

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

May 9, 2005

6:00 P.M.

The following is a record of the minutes made of the Wallingford Town Council at its regular meeting held on Tuesday, May 9, 2005 in the Robert Earley Auditorium of the Wallingford Town Hall. Town Council Chairman James M. Vumbaco Called the Meeting to Order at 6:37 P.M. Responding present to the Roll Call given by Town Clerk Kathryn Zandri were Councilors Vincenzo DiNatale, Lois Doherty, Gerald E. Farrell, Jr., Stephen W. Knight, Iris F. Papale, Robert F. Parisi, Michael Spiteri, Vincent F. Testa, Jr., and James M. Vumbaco. Mayor William W. Dickinson, Jr., Janis Small, Town Attorney, and James Bowes, Comptroller were also present.

Chairman Vumbaco: Please stand for a moment of silence and keep in our hearts and honor the 60th anniversary of the end of World War II and since that time keep in our hearts the thousands who died prior and since that time fighting on foreign soil for the United States and for all those currently serving our nation.

Pledge of Allegiance to the flag and the Roll Call.

Chairman Vumbaco announced that the Planning and Zoning meeting is in Room 315. He thanked Mr. Fitzsimmons, the Planning and Zoning Commission Chairman, for rescheduling the meeting that would be in the Council Chambers to Room 315 due to a date change for the Town Council meeting.

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds (#699 - #731)) totaling \$31,324.71 Account #001-1000-010-1170 – Tax Collector.
- 3b. *Withdrawn* Consider and Approve an Application submitted by Gaetano's Tavern on Main in accordance with ORDINANCE 62 Article IV -Chairman James M. Vumbaco
- 3c. *Withdrawn* Consider and Approve an Application submitted by Archie's Moore's Bar and Restaurant in accordance with ORDINANCE 62 Article IV-Chairman James M. Vumbaco
- 3d. Consider and Approve use of the Parade Grounds by the First Congregational Church in front of the church and the American Legion Building on Sunday, June 12, 2005 from 8:00 AM to 12:30 PM. - Chairman James M. Vumbaco

3e. Consider and Approve a Transfer in the Amount of \$400.00 to Transportation Reimbursement Acct # 001-1320-300-3201 from Self-Insurance Claims Acct. # 001-1603-800-8280
– Law Department

3f. Approve minutes of the Town Council Meeting of March 11, 2004.

Ms. Papale made a note that on the Consent Agenda that 3b and 3c have been withdrawn and **moved** to accept the Consent Agenda Items 3a., 3d., 3e. and 3f. **Mr. Farrell** seconded.

Chairman Vumbaco: All in favor? Opposed? So moved.

4. Items Removed from the Consent Agenda – *None*

Chairman Vumbaco: Before we get into the Public Question and Answer period, I'd like to move up Item 6.

6. Executive Session pursuant to Section 1-200 (6) (B) regarding strategy and negotiations with respect to the Siting Council Proceeding – Docket 272 – Law Department

Ms. Papale: I'd like to make a motion to go into Executive Session pursuant to Section 1-200 (6) (B) regarding strategy and negotiations with respect to the Siting Council Proceeding – Docket 272 asked for by the Law Department. So moved. **Mr. Parisi:** Second.

Chairman Vumbaco: All in favor? Opposed? So moved. The Council is now in Executive Session.

The Council entered into Executive Session at 6:45 P.M.

Ms. Papale: I'd like to make a motion to come out of Executive Session. **Mr. Farrell:** Second.

VOTE: All ayes.

MOTION PASSED

The Council exited from Executive Session at 7:10 P.M.

Attendance at the Executive Session:

All nine Councilors, Mayor Dickinson, Town Attorney Janis Small and Attorney Peter Boucher

7. Discussion and Possible Action regarding appealing the Siting Council Decision – Docket 272 as discussed in Executive Session Approve – Law Department

No action taken.

8. Consider and Approve a donation of \$16,000 to the Quinnipiac River Linear Trail Advisory Committee of Wallingford from the Wallingford Junior Women's Club and the Wallingford JayCees – Councilor Lois Doherty

Ms. Papale moved to approve a donation of \$16,000 to the Quinnipiac River Linear Trail Advisory Committee of Wallingford from the Wallingford Junior Women's Club and the Wallingford JayCees as presented by Councilor Lois Doherty. **Mr. Parisi seconded.**

Ms. Doherty announced that the actual amount of the donation is \$19,000, not \$16,000 as originally offered.

Ms. Papale moved to amend her motion to approve a donation of \$19,000. **Mr. Parisi seconded** the amended motion.

VOTE: All Ayes. The motion passes.

Councilor Doherty introduced Lynn Hoffman, Co-President of the Quinnipiac River Linear Trail Advisory Committee. Ms. Hoffman introduced Ken Sause, JayCee representative, and Lisa Ryan, President of the Wallingford Junior Women's Club, who made the presentation of \$19,000.

9. Consider and Approve a Transfer in the Amount of \$8,000 to Repairs to building-Civil Preparedness Acct. # 001-2090-999-9901 from Contingency-General Purpose Acct. # 001-7060-800-3190 –Director of Civil Preparedness

Ms. Papale moved to Approve a Transfer in the Amount of \$8,000 to Repairs to Building-Civil Preparedness Acct. # 001-2090-999-9901 from Contingency-General Purpose Acct. # 001-7060-800-3190 as requested by the Director of Civil Preparedness. **Mr. Parisi seconded.**

VOTE: All Ayes. The motion passed.

5. PUBLIC QUESTION AND ANSWER PERIOD

Phil Wright, Sr., 160 Cedar Street; Pasquale Melillo, 15 Haller Place, Yalesville; and Wes Lube, 15 Montowese Trail spoke during the public session.

10. Consider and Approve Adopting the Fiscal Year 2005-2006 Budgets of the Town of Wallingford and Setting a Rate of Tax for Fiscal Year 2005-2006 –Chairman James M. Vumbaco

Mr. Testa made a motion to Increase Revenue Line #1000 by \$500,000 to offset the proposed tax increase. Mr. Spiteri seconded the motion.

**ROLL CALL VOTE: DiNatale-yes; Doherty-no; Farrell-no;
Knight-no; Papale-yes; Parisi-no;
Spiteri-yes; Testa-yes; Vumbaco-yes**

MOTION PASSED

**INDIVIDUAL BUDGET MOTIONS NUMBERED I. TO VIII. ARE
HEREIN INCLUDED, PAGES 5 – 12**

Ms. Papale	DiNatale-yes; Doherty-no; Farrell-no; Knight-no; Papale-yes; Parisi-no; Spiteri-yes; Testa-yes; Vumbaco-yes	FY 2005-06 5-9-05
Mr. Spiteri	Motion carried.	Motion I.
Ms. Papale	DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Testa-yes; Vumbaco-yes	Motion II
Mr. Spiteri	Motion carried.	
Ms. Papale	DiNatale-yes; Doherty-no; Farrell-no; Knight-no; Papale-yes; Parisi-no; Spiteri-yes; Testa-yes; Vumbaco-yes	Motion III
Mr. Spiteri	Motion carried.	
Ms. Papale	DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Testa-yes; Vumbaco-yes	Motion IV
Mr. Spiteri	Motion carried.	
Ms. Papale	DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Testa-yes; Vumbaco-yes	Motion V
Mr. Spiteri	Motion carried.	
Ms. Papale	DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Testa-yes; Vumbaco-yes	Motion VI
Mr. Spiteri	Motion carried.	
Ms. Papale	DiNatale-yes; Doherty-yes; Farrell-yes; Knight-yes; Papale-yes; Parisi-yes; Spiteri-yes; Testa-yes; Vumbaco-yes	Motion VII
Mr. Spiteri	Motion carried.	

Ms. Papale DiNatale-yes; Doherty-no; Farrell-no;
Knight-no; Papale-yes; Parisi-no;
Spiteri-yes; Testa-yes; Vumbaco-yes

Mr. Spiteri

Motion carried

**Motion
VIII**

TOWN OF WALLINGFORD

**Annual Budget Adoption
For the Fiscal Year Beginning July 1, 2005**

I. Ms. Papale

MOVED: TO ADOPT THE TOTAL GENERAL FUND REVENUE BUDGET OF \$122,838,425
FOR THE FISCAL YEAR BEGINNING JULY 1, 2005.

Mr. Spiteri _____ seconded the motion.

DiNatale-yes; Doherty-no; Farrell-no;
Knight-no; Papale-yes; Parisi-no;
Spiteri-yes; Testa-yes; Vumbaco-yes

Motion carried.

II. Ms. Papale

MOVED: TO ADOPT THE TOTAL GENERAL FUND EXPENDITURE BUDGET OF
\$122,838,425 FOR THE FISCAL YEAR BEGINNING JULY 1, 2005.

Mr. Spiteri _____ seconded the motion.

DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

Motion carried.

III. Ms. Papale

MOVED: ESTABLISH THE PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING
JULY 5, 2005 AT 26.44 MILLS.

REAL ESTATE AND PERSONAL PROPERTY TAXES IN EXCESS OF \$100
SHALL BE MADE IN TWO INSTALLMENTS. THE FIRST OF WHICH IS DUE
JULY 1, 2005, PAYABLE ON OR BEFORE AUGUST 1, 2005. THE SECOND
INSTALLMENT SHALL BE DUE JANUARY 1, 2006, PAYABLE ON OR BEFORE
FEBRUARY 1, 2006. REAL ESTATE AND PERSONAL PROPERTY TAXES OF
\$100 OR LESS SHALL BE PAID IN ONE INSTALLMENT DUE JULY 1, 2005
AND PAYABLE ON OR BEFORE AUGUST 1, 2005 AS PROVIDED BY
CONNECTICUT STATUTE, CHAPTER 204, SECTION 12-144.

MOTOR VEHICLE TAXES SHALL BE MADE IN ONE INSTALLMENT DUE
JULY 1, 2005 AND PAYABLE ON OR BEFORE AUGUST 1, 2005 AS PROVIDED
BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-144A.
DELINQUENT MOTOR VEHICLE TAXES SHALL BE PAID ONLY IN CASH OR
BY CERTIFIED CHECK OR MONEY ORDER AS PROVIDED BY CONNECTICUT
GENERAL STATUTE, CHAPTER 204, SECTION 12-146.

PROPERTY TAXES IN AN AMOUNT OF LESS THAN FIVE DOLLARS SHALL
BE WAIVED.

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

Mr. Spiteri _____seconded the motion.

DiNatale-yes; Doherty-no; Farrell-no;
Knight-no; Papale-yes; Parisi-no;
Spiteri-yes; Testa-yes; Vumbaco-yes

Motion carried.

IV. Ms. Papale _____

MOVED: TO ADOPT THE BUDGETS OF THE DIVISIONS OF THE DEPARTMENT OF
PUBLIC UTILITIES FOR THE FISCAL YEAR BEGINNING JULY 1, 2005
AS HEREIN STATED:

Electric Enterprise Fund

Operating Revenues	\$49,943,950
Operating Expenses	55,337,882
Operating Income (Loss)	(5,393,932)
Non-Operating Revenue	1,018,000
Non-Operating Expenses	176,284
Net (Loss) Before Operating Transfers In (Out)	(4,552,216)
Operating Transfers (Out)	(1,902,891)
Net (Loss)	(6,455,107)
Working Capital: Sources of Funds	3,225,593
Working Capital: Use of Funds	3,225,593

Water Enterprise Fund

Operating Revenues	5,631,675
Operating Expenses	5,420,750
Operating Income	210,925
Non-Operating Revenue	485,855
Non-Operating Expenses	282,880
Net Income	413,900
Working Capital: Sources of Funds	2,945,655
Working Capital: Use of Funds	2,945,655

Sewer Enterprise Fund

Operating Revenues	<u>4,157,605</u>
Operating Expenses	<u>6,073,010</u>
Operating (Loss)	<u>(1,915,405)</u>
Non-Operating Revenue	<u>595,222</u>
Non-Operating Expenses	<u>205,400</u>
Net (Loss)	<u>(1,525,583)</u>
Working Capital: Sources of Funds	<u>1,992,125</u>
Working Capital: Use of Funds	<u>1,992,125</u>

Mr. Spiteri _____ seconded the motion.

DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

V. Ms. Papale _____

Motion carried.

MOVED: TO ADOPT THE BUDGET OF THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 IN THE AMOUNT OF \$1,902,891 REVENUES AND \$1,902,891 EXPENDITURES.

Mr. Spiteri _____ seconded the motion.

DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

Motion carried.

VI. Ms. Papale _____

MOVED: TO APPROVE SPECIAL FUNDS OF THE BOARD OF EDUCATION OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AS ATTACHED HERETO AND MADE A PART HEREOF.

Mr. Spiteri _____ seconded the motion.

DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

Motion carried.

VII. Ms. Papale _____

MOVED: TO APPROVE SPECIAL FUNDS OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AS ATTACHED HERETO AND MADE A PART HEREOF.

Mr. Spiteri _____ seconded the motion.

DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

Motion carried.

SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY
YEAR ENDING JUNE 30, 2006

	FY 6-30-04 ACTUAL	1-31-05 ACTUAL	2004-05 APPROVED	2005-06 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
CAFETERIA						
Revenue	1,687,025	880,337	1,868,565	1,944,550	1,944,550	
Expenditure	1,600,092	895,303	1,868,565	1,944,550	1,944,550	
TITLE I						
Revenue	343,000	-	359,298	294,986	294,986	
Expenditure	342,675	130,293	359,298	294,986	294,986	
TITLE V						
Revenue	35,353	-	35,353	27,963	27,963	
Expenditure	34,640	-	35,353	27,963	27,963	
TITLE III						
Revenue	23,510	10,000	15,461	33,770	33,770	
Expenditure	21,517	3,509	15,461	33,770	33,770	
TITLE II						
Revenue	124,725	-	170,331	170,355	170,355	
Expenditure	120,768	-	170,331	170,355	170,355	
TITLE IV (Drug Free Schools)						
Revenue	17,000	-	22,201	23,708	23,708	
Expenditure	15,071	-	22,201	23,708	23,708	
VOCATIONAL EDUC GRANT						
Revenue	59,918	59,918	59,918	62,507	62,507	
Expenditure	59,918	-	59,918	62,507	62,507	
ADULT ED TUITION						
Revenue	115,548	71,931	110,750	103,210	103,210	
Expenditure	86,260	22,587	110,750	103,210	103,210	
ADULT BASIC EDUCATION						
Revenue	224,215	141,631	257,547	261,863	261,863	
Expenditures	224,214	112,229	257,547	261,863	261,863	
IDEA - PART B						
Revenue	1,015,000	500,000	997,748	1,150,616	1,150,616	
Expenditure	968,441	509,327	997,748	1,150,616	1,150,616	
PRE-SCHOOL HANDICAPPED						
Revenue	32,000	5,000	41,612	41,605	41,605	
Expenditure	26,069	-	41,612	41,605	41,605	
OUTSIDE SERVICES						
Revenue	58,400	30,432	52,000	52,000	52,000	
Expenditures	52,129	19,051	52,000	52,000	52,000	

SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY
YEAR ENDING JUNE 30, 2006

	FY 6-30-04 ACTUAL	1-31-05 ACTUAL	2004-05 APPROVED	2005-06 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>ON COMMON GROUND-ADULT ED</u>						
Revenue	24,246	10,000	-	20,000	20,000	
Expenditures	24,246	4,445	-	20,000	20,000	
<u>ADULT ED TECHNOLOGY</u>						
Revenue	80,000	30,000	-	35,000	35,000	
Expenditure	79,488	27,805	-	35,000	35,000	
<u>AE NELLI MAE</u>						
Revenue	44,989	44,992	44,678	44,992	44,992	
Expenditure	31,996	12,573	44,678	44,992	44,992	
<u>BILINGUAL GRANT</u>						
Revenue	13,267		15,227	12,266	12,266	
Expenditure	13,161	48	15,227	12,266	12,266	
<u>INSURANCE CONTRACT</u>						
Revenue	877,785	563,850	600,000	600,000	600,000	
Expenditure	764,468	563,850	600,000	600,000	600,000	
<u>SUMMER SCHOOL</u>						
Revenue	37,719	38,919	35,785	44,315	44,315	
Expenditure	36,738	36,308	35,785	44,315	44,315	
<u>MAGNET SCHOOL TRANSPORTATION</u>						
Revenue	82,800	48,600	82,800	97,200	97,200	
Expenditure	82,800	48,600	82,800	97,200	97,200	
<u>OPEN CHOICE</u>						
Revenue	275,158	-	315,274	275,158	275,158	
Expenditure	275,018	-	315,274	275,158	275,158	
<u>VOAG EQUIPMENT</u>						
Revenue	76,017	-	-	-	-	
Expenditure	76,017	178,567	-	-	-	
<u>ACES</u>						
Revenue	1,000	1,000	-	1,000	1,000	
Expenditure	1,000	-	-	1,000	1,000	
<u>SUPERVISORS & TESTING</u>						
Revenue	13,910	6,678	-	15,000	15,000	
Expenditure	13,910	6,528	-	15,000	15,000	
<u>SPECIAL EDUC EXCESS COST</u>						
Revenue	847,458	-	-	897,727	897,727	
Expenditure	847,458	-	-	897,727	897,727	
<u>MEDICAID REIMBURSEMENT</u>						
Revenue	-	60,662	-	100,000	100,000	
Expenditure	-	35,461	-	100,000	100,000	
<u>CAG GRANT</u>						
Revenue	620	-	-	-	-	
Expenditure	574	-	-	-	-	

SPECIAL FUNDS TOWN GOVERNMENT - SUMMARY
YEAR ENDING JUNE 30, 2006

	FY 6-30-04 ACTUAL	1/31/05 ACTUAL	2004-05 APPROVED	2005-06 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
SCOW						
Revenue	70,819	28,725	62,493	60,915	60,915	
Expenditure	65,579	27,228	62,493	60,915	60,915	
YSS (DCYS)						
Revenue	295,464	16,637	313,445	326,481	326,481	
Expenditure	295,464	161,385	313,445	326,481	326,481	
COUNCIL ON SUBSTANCE ABUSE						
Revenue	21,854	2,328	22,000	22,000	22,000	
Expenditure	23,069	309	22,000	22,000	22,000	
CRRA (SERVICE CONTRACT GRANT)						
Revenue	39,500	37,344	49,792	47,500	47,500	
Expenditure	23,422	16,518	49,792	47,500	47,500	
TOWN AID ROAD						
Revenue	118,567	190,641	190,641	190,641	190,641	
Expenditure	148,249	165,531	190,641	190,641	190,641	
LOCAL CAPITAL IMPROVEMENTS						
Revenue	-	294,312	302,518	300,921	300,921	
Expenditure	294,312	-	302,518	300,921	300,921	
MEALS ON WHEELS						
Revenue	17,956	7,500	17,956	18,000	18,000	
Expenditure	10,381	14,427	17,956	18,000	18,000	
RECREATION DEPT PROGRAMS						
Revenue	524,837	325,192	575,000	603,000	603,000	
Expenditure	524,837	396,333	575,000	603,000	603,000	
SUPPLEMENTAL GRANT FOR BIOTERRORISM #2004-1099						
Revenue	39,854.00	39,854	-	-	-	
Expenditure	28,800	50,786	-	-	-	
DOCUMENT PRESERVATION GRANT						
Revenue	12,000	11,156	12,000	12,000	12,000	
Expenditure	12,000	10,895	12,000	12,000	12,000	
DOCUMENT PRESERVATION-TOWN SHARE						
Revenue	23,098	8,776	23,848	-	-	
Expenditure	-	20,976	23,848	-	-	
SCOW 148 HHD 02 GRANT						
Revenue	17,553	8,777	-	-	-	
Expenditure	6,906	19,424	-	-	-	
HISPANICS IN PHILANTHROPY GRANT						
Revenue	-	20,000	40,000	-	-	
Expenditure	-	4,000	40,000	-	-	

**SPECIAL FUNDS TOWN GOVERNMENT - SUMMARY
YEAR ENDING JUNE 30, 2006**

	FY 6-30-04 ACTUAL	1/31/2005 ACTUAL	2004-05 APPROVED	2005-06 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
SCOW 148 HHD 03 GRANT						
Revenue	-	6,582	26,330	-	-	-
Expenditure	-	-	26,330	-	-	-
PUBLIC HEALTH & PREPAREDNESS PLANNING GRANT						
Revenue	-	-	79,621	-	-	-
Expenditure	-	2,580	79,621	-	-	-
SMOKING CESSATION PUBLIC HEALTH BLOCK GRANT						
Revenue	-	-	7,045	-	-	-
Expenditure	-	3,689	7,045	-	-	-
HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS FEDERAL GRANT						
Revenue	-	-	225,023	-	-	-
Expenditure	-	-	225,023	-	-	-

VIII. Ms. Papale _____

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

Mr. Spiteri _____ seconded the motion.

DiNatale-yes; Doherty-no; Farrell-no;
Knight-no; Papale-yes; Parisi-no;
Spiteri-yes; Testa-yes; Vumbaco-yes

Motion carried

11. 7:00 P.M - Conduct a Public Hearing to Consider and Act upon an Ordinance entitled:

AN ORDINANCE APPROPRIATING \$2,340,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2005-2006 AND AUTHORIZING THE ISSUE OF \$2,340,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Chairman Vumbaco: Item # 11.

Ms. Papale: Item #11 is to Conduct a Public Hearing to Consider and Act upon an Ordinance entitled:

AN ORDINANCE APPROPRIATING \$2,340,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2005-2006 AND

AUTHORIZING THE ISSUE OF \$2,340,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Chairman Vumbaco: I hereby convene the Public Hearing for the \$2,340,000 appropriation and bond authorization for the 2005-2006 capital improvement program. The ordinance which is the subject of this Public Hearing is available to the public and may be obtained at this meeting from the Town Clerk. Is there a motion and a second to read the title and Section 1 of the following proposed ordinance in their entirety and to waive the reading of the remainder of the ordinance incorporating its full text in the minutes of this meeting.

Mr. Farrell: So moved.

Mr. Parisi: Second.

ROLL CALL VOTE: DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

Chairman Vumbaco: The motion passes.

Ms. Papale: I'd like to make the motion to pass

AN ORDINANCE APPROPRIATING \$2,340,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2005-2006 AND AUTHORIZING THE ISSUE OF \$2,340,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Section 1. The sum of \$2,340,000 is appropriated for the planning, acquisition and construction of municipal capital improvements 2005-2006 consisting of Roadway Reconstruction of : (i) Mansion Road - Blue Hills Road to Town Line; (ii) Old Rock Hill Road - Durham Road to New Rock Hill Road; (iii) Christian Street Milling and Overlay -

North Main to East Main Streets; (iv) New Rock Hill Road - Durham Road to North Airline Road; and for Downtown Parking Lot, Doolittle Park Playscape, Hall Avenue

Streetscape IV (Senior Center Connection), Quinnipiac River Linear Trail (Phases II and III), and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs, said appropriation to be in addition to all prior appropriations for said purpose and inclusive of any and all State and Federal grants-in-aid.

Chairman Vumbaco: Any comments from the public? Hearing none, I declare the Public Hearing closed. **Is there a motion and a second that the ordinance entitled**

AN ORDINANCE APPROPRIATING \$2,340,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL

**CAPITAL IMPROVEMENTS 2005-2006 AND
AUTHORIZING THE ISSUE OF \$2,340,000 BONDS
OF THE TOWN TO MEET SAID APPROPRIATION
AND PENDING THE ISSUANCE THEREOF THE
MAKING OF TEMPORARY BORROWINGS FOR
SUCH PURPOSE.**

be adopted?

Mr. Farrell: So moved.

Mr. Parisi: Second.

Ms. Doherty: I'm a little confused. Are we supposed to do an amendment on this?

Chairman Vumbaco: Yes, there is one that follows.

Ms. Doherty: OK.

Chairman Vumbaco: You mean for the Quinnipiac River Linear Trail for \$500,00?

Ms. Doherty: Yes.

Chairman Vumbaco: Any other questions or comments from the Council?

Mr. Testa: To help me understand the way things are done here. Could you clarify for me why we issue bonds for this when it appears that each year we carry these line items in the budget because in the budget that we just adopted for next year, one motion was for \$1.9 million, I think, to adopt the budget for the capital non-recurring expenditures. Is that a different part of the budget?

Mr. Bowes: No, you are right on. We would only bond that – all we are looking for is the Council's authorization to bond if and when we needed it as a way of cash financing the projects and then paying back to the capital and non-recurring fund over the life of those bonds. My plan is unless we really have to is to never bond for those items and to use contribution that we get from the Electric Division as you are seeing there in the budget document for that purpose.

Mr. Testa: Don't we have in the budget or in the reserve fund this money?

Mr. Bowes: Which reserve fund are you talking because no reserve fund

has money. We capital nonrecurring fund.

Mr. Testa: That's the one I'm talking about.

Mr. Bowes: Yes, we do have a capital and non-recurring capital projects fund which is outside of our general fund which accumulates these resources to pay for these projects because several of them may take much more than one year. Sometimes two years, three years to complete. So what you're seeing in that fund balance in that fund are amounts that have been financed in the past primarily from the Electric Division contribution, if you will. That has not yet been spent because that project is at some earlier stage of completion. It's not yet fully completed.

Chairman Vumbaco: Any other comments or questions by the Council?
Is there a motion and second to amend the ordinance by reducing the dollar amount by \$500,000 and to delete the Quinnipiac River Linear Trail Phase III Line Item?

Mr. Farrell: So moved

Mr. Parisi: Second.

Chairman Vumbaco: We can have discussion now.

Ms. Papale: Why are we doing that? I'm missing something.

Mayor Dickinson: The reason is that the money was already appropriated earlier by the Council, not tonight. Several meetings ago, the money was appropriated based upon confirmation from the Finance Department that the grant had been received so that money was approved to enable us to move into contracts before the end of this fiscal year. If we left this in here, the \$500,000 would appear in two places and could be confused as to whether we had appropriated \$1 million with only a \$500,000 grant. So we are removing it from the capital and non-recurring.

Chairman Vumbaco: Any other comments or questions from the Council? Will the secretary please call the roll to vote on the amendment?

ROLL CALL VOTE: DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

Chairman Vumbaco: The motion passes. **Is there a motion and second that the ordinance as amended be adopted?**

Mr. Farrell: So moved.

Mr. Parisi: Second.

Chairman Vumbaco: We have a motion and a second. Is there any Council discussion? Hearing none, please call the roll for the vote.

ROLL CALL VOTE: DiNatale-yes; Doherty-yes; Farrell-yes;
Knight-yes; Papale-yes; Parisi-yes;
Spiteri-yes; Testa-yes; Vumbaco-yes

Chairman Vumbaco: I declare the ordinance as amended adopted.
Thank you. Item # 12

(The Amended Ordinance is appended to the minutes)

12. Consider and Approve a Transfer in the Amount of \$20,000 to Professional Services – Lawyers Acct. # 001-1320-901-9002 from Regular Wages & Salaries for \$11,000 Acct. #001-1401-101-1000 and from Self-Insurance Claims for \$9,000 Acct. # 001-1603-800-8280 – Law Department

Ms. Papale: Item #12 I'd like to make a motion to consider and approve a Transfer in the Amount of \$20,000 to Professional Services – Lawyers Acct. from Regular Wages & Salaries for \$11,000 and from Self-Insurance Claims for \$9,000. Asked for by the Law Department.

Chairman Vumbaco: We have a motion. Is there a second?

Mr. Parisi: Second.

Janis Small, Town Attorney: This will allow me to close out the fiscal year. The last time I asked you for a transfer, I told you that I was basically making an estimate and I tend to estimate on the conservative side and between finishing up on the power line case and some worker's comp matters, this would take me to the end of the fiscal year.

Chairman Vumbaco: Any questions by the Council? Jim, what are the accounts we are pulling them from? I didn't recognize the numbers. \$9,000 is coming out of, I believe, self insurance and the balance of \$11,000.

Mr. Bowes: From Comptroller's Salaries and Wages. We've had seven positions that have either not been filled or there was a gap in time in someone leaving and someone coming on, which left quite a bit of money in there. She owes me though.

Mr. Testa: You're not taking a pay cut?

Mr. Bowes: Ah, yes, compared to the last guy, yes.

Chairman Vumbaco: Any members of the public that have any questions? Hearing none, all in favor of the transfer? Opposed? So moved. Item #13.

13. Consider and Approve Authorizing the Mayor to enter into contracts to purchase property at 155 Cheshire Road – Law Department

Ms. Papale: I'd like to make a motion to consider and approve authorizing the Mayor to enter into contracts to purchase property at 155 Cheshire Road. So moved.

Mr. Farrell: Second.

Ms. Small: I'd like to start by saying these are the contracts for the purchase of what we know as the Cuneo property which abuts the Galko property which the Town also owns. It's done in two contracts. The raw land and the house lot which would give Mrs. Cuneo a life use of the property.

Mayor Dickinson: This is a map of that area. This is Cheshire Road. Galko is so named here, either side of the road. This is Schoolhouse Road this way. Cuneo is right here about 16.7 acres. Fresh Meadows Swamp, Wallingford Land Trust property. The Town of Wallingford owns this property over here so you can see that it connects the properties that we own. The property has about nine tenths of an acre with a house and a garage on it in this location. 50% of it is wetland and incorporates a lot of this rear area. The frontage on the road is all buildable. We are purchasing this at the appraisal price, \$190,000 for the lot with the house, and there is a life use so that is part of the valuation. \$700,000 for the rest of the acreage, 14 plus acres, so the total comes to \$890,000. The valuation was based upon appraisals of open property. This has not been subdivided so it's not based upon that kind of valuation but there are sales that are pointed to in the appraisers report.

Chairman Vumbaco: Thank you, Mayor. Are there any comments by the Council? Personally, I think this is an excellent purchase for this community especially when you look at the map and you can see how it ties everything together for us.

VOTE: All Ayes.

MOTION PASSED.

14. Schedule a Public Hearing on May 24, 2005 for 7:00 P.M. to be held in connection with an Ordinance entitled:

AN ORDINANCE APPROPRIATING \$945,000 FOR THE ACQUISITION OF APPROXIMATELY 17 ACRES OF REAL PROPERTY KNOWN AS AND IN THE AREA OF 155 CHESHIRE ROAD AND AUTHORIZING THE ISSUE OF \$945,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

MOTION: Ms. Papale moved to Schedule a Public Hearing on May 24, 2005 for 7:00 P.M. to be held in connection with an Ordinance entitled:

AN ORDINANCE APPROPRIATING \$945,000 FOR THE ACQUISITION OF APPROXIMATELY 17 ACRES OF REAL PROPERTY KNOWN AS AND IN THE AREA OF 155 CHESHIRE ROAD AND AUTHORIZING THE ISSUE OF \$945,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Mr. Testa seconded.

VOTE: All Ayes.

MOTION PASSED.

15. *Withdrawn* Executive Session pursuant to Section 1-200 (6) (D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property – Mayor
16. Executive Session pursuant to Section 1-200 (6) (B) of the Connecticut General Statutes regarding strategy and negotiations with respect to the pending tax appeal matters of Wallingford Energy, LLC v. Town of Wallingford, PPL Wallingford Energy, LLC v. Town of Wallingford and PPL Leasing Company, LLC v. Town of Wallingford – Law Department
17. Executive Session pursuant to Section 1-200 (6) (B) regarding strategy and negotiations with respect to WE 15 Sterling, LLC v. Town of Wallingford -Law Department.

MOTION: Ms. Papale moved to enter into Executive Session pursuant to (#16) Section 1-200 (6) (B) of the Connecticut General Statutes regarding strategy and

negotiations with respect to the pending tax appeal matters of Wallingford Energy, LLC v. Town of Wallingford, PPL Wallingford Energy, LLC v. Town Wallingford from the Law Department

and pursuant to (#17) Section 1-200 (6) (B) regarding strategy and negotiations with respect to WE 15 Sterling, LLC v. Town of Wallingford from the Law Department.

Mr. Farrell seconded the motion.

VOTE: All Ayes.

MOTION PASSED.

The Council entered into Executive Session at 9:20pm.

MOTION: Ms. Papale moved to exit from Executive Session.

Mr. Farrell seconded the motion.

VOTE: All Ayes.

MOTION PASSED.

The Council exited from Executive Session at 9:50pm.

Attendance at Executive Sessions #16 and #17

All nine Town Councilors, Mayor Dickinson, Attorney Janis Small and Comptroller James Bowes.

18. Motion to Consider and Approve a Settlement of the pending matter of WE 15 Sterling, LLC v. Town of Wallingford as discussed in Executive Session – Law Department

MOTION: Ms. Papale moved to Approve a Settlement of the pending matter of WE 15 Sterling, LLC v. Town of Wallingford as discussed in Executive Session as presented by the Law Department

Mr. Farrell seconded.

VOTE: All Ayes.

MOTION PASSED.

MOTION: Ms. Papale moved to adjourn the meeting.

Mr. Farrell seconded.

VOTE: All Ayes.

MOTION PASSED.

There being no further business to consider, the meeting adjourned at
7:28 P.M.

Meeting recorded and transcribed by Sandra R. Weekes

Respectfully submitted,



Sandra R. Weekes
Town Council Secretary

Approved by:

James M. Vumbaco
Chairman

Date:

Kathryn F. Zandri
Town Clerk

Date:

MOTION: Ms. Papale moved to adjourn the meeting.

Mr. Farrell seconded.

VOTE: All Ayes.

MOTION PASSED.

There being no further business to consider, the meeting adjourned at
7:28 P.M.

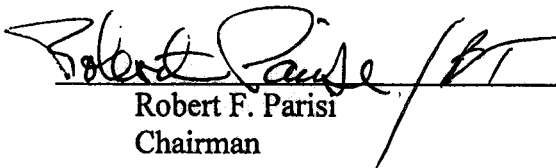
Meeting recorded and transcribed by Sandra R. Weekes

Respectfully submitted,



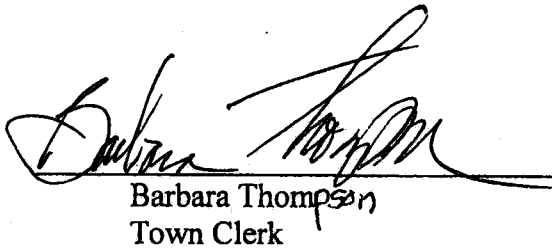
Sandra R. Weekes
Town Council Secretary

Approved by:



Robert F. Parisi
Chairman

11/14/06
Date:



Barbara Thompson
Town Clerk

11/18/06
Date:

5/9/05

AS AMENDED

AN ORDINANCE APPROPRIATING \$1,840,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 2005-2006 AND AUTHORIZING THE ISSUE OF \$1,840,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$1,840,000 is appropriated for the planning, acquisition and construction of municipal capital improvements 2005-2006 consisting of Roadway Reconstruction of: (i) Mansion Road - Blue Hills Road to Town Line; (ii) Old Rock Hill Road - Durham Road to New Rock Hill Road; (iii) Christain Street Milling and Overlay - North Main to East Main Streets; (iv) New Rock Hill Road - Durham Road to North Airline Road; and for Downtown Parking Lot, Doolittle Park Playscape, Hall Avenue Streetscape IV (Senior Center Connection), Quinnipiac River Linear Trail Phase II and for appurtenances, equipment and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs, said appropriation to be in addition to all prior appropriations for said purpose and inclusive of any and all State and Federal grants-in-aid.

Section 2. To meet said appropriation \$1,840,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and the amount of bonds of each series to be issued shall be fixed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The

bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

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

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha Cullina LLP, Attorneys-At-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for

the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

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