.."

The definition of litter in the ordinance is: "Litter means any discarded, used or unconsumed substance or waste material, whether made of metal, glass, plastic, rubber, paper..." He considered the publications to be litter.

It is incumbent upon the person enforcing the ordinance to notify the newspaper that the delivery of that publication is against the Town ordinance, or at least the way that they deliver it is in violation of the ordinance.

Atty. Mantzaris stated that, in his opinion, it is not considered littering, it is delivering a newspaper. It turns into litter because it is not picked up for a week or ten days but the ordinance is designed to target those individuals throwing trash out of their cars and litter the Town.

Mr. Gouveia asked Atty. Mantzaris if he is aware of any language which can address or be incorporated into the ordinance to address the problem? It is a definite problem.

Mr. Zandri stated that there should be a receptacle similar to what most people have on their mailbox posts for the newspapers. The receptacle can be used to receive many kinds of deliveries. It should be a definite message that we will not accept that kind of delivery in this town. It should be abolished. He was not trying to prohibit any business from delivering goods...the issue is the means by which they deliver it. Half of the publications end up in the curb and in the storm drains. If we don't fine tune the ordinance now it will only continue.

SECTION 3. LITTERING OR DUMPING PROHIBITED

Mr. Killen referred to 3a.3, which states, "...the Sanitary Inspector may cause such property to be cleared...." there is no language prior to that which is in order to remove the litter first before the Inspector takes action. There is no forewarning.

Atty. Mantzaris stated, seeing that the Council is not going to act on this tonight, he plans to add a provision to include a warning by the Health Inspector or the Police Department.

Mr. Killen then referred to 3a.4, which states, "This subsection shall not be applicable when such property is designated for the disposal of garbage and refuse or when disposed of in a litter receptacle." The main thrust of this under 3a. is: "No person shall throw, spill, place or cause to be blown, spilled thrown or placed or otherwise dispose of any litter: 1. Upon any public property; 2. Upon any private property not owned by him...". It seems by the language that it does not apply if it is disposed of by him in a litter receptacle on any property.

Atty. Mantzaris stated, if there is a litter receptacle at those

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places and he disposes of his garbage in it, it is all right.

Mr. Killen pointed out that the ordinance gives an individual the permission to dispose of litter on any private property not owned by him as long as he places it in a litter receptacle.

Atty. Mantzaris agreed that the language does read that way. He will review the content and address that issue.

Mr. Killen referred to 3c. which reads, "It shall be presumed that litter, which identifies the address of a business or of a housing unit, was placed at the location where it was found by the owner of such business or the resident of such housing unit". He stated that it is very dangerous to presume. He would use this language as a means of starting somewhere but he would not say in the final analysis that no matter what, if a letter was found miles away that the addressee must have put it there.

Atty. Mantzaris stated, it is not a criminal statute and there is a hearing provision for it. A single letter would not result in a summons but a considerable amount of litter would.

Mr. Gouveia stated that the ordinance does allow for an appeal process and he fully agreed that there should be some sort of a warning process. It does safeguard a lot of innocent people.

Mr. Knight stated that if we were to try and write a law which covered every circumstance, we would grind to a halt. For the most part this is a very well-written ordinance that serves its purpose. A warning period is a legitimate issue to address. The intent of this law is to try and catch some of the slobs that go out into the less populated areas of the community and decide that they can use it for their own dump. He looks forward to the day when a few of the people get caught. In some cities, to clear up a prostitution problem, they go after the customers. They print the names of the "customers" in the paper and make it very clear that if they are caught and convicted that everyone will get the opportunity to read the violator's name in the paper. It will be very hard to catch everyone in this Town and perhaps the bounty system is a bit extreme, but he would like to think that there is a way to make it very public as to just who the slobs are among our residents who are so inconsiderate to their fellow townspeople so as to create a mess that other people have to clean up.

Mr. Killen referred to 3d. and asked, what is the process by which we decide that the forty-five days begin to accumulate? Is it upon notification? We will need to keep record of it somehow.

Atty. Mantzaris stated, the forty-five days will begin once the material is noticed. This wording is taken from like provisions of State statutes.

Mr. Zandri stated, that is why there is a need for a warning process. That will start the clock ticking.

Mr. Rys asked, what is the warning process for?

Atty. Mantzaris stated, it is primarily meant for the private property owner who allows litter to accumulate on his property.

Mr. Rys stated, he did not want to see people going into the parks and every place and dump trash, given a warning. He wants to see them fined. He is referring to dump trucks and pick up trucks dumping household trash at places like Tyler Mill.

Atty. Mantzaris stated that the language will give the Police Department and Sanitarian the discretion to issue a warning as they have now with motor vehicle violations.

Mr. Rys stated that once the ordinance is passed we should have signs posted throughout in areas of the Town which lend themselves to the dumping to notify the violators of what they will be dealing with if they are apprehended. Blatant acts should require no warning at all.

Mario Tolla, 69 Pond Hill Road disagreed with Mr. Knight regarding the publication of a violator's name in the paper. The \$500 fine should be plenty of penalty. He experienced the same problem with the newspaper vendors. When the New York Times had an advertising blitz he found their free publications on his property without invitation to deliver it. He asked that the newspaper vendors be contacted if and when the ordinance is revised and adopted to notify them that the indiscriminate, unwelcome delivery of their publications will be considered a violation of the ordinance.

Mr. Killen stated that it was not too much to ask that the papers be delivered to the porch and not out on the lawn.

Marion Smart, 52 Forest Road stated that "street-smart" individuals will not respond to a registered mail notification. Perhaps having a police officer deliver the warning notice may avoid that problem.

Dominick Campo, South Elm Street asked that the Chairman re-open the Public Question and Answer Period.

Mr. Solinsky stated that the Council is still in its Public Hearing.

Motion was made by Mr. Zandri to Continue This Public Hearing to March 28, 1995 at 7:45 P.M., seconded by Ms. Papale.

Mr. Gouveia stated for the public's knowledge that the Town has a litter ordinance in effect now that is not much different than the one discussed this evening. Because of Public Act #94-200 that empowers the Town to create the fines that are included in the draft this evening, the original litter ordinance which was passed only six or seven months ago is being repealed.

VOTE: All ayes; motion duly carried.

Mr. Campo requested that the Public Question and Answer Period be re-opened at this time to discuss the school building project.

Mr. Solinsky stated that the item will be too lengthy to discuss at this time.

The Chair declared a ten minute recess at this time.

ITEM #9 Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of Connecticut for Grant Funds for the Youth Service Bureau

Motion was made by Mrs. Duryea, seconded by Mr. Knight.

Mr. Killen asked, how much longer will the State continue to drop the amount of its contribution in this so-called "matching grant" causing the amount of the Town's contribution to increase?

Mayor Dickinson responded, he could not answer the question. Yes, it has been going down and with the governor's budget now using a totally different formula for distributing the grants, there's no way of telling what will happen. We could potentially be receiving less. It is very unlikely that the block grant system in the governor's budget will be adopted which would adversely effect us even more so. Ultimately when the budget is adopted by the General Assembly it will ultimately define what monies are available under what vehicle for the Town.

Mr. Killen pointed out that the Town is paying a five to one share now for something that was supposed to be a matching grant.

Mr. Knight stated, the same thing happened with the Transit District and the State's contribution to it. The State had a great idea, they were going to take care of public transportation in the State which they do for a great many years and then they lose interest in it and all of a sudden it is dumped in the Town's lap. We become the ogres at budget time because we have to determine whether or not the Town can afford to carry the service.

Motion was Amended by Mr. Killen to Append a Copy of the Resolution to the Minutes (appendix II), seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$460 from Printing Acct. #001-2050-400-4180 to Transportation Acct. #001-2050-300-3200 - Building Department

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

Mr. Rys asked, is this increase due to the housing starts in Town?

Carmen Spiteri, Building Inspector responded, this is for the Housing Code Enforcement Officer. It is due to an increase in his workload.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #12 Consider and Approve Tax Refunds (#203-213) in the Amount of \$2,785.64 - Tax Collector

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

VOTE: All ayes; motion duly carried.

ITEM #13 Report Out by the Director of Public Works on the Advisory Maintenance Committee's Report on the Condition of Town-Owned Buildings/Parks

Motion was made by Mrs. Duryea, seconded by Mr. Knight.

Henry McCully, Director of Public Works distributed a formal response (appendix III) to the concerns raised by the committee at the last Town Council Meeting regarding certain problems identified at various Town-owned buildings and parks.

He reviewed each concern raised by the committee and explained each course of action taken or to be taken regarding said concerns.

Ms. Papale expressed her concerns with respect to the Wooding Property particularly the abandoned buildings. It is a known fact that it is being used as a playground area for some young adults and she is concerned about the liability aspect of that issue.

Mr. McCully stated that the buildings were left standing due to the fact that the original plan was to have the property go out to bid for development by an outside agency.

Mr. Rys asked, does Mr. McCully see any need to keep the buildings?

Mr. McCully stated, he does not see any need to keep them.

Mr. Rys stated, if we don't have a need for them then perhaps at budget time you may want to include funds to demolish the buildings.

Mayor Dickinson stated if there is interest in demolishing and having the buildings taken out of there, we can move on it. We can develop specifications and place it out to bid and have it done in no time.

With respect to the Railroad Station, Mr. McCully stated that several years ago prior to his being hired with the Town, student architects were hired from Yale University to design the interior of the building. It is an odd design which has a unique fluorescent lighting pattern. No one has voiced any concerns regarding a lack of lighting. It seems to be adequate. The adult education lounge rest rooms did not exhibit ground fault breakers due to the fact that it is an existing facility and it is not required, however, four ground faults were installed anyway.

Upon discussing the portion of the report which addressed the parks, Ms. Papale referred to an article which appeared in the Record Journal regarding the Pat Wall Playing Field. The article made it appear as though the field was neglected and in poor shape. She asked Mr. McCully to fill her in on the issue.

Mr. McCully responded, there were a lot of inappropriate comments made in the article. He reminded everyone of the time of the year that the observations were made. Most of the department's maintenance with the

fields are performed in the Spring.

Ms. Papale stated that due to the fact that the field is located so close to Lyman Hall High School and Parks & Recreation uses it also, it is over-used and there is not enough of a break in the schedule of usage to maintain it properly.

Mr. McCully stated that the Public Works Department is in charge of the field and he has had conversations with Frank Moore of the Recreation Department with respect to the future of the field and what they plan to do with it. The field was drill seeded in the Fall of last year and there are plans to build a new infield this coming Fall. He forwarded a letter to the Recreation Department to inform them that the field hockey and Vikings, Wallingford Junior Football Teams be asked to abstain from using the field until such time as the work is done. It is a lighted ball field and a valuable asset to the Town and because of that it is subjected to a lot of use.

Ms. Papale pointed out that the Board of Education maintains the fields at Sheehan High School. Why is it on the shoulders of the Public Works Department to maintain Pat Wall Field? Why doesn't the Sports Department of Lyman Hall do that?

Mr. McCully stated, it is an arrangement that took place a long time ago, perhaps more than fifteen years ago. Two new dugouts were installed this year and water was brought to the field as well to keep the infield wet. The field does get a lot of attention. Twilight leagues do abuse the field. They have been caught digging holes in the infield when it is wet.

Ms. Papale stated that both departments need to sit down and review the issue together.

At this time Mr. McCully stated that it is his understanding that the Wall family was upset with the article and he will be addressing the issue with them personally.

Mr. Tolla asked, why were the stringers to the fire escape left on the side of 390 Center Street when the escape was taken down?

Mr. McCully responded that there was no need to take them down, they do not endanger anyone.

VOTE TO ACCEPT REPORT: All ayes; motion duly carried.

WAIVER OF RULE V Motion was made by Mrs. Duryea to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Taking Up a Transfer for the Public Works Department, seconded by Mr. Rys.

VOTE: All ayes; motion duly carried.

Motion was made by Mrs. Duryea to Approve a Transfer of Funds in the Amount of \$212 from Loader Acct. #001-5030-999-9903 to Conveyor Assembly for Sweeper Acct. #001-5040-999-9904, seconded by Ms. Papale.

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VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #16 Consider and Approve Instituting a New Job Classification Entitled, "Buyer" for the Purchasing/Finance Department

Robert Pedersen, Purchasing Agent, stated that he is recommending the re-structuring of the Purchasing Office which entails the creation of the buyer classification and the elimination of one clerical staff position.

Mr. Zandri stated that he reviewed the report and came to the conclusion that this would be a good time to look at privatization which was brought up by the Council recently. We have an opportunity to take this particular position and fill it with outside employment, starting our way towards privatization. Private industry has been instituting this practice for some time now using a firm like Tech Aide for engineering, design, secretarial services, etc., which gives the employer the opportunity to side step a lot of the problems we face with Town workers.

Mr. Solinsky asked for further explanation on the issue.

Mr. Zandri responded that the person would work in-house full time. It is done all the time. Northeast Utilities does it all the time. They hire engineers, designers, drafters, etc. You would write up a job description and present it to the professional employment agencies and let them bid on the job. It gives the employer the opportunity that if the individual is not working out or up to par, we can very easily change the individual. It is a technique used in industry today. Once you hire someone on as a full time employee and they become wrapped up in all the rules and regulations that have so neatly been set up by the unions, just try and get rid of the person. It is almost impossible. It is something that the Town should be looking at in all positions.

Mrs. Duryea stated that she would like to wait until the Finance Committee comes back with the results of their report on privatization.

Mr. Killen stated that the Finance Committee has not yet been able to meet due to conflicting schedules, he is working on setting a meeting for this coming week.

Mr. Solinsky asked if a proposal has gone out yet?

Mr. Killen responded, no, some information has been sent in but no requests for proposals have gone out.

Thomas Myers, Comptroller, stated that he has met continuously with Mr. Pedersen since his employment here in Wallingford to review once a week where we are, we would like to go and how we are going to get there. It is the one section of the Finance Department where we do

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not have additional technical support. If he drew a parallel to the Assessor's Office there are three technical positions in that office, the Assessor, Chief Appraiser, Real & Personal Property Appraiser. All three individuals set value on automobile, homes and/or commercial or industrial buildings. In the Purchasing Office we have one technical person, the Purchasing Agent. His day is consumed from morning to night with everything from the smallest purchase to the largest and any emergency which arises. We have an excellent Purchasing Agent. He assists departments in writing specifications, he can get processes through the Purchasing Office and out to bid but we have reached a point where we need some technical assistance so that he can delegate certain purchasing matters, procurements to another individual. Mr. Pedersen can be working on a set of specifications and an emergency can arise, whether it be from the Board of Education, Chief of Police or one of the public utilities. He virtually has to stop what he is doing to deal with that emergency. There is no place to delegate it. Some purchases are routine but yet they require the activity and the attention of the office. Why are we looking to accomplish this at this particular time? Because we can do it by transferring a staff person from the Purchasing Office to the Assessor's Office, we are not looking to increase the number of employees. There is an open position in the Assessor's Office, we have two people in Purchasing that are on a promotional civil service exam, one of whom can be transferred on a promotional basis from the Purchasing Office to the Assessor's Office freeing up a position to which we would like to institute a buyer. In the past we had a six month probationary period built into our employment atmosphere. The managers have the option to extend the probationary period beyond the six months. We can let someone go after one month, five months or we can extend the probationary period. We have used both options in the past to satisfy employment needs. He could not discount Mr. Zandri's opinion that the service can be privatized. He could not say whether or not it would work for this position. His recommendation is to proceed along the lines of a buyer.

Mr. Knight stated that he would like to pursue the avenue Mr. Zandri brought up which is the privatization angle. It is something that governments who are going to attempt to control their costs are going to have to look at this option as a viable one in any area. This looks to be, on the surface, a perfect one. One of the major objections that you hear about privatization is that it is in violation of the union contracts having to do with taking work away from bargaining unit employees. There is no buyer. There is no bargaining unit employee. No one is being displaced. This may be a perfect opportunity to dip our toe in the water. Secondly, it is technical in nature and there is no supervisory responsibilities that go along with this job. Companies often times go outside of their own workforce to attract and obtain technical expertise that they need. For those two reasons, he would like to explore the opportunity to see if these services are available at a reasonable cost from a private firm.

Mr. Myers asked, do you perceive that a private firm would be willing to undertake a contractual relationship that would involve years?

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Mr. Knight responded, this is not account temps, this is a firm that specifically enters into and seeks long term relationships with their clients.

Mr. Zandri added, Tech Aide is the firm that does exactly that. There are designers and engineers that have worked for Northeast Utilities that have been on site for over ten years working on a contract basis year to year. It is being done in industry because it gives them the flexibility to release the individual from employment at any time for either not performing their job, or due to a slow down in the work or you change your mind about having the position and it is also a way of curbing the escalation of salaries because of union contracts that the Town and government are "locked" into and are being forced to go along with because of the laws. It is a tool being used by industry because of that same problem. We have to start opening up our eyes as to the way that we do business. We cannot be reluctant to change our attitude by saying that this is the way that we have done business for the last twenty years. We have to start using new ideas and approaches and look at what industry is doing today for they would not be doing it if it were the wrong move. They finally realized what is taking place in the market.

Mr. Knight stated, it is something that the government is doing all the time. It is a way for them to "cook the books" a little. They give a lot of people a "golden handshake", give them their retirement and hire them back two days later as consultants and give them a 1099 at the end of the year. That is an analogous situation. The federal government is privatizing a lot of technical and consulting functions in order to do the same thing that we are advocating, especially in the way of fringe benefits.

Mayor Dickinson stated, it can be and may be a little different. We can find out what the cost can be and whether or not there is a way of handling it through a private service. It is different in that it is part of a daily operation. It is not technical service in the sense that it is a resource where you would just call if you have a question in a certain area or want someone to develop specifications on a particular project and they are working off on the project and will come back in and let you know that component of an overall program. We are talking about the need for someone to be there handling business daily as an employee would and providing backup for the Purchasing Agent but not functioning just as a technical advisor. We can obtain prices, he did not see a problem with that.

Mr. Knight stated, there is a great deal of this going on and a lot of companies are doing it, not just for technical fields, but they are inside the buildings for years and years. There is no reason why they cannot be inside this building as well as Northeast Utilities.

Mr. Zandri explained, they are on site personnel, they report to work everyday like any other NU employee. They report to the same supervisor as well. They seem like regular employees, the only difference is that they are contractors. They perform the same functions as the regular employees. Depending on what services you need you can hire anyone you need. If you call them tomorrow, they

can get you a buyer to work.

Mr. Solinsky asked, how would the cost compare?

Mr. Zandri responded, I don't have that information in front of me but obviously, if they don't come into work for a day, they do not get paid. If they are sick, they don't get paid. If they work for you for ten years they are not building up ninety days of sick time for when they retire. All of the benefits that are costing us because of the contracts that this Town is locked into, we can avoid by starting out on a venture like this. This is an ideal opportunity to start. We need to not only look at this for this position but for a lot of positions in this Town.

Mr. Myers stated that he had no problem putting this position out to bid. What ever it costs can be reported back to the Council for you to make a comparison between hiring a permanent employee or purchasing the service.

Mr. Zandri stated that was a fair way to do it.

Mr. Myers stated that it will take time to develop specifications and place it out to bid. We have all the school projects and end of fiscal year ahead, we will have to deal with it the best that we can.

Mr. Knight stated, wouldn't you be devoting an equal amount of time to writing a job description?

Mr. Myers responded, we have written one, perhaps we can use it as the specifications.

Mr. Knight agreed.

Ms. Papale stated that she did vote in favor of Mr. Zandri's suggestion to have the Finance Committee study privatization of Town departments, however she wished that the findings of that study were available before incorporating the practice. She asked, how important is the time element for the Purchasing Office in order to perform the upcoming workload properly? Can the workload be handled, for how much longer until the buyer is in place?

Mr. Myers stated, it is true that we can use the job description for the specifications to speed up the process. It may slow us down approximately one or two months. There is no real easy answer.

Mr. Gouveia stated that both Mr. Myers and Mr. Pedersen should be applauded for recognizing that a problem exists and proposing a resolution to it. We are not saying that this proposal is a better one than offered by the Finance Department, but it is a viable option that should be looked into. So often we are told that we have to act quickly because of time constraints. This is an important item and we may have to wait one to two months to come to a resolution. We have lived with the current system since 1981 and one or two months will not hurt anyone. We can look at both proposals to see which is the best.

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Mr. Myers stated, we are holding a position in the Assessor's Office open pending resolution of this matter. We have to keep that in mind also.

Mr. Zandri stated, you don't have to wait two months, fill this position (buyer) temporarily until you find someone to fill it full time. The expertise is available out there if you go to someone like Tech Aide you can have someone on site in two days. The Council can say that they are willing to accept the position, therefore you can resolve the Assessor's Office scenario. We just have not decided how to fill the position but we do approve the concept.

Mayor Dickinson stated, there is no problem with what has been suggested, we are using the private approach for many areas such as crossing guards, sidewalk repairs, plowing, training, legal matters, etc. We have a lengthy list of privatized efforts at providing services. He stated that there was no ingrained reluctance to look at that and see what the results are.

Mr. Solinsky asked Mr. Zandri if he was suggesting that the Council approve the job description?

Mr. Zandri stated, if approving the buyer's position is o.k....there is two ways to fill the position, hire a full time Town employee or go out on contract.

Mr. Solinsky stated that the job description states, "Town of Wallingford, Department of Personnel" we should stay away from the job description until we obtain some information.

Mayor Dickinson stated, when we hire an outside contractor it is not a classified position. It shows up as an outside professional service.

Mr. Zandri asked, is there anyway to approve the concept that a buyer is needed so that we can resolve the issue of filling the position in the Assessor's Office?

Mr. Myers stated, let us put it out to bid and obtain prices. Without bringing someone into Purchasing he will not release someone to Assessor's Office. He can fill the Assessor's Office with a temporary employee.

Motion was made by Mr. Knight to Table This Item, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

ITEM #17 Consider and Approve a Transfer of Funds in the Amount of \$1,007 from Part-Time Wages (Accounting Intern) Acct. #001-1400-100-1350 to Clerks Wages (Buyer) Account #001-1400-100-1300 - Comptroller's Office

Motion was made by Mr. Knight to Table This Item, seconded by Mr. Killen.

VOTE: All ayes; motion duly carried.

ITEM #18 Consider and Approve an Appropriation of Funds in the Amount of \$65,000 to Non-Operating Revenue Overpayments Acct. #001-1090-090-9040 to Refunds Acct. #001-1420-800-8910 - Comptroller's Office

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

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

ITEM #19 Discussion and Possible Action on Formally Establishing a Community Pool Study Committee as Requested by Councilor Thomas Zappala

Motion was made by Mrs. Duryea, seconded by Mr. Zappala.

Mr. Zappala stated that the volunteer citizen's group who have elected to call themselves Friends of Community Pool, have reviewed all the material assembled by the previous committee to discover that, in fact, no documentation exists to support the \$1 million figure often quoted in the past as the cost for repairs to the filter system. The informal committee is requesting that they be formally appointed so that they may continue their cause of obtaining a cost estimate to repair the existing structure with the Town's backing behind them.

Mr. Knight admired Karen Foster for the work that she has done but the bone of contention that he has with her is that the original committee failed to address the renovation of the pool and that no cost estimates could be derived from the work that the previous committee did do as to what it may cost to merely replace the filtering system and water recirculation system and leave the pool essentially intact (it is noted that Mr. Knight was a member of the now disbanded Community Pool Renovation Building Committee). The study of November 23, 1993 which was presented to the Town Council back then has a lot of figures in it, very specific. If you do take each individual figure and pull out of it what you need to merely renovate the facility, you will not need to spend more Town money to find out the same things the committee discovered two years ago. He does not have any objections to another committee, in fact, he volunteered to be on the committee. It is important to note that if we are going to establish a committee we will need to give it a charge and that charge has to be very specific. If you want them to look at renovating the existing pool, that is the charge that you gave to the original committee. There are people who feel that the original committee strayed from its charge. If another committee is formed, he would be interested to find out just how quickly it is determined by them that it is not feasible to simply take this "sow's ear" and try and turn it into a "silk purse". He looks forward to the challenge of meeting with any new group that would be interested in discussing the matter further.

Mr. Zappala stated that the previous committee took the charge of renovating the pool lightly and there are many people who want the pool to be fixed and put back into use in its present configuration.

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The main interest of the Friends of Community Pool is to solely fix the existing structure. They have been working hard and we should give them a chance.

Mr. Killen applauded Mr. Zappala for his efforts however, if there are no dollars forthcoming for work on the pool, there is no sense in forming a committee. If there were dollars in place for it he would support it.

Mr. Zappala stated that the pool is a disgrace to the community in its present condition and should be repaired.

Mr. Rys stated that he concurs with Mr. Killen with regards to funding. What is the sense in creating another committee if the dollars do not exist to repair or replace it or there is no commitment to allocate the funding for the project.

Ms. Papale stated that in looking at the names that Mr. Zappala will be proposing as members of the committee it represents a group of volunteers that are interested in seeing what will happen with Community Pool. She had no objection to approving the names to be submitted. She would be very happy to have the pool restored to a safe condition in the same configuration as it presently exists. She asked the Mayor for his thoughts on the matter.

Mayor Dickinson stated, when a committee is formed it indicates in a normal course, an accepted project. In this case the committee has a narrow purpose of reviewing the work developed by a previous committee and determine whether or not repairs can be performed to the pool at a lower cost than those estimated by the previous committee. It does not require establishing a new committee to achieve that. In fact the people who are involved in this are already in that process and can do it without being formally established by a committee. At the point they reach a conclusion then we can form an opinion as to the liability of moving forward after that. He was concerned that the formalization of a committee can result in some misconception that it is a building committee versus the review of an earlier committee's work.

Ms. Papale pointed out that Mr. Zappala is requesting the formation of a study committee.

Mayor Dickinson stated that it is a very narrow question that is being looked at. The Recreation Department is having their consultant look at the question and if that consultant is not able to develop a reasonable answer to the questions raised by the Friends of Community Pool Committee then we may find it necessary to hire an individual that they are recommending as indicated in their report and get that person's review. That can all be accomplished without formalization of the committee.

Mr. Solinsky stated that the last pool committee did an extremely thorough job in turning over every stone researching this issue and ended up getting badgered so much by the Council as well as others who had no reason to doubt their findings or figures. The Town has no

business spending \$2 million on a recreational area that will be used only eight to ten weeks out of the year. If you just figure out what it would cost to just pay off the bonding and principal and interest plus operations, it could add up to \$4,000 - \$5,000 per day of use to keep the pool open. If we thought we had \$2 million to spend then it should be put to good use that could be used year round such as a recreation center or ice rink which would give us more mileage for the money.

Mr. Zappala disagreed.

This discussion continued a great length on this subject with the majority of the Council forming the opinion that they were not willing at this time to formally establish a committee.

Mr. Zappala asked, if the Friends of Community Pool does not appear before the Council requesting \$1,900 to hire a person to tell us the condition of the pool and what has to be done with it, what is your reaction to that?

Mayor Dickinson responded that he did not have any problem with that. We had the earlier meeting and there is a consultant with the Recreation Department who is supposed to look at it. He would like to know the results of that review. If we arrive at the conclusion that either that consultant does not have the requisite professional degrees or background to provide an adequate review or if it is inadequate in some other way, he did not have a problem with it. The Recreation Department doesn't have a problem with hiring the individual mentioned or anyone else to review the figures.

Mr. Zappala stated that the group does not want to hire anyone who has already been involved with the pool.

Mayor Dickinson responded, no one has rejected the view that we will get an adequate answer to the question, "can the pool be repaired without significant redesign?" Never has it been indicated that the question will not be answered. It will be.

Mr. Knight stated that he begged to differ with the Mayor. That is what this entire study drafted November 23, 1993 was all about. It was subsequent to the change in legislation. It was a second set of designs. He stated the following facts from the study:

-Pool circulation and hydraulic system - \$493,000(low est.)

-You cannot place a pool circulation and hydraulic system in the existing pool, you have to lift that pool out of there.

Demolition costs - \$155,000

-You have to replace it with a pool structure where you have laid down the pipes to bring it up to the State's requirements for circulation systems.

Pool Structure - \$285,000(low est.)

Those three elements alone cost \$1 million.

Mayor Dickinson stated that the Friends of Community Pool have indicated that they would like to hire someone to obtain an answer from. The price quoted to do so was \$1,958. The Recreation Department is of the opinion that we can obtain an answer from the consultant that the Town uses on Community Pool.

Mr. Gouveia stated, since the Friends of Community Pool are working hand in hand with the Recreation Department and functioning well, there is no reason to formally name the committee. The moment that money is being expended, he would feel a lot more comfortable that they are working a lot more with the Town.

Mr. Zappala requested that the item be withdrawn.

ITEM #20 Consider and Approve a Transfer of Funds in the Amount of \$100 from Maintenance of Equipment Acct. #001-6030-500-5200 and \$260 from Copier Supplies Acct. #001-6030-500-5200 and \$200 from Seminars and Dues Acct. #001-6030-700-7990 for a Total of \$560 to Advertising Acct. #001-6030-400-4100 - Town Clerk

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #21 Note for the Record Mayoral Transfers Approved to Date

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #22 Note for the Record Anniversary Increases Approve by the Mayor to Date

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

VOTE: All ayes; motion duly carried.

ITEM #23 Approve and Accept Minutes of the February 28, 1995 Town Council Meeting

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

VOTE: Gouveia passed; Killen abstained; all others, aye; motion duly carried.

ITEM #24 Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes with Respect to the Purchase, Sale and or Lease of Property

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

VOTE: All ayes; motion duly carried.

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

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Rys to Adjourn the Meeting, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 12:15 A.M.

Meeting recorded and transcribed by:

Kathryn F. Milano
Kathryn F. Milano, Town Council Secretary

Approved by: *Thomas D. Solinsky*
Thomas D. Solinsky, Chairman

3-30-95
Date

KJ Wall
Kathryn J. Wall, Town Clerk

MAR 30 1995

Date

DRAFT - 1/17/95

LITTER ORDINANCE

BE IT ENACTED BY THE TOWN COUNCIL IN SESSION:

That Ordinance #421 "Litter Ordinance" is hereby repealed and the following ordinance is substituted in lieu thereof.

SECTION 1. POLICY DECLARATION

The Town Council finds that in order to create and maintain a healthful and clean environment it is necessary to implement a litter control program that will serve to reduce litter and littering, to collect and remove litter, to promote and maintain the environmental quality of the Town of Wallingford and the public health and welfare of its citizens.

SECTION 2. DEFINITIONS

a. "Litter" means any discarded, used or unconsumed substance or waste material, whether made of metal aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, the examples listed in Section 22a-248(4) of the General Statutes and as may, from time to time, be otherwise defined by said statute.
~~including, but not limited to, any bottle, jar or can, any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material which has not been deposited in a litter receptacle, all as defined by Section 22a-248(4) of the General Statutes and as the same, from time to time, may be amended.~~

b. "Litter receptacle" means a receptacle for the depositing of litter.

~~c. "Dump" means to discard (A) more than one cubic foot in volume of litter at one time or (B) furniture, automobiles or automobile parts, garbage bags or contents thereof or other similar materials.~~

c. "Sanitary Inspector" means the Sanitary Inspector of the Town of Wallingford.

d. "Person" means any individual, firm, partnership, association, corporation or other legal entity of any kind.

e. "Town" means the Town of Wallingford.

SECTION 3. LITTERING OR DUMPING PROHIBITED

~~a.--No person shall throw, scatter, spill or place or cause to be blown, scattered, spilled, thrown or placed, or otherwise dispose of any litter upon any public property or upon private property including, but not limited to, any highway, road, street, pond, river, stream, reservoir, park or recreational area except: (1) When such property is designated for the disposal of garbage and refuse; (2) When disposed of into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of said private or public property or waters.~~

a. No person shall throw, spill, place or cause to be blown, spilled thrown or placed or otherwise dispose of any litter:

1. Upon any public property;
2. Upon any private property not owned by him;
3. Upon any private property owned by him in such quantity or of such quality as to constitute a detriment to the health, safety and welfare of the Town's inhabitants and in the event of any violation hereof, the Sanitary Inspector may cause such property to be cleared of such litter and the expense thereof charged to the owner. Any such expense shall be in addition to any fine imposed for violation of this ordinance;
4. This subsection shall not be applicable when such property is designated for the disposal of garbage and refuse or when disposed of in a litter receptacle.

~~b.--No person shall dump any material upon any public property or upon private property, except when such property is designated for the disposal of solid waste. As used in this subsection "dump" also means to discard appliances, tires, bulky waste, hazardous waste as defined in Section 22a-115 of the General Statutes, or any other similar material.~~

b. The owner of any property shall keep his property free from litter at all times and shall be responsible for removing any litter therefrom.

~~c.--The owner of any property shall remove all litter therefrom once daily.-- In the event of any violation of this subsection the Sanitary Inspector may cause such property to be cleared of litter and the cost thereof shall be charged to the owner.-- Any such expense shall be in addition to any fine that may be imposed for violation of this ordinance.--~~

c. It shall be presumed that litter, which identifies the address of a business or of a housing unit, was placed at the

ORDINANCE NO. _____

location where it was found by the owner of such business or the resident of such housing unit.

d. Material which has been placed at a location with an intent to leave it indefinitely at such location, or material which has not been removed from a location within forty-five (45) days shall be deemed discarded or disposed of, except that household garbage left at curbside for a period of more than 24 hours shall be deemed discarded or disposed of.

SECTION 4. GENDER

Words importing the masculine gender may be applied to females and words importing the feminine gender may be applied to males.

SECTION 5. ENFORCEMENT

This ordinance shall be enforced by the Sanitary Inspector or his designee.

SECTION 6. PENALTY

~~Any person who violates any provision of this ordinance shall be fined twenty five (\$25.00) dollars for the first offense and not more than one hundred (\$100.00) dollars for each subsequent offense.~~

Any person who violates this ordinance by disposing of litter upon public property or upon private property not owned by him shall be fined Five Hundred Dollars (\$500.00) for a first offense and One Thousand Dollars (\$1,000.00) for a second and subsequent offenses. Any person who violates this ordinance by disposing of litter upon private property owned by him shall be fined \$100.00 for a first offense, \$500.00 for a second offense and \$1,000.00 for a third and subsequent offenses.

SECTION 7. HEARING PROCEDURE-LITTER VIOLATION HEARING OFFICER

a. Any person cited for a violation of this ordinance may request, in writing, on a form prescribed by the Sanitary Inspector, a hearing before a Litter Violation Hearing Officer within fifteen (15) days of the issuance of a litter ordinance violation citation.

b. The Mayor shall appoint a Litter Violation Hearing Officer other than police officers or employees or persons who issue citations. Such officer shall serve for a term of two (2) years from the effective date of his appointment.

c. The Hearing Officer shall be empowered to hear appeals

from the issuance of litter ordinance violation citations and take such other actions in the hearing process as may be authorized by state statutes and Town ordinances.

- d. (1) In scheduling formal appeal hearings, the appellant shall be notified by mail of the place and time of hearing. Such notice shall be provided at least fifteen (15) days, but not more than thirty (30) days prior to the scheduled hearing date.
- (2) The procedure for the hearing shall be informal as to the rules of evidence, but testimony shall be taken under oath or affirmation.
- (3) The provisions of this section shall be construed in accordance with the provisions of applicable state statutes or Town ordinances.
- (4) In considering an appeal, the hearing officer(s) may consider all relevant facts and circumstances and may require personal appearance of the appellant and issuing officer.
- (5) Should the hearing officer(s) find in favor of the appellant, he shall so certify to the town and the record of the citation shall be removed from the files of the Town.
- (6) Should the hearing officer(s) find the issuance of the citation proper, he shall so certify to the Town and inform the appellant of the applicable fine.
- (7) If such violation is not paid on the date of the judgment of the hearing officer(s), the Town shall send by first-class mail a notice of the penalty assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of penalty assessment with the Clerk of the Superior Court for the geographical area in which the Town is located together with an entry fee as required by statute. The certified copy of the notice of penalty assessment shall constitute a record of assessment. Within such twelve (12) month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment in the amount of such record of assessment and court costs against such person in favor of the Town. Notwithstanding any other provision of the general statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

ORDINANCE NO. _____

(8) A person whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal may be instituted as provided by statute within thirty (30) days of the mailing of notice of such assessment. Nothing herein contained shall be construed as a limitation on the power of the Superior Court to impose a fine in accordance with the ordinances of the Town for violations thereof.

I HEREBY CERTIFY that this Ordinance was enacted by the Town Council of the Town of Wallingford this _____ day of _____, 1995, in accordance with the provisions of the Charter of the Town of Wallingford.

Kathryn J. Wall
Town Clerk

APPROVED: _____
William W. Dickinson, Jr., Mayor

DATE: _____

CERTIFIED RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
WALLINGFORD FOR A YOUTH SERVICE BUREAU GRANT

WHEREAS, in compliance with Sec. 17-433 of the Connecticut General Statutes as amended, the State Department of Children and Families is expected to offer the Town of Wallingford a grant for Fiscal Year 1995-1996 for purposes of operating the administrative unit and service program of the Wallingford Youth Service Bureau, and

WHEREAS, it is desirable and the best interest of the residents of Wallingford to accept said grant:

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

1. That is cognizant of the conditions and prerequisites for State assistance imposed by Section 17-433.
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the Town of Wallingford in an amount not to exceed \$60,000, is hereby approved and that the Mayor of the Town of Wallingford is hereby authorized and directed to execute and file such application with the Department of Children and Families, to provide such additional information, to execute such other documents as may be required by the Department, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the Town of Wallingford.

March 13, 1995

Mr. Thomas D. Solinsky, Chairman
WALLINGFORD TOWN COUNCIL
Municipal Building
45 South Main Street
Wallingford, Ct. 06492

SUBJECT: RESPONSE TO FINDINGS ADVISORY MAINTENANCE COMMITTEE

Dear Tom:

As requested I have prepared a response to the findings of the Advisory Maintenance Committee. Listed below you will find current status of buildings and parks along with comments.

390 CENTER STREET:

- Item I. Did not present any immediate danger to public. Entire structure was removed on Friday, March 10, 1995.
- Item II. Basement windows sealed, windows checked - no hazard.
- Item III. Trash in area cleaned up.

WOODING PROPERTY:

- Item I. Open areas behind buildings loose material picked up.
- Item II. The buildings have been boarded up since last year to keep vandals out. Security at Choate checks this area along with Wallingford Police Department.
- Item III. Public Works inspects three times a week. No buildings are in danger of falling at this time.

RAILWAY STATION:

- Item I. Need more information to answer this did not see any problems with lights.
- Item II. Preserved from original structure non load bearing beam.
- Item III. Tape was to hold metal edging where tile meets carpet - tape removed, edging repaired- no torn rugs.
- Item IV. Fixed
- Item V. Fixed
- Item VI. No problems
- Item VII. Air conditioner unit mistaken for a furnace-christmas items along with other stored items removed from basement.
- Item VIII. Ground Faults installed (4).

I investigated the complaint that my Department never responds to calls from the Railroad Station. All of the Adult Education employees that I questioned denied making such a statement. My suggestion to the committee in future inspections would be to refer that person directly to me or tell me so that I can contact them to correct the problem if one exists.

SENIOR CITIZENS' CENTER COMPLEX:

- Item A. In budget
- Item B. a) Repair bricks not done. "Trash" belongs to Senior Citizens Center they are checking it out and discarding what is not needed. Old lights are Public Works Department property and are being stored there.
- Item C. Will be painted when weather permits.
- Item D. a) Repairs being done. b) Will be done with 1st floor renovations.
- Item E. In budget also in budget new doors and siding in the back.

VETERANS MEMORIAL PARK:

Fence: In budget to replace. "V" on fields are under drains we will loam and seed in Spring- Benchmark in Soccer Field lowered.

GRAND STREET:

Parking lot cleaned up.
Fence repaired.
Leaves cleaned up.
Tree removed.
Sand barrels removed.

WALLACE PARK:

Overgrown shrubs being removed.
Dead branch being removed.

Benches being repaired.
Horse spring being repaired.
Broken glass cleaned up.

DUTTON AND NORTH MAIN:

Tree to be pruned will evaluate again in late spring.
Bench will be painted.

HARRIET WALLACE:

Pole fence-repaired.
Trees will be pruned.
Benches being repaired.

LUFBERY PARK:

Sign fixed.
Lawn-repairs in Spring.
Will check in Spring to trim trees.
Pavillion repaired.
Breaker G.F. being installed.
Outlet removed.
All trash cleaned up.

POND HILL:

New benches to be installed in new field.

INTERIM REPORT OF THE
ADVISORY MAINTENANCE COMMITTEE
TOWN OF WALLINGFORD, CT

MARIO TOLLA, CHAIR
Feb 28, 1995

390 CENTER ST

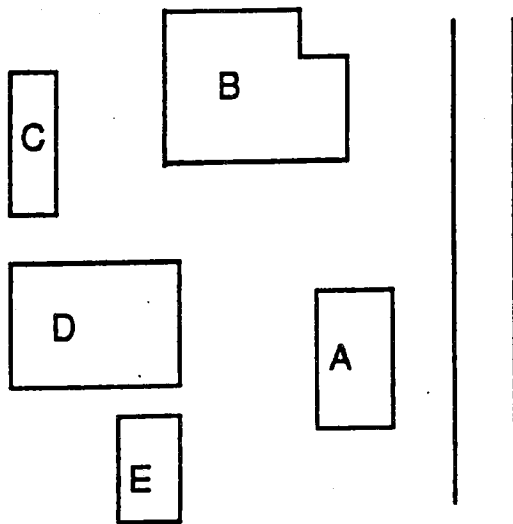
An inspection of the exterior of this building found the following irregularities:

1. The fire escape on the east side of the building is threatening to fall into the adjacent parking area.
2. Several doors and windows are in disrepair and pose a hazard to passerby as well as providing access to animals.
3. Parking lot is cluttered with waste and has an unkempt appearance.

WOODING PROPERTY

1. The open areas are cluttered with scrap metal and other debris.
2. Buildings are poorly secured and contain trash and scrap materials.
3. There is evidence that persons have sought shelter in these buildings and have started small fires.

SENIOR CITIZENS' CENTER COMPLEX



A. Storage for Civil Preparedness-Needs new roof.

B. Senior Citizens' Center- Bricks East side of bldg need repair. Trash in basement should be removed.

C. Traffic Control - Trim must be painted.

D. Civil Preparedness - Roof leaks. Boiler room not fire-proofed.

E. Parks and Rec - Needs new roof.

RAILWAY STATION

The following maintenance deficiencies and code variances were found during the inspection of the Railway Station:

1. Need to review installation of fluorescent fixtures in Spanish Center.
2. Large beam in Spanish center poorly supported.
3. Stairs to Kids' Center has torn carpet and loose tape.
4. Door on east side of building won't close properly.
5. Door on west side of foyer sticks closed.
6. Ductwork loose and in danger of falling in Kids' Center.
7. Trash piled in contact with furnace.
8. Apparently no GFTS in Adult Ed. lounge and third floor rest rooms.

FIRE HEADQUARTERS

A preliminary inspection of this property revealed some areas of concern. They are:

1. The cinder block training tower at the rear of the station is severely spalled by the action of the water cannon used in fire-fighting exercises. The following remedial steps are recommended:

- a) Outside of building impinged by water cannon should be protected by a second skin-preferably metal.
- b) Inside walls should be protected by firebrick.

2. Roof leaks in at least two locations.

3. Shingles on facia (Mansard style roof) need replacement.

4. Large crack in foundation.

A further evaluation of this property will be conducted in the next few weeks.

PARKS

PARK NAME: VIETNAM WAR

LOCATION: EAST CENTER ST -

TEAM: JHB

DATE: 11/14/94

PARKING: OK

ROADS & WALKS: OK

BUMPERS & FENCES: FENCES AROUND BASEBALL DIAMONDS VERY
BUMPERS IN POOR REPAIR, MANY MISSING CROSS BARS.
ALL NEED 1/2" REBAR THRU CROSSBAR INTO UPRIGHTS

SIGNS & LIGHTS: OK

LAWNS: WELL KEPT EXCEPT FOR SOUTH EAST SOCCER FIELD
(WIND CLOSED) OLD SETTING IN LONG V'S ON FIELDS &
MINOR FILL & RESEED.

TREES & SHRUBS:

MOSTLY SMALL TREES IN PRETTY GOOD SHAPE.

BENCHES: ALUMINUM STANDS IN GOOD COND

PLAY EQUIP: GENERALLY GOOD. BENCH MARK (?) IN FIELD
OF MOST SOUTH WESTERLY SOCCER NET SHOULD
BE PADDED OR PLAYING FIELD SHIFTED.

OUT BLDGS: PAVILION - GOOD

DRAINAGE: THIS ENTIRE AREA IS VERY WET AND
SOME WATER WILL STAND AT ALL TIMES. FIELDS ARE
WELL GRADED AND HAVE NO STANDING WATER

OTHER:

PARKS

PARK NAME:

LOCATION: GRAND & WASHINGTON

TEAM: JHB

DATE: 11/11/94

PARKING: LARGE LOT (BITUMINOUS) - Broken Glass & OLD TIRES

ROADS & WALKS: N/A

BUMPERS & FENCES: HOLE CUT IN C.L. FENCE

SIGNS: N/A

LAWNS: SPARSE, CUT, LEAVES NOT CLEANED UP

TREES & SHRUBS: TREE AT CORNER SHOULD BE REMOVED

BENCHES: N/A

PLAY EQUIP: SWINGS NEED ADJUSTMENT, KIDDIE SWINGS WILL NEED NEW SLATS IN A YEAR OR TWO.

OUT BLDGS: N/A

DRAINAGE: ✓

OTHER: TWO ROTTING SAND BARRELS ON SITE.

PARKS

PARK NAME: Wallace

LOCATION: Gummigose Hall

TEAM: JHB

DATE: 11/11/94

PARKING: N/A

ROADS & WALKS: OK

BUMPERS & FENCES: ~~OK~~ OK

SIGNS: OK

LAWNS: CUT, NOT Mowed.

TREES & SHRUBS: DANGEROUS DEAD BRANCH / SHRUBS OVER GROWN /
MOST TREES OK.

BENCHES: ONE OLD BUT GOOD, ONE RENOVATED W/ POOR LUMBER
Iron in serious DISREPAIR.

PLAY EQUIP: Two broken SEATS ON HORSE SWINGS

OUT BLDGS: N/A.

DRAINAGE: ✓ WOULD LIKE TO RE-VISIT AFTER HEAVY
RAIN.

OTHER: SOME BROKEN GLASS NEAR ~~SWING~~ SLIDING BOARD

-PARKS-

PARK NAME

LOCATION: DUTTON & N. MAIN

TEAM: JHB

DATE: 11/11/94

PARKING: N/A

ROADS & WALKS: OK

BUMPERS & FENCES: N/A

SIGNS: OK

LAWNS: CUT, Mowed

TREES & SHRUBS: REMOVE TREES SOUTH CORNER / REMOVE ALL

GRASS GROUND / SOME PRUNING

BENCHES: ONE - NEEDS PAINT

PLAY EQUIP: N/A

OUT BLDGS: N/A

DRAINAGE: ✓

OTHER: MOUND/ROOTS OK

PARKS

PARK NAME: HARRIET WALLACE

LOCATION:

TEAM: JTB

DATE: 11/11/94

PARKING: N/A

ROADS & WALKS:

BUMPERS & FENCES: ONE TELEPHONE POLE BUMPER MISSING
ONE DISPLACED

SIGNS: Post NOTED

LAWNS: CUT, RAKED, healthy

TREES & SHRUBS: LOTS OF DEADWOOD. TREES NEED PRUNING

BENCHES: down - three in serious disrepair

PLAY EQUIP: N/A

OUT BLDGS: N/A

DRAINAGE:

OTHER:

PARKS

PARK NAME: Pond Hill & Northfield

LOCATION:

TEAM: JHB

DATE: 11/18/99

PARKING: N/A

ROADS & WALKS: N/A

BUMPERS & FENCES: FENCES GENERALLY FAIR TO GOOD
HOWEVER NORTHFIELD STREET FENCE ONLY FAIR.

SIGNS & LIGHTS: N/A

LAWNS: Baseball field present re-vegetated.
Other areas good

TREES & SHRUBS: TREES IN PRETTY GOOD SHAPE TWO SHRUBS

BENCHES: Two in ball field ONE OF WHICH WENT WOOD

PLAY EQUIP: GOOD - WOULD REPLACE COFFER PINS W/IT
LOCKING BELTS ON KID'S SWINGS

OUT BLDGS: N/A

DRAINAGE: GATE

OTHER:

PARKS

PARK NAME: Lufbery

LOCATION: J

TEAM: JHB

DATE: 11/21/94

PARKING: OK

ROADS & WALKS: OK

BUMPERS & FENCES: ^{BUMPERS} SOME, NEEDED STRAIGHTENING IN PARKING
OK ON MAIN ROAD. FENCE - FAIR

SIGNS & LIGHTS: ONE SIGN "CLOSED at Sunset" ON GROUND TO LEFT AT
ENTRANCE. OTHERS OK.

LAWNS: FAIR BUT DAMAGED BY VANDALS (WHEELIE

TREES & SHRUBS: OLDER OAKS IN ASSEMBLY AREA SHOULD BE
SURVEYED IN SPRING FOR DEAD WOOD. ^{TOO} MANY YOUNG TREES
THESE NEED THINNING TO ALLOW FOR PROPER GROWTH.

BENCHES: GOOD

PLAY EQUIP: Swings good
SLIDE OK; KIDDIE SWINGS OK

OUT BLDGS: PAVILLON - FACADE FALLING OFF - MOSTLY NORTH EX
OUTLETS ON GFE BREAKER?

REST ROOMS - LOCK - NO COVER ON OUTSIDE OUTLET (EE)

DRAINAGE: ✓

OTHER: ELECTRICAL BOX ON POLE AT TOP OF RISE. ^{PROJECT-} T.1
WIRES DRAGGED DOWN BY DEADWOOD. Status?
ALSO EVIDENCE OF TEEN DRINKING ON THE RISE.
TRASH DUMPING OVER HILLSIDE.