

Town Council Meeting Summary

April 26, 1988

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Approved transfer of \$4,410 from Deputy Comptroller's Salary
to Professional Services-Accountemps, Comptroller's Office.

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Adjourned.

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Town Council Meeting Agenda

April 26, 1988

6:30 p.m.

- (1) Roll call and pledge of allegiance to flag.
- (2) Public question and answer period at 7:30 p.m.
- (3) Consider and approve a transfer requested by Joseph J. Bevan,
Chief of Police:
\$4,000 from Janitorial Services and \$900 from Degree Allowance
\$2,000 to Natural Gas. \$1,200 to Telephone, \$900 to Car Rental &
\$ 800 to Printing.
- (4) Consider and approve transfers requested by Steven L. Deak,
Director of Public Works:
 - (a) \$2,000 from Foreman's Salary to Maintenance of Lighting System
 - (b) \$2,000 from Snow Removal Wages to Maintenance of Vehicles
 - (c) \$3,000 from Salt to Vehicle Expense
 - (d) \$2,400 from Snow Removal Wages to Disposing of Tires
 - (e) \$1,000 from Wages-Superintendent to Town Hall (New) Janitorial
- (5) Consider and approve transfer requested by Water Division:
\$3,000 from Administrative & General Salaries
\$1,000 to Pumping Miscellaneous Expenses
\$2,000 to Maintenance of Water Treatment Equipment
- (6) Consider and approve a transfer requested by Sewer Division:
\$16,300 from Power Purchased & Natural Gas
\$13,000 to Power Purchased for Pumping
\$ 3,300 to Maintenance Transmission & Collection Lines
- (7) Consider and approve a transfer requested by Recreation Department:
\$425 from Pool Painting to Telephone
- (8) Consider and approve a transfer requested by Town Clerk:
\$1,200 from Clerk's Wages to Advertising
- (9) Consider and approve transfers requested by Mayor Dickinson:
 - (a) \$1,000 from ICMA/CCM Management Information Systems
to Advertising
 - (b) \$ 500 from ICMA/CCM Management Information Systems
to Advertising
 - (c) \$ 500 from Legislative Action Conference to Copier
Rental
- (10) Consider and approve a transfer requested by Town Attorney:
\$6,450 from Town Attorney Salary to Professional Services Statutory
- (11) Consider and approve a transfer requested by Comptroller:
\$250 from Maintenance of Equipment & \$500 from State Meetings
\$750 to Maintenance of Programs

-over-

- (12) Consider and approve a transfer requested by Tax Collector: \$7,112 from Self-Insurance Claims to Tax Refunds

Consider and approve tax refunds totalling \$7,111.99:

John & Phyllis Drescher and/or Central Bank	630.18
Peter Chester	39.60
Jerome or Frances Wisneski	112.57
Donald J. O'Byrne	170.40
Leonard Rossicone	3,533.22
Ugo & Carol Gabriele and/or Comfed Savings	846.45
Donald & Patricia Hansen and/or Citicorp	576.72
Julia Maravalle	1,202.85
Total	<u>\$7,111.99</u>

- (13) Consider resolution authorizing Mayor William W. Dickinson, Jr. to file application for a Summer Work Experience Program in an amount not to exceed \$10,000 from the State Department of Human Resources.
- (14) Consider and approve resolution authorizing Town of Wallingford to submit an application to the Commissioner of the Department of Environmental Protection for an Open Space Land Acquisition, Assistance, and/or Development Grant known as Open Space Land Acquisition Project.
- (15) REMOVE FROM TABLE and consider changing date to October 15, 1988 for Wallingford Household Hazardous Waste Collection Day, requested by Laurie J. Manke, Co-Chairman of the Committee.
- (16) Confirm appointments to Wallingford Historic Commission.
- (17) UPDATE REPORT on plans for Historic District by Scott Heyl.
- (18) SET PUBLIC HEARING ON:
- AN ORDINANCE APPROPRIATING THE SUM OF \$2,750,000 FOR PROFESSIONAL DESIGN AND ENGINEERING SERVICES FOR A WATER TREATMENT FACILITY AND AUTHORIZING THE ISSUE OF \$2,750,000 BONDS AND TEMPORARY BORROWINGS OF THE TOWN TO MEET SAID APPROPRIATION FOR SUCH PURPOSE.
- AN ORDINANCE APPROPRIATING THE SUM OF \$800,000 FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS, 1988-1989, AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.
- (19) Discussion and explanation of problems with the Department of Environmental Protection over construction of East Main Street by John J. Costello, Town Engineer, requested by Councilman David J. Doherty.
- (20) Consider acceptance of Town Council Meeting Minutes of April 12, 1988.

TOWN COUNCIL MEETING

April 26, 1988

6:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 6:35 p.m. by Chairman Albert E. Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Bradley, Doherty, Papale, Solinsky, Zandri and Killen. Council Members Adams, Holmes and Parisi arrived after the roll was called. Also present were Mayor William W. Dickinson, Jr. and Thomas A. Myers, Comptroller. Attorney Mantzaris arrived at 7:25 p.m. The pledge of allegiance was given to the flag.

A motion was made by Mr. Doherty to have the following items placed on the Consent Agenda, to be voted upon as a block by one unanimous vote:

ITEM 13. Consider resolution authorizing Mayor William W. Dickinson, Jr. to file application for a Summer Work Experience Program in an amount

not to exceed \$10,000 from the State Department of Human Resources.

ITEM 16. Confirm appointments to Wallingford Historic Commission.

ITEM 20. Consider acceptance of Town Council Meeting Minutes of April 12, 1988.

Mrs. Papale seconded the motion and read the following resolution into the record (Item 13.)

CERTIFIED RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF WALLINGFORD FOR A SUMMER WORK EXPERIENCE PROGRAM

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

(Date)

(Clerk)

(Seal)

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

WHEREAS, it is desirable and in the public interest that the TOWN OF WALLINGFORD make application to the State in order to undertake a Summer Work Experience Program and, to execute a Grant Action Request.

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapter 133 and 300a of the Connecticut General Statutes.
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 Local Agency in an amount not to exceed \$10,000.00 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 Commissioner of Human Resources, to provide such additional information, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the TOWN OF WALLINGFORD.

VOTE: Adams, Holmes and Parisi absent for vote; all other ayes; motion duly carried.

ITEM 3. Consider and approve a transfer requested by Chief of Police: \$4,000 from Janitorial Services and \$900 from Degree Allowance \$2,000 to Natural Gas, \$1,200 to Telephone, \$900 to Car Rental & \$800 to Printing, moved by Mrs. Papale and seconded by Mr. Adams.

Chief Bevan explained that as of right now, he is short \$551.35 to pay the natural gas bill for the month of April. He added that the new total is \$3,351.35.

Mr. Zandri asked Chief Bevan to explain Degree Allowance. Chief Bevan explained that anyone who has a Bachelor's Degree, is paid \$500 per year in addition. This is payable on the first payday of July. The reason that there is a surplus, is because he had two men leave before they collected the Degree Allowance.

Mr. Edward Musso, 56 Dibble Edge Road, commented that the Police Department can save money on car rental. He suggested that the foot patrol walk from the station instead of parking their cars downtown. Chief Bevan noted that the car rental is for detectives.

VOTE: Unanimous ayes; motion duly carried (Parisi passed)

ITEM 4. Consider and approve transfers requested by Public Works:

- (a) \$2,000 from Foreman's Salary to Maintenance of Lighting System
- (b) \$2,000 from Snow Removal Wages to Maintenance of Vehicles
- (c) \$3,000 from Salt to Vehicle Expense
- (d) \$2,400 from Snow Removal Wages to Disposing of Tires
- (e) \$1,000 from Wages-Superintendent to Town Hall (New) Janitorial.

moved by Mrs. Papale, seconded by Mr. Doherty, (4a only)
Mr. Killen explained that Public Works was missing a foreman for a long period of time and needs the money.

VOTE: (4a) Bradley, Parisi and Zandri voted no; all other ayes; motion duly carried.

(4b), moved by Mrs. Papale and seconded by Mr. Doherty.

Mr. Deak explained that they have a lot of projects going on right now and all of their equipment is old. To keep running this equipment, they need constant maintenance.

Mr. Killen asked what Vehicle Expense was and Mr. Deak explained that they are bringing all of the excess fill to the landfill. Vehicle Expense is the landfill.

VOTE: Bradley, Parisi and Zandri voted no; all other ayes; motion duly carried.

(4c), moved by Mrs. Papale and seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

(4d), moved by Mrs. Papale and seconded by Mr. Doherty.

Mr. Deak explained that for one load of tires, they have to pay \$800. They have a tire contractor picking up the usable tires and he takes them for free.

VOTE: Bradley, Parisi and Zandri voted no; all other ayes; motion duly carried.

(4e), moved by Mrs. Papale and seconded by Mr. Doherty.

Mrs. Eleanor Durgan, 36 Kingsland Avenue, asked Mr. Deak why the grass around the RR is not green like the rest of the town and Mr. Deak explained that the grass is sod and the man who promised to fertilize it has not done it yet, and he has been called several times, regarding this. This was done under the Beautification Committee.

VOTE: Doherty, Holmes, Parisi and Zandri voted no; all other ayes; motion duly carried.

ITEM 5. Consider and approve transfer requested by Water Division:

- \$3,000 from Administrative & General Salaries
- \$1,000 to Pumping Miscellaneous Expenses
- \$2,000 to Maintenance Transmission & Collection Lines

moved by Mrs. Papale and seconded by Mr. Doherty.

VOTE: Bradley, Parisi, Solinsky and Zandri voted no; all other ayes; motion duly carried.

ITEM 6. Consider and approve a transfer requested by Sewer Division:
\$16,300 from Power Purchased & Natural Gas
\$13,000 to Power Purchased for Pumping
\$ 3,300 to Maintenance Transmission & Collection Lines

moved by Mrs. Papale and seconded by Mr. Holmes.

Mr. Doherty asked for a progress report on the new treatment plant construction. Mr. Roger Dann explained that the status at this point, is relatively similiar to where they were 2 weeks ago, when the Council had their last report on that, which is about 75% complete.

Mr. Killen asked if the contamination has been taken care of and Mr. Dann explained that in regard to the contamination found at the Pumping Station site, that has been discussed and approved for the start of the pumping again, by the State and there are questions that need to be resolved, with regard to the safety for the contractors personnel working in that area.

VOTE: Unanimous ayes; motion duly carried.

ITEM 8. Consider and approve a transfer requested by Town Clerk:
\$1,200 from Clerk's Wages to Advertising, moved by Mrs. Papale and seconded by Mr. Holmes.

Kathryn Wall, Town Clerk explained that there is a surplus in this account.

VOTE: Zandri voted no; all other ayes; motion duly carried.

ITEM 9. Consider and approve transfers requested by Mayor Dickinson:
(a) \$1,000 from ICMA/CCM Management Information Systems to Advertising
(b) \$ 500 from ICMA/CCM Management Information Systems to Advertising
(c) \$ 500 from Legislative Action Conference to Copier Rental

(a), moved by Mrs. Papale and seconded by Mr. Adams.

Mr. Musso asked Mayor Dickinson what ICMA/CCM stands for. Mayor Dickinson explained that they are accounts for payment of membership in an organization. The town is not a member of CCM any longer but, they do belong to another. Mayor Dickinson explained that (a & b) deal with advertising that has already taken place, and (c) deals with additional advertising (phone numbers), all having to do with the move to the new Town Hall.

VOTE: Unanimous ayes; motion duly carried.

(b), moved by Mrs. Papale and seconded by Mr. Bradley.

Mrs. Papale explained that this money is for the new phone numbers for the Town Hall.

VOTE: Unanimous ayes; motion duly carried.

(c), moved by Mrs. Papale and seconded by Mr. Adams.

Mayor Dickinson explained that they changed the method of billing in one month, and it is in accordance with the provisions of the contract.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11. Consider and approve a transfer requested by Comptroller:
\$250 from Maintenance of Equipment & \$500 from State Meetings
\$750 to Maintenance of Programs

WITHDRAWN

ITEM 12. Consider and approve a transfer requested by Tax Collector:
\$7,112 from Self-Insurance Claims to Tax Refunds, and approved tax refunds totalling \$7,111.99, moved by Mrs. Papale and seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 14. Consider and approve resolution authorizing Town of Wallingford to submit an application to the Commissioner of the Department of Environmental Protection for an Open Space Land Acquisition, Assistance and/or Development Grant known as Open Space Land Acquisition Project.

Mrs. Papale moved and read the following resolution:

RESOLUTION OF MUNICIPAL LEGISLATIVE BODY

WHEREAS, the Municipality wishes to make application and obtain financial assistance from the State of Connecticut and, if available, the Federal government.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD AS FOLLOWS:

1. That an application be made to the Commissioner of the Department of Environmental Protection for an Open Space Land Acquisition, Assistance, and/or Development Grant for a municipal project known as Open Space Land Acquisition Project.
2. That it is the intent of the municipality that should its application be selected and approved by the Commissioner of the Department of Environmental Protection, that adequate funding for operating and maintaining the property and/or facilities will be provided.
3. That the Chief Executive Officer is hereby authorized and directed to execute and file such application, and to act as authorized correspondent.
4. That the Chief Executive Officer is hereby authorized to enter into such agreements, contracts and execute all documents necessary to said grant with the State of Connecticut.
5. That the proposed acquisition is in accordance with the Plan of Development of the Municipality and that, should said grant be made, said land will be retained in accordance with the provisions of Section 7-131a through 7-131k of the General Statutes, as amended.

Mayor Dickinson explained that the town would bear 60% of the potential cost and could be in the neighborhood of \$1,000,000. The whole subject of acquiring open space is important to the community but, we should go into it knowing that it will absorb money on a yearly basis.

Mr. Zandri commented that once your application is picked, you have the right to pick the land that is going to be purchased. Mayor Dickinson agreed and then Mr. Zandri asked if there was a fixed amount of money that had to be spent. Mayor Dickinson explained that it comes down to what they are willing to offer or allocate to the Town of Wallingford, and nothing over 40% will be refunded. Mr. Roe added that the entire pot that DEP has available is \$5,000,000.

Mr. Bradley asked if there was an inventory of the Watershed area abutting properties and Mr. Roe replied yes.

Mr. Doherty commented that he believes that the town should move ahead on projects like this whenever they get the chance. If the town does not take steps to preserve this land, it will be lost to development.

Mr. Holmes commented that the town will be very selective when entering into a project such as this, because the cost could be very high dollar-wise.

VOTE: Unanimous ayes; motion duly carried.

Public Question and Answer Period (7:30 p.m.)

Regarding the spring clean-up, Mr. Raymond Rys, 96 Pierson Drive, suggested that the Public Works Department lend a hand and help pick up the bulky materials that otherwise would not be picked up if it had to be taken care of by more than one person.

Mrs. Carolyn R. Massoni, 41 Hillsvie Road, commented that she read in the paper that the Town Clerk had planned on closing her office during the move to the new Town Hall and Kathryn Wall, Town Clerk,

told Ms. Massoni that she had spoken to other Town Clerks that have moved and they also suggested that the office close during the move.

Mr. James B. Williams, 517 Pilgrim Harbor, asked if the Town Clerk's employees would be paid for being off. Ms. Wall explained that the employees will be there and anything that comes in through the mail will be recorded and if anyone shows up, she will be glad to help them out as much as she can.

Regarding the proposal for Open Space Property, Mr. John Marriott, 33 Grieb Road asked if the town maintains an inventory of open space properties that the town has and designate the public access to them. Mayor Dickinson explained that one of the reasons that the town stopped taking small parcels is because of access questions and the inability to police and manage the sections.

Mr. Edward Musso, 56 Dibble Edge Road, commented that he does not think that the world will come to an end if the Town Clerk's Office is closed for a couple of days.

Mrs. Eleanor Durgan, 36 Kingsland Avenue asked if anyone had received a progress report from the Simpson Pond Committee. Mr. Doherty explained that the Committee has met several times and they are in contact with Carabetta Enterprises in Meriden, but there is nothing to report until further information is received from Carabetta.

ITEM 10. Consider and approve a transfer requested by Town Attorney: \$6,450 from Town Attorney Salary to Professional Services, moved by Mrs. Papale and seconded by Mr. Holmes.

VOTE: Bradley, Parisi and Zandri voted no; all other ayes; motion duly carried.

A motion was made by Mrs. Papale to Waive Rule V, seconded by Mr. Adams, for the purpose of consideration and approval of a transfer submitted by the Town Attorney.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to consider and approve a transfer of \$2,580 from Town Attorney Salary to Professional Services, seconded by Mr. Holmes.

VOTE: Bradley and Parisi voted no; all other ayes; motion duly carried.

A motion was made by Mr. Doherty to SET A PUBLIC HEARING on May 10, 1988, at 6:45 p.m. for the Scenic Road Ordinance, seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Parisi to remove Item 15 from the Table for the purpose of discussing and considering changing the date for the Hazardous Waste Collection Day, seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 15. Consider changing date to October 15, 1988 for Wallingford Household Hazardous Waste Collection Day, requested by Laurie J. Manke, Co-Chairman of the Committee, moved by Mrs. Papale and seconded by Mr. Bradley.

Mrs. Papale read a letter from Laurie Manke which explained their future plans and gave a brief status report on the Committee's activities.

Mrs. Papale wished Ms. Manke and her Committee luck.

A motion was made by Mr. Adams to change the date for the Hazardous Waste Collection Day to October 15, 1988, seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 17. UPDATE REPORT on plans for Historic District by Scott Heyl.

Mr. Heyl explained that they hope to move this project along in a forthright manner. The study that was done to date included 188 buildings, including those buildings that were on the Choate campus. Subtracting those, there were approximately 173, while the delineation of the proposed district included 240 properties so, obviously, there were some 65 or 70 properties that were listed in

the district, that were not even inventoried, photographed or documented. They have taken a preliminary look at the proposed district and have determined that they would like to see the district include 285 properties, total. The previous committee had suggested dividing North Main Street and South Main Street into 2 separate districts, and they feel that this is a mistake and they should push ahead with one unified district. They would also like to expand the district to the northerly end of Dutton Park, the Cemetary, all the way to Pine Street and then take a closer look at Choate and try to engage the Choate community in a dialogue regarding the Historic District status. Mr. Heyl added that the proposed Ordinance needs a great deal more clarification and the ordinance was very general in scope and they need to build consensus and generate the support of the property owners in the proposed district and they are going to want to know what this ordinance entails, and what kind of empowerment is involved. They have already had a preliminary meeting with people from the Connecticut Historical Commission and the first meeting of the newly appointed Commission has been scheduled for May 2, 1988.

Mr. Solinsky asked Mr. Heyl who decided that the district should be this large and Mr. Heyl explained that the District Commission to date, had worked in the same general area, but they have taken a look at the historic and the architectural resources and feel that geographically, it makes sense to go from Dutton Park to Pine Street, basically, from a windshield survey.

Mr. Heyl added that they would also like to take a look at the commercial historic district, which is Center Street and look into a Railroad historic district. They feel that it is important that they get the railroad listed on the national register because, that will enable them to go after some preservation grant money for the restoration.

Mr. Doherty pointed out that he believes that it is important to have someone representing Choate sit on this Commission.

Mr. Heyl told the Council that there will be a projected cost involved in this project, the printing of a book containing some 235 photographs, mailing and advertising, etc.

Mayor Dickinson commented that there is only \$2,000 in the budget and if there is not enough, they will have to make it clear soon as to what is needed.

Mr. Heyl added that they will give the Council a periodic update but they would like to have as much material together for a final presentation to planning and to the State, in the early fall and hopefully a Public Hearing.

ITEM 16. Confirm appointments to Wallingford Historic Commission:

<u>Regular</u>	<u>Alternates</u>
Mary I. Annis	David H. Barkin
Gerald E. Farrell, Jr.	Mildred M. Dorsey
Peter J. Fresina	Alice M. Leighner
Steven Lazarus	
Arthur F. Goodearl, Jr.	

moved by Mr. Parisi and seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 18. SET PUBLIC HEARING ON:

AN ORDINANCE APPROPRIATING THE SUM OF \$2,750,000 FOR PROFESSIONAL DESIGN AND ENGINEERING SERVICES FOR A WATER TREATMENT FACILITY AND AUTHORIZING THE ISSUE OF \$2,750,000 BONDS AND TEMPORARY BORROWINGS OF THE TOWN TO MEET SAID APPROPRIATION FOR SUCH PURPOSE.

A motion was made by Mrs. Papale to set the Public Hearing on May 10, 1988 at 6:30 p.m., seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

SET PUBLIC HEARING ON:

AN ORDINANCE APPROPRIATING THE SUM OF \$800,000 FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS, 1988-1989, AND AUTHORIZING

THE ISSUE OF \$800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

A motion was made by Mrs. Papale to set the Public Hearing on May 24, 1988 at 6:30 p.m., seconded by Mr. Holmes.

Mrs. Papale explained that this Public Hearing will fund the 1988-1989 capital improvement program. (East Main Street-Phase IV, Stevens to Grieb)

VOTE: Unanimous ayes; motion duly carried.

ITEM 19. Discussion and explanation of problems with the Department of Environmental Protection over construction of East Main Street by John J. Costello, Town Engineer, requested by Councilman Doherty, moved by Mrs. Papale and seconded by Mr. Solinsky.

Mr. Doherty commented that developers have to stick to a lot of regulations and it was surprising to see the town, which should be setting the example, skipping one of these regulations because of a variety of factors. He explained that he understands some of the pressure that some department heads feel from town officials to move things along. Mr. Doherty added that he would like it to be crystal clear that this type of pressure is not going to come from this Council. They want their department heads to follow all of the different regulations that the town should be following.

Mr. Costello explained that he does expect all developers to adhere to all of the regulations and he will continue to do so. Mr. Costello explained that they started the work without the required permit in hand, and the decision to start the work without the permit was his decision. The previous Town Council was very anxious to get projects under way, once the funds had been appropriated, and they were concerned about East Main Street, because of the poor road conditions. On one occasion, the Town Council transferred \$101,000 from surplus funds into the East Main Street project, in order to get that project going, when the bids came in and exceeded the available funds. On another time, at the Town Council's suggestion, they hired a Consultant to prepare the plans. Also, they did not begin construction until after November 1, 1987. They submitted their application to DEP on June 1, 1987. It took 5 months to get the DEP permit for the culvert contract on East Main Street, and that was a much more environmentally involved project than their road reconstruction project. Since the contractor did not start work until November, that meant that he had 6 or 7 weeks to work, before he would have to shut down for the winter. The first item of work that he started on was the insulation of the water main, an item of construction not covered by DEP. They had included in the plans, everything that DEP normally required for projects of this nature. In late October or early November, he received a phone call from DEP, in which they indicated that their only major concern was the placement of embankment material. At this point, Mr. Costello showed the Council Members a map with the area in question outlined. Mr. Costello continued: We submitted revised plans to DEP in November (20th), and about one month later, (12/23), we received a form letter from DEP, stating that the Commissioner had made a preliminary determination that the project was not going to have a significant impact and he was therefore, going to waive the requirement for a Public Hearing, unless he received a petition signed by 25 residents of the area. He did receive the petition, a Public Hearing will be held, and that was the last correspondence I heard from DEP, until the letter dated April 13, 1988, entitled "Notice of Violation". In any prior conversations that we had with DEP, we have indicated that we were more than willing to do whatever they required us to do, all they had to do was tell us. One of their concerns was that some of the stone that was replaced by the Contractor, ran into the brook. The other concern involved 3 storm drainage outlets. We were asked to plug them. The letter was received late on Friday and we told the contractor to plug them and by Tuesday, they were plugged. They asked us to submit revised and they have been completed and will be in the mail on Wednesday, April 27, 1988.

Mr. Doherty asked Mr. Costello if he wanted to hold up on the project when he heard that there was a petition and a Public Hearing. Mr. Costello explained that he did not think that the Public Hearing would change anything, because of the very minor impact in this area.

Mr. Bradley explained that the public has a right to have a Public Hearing and be heard.

Mr. Killen asked Mr. Costello if another permit will be required for phase IV and Mr. Costello explained that he did not think so because, there are no wetlands involved, but, by the time that the new plans are ready, the town's Inland Wetlands Agency will be in existence.

Mr. Peter Gouveia commented that he is saddened by Mr. Costello's remarks and feels that a municipality should set an example.

Mr. John F. Marriott, 33 Grieb Road, asked Mr. Costello what his explanation was for the plugging of the outlets that were concerns of the DEP. Mr. Costello explained that they were plugged with brick and mortar.

Ms. Cynthia Melvin, 34 Terrace Gardens, asked Mr. Costello why he is going to ignore the Cease and Desist order, as stated in the Record Journal. Mr. Costello explained that he never received a Cease and Desist order and read portions of the following letter which explains that he received a Notice of Violation:

SENT CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 13, 1988

Town of Wallingford
350 Center Street
Wallingford, CT 06492
Attn: John Costello

Re: Notice of Violation
Application # IW-88-1014V
& IW-87-202 -
Reconstruction of East
Main Street

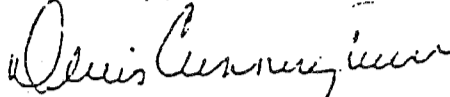
Dear Mr. Costello:

This letter shall serve as a follow-up to a field inspection performed by members of the Water Resources Unit to the area of East Main Street which is the subject of your above referenced permit application. This inspection revealed that regulated activities have already occurred which have not been authorized by the proper permit from this office. In addition, construction activities have occurred which are likely to adversely effect the watercourse on the property. Therefore, you shall be required to cease all construction activities. Further, you must address the following issues before the Department will continue to process your application:

1. At station 19+50, riprap has been placed along the watercourse which appears to have reduced the hydraulic capacity of the watercourse. Any proposed reduction in channel capacity will have to be quantified and reviewed by this office.
2. The stormwater discharges constructed at stations 27+80, 30+80, and 33+10 will discharge down a very steep, long slope before reaching the watercourse. This represents a potential long term adverse erosion problem to the watercourse. This office would recommend that this portion of the drainage system be redesigned to avoid these discharges. For example, the stormwater could be conveyed to a downstream discharge point with a suitably signed plunge pool or drop structure. As an interim measure, these three discharges should be plugged.

You will be required to submit revised drawings reflecting the changes suggested herein to this Office within thirty (30) days of receipt of this letter. Failure to cease all work affecting wetlands and watercourses will result in further enforcement action by this Department. Any questions you have relative to this matter should be directed to Mr. Steven F. Tessitore of my staff at 566-7280.

Sincerely,



Denis Cunningham
Assistant Director
Water Resources Unit

DC:SFT:jc

cc: Mayor William Dickinson
Wallingford Conservation Commission
Vincent E. Santacroce

Mr. Paul Gough, 1 Kingsland Avenue, commented that the law exists to protect everyone and should be followed and asked who will pay the fine if one is issued. Mr. Killen replied, the Town of Wallingford. Mr. Gough does not agree that the Town of Wallingford taxpayers should have to pay for this.

Mr. Killen commented that he feels Mr. Costello is a very good citizen and does not like the power of suggestion that he was doing anything illegal or self-serving.

Mr. Edward Musso pointed out that Mr. Costello was just doing his job for the good of the town.

Mr. John F. Marriott pointed out that a Public Hearing should have been held before any work had begun so that the people concerned with the right-of-way could have been heard.

Mr. William F. Wendt, 16 Pine Glen Terrace, asked Mr. Costello if the town has any obligation to tell the abutting property owners when they are going to enter their property, to expedite, to remove trees, etc. and then he asked how many property owners were notified of the construction activities along this section of the project.

Mr. Costello stated that he feels that the town has an obligation to notify the property owners, if they are going in on their property and they always do, and everyone who has abutting property was notified (twice).

Mr. Wendt added that several of the people in his neighborhood have serious erosion problems caused by the town drains put in back in the early 70's. Mr. Costello explained that these drains are all located within easements that were established at the time of the subdivision. Mr. Costello added that he would get the Public Works to take a look.

Ms. Phyllis E. Corneal, 339 East Main Street suggested to Mr. Costello that when those 2 letters were sent out to the abutting property owners, he should have clearly stated what it was of their property he intended to use and what changes he intended to make.

Mr. Doherty explained that he has high regard for Mr. Costello and wanted to get the message across that there is no rush in the future and they want all of the permits followed.

ITEM 7. Consider and approve a transfer requested by Recreation Department:

\$425 from Pool Painting to Telephone
Moved by Mrs. Papale and seconded by Mr. Bradley.

Mrs. Papale explained that this will be spent for the summer part
Phone connections plus the department's monthly expenses for the
three months.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to Waive Rule V, seconded by Mr.
Sherty, for the purpose of discussing 2 items submitted by Thomas
Myers, Comptroller.

A motion was made by Mrs. Papale to Waive the bidding procedure to
replace electrical wiring, seconded by Mr. Parisi. (Comptroller's Office

Mr. Myers explained that the modular wall system from Simpson
School needs the electric circuitry replaced to provide safe and
reliable service and the cost will be between \$1,900 and \$2,200.

VOTE: All ayes; motion duly carried, with the exception of
Mr. Solinsky who abstained.

A motion was made by Mrs. Papale to transfer \$4,410 from Deputy
Comptroller's Salary to Professional Services-Accountemps, seconded
by Mr. Parisi.

Mr. Myers explained that the Deputy Comptroller has resigned to
accept another position in another municipality. The Finance Department
has been fortunate to secure the services of an experienced professional.
This transfer will cover May 13, 1988 to June 24, 1988.

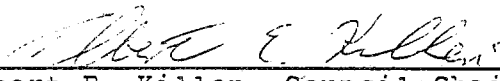
VOTE: Unanimous ayes; motion duly carried.

A motion to adjourn was duly made, seconded and carried and the meeting
adjourned at 9:27 p.m.

Meeting recorded by:
Delores B. Fetta, Council Secretary

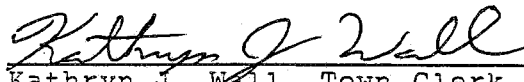
Meeting transcribed by:
Susan M. Baron, Council Secretary

APPROVED


Albert E. Killen, Council Chairman

May 10, 1988

Date


Kathryn J. Wall, Town Clerk

May 10, 1988

Date