

Town Council Meeting Summary

February 9, 1988

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Accepted Wallingford Board of Education Clerical Unit Fact Finding Report dated September 11, 1987.	1
Approved leases and agreement for Wallingford Committee on Aging, Inc.:	
Real Estate Lease	1-3
Agreement	4-5
Motor Vehicle Lease	5-7
Approved appointment of six members to Wallingford Committee on Aging, Inc.:	
Walter J. Carmody & Helen Gaines/term expiring 2/19/89	7
Andrew DelGREGO & Albert J. Gould/term expiring 2/19/90	8
Madeline F. Erskine & Louis W. Hodos, term expiring 2/19/91	8
Approved transfer of \$6,444 from Contingency as follows: \$6,094 to Wages & \$350 to Poll Rental, Registrars of Voters	8
TABLED subject of what, if any, non-wage benefits are appropriate for position of Town Clerk. Merit Review Board will discuss this issue and report back to the Town Council by March 22, 1988.	8
Approved Administrative Aide job description, Public Works Dept.	8
Approved job descriptions for the Sewer Division:	
Attendant III	8-9
Attendant II	10
Attendant I	11
Mechanic II	12
Waived bidding to repair Aerial Lift Truck #25, Electric Division.	13
Approved four transfers for the Electric Division:	
\$ 2,000 from Customer Installations to Meter Maintenance	13
\$ 8,000 from Overhead Lines Maintenance to Street Lighting	13
\$33,500 from Purchased Power as follows:	
\$30,000 to Boiler Labor & \$3,500 to Prime Movers & Generator Labor	13
\$25,000 from Structures & Improvements to Tools	13
Approved transfer of \$500 from Contingency to Town Soup Kitchen (\$1,000 requested initially/transfer amended at meeting) Evangelical and Reformed United Church of Christ withdrew its offer to house soup kitchen at its South Cherry Street location. United Pentecostal Church on Meadow Street to host soup kitchen.	13
Waived Rule V to discuss request of Jay Cretella, Adult Education Director, to use space at Railroad Station for Parent Support Center/request granted with the proviso that a minimum expenditure be made to provide a habitable room.	13
Read letter dated January 12, 1988 from former Councilman James A.G. Krupp pertaining to Code of Ethics. Councilman Zandri felt that the definition of a relative should be better defined.	14
Report from Town Engineer on progress of various phases of work on East Main Street. John F. Marriott, 33 Grieb Road, requested that East Main Street be designated as a scenic road. Councilman David J. Doherty to submit agenda item in this regard in March, 1988. Attorney Phyllis Corneal also felt that East Main Street should be designated as a scenic road.	14
Approved transfer of \$12,000 from Superintendent Salary to Tree Removal, Public Works Department.	14
Parking Options at Robert Earley presented by Linda A. Bush. Option #2 favored by Linda A. Bush, Town Planner.	15-17
Authorized Mayor William W. Dickinson, Jr. to enter into negotiations for the purpose of making an offer to purchase and leaseback American Legion property.	17

Approved purchase of two Walkie/Talkies, Police Department.	18
DENIED waiving bidding to allow Personnel Director to seek requests for proposals for a study of supervisory and non-bargaining managerial studies.	18
Approved granting approval of sick leave to two employees, to be repaid, requested by Stanley A. Seačale, Director of Personnel (15 days to one employee & 23 days to another).	18
Public Hearing Set for 7:45 p.m. on February 23, 1988 on AN ORDINANCE ESTABLISHING AN INLAND WETLANDS COMMISSION.	18
Withdrew consideration of approval of Consent Agenda; Councilman Doherty distributed more data on Consent Agenda for Council to review and consider at March meeting.	18
Empowered Mayor William W. Dickinson, Jr. to appoint committee to evaluate Simpson School; five member committee as follows: One member to be appointed from the Recreation Commission One member to be appointed from Town Council/Albert E. Killen One member to be appointed from Youth Board One member to be appointed from VNA Board One member to be appointed from Mayor's Office Requests for space at Simpson School to be evaluated and report made to Town Council in July, 1988.	19
Approved transfer of \$2,380 from Training to Professional Services-Accountemps, Comptroller's Office/waived bidding.	19
Appointed Anthony D. Vecchitto to Public Celebrations Committee/reappointed existing 14 member committee from 2/1/88 to 2/1/90.	19
Approved transfer of \$675 from Contingency to Public Celebrations Committee/Wallingford, England visitors.	19
Public Hearing Set for 8:00 p.m. on February 23, 1988 on appropriating the sum of \$44,211/Federal Revenue Sharing Trust Funds, Comptroller's Office.	19
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Simpson Pond Study Committee named: Wilbur F. Abbott Michael Buchas David J. Doherty Peter J. Fresina Nancy H. Gerber Peter P. Hale State Rep. Mary Mushinsky Robert F. Parisi Peter Scott	19
Noted for record Radon Testing Report Results.	19
Noted for record Town of Wallingford Financial Statements for the month ending January 31, 1988.	19
Noted for record financial statements of Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center for the quarter ended December 31, 1987.	20
Accepted Town Council Meeting Minutes dated January 26, 1988.	20
Noted Correspondence: Letter dated 1/29/88 from David M. Hetzel regarding Well #3.	20
Reappointed Community Lake Study Committee: Jeffrey O. Borne, Janet Budzinack, Timothy Cavanaugh, Romeo P. Dorsey, Earl F. Dewey, II, Doctor William W. Dickinson, Theodore C. Hax, Salvatore A. Rascati, Walter F. Serbent, Thomas D. Solinsky, Benjamin F. Sylvester, Robert J. Tedeschi, Philip A. Wright, Jr. and Laurence Zabrowski.	20
Reappointed Flood and Erosion Control Board/Board to consist of Frank C. Adams, Jr., Edward R. Bradley, David J. Doherty, Robert F. Parisi, Thomas D. Solinsky, Geno J. Zandri, Jr. and Albert E. Killen who will act as temporary Chairman; Council Members Steven B. Holmes and Iris F. Papale will be Alternates.	20

Adjourned.

Please note that the tape recorder malfunctioned and did not
record any portion of the meeting except for Side F of tapes.
Motions, seconds and votes are taken in longhand at the meeting.

Town Council Meeting

February 9, 1988

7:30 p.m.

- (1) Roll call and pledge of allegiance to flag.
- (2) Public question and answer period.
- (3) Consider acceptance of Wallingford Board of Education Clerical Unit Fact Finding Report, requested by Stanley A. Seadale.
- (4) Discussion and approval of lease of 284 Washington Street between the Town of Wallingford and Wallingford Committee on Aging.
- (5) Consider appointment of six members to Wallingford Committee on Aging, Inc., requested by Chairman Madeline F. Erskine.
- (6) Consider and approve a transfer of \$6,444 from Contingency: \$6,094 to Wages and \$350 to Poll Rental, requested by Registrars.
- (7) REMOVE FROM TABLE and consider what, if any, non-wage benefits are appropriate for the position of Town Clerk.
- (8) Consider approval of Administrative Aide (Public Works Department) job description, requested by Stanley A. Seadale, Personnel Director.
- (9) Consider approval of modified job descriptions for Attendant I, II, III and Mechanic II, Sewer Division, requested by Stanley A. Seadale.
- (10) Consider waiving the bidding procedure to repair Aerial Lift Truck #25, requested by Michael C. Holmes, Electric Division.
- (11) Consider four transfers for the Electric Division:
 - (a) \$ 2,000 from Customer Installations to Meter Maintenance
 - (b) \$ 8,000 from Overhead Lines Maint. to Street Lights & Signals
 - (c) \$33,500 from Purchased Power: \$30,000 to Boiler Labor and \$3,500 to Prime Movers and Generator Labor
 - (d) \$25,000 from Structures & Improvements to Tools, Shop & Garage
- (12) Consider and approve a transfer of \$1,000 from Contingency to Town Soup Kitchen to 4/30/88, requested by Mayor Dickinson.
- (13) REMOVE FROM TABLE and consider and approve a transfer of \$12,000 from Superintendent Salary to Tree Removal, requested by Mr. Deak.
- (14) Consider establishing a committee to evaluate Simpson School, requested by Mayor William W. Dickinson, Jr.
- (15) Consider approval of Consent Agenda, requested by Councilman Doherty.
- (16) Consider and approve transfer of \$2,380 from Training to Professional Services-Accountemps, requested by Comptroller Thomas A. Myers.
- (17) Consider appointment of Anthony D. Vecchitto to Public Celebrations Committee and reappointment of existing fourteen members, requested by Johanna Fishbein, Chairman.
- (18) Consider and approve a transfer of \$675 from Contingency to Public Celebrations, requested by David M. Hetzel.
- (19) Report on list of Robert Earley Parking Options, presented by Linda A. Bush, Town Planner.
- (20) Consider waiving the bidding procedure to seek requests for proposals for a study of supervisory and non-bargaining managerial studies, requested by Stanley A. Seadale.

- (21) Consider purchase of two Walkie/Talkies, requested by Joseph J. Bevan, Chief of Police.
- (22) SET PUBLIC HEARING on an ORDINANCE ESTABLISHING AN INLAND-WETLAND COMMISSION.
- (23) SET PUBLIC HEARING on appropriating the sum of \$44,211.00 of Federal Revenue Sharing Trust Funds, requested by Comptroller.
- (24) REMOVE FROM TABLE and consider progress report from Town Engineer on different phases of work on East Main Street, requested by Councilman David J. Doherty.
- (25) Consider naming SIMPSON POND STUDY COMMITTEE, requested by Councilman David J. Doherty.
- (26) NOTE FOR RECORD Radon Testing Report Results, requested by Mayor William W. Dickinson, Jr.
- (27) NOTE FOR RECORD Town of Wallingford Financial Statements for the month ending January 31, 1988.
- (28) NOTE FOR RECORD financial reports of the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center for the quarter ending December 31, 1987.
- (29) Consider acceptance of Town Council Meeting Minutes dated January 26, 1988.
- (30) REMOVE FROM TABLE an item of correspondence - Letter dated January 12, 1988 regarding the Code of Ethics which was received from former Councilman James A.G. Krupp.
- (31) CORRESPONDENCE: Letter dated January 29, 1988 from David M. Hetzel regarding Well #3.
- (32) Consider reappointing Community Lake Study Committee, requested by Council Chairman Albert E. Killen.
- (33) Consider reappointing Flood and Erosion Control Board, requested by Council Chairman Albert E. Killen.
- (34) SET PUBLIC HEARING to amend Ordinance #1 entitled "RECREATION ADVISORY BOARD," requested by Council Chairman Albert E. Killen.
- (35) EXECUTIVE SESSION to discuss the issue of SICK LEAVE EXTENSION, requested by Stanley A. Seadale, Personnel Director.

TOWN COUNCIL MEETING

February 9, 1988

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:32 p.m. by Chairman Albert E. Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Adams, Bradley, Doherty, Holmes, Papale, Parisi, Solinsky, Zandri and Killen. Also present were Mayor William W. Dickinson, Jr., Thomas A. Myers, Comptroller, and Town Attorney Adam Mantzaris. The pledge of allegiance was given to the flag.

DUE TO A MALFUNCTION WITH THE TAPE RECORDER, THE TAPES ARE INAUDIBLE.

Rev. Laslo Medyesy gave an invocation.

ITEM 3. Consider acceptance of Wallingford Board of Education Clerical Unit Fact Finding Report, moved by Mr. Holmes and seconded by Mrs. Papale. (requested by Personnel Director)

VOTE: Unanimous ayes; motion duly carried.

ITEM 4. Discussion and approval of lease of 284 Washington Street between the Town of Wallingford and Wallingford Committee on Aging.

A motion was made by Mrs. Papale to approve the Real Estate Lease between the Town of Wallingford and the Wallingford Committee on Aging, seconded by Mr. Parisi.

REAL ESTATE LEASE

THIS AGREEMENT made this 1st day of September, 1987, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town", and WALLINGFORD COMMITTEE ON AGING, INC., a Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafer called "WCA";

W I T N E S S E T H :

1. For and in consideration of the mutual agreements contained herein and subject to the terms and conditions hereinafter stated, Town hereby leases to WCA and WCA hereby leases from Town the premises known as 284 Washington Street, Wallingford, Connecticut, for a term of FIVE (5) YEARS commencing from the date above written at a rental of ONE (\$1.00) DOLLAR per year.

WCA shall use said premises to provide services for the elderly residents of Wallingford through the Wallingford Senior Citizen Center; to coordinate other services for the elderly provided by public and private agencies; and to study the conditions and needs of the elderly in relation to housing, health, economic conditions, employment, and other matters.

3. Town agrees to provide and maintain the following services and utilities free of any charge:

- a. Maintenance and repair of the buildings and equipment connected with the premises including the plumbing, electrical and heating systems; the fire alarm and other emergency warning systems; painting, snow plowing, grass cutting, tree removal, leaf raking, furniture moving, rubbish removal, and other similar services.
- b. Janitorial service.
- c. Water, sewer, gas, and electricity.

4. Town will permit WCA to be named as an additional insured on Town's insurance policy or policies if such will result in lower premium cost to WCA for any insurance it must provide in connection with its tenancy of said premises.

5. Notwithstanding the term set forth in Paragraph One hereof, this Agreement may be terminated by either party upon 180 days written notice to the other.

6. In the event the Town terminates this Agreement for any reason, the Town agrees to use its best efforts to offer

similar premises to the WCA.

7. This Agreement contains all the conditions agreed upon between the parties and any alteration must be in writing, signed by both parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this day of February, 1988.

Signed, Sealed and Delivered

in the Presence of:

TOWN OF WALLINGFORD

BY: _____

William W. Dickinson, Jr.
Its Mayor
Duly authorized

WALLINGFORD COMMITTEE ON AGING, INC.

BY: _____

Madeline Erskine,
Its Chairperson
Duly authorized

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Parisi to Waive Rule V to consider the Agreement and the Motor Vehicle Lease between the Town of Wallingford and the Wallingford Committee on Aging, seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to approve the Agreement between the Town of Wallingford and the Wallingford Committee on Aging, seconded by Mr. Parisi.

A G R E E M E N T

THIS AGREEMENT made this 1st day of September, 1987, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town", and WALLINGFORD COMMITTEE ON AGING, INC., a Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafter called "WCA";

WHEREAS: Section 7-148(E) provides authority for a municipality to provide services and money to a private organization providing a public service; and

WHEREAS: The WCA is providing a needed public service to the elderly residents of Wallingford, Connecticut, and to the Town;

NOW THEREFORE, Town agrees to provide the following services, including any costs connected therewith, free of any charge:

1. Copy and printing service through Central Services, Department of Purchasing, including paper.

2. Mail service including postage.
3. Technical assistance through the office of Program Planning.
4. Additional services as same may be recommended by the Mayor and approved by the Town Council. The minutes of any vote of the Town Council approving any additional services shall be appended to this Agreement and become a part hereof.

THIS AGREEMENT shall remain in full force and in effect for a period of FIVE (5) YEARS from the 1st day of September, 1987, unless sooner terminated or amended by the Town.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this _____ day of February, 1988.

Signed, Sealed and Delivered
in the Presence of:

TOWN OF WALLINGFORD

BY: _____
William W. Dickinson, Jr.
Its Mayor
Duly authorized

WALLINGFORD COMMITTEE ON
AGING, INC.

BY: _____
Madeline Erskine,
Its Chairperson
Duly authorized

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to approve the Motor Vehicle Lease between the Town of Wallingford and the Wallingford Committee on Aging, seconded by Mr. Holmes.

MOTOR VEHICLE LEASE

THIS AGREEMENT made this 1st day of September, 1987, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town", and WALLINGFORD COMMITTEE ON AGING, INC., a Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafter called "WCA";

W I T N E S S E T H :

1. For and in consideration of the mutual agreements contained herein and subject to the terms and conditions hereinafter stated, Town hereby leases to WCA and WCA hereby leases from Town a 1980 Chevrolet 22 to 24 passenger van bearing I.D. No. 3A3303677 for a term of FIVE (5) YEARS commencing from the date above written at a rental of ONE (\$1.00) DOLLAR per year.

2. WCA shall use said vehicle to provide transportation for the elderly residents of Wallingford through programs developed by the Wallingford Senior Citizen Center.

3. Town will permit WCA to purchase gasoline for said motor vehicle from the Town's supply at the Public Works yard and to pay for same at a price equal to the Town's cost.

4. Town will provide and pay for property and liability insurance covering said vehicle and WCA will reimburse Town Town's cost of same.

5. Notwithstanding the term set forth in Paragraph One hereof, this Agreement may be terminated by either party upon thirty (30) days written notice to the other.

6. This Agreement contains all the conditions agreed upon between the parties and any alteration must be in writing, signed by both parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this day of February, 1988.

Signed, Sealed and Delivered
in the Presence of:

TOWN OF WALLINGFORD

BY: _____

William W. Dickinson, Jr.
Its Mayor
Duly authorized

WALLINGFORD COMMITTEE ON
AGING, INC.

BY: _____

Madeline Erskine,
Its Chairperson
Duly authorized

Madeline Erskine commented that these agreements are identical to what the town has provided in the past, with no increases in cost.
VOTE: Mr. Parisi was not present for the vote; all other ayes; motion duly carried.

ITEM 5. Consider appointment of six members to Wallingford Committee on Aging, Inc., moved by Mrs. Papale and seconded by Mr. Solinsky.

Effective: February 19, 1988, Expiring: February 19, 1989:
Walter Carmody
Helen Gaines

Effective: February 19, 1988, Expiring: February 19, 1990:
Andrew DelGrego
Albert Gould

Effective: February 19, 1988, Expiring: February 19, 1991:
Madeline Erskine
Louis Hodos

VOTE: Unanimous ayes; motion duly carried.

ITEM 6. Consider and approve a transfer of \$6,444 from Contingency: \$6,094 to Wages and \$350 to Poll Rental, requested by Registrars, moved by Mrs. Papale and seconded by Mr. Parisi.

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

ITEM 7. REMOVE FROM TABLE and consider what, if any, non-wage benefits are appropriate for the position of Town Clerk.

A motion was made by Mr. Holmes to remove ITEM 7 from the Table, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Holmes to have 7 days vacation pay granted to former Town Clerk Rosemary Rascati, seconded by Mr. Doherty.
(NO VOTE TAKEN)

Merit Review Liaison Committee to research matter for Town Council.
A motion was made by Mr. Parisi to Table Item 7, seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

The Merit Review Board will report back to the Council by March 22, 1988.

ITEM 8. Consider approval of Administrative Aide (Public Works Department) job description, requested by Personnel Director, moved by Mr. Adams and seconded by Mrs. Papale.

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

ITEM 9. Consider approval of modified job descriptions for Attendant I, II, III and Mechanic II, Sewer Division, requested by Personnel Director, moved by Mrs. Papale and seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

ATTENDANT III

Sewer Division

General Statement of Duties: Operate and maintain all equipment and processes related to the sewage treatment facility. Enter operational or other data into computer as required. Prepare required reports and summaries. Perform the work of lower classifications as required. Provide training on equipment and processes. Take samples and make laboratory tests related to operational control as required. Make decisions within the scope of responsibilities in performing assigned duties of other attendants and maintenance personnel.

Supervision Received: Works under the immediate supervision of the Assistant Superintendent or as assigned.

Supervision Exercised: Directs the activities of other attendants and maintenance personnel.

Required Qualifications, Knowledge, Skills and Ability: Thorough knowledge of current sewage treatment principles and practices, laboratory analysis and the operation and maintenance of specialized equipment used in sewage treatment. Some knowledge of maintenance skills such as electrical, plumbing, masonry and carpentry. The ability to plan and supervise the work of others, enter data into a computer and to maintain timely files and records, understand and convey complex oral and written instructions, train other personnel, establish and maintain effective working relationships with other employees. Must obtain a valid Connecticut Class 2 driver's license within six months of employment.

Experience and Training: Graduation from a regular or vocational high school and two years of job-related college education or specialized training in the environmental field and four years experience in the operation of a comparably-sized sewage treatment facility. (One additional year of experience may be substituted for one year of education). Required to obtain a Connecticut Class III Water Pollution Control Facility Operator Certification within six months of employment.

Sewer Division

General Statement of Duties: Operates and maintains all equipment and processes related to the sewage treatment facility. Takes samples and performs laboratory analysis as required for operational control. Takes readings and maintains records on treatment facility equipment and process functions. Shall perform the work of a lower classification as required. Shall be responsible for process operation during a specific tour of duty. Performs simple electrical, plumbing, masonry and carpentry work as required. Performs on-call work as required. Performs related work as required.

Supervision Received: Works under the immediate supervision of Attendant III.

Supervision Exercised: As designated supervisor, directs the activities of one or more Attendant Ones.

Required Qualifications, Knowledge, Skill and Ability: Ability to understand and follow complex written and oral instructions. Knowledge of sewage treatment principles and processes, and laboratory analysis. Knowledge of equipment and machinery operation and maintenance. Knowledge of local and State laws regulating municipal sewage treatment. Good physical condition. Must obtain a valid Connecticut Class 2 driver's license within six months of employment.

Required Experience and Training: Graduation from high school or trade school and one year of related college level education or specialized training in the environmental field and three years of experience in the operation of a comparably-sized sewage treatment facility (one additional year of experience may be substituted for one year of education). Required to obtain a Connecticut Class II Water Pollution Control Facility Operator Certification within six months of employment.

ATTENDANT I

Sewer Division

General Statement of Duties: Performs general work in the treatment facility and collection system. Assists other personnel in the operation and maintenance of treatment and collection system equipment. Trucking and spreading residue to outside of facility. Painting, building and grounds maintenance. Snow removal. Sampling. Performs related work as required.

Supervision Received: Works under the immediate supervision of Attendant II or Maintainer II.

Required Qualifications, Knowledge, Skill and Ability: Ability to follow written and oral instructions. Some knowledge of sewage treatment processes. General knowledge of equipment and machinery operation and maintenance. Good physical condition. Must obtain a valid Connecticut Class 2 driver's license within six months of employment.

Required Experience and Training: Graduation from high school or trade school. One year of employment involving operation, maintenance and care of mechanical equipment.

MECHANIC II

Sewer Division

General Statement of Duties: Perform skilled mechanical work in the repair and maintenance of motor vehicles, internal combustion equipment and all sewage treatment equipment including, but not limited to, pumps, drives, reducers, motors, etc. Weld parts and machinery as required using gas and heli-arc as appropriate. Use machine tools and other equipment to manufacture equipment components as required. Maintain necessary records and logs including inventory control. Perform duties of lower classifications as required. Work closely with and assist the Electrical Technician and Attendants as required.

Supervision Received: Works under the immediate supervision of the Mechanic III or as assigned.

Supervision Exercised: Directs the activities of Mechanic I and others as assigned.

Required Qualifications, Knowledge, Skill and Ability: Considerable knowledge of mechanical, heating and ventilation, pumping and vehicle repair and maintenance principles, practices and techniques. Ability to operate and utilize machine tools, power equipment, hand tools, welding equipment, to read and follow complex written and oral instructions, to maintain accurate records, to maintain effective working relationships with other employees. Must obtain a valid Connecticut Class 2 driver's license within six months of employment.

Required Experience and Training: Graduation from high school or trade school and one year of related college level education or specialized maintenance training and four years of experience in the repair and maintenance of mechanical and motorized equipment. (One additional year of experience may be substituted for one year of education).

ITEM 10. Consider waiving the bidding procedure to repair Aerial Lift Truck #25, Electric Division, moved by Mr. Holmes and seconded by Mr. Bradley.

VOTE: Doherty and Killen voted no; all other ayes; motion duly carried.

ITEM 11. Consider four transfers for the Electric Division:

11(a). \$ 2,000 from Customer Installations to Meter Maintenance, moved by Mrs. Papale and seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

11(b). \$ 8,000 from Overhead Lines Maint. to Street Lights & Signals, moved by Mrs. Papale and seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

11(c). \$33,500 from Purchased Power: \$30,000 to Boiler Labor and \$3,500 to Prime Movers and Generator Labor, moved by Mrs. Papale and seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

11(d). \$25,000 from Structures & Improvements to Tools, Shop & Garage, moved by Mrs. Papale and seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 12. Consider and approve a transfer of \$1,000 from Contingency to Town Soup Kitchen to 4/30/88, requested by Mayor Dickinson, moved by Mrs. Papale and seconded by Mr. Doherty. (SEE NEW MOTION).

Transfer request amended from \$1,000 to \$500.

A motion was made by Mrs. Papale to approve a transfer of \$500 from Contingency to Town Soup Kitchen to 4/30/88, seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

Recess: 10:25 p.m. to 10:35 p.m.

A motion was made by Mr. Doherty to Waive Rule V, to discuss space in the Wallingford Railroad Station for the Adult Education Program, Parent Support Center, seconded by Mr. Zandri.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to approve the use of the basement space in the Wallingford Railroad Station for the Parent Support Center, seconded by Mr. Solinsky.

It was mentioned by the Council Members that they did not want Mr. Cretella to spend a lot of money on this project.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to move up Item #30, seconded by Mr. Parisi.

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

ITEM 30. REMOVE FROM TABLE an item of correspondence - Letter dated January 12, 1988 regarding the Code of Ethics which was received

FROM FORMER COUNSELLOR JAMES A.G. KRUPP, MOVED BY MRS. PAPALE AND
seconded by Mr. Parisi.

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

Mr. Zandri stated that he would like the definition of a relative explained because he felt that the letter was too vague.

Mr. Krupp stated that he felt that his letter was fully explanatory.

A motion was made by Mr. Parisi to move up Item 24, seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

ITEM 24. REMOVE FROM TABLE and consider progress report from Town Engineer on different phases of work on East Main Street, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

From notes taken at the meeting, the following people spoke;

Mr. Henry Renfrew, 25 Audette Drive; Ms. Phyllis Corneal, 339 East Main Street; Mr. John F. Marriott, 33 Grieb Road; Mr. James H. Wilson, 378 East Main Street; Mr. Paul Gough, 1 Kingsland Avenue.

A motion was made by Mr. Doherty to invoke Rule IV, to continue the meeting on Thursday, February 11, 1988, at 7:00 p.m. (THERE WAS NO SECOND) No vote taken on this motion.

A motion was made by Mr. Adams to Waive Rule IV, to continue the meeting past the 11:00 p.m. time limit, seconded by Mr. Solinsky.

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

A motion was made by Mrs. Papale to remove Item 13 from the table, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 13. Consider and approve a transfer of \$12,000 from Superintendent Salary to Tree Removal, Public Works Department, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Adams and Bradley voted no; Doherty passed; Holmes was absent; Papale, Parisi, Solinsky, Zandri and Killen voted yes; motion duly carried.

A motion was made by Mrs. Papale to move up item 19, seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

ITEM 19. Report on list of Robert Earley Parking Options, presented by Linda A. Bush, Town Planner, moved by Mr. Holmes and seconded by Mr. Solinsky.

PARKING OPTIONS
NEW TOWN HALL

Spaces Gained

1. Lease rear of American Legion

30

Pros

- a. Lower initial cost
- b. Contiguous to Robert Earley
- c. Provides required parking

Cons

- a. Town improves property it does not own
- b. At end of lease, Town is without land, parking, and costs of same

2. Purchase American Legion. Lease building back to Legion

30

Pros

- a. Town will only improve property it owns
- b. American Legion is not displaced
- c. Contiguous to Robert Earley
- d. Provides required parking
- e. Provides permanent solution

Cons

- a. Higher initial cost

3. Purchase American Legion and tear down building

46

Pros

- a. Provides parking for both Town Hall employees and public
- b. Town will only improve property it owns
- c. Contiguous to Robert Earley
- d. Provides required parking
- e. Provides permanent solution

Cons

- a. Higher initial cost
- b. Displaces American Legion
- c. Variance needed to allow parking to side of building

4. Develop major parking area in commercial area by assembling additional properties contiguous to Robert Earley by purchase and/or lease

80

Pros

- a. Contiguous to Robert Earley
- b. Provides parking for both Town Hall employees and public

Cons

- a. Complicated
- b. Unclear whether there is need for this many spaces in this location
- c. Costly

5. Purchase residential property contiguous to Robert Earley and tear down house

31

Pros

- a. Contiguous to Robert Earley
- b. Provides as many spaces as rear of Legion

Cons

- a. Creates parking lot in residential zone
- b. Stairs needed to access Robert Earley

6. Remove Carriage House and Electric Substation at cost of \$250,000 - \$500,000

12

Pros

- a. Creates additional parking spaces

Cons

- a. Extremely costly for number of spaces created
- b. Carriage House considered historic

7. Hire consultant to do feasibility study of grade separated parking

?

Pros

- a. Garage will provide additional parking without land purchase

Cons

- a. Will cause major disruption in parking during construction
- b. Consultants cost money
- c. Grade separated parking will appear out of place in Historic District

8. Purchase only 82 X 110 rear portion of Legion property

14

Pros

- a. Provides permanent solution
- b. Allows Legion to stay
- c. Contiguous to Earley
- d. Provides required parking

Cons

- a. Because must leave legal building lot for Legion, land available for purchase is small

Pros

- a. Provides required parking
- b. Less costly than other solutions

Cons

- a. Short term solution
- b. Required parking is located more than 500 feet from use, in violation of Section 6.11.F. of the zoning regulations

10. Do Nothing

None

Pros

- a. Does not cost Town anything

Cons

- a. Employees will end up parking on adjacent streets, which will precipitate complaints from both commercial and residential property owners about parking in front of their properties.
- b. Public users of the Town Hall will complain.
- c. Does not comply with Planning and Zoning's January 16, 1987 approval, which required 120 spaces.

A motion was made by Mrs. Papale to Waive Rule V, for the purpose of discussing the possibility of having the Mayor enter into negotiations with the American Legion, seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Holmes to have the Mayor enter into negotiations for the purpose of making an offer to purchase and lease back the American Legion property, seconded by Mr. Solinsky.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to move up Item 21, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 21. Consider purchase of two Walkie/Talkies, Chief of Police, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Solinsky was not present for the vote; all other ayes; motion duly carried.

A motion was made by Mrs. Papale to move up Item 20, seconded by Mr. Parisi.

VOTE: Solinsky was not present for the vote; all other ayes; motion duly carried.

ITEM 20. Consider waiving the bidding procedure to seek requests for proposals for a study of supervisory and non-bargaining managerial studies, requested by Personnel Director, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Solinsky was absent for the vote; Holmes voted yes; Adams, Bradley, Doherty, Papale, Parisi, Zandri and Killen voted no; motion did not carry.

ITEM 35. Mrs. Papale moved to grant sick leave to two employees, one 15 day extension and one 23 day extension, to be repaid per signed agreement, seconded by Mr. Parisi.

Mr. Seadale explained that it would not be necessary to go into Executive Session for this item since he would not name the employees involved.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to temporarily Table Item 14 seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to move up Item 22, seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 22. SET PUBLIC HEARING on an ORDINANCE ESTABLISHING AN INLAND-WETLAND COMMISSION , for February 23, 1988, at 7:45 p.m., moved by Mrs. Papale and seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 15. Consider approval of Consent Agenda, requested by Councilman Doherty. (WITHDRAWN)

A motion was made by Mr. Adams to remove Item 14 from the Table, seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 14. Consider establishing a committee to evaluate Simpson School, and empower Mayor to appoint committee, requested by Mayor Dickinson, moved by Mrs. Papale and seconded by Mr. Parisi.

The Committee will report back to the Council by July.

VOTE: Unanimous ayes; motion duly carried.

ITEM 16. Consider and approve transfer of \$2,380 from Training to Professional Services-Accountemps, requested by Comptroller, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to Waive the Bid (item 16), seconded by Mr. Solinsky.

VOTE: Unanimous ayes; motion duly carried.

ITEM 17. Consider appointment of Anthony D. Vecchitto to Public Celebrations Committee and reappointment of existing fourteen members, requested by Johanna Fishbein, Chairman, effective 2/1/88 to 2/1/90, moved by Mrs. Papale and seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

ITEM 18. Consider and approve a transfer of \$675 from Contingency to Public Celebrations, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 23. SET PUBLIC HEARING on appropriating the sum of \$44,211.00 of Federal Revenue Sharing Trust Funds, for February 23, 1988 at 8:00 p.m., requested by Comptroller, moved by Mrs. Papale and seconded by Mr. Solinsky.

VOTE: Unanimous ayes; motion duly carried.

ITEM 25. Consider naming SIMPSON POND STUDY COMMITTEE, consisting of the following names; Mr. Robert Parisi, Mr. David Doherty, State Representative Mary Mushinsky, Nancy Gerber, Mr. Abbott, Mike Buckas, Peter Fresina, Peter Hale and Peter Scott, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 26. NOTE FOR RECORD Radon Testing Report Results, requested by Mayor Dickinson, moved by Mr. Doherty and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 27. NOTE FOR RECORD Town of Wallingford Financial Statements for the month ending January 31, 1988, moved by Mr. Doherty and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 28. NOTE FOR RECORD financial reports of the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center for the quarter ending December 31, 1987, moved by Mr. Doherty and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 29. Consider acceptance of Town Council Meeting Minutes dated January 26, 1988, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 31. CORRESPONDENCE: Letter dated January 29, 1988 from David M. Hetzel regarding Well #3, moved for discussion by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 32. Consider reappointing Community Lake Study Committee, requested by Council Chairman Albert E. Killen, to include the following names: Jeffrey O. Borne, Janet Budzinack, Earl F. Dewey, II, Dr. William W. Dickinson, Theodore C. Hax, Salvatore A. Rascati, Dr. Frank Santillo, Walter F. Serbent, Thomas D. Solinsky, Benjamin F. Sylvester, Robert J. Tedeschi, Philip A. Wright, Jr., Lawrence J. Zabrowski, Romeo P. Dorsey, and Timothy Cavanaugh, moved by Mr. Parisi and seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

ITEM 33. Consider reappointing Flood and Erosion Control Board, requested by Council Chairman Albert E. Killen, moved by Mrs. Papale and seconded by Mr. Holmes, with Mr. Killen as temporary Chairma

AT THIS POINT IN THE MEETING, THE TAPE BECAME AUDIBLE.

Mr. Killen asked Mrs. Papale if should would like to continue to be an alternate and Mrs. Papale replied yes, and Mr. Holmes also volunteered to be an alternate. The remaining members will be the regular members of the board.

VOTE: Unanimous ayes; motion duly carried.

ITEM 34. SET PUBLIC HEARING to amend Ordinance #1 entitled "RECREATION ADVISORY BOARD," requested by Chairman Killen. (WITHDRAWN)

Regarding the Radon testing, Mayor Dickinson pointed out that Wallingford tested very low and we are not eligible to get free kits.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 1:00 a.m.

Meeting recorded by:
Delores B. Fetta, Council Secretary

Meeting transcribed by:
Susan M. Baron, Council Secretary

Approved Albert E. Killen
Albert E. Killen, Council Chairman

February 23, 1988
Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

February 23, 1988
Date

	<u>Page</u>
Moment of silence held for Mr. Anthony Kowalski.	1
Public question and answer period/discussed town wells, parking for new town hall, Oakdale Corporation back taxes.	1-2
Appointed Phyllis DeChello to Board of Education, to fill vacancy created by Roberta Marianella. Sworn in at meeting.	2
Reappointed Gilbert J. Hunter to Board of Tax Review: Term from January 8, 1988 to January 8, 1991. Sworn in at meeting.	2
Appointed Raymond V. Havican to Zoning Board of Appeals (former Alternate member). Term from January 8, 1988 to January 8, 1993.	2
Adopted AN ORDINANCE ESTABLISHING AN INLAND WETLANDS COMMISSION.	3-5
Appropriated \$44,211 Federal Revenue Sharing Trust Funds.	5-6
Approved two transfers for Public Works Department: \$ 5,000 from Wages - General to Salt \$10,000 from Wages - to Wages - Snow Removal	6 6-7
Waived bidding procedure for fireworks.	7
TABLED changing date on resolution regarding HAZARDOUS HOUSEHOLD WASTE COLLECTION DAY/Committee to determine specific date.	7-8
NO ACTION TAKEN on possible investigation of PUC action regarding the Rights-In-Deed group.	8-9
Approved a transfer of \$2,143 from Council Contingency to Tax Refunds.	8
Approved tax refunds totalling \$2,142.35.	9
Approved transfer of \$3,000 from Contingency to Sidewalk Snow Removal, Engineering Department.	9-10
Waived Rule V to request Ordinance Committee to review Sidewalk Snow Removal Ordinance to take under advisement comments made at meeting.	10
Approved transfer of \$727 from Clerical Wages to Paid Vacation, former Town Clerk.	10
Appropriated \$1,169,025 to 1987-1988 Department of Education Budget (\$126,480 to State Grants-Education Minimum Salary Aid and \$1,042,545 to Teacher Salary Aid).	10-11
TABLED action on disposition of 50 x 100 foot lot, Eastern Land Trust on MacKenzie Avenue, until March 8, 1988 meeting.	11-12
Approved a transfer of \$1,000 from Power Operated Equipment to Transportation Equipment, Water Division.	12
Discussed Outside Legal Services. Empowered Town Attorney Feasibility Study Committee to sit down with the Town Attorney and Comptroller and work out a solution to this particular problem involving legal fees.	<u>Page</u> 12-19
Public Hearing March 8, 1988 at 7:45 p.m. on AN ORDINANCE APPROPRIATING THE SUM OF FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000) FOR COSTS TO BE INCURRED IN CONNECTION WITH THE CLOSING OF THE WALLINGFORD LANDFILL, 1988-1989, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.	19
Public Hearing March 8, 1988 at 8:00 p.m. on AN ORDINANCE APPROPRIATING THE SUM OF THREE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED DOLLARS (\$339,500) FOR THE DESIGN AND CONSTRUCTION ENGINEERING PHASES IN CONNECTION WITH THE ACQUISITION OF AN AIR STRIPPING PLANT FOR WATER SUPPLY WELL #2 AND A FILTRATION SYSTEM FOR WATER SUPPLY WELL #3.	20
Accepted Town Council Meeting motions of February 9, 1988.	20
Meeting adjourned.	21

TOWN COUNCIL MEETING

February 23, 1988

7:30 p.m.

- (1) Roll call and pledge of allegiance to flag.
- (2) Public question and answer period.
- (3) PUBLIC HEARING 7:45 p.m. on AN ORDINANCE ESTABLISHING AN INLAND WETLANDS COMMISSION.
- (4) PUBLIC HEARING 8:00 p.m. on appropriating the sum of \$44,211 of Federal Revenue Sharing Trust Funds.
- (5) Consider appointment of Phyllis DeChello to fill vacancy on Board of Education created by resignation of Roberta Marianella.
- (6) Consider reappointment of Gilbert J. Hunter to Board of Tax Review: Term January 8, 1988 to January 8, 1991.
- (7) Consider appointment to Zoning Board of Appeals: Term January 8, 1988 to January 8, 1993.
- (8) Consider waiver of bid for fireworks.
- (9) Change date on resolution regarding HAZARDOUS HOUSEHOLD WASTE COLLECTION DAY.
- (10) Consider and approve two transfers requested by Steven L. Deak, Director of Public Works:
 - (a) \$ 5,000 from Wages - General to Salt
 - (b) \$10,000 from Wages to Wages - Snow Removal
- (11) Discuss possible investigation of PUC action regarding the Rights-In-Deed group.
- (12) Consider and approve a transfer of \$2,143 from Council Contingency to Tax Refunds, requested by Norman Z. Rosow.
- (13) Consider and approve tax refunds totalling \$2,142.35 as follows:

Lawrence H. Cannata	148.50
Charles C. Dearborn	642.66
Thomas Dalkin	216.52
Theodore P. Kiritsis, Jr.	42.41
Offis Corporation	416.84
Walter Kittredge	207.70
Kevin O'Neil	102.88
John F. Canell	95.70
Albert Massoni	71.94
Hector P. Rondo	197.20
Total	<u>\$2,142.35</u>
- (14) Consider and approve a transfer of \$3,000 from Council Contingency to Sidewalk Snow Removal, requested by John J. Costello, Town Engineer.
- (15) Consider and approve a transfer of \$727 from Clerical Wages to Paid Vacation, requested by Council Chairman Albert E. Killen.
- (16) Consider an appropriation of \$1,169,025 to the 1987-1988 Department of Education Budget:
 - \$ 126,480 to State Grants - Education Minimum Salary Aid
 - \$1,042,545 to Teacher Salary Aid
 - \$1,169,025 to Education Department Teacher Salary Aid
- (17) Discussion and action on disposition of 50 x 100 foot improved building lot, zoned residential, Eastern Land Trust on MacKenzie Avenue.
- (18) Consider and approve a transfer of \$1,000 from Power Operated Equipment to Transportation Equipment, Water Division, requested by Raymond F. Smith, Director of Public Utilities.

(19) Discussion of Outside Legal Services, requested by Adam Mantzaris, Assistant Town Attorney.

(20) SET PUBLIC HEARING on two ordinances:

AN ORDINANCE APPROPRIATING THE SUM OF FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000) FOR COSTS TO BE INCURRED IN CONNECTION WITH THE CLOSING OF THE WALLINGFORD LANDFILL, 1988-1989, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

and

AN ORDINANCE APPROPRIATING THE SUM OF THREE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED DOLLARS (\$339,500) FOR THE DESIGN AND CONSTRUCTION ENGINEERING PHASES IN CONNECTION WITH THE ACQUISITION OF AN AIR STRIPPING PLANT FOR WATER SUPPLY WELL #2 AND A FILTRATION SYSTEM FOR WATER SUPPLY WELL #3.

(21) Consider acceptance of minutes of February 9, 1988 Town Council Meeting.

TOWN COUNCIL MEETING

February 23, 1988

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:31 p.m. by Chairman Albert E. Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Adams, Bradley, Holmes, Papale, Parisi, Solinsky, Zandri and Killen. Councilman Doherty and Mayor William W. Dickinson, Jr. arrived after the roll was called. Also present were Thomas A. Myers, Comptroller and Town Attorney Adam Mantzaris. The pledge of allegiance was given to the flag.

Mr. Killen asked for a Moment of Silence for Mr. Anthony Kowalski. Mr. Killen explained that Mr. Kowalski passed away recently and he was a life long servant of the Town of Wallingford. Mr. Kowalski was the former Chairman of the Public Utilities Commission, he served on the Board of Education, the Red Cross, Chairman of the republican party for a number of years and he stood by us in good times and bad and we have lost a good friend.

Public question and answer period.

Mr. Edward Musso, 56 Dibble Edge Road, commented that at the last Town Council Meeting, it was mentioned by someone that some wells should be shut down because of their condition. He did not agree with this and suggested that they look into other alternatives such as conditioners for the water, before jumping the gun. He added that he is peaved at the newspaper because whatever the Council says, is it and they never comment on what the audience is suggesting, especially regarding the parking for the new Town Hall.

Mr. John Burns, 48 Cooper Avenue, commented that maybe the town should try to barter with the club (next to the new Town Hall) and suggested that if the town has a building that they own, it might be attractive to them. Mr. Killen explained that the Mayor is approaching them on a lease-back, so they will not have to move. Mr. Burns asked if this approach would present any legal problems, and Mr. Killen explained that the reason that they are going this way is because they are looking for the rear land but it is going to cost more than a few dollars to improve the rear land because of the difference in height between the two. We don't want to pour that kind of money into land that we do not own, so if we own the building, they would be able to lease it back.

Ms. Johanna Fishbein, 112 East Main Street, asked if the parking for the new Town Hall will disturb the parade ground area, and Mr. Killen explained that the parking was not anticipated to be in the front of the building and the parade ground is only in the front of the building. Ms. Fishbein added that she would be very interested in preserving that area.

Mrs. Eleanor Durgan, 36 Kingsland Avenue, asked if the Oakdale Corporation paid their back taxes totaling \$272,000, and Attornev

Mantzaris explained that they paid it in a lump sum when the sale went through.

ITEM 5. Consider appointment of Phyllis DeChello to fill vacancy on Board of Education created by resignation of Roberta Marianella, moved by Mr. Parisi and seconded by Mr. Holmes.

Mrs. Papale read a letter from Ms. Gail M. Powell, Chairman, Wallingford RTC explaining that Phyllis DeChello was unanimously endorsed by the Republican Town Committee.

VOTE: Doherty was not present for the vote; all other ayes; motion duly carried.

(APPLAUSE)

ITEM 6. Consider reappointment of Gilbert J. Hunter to Board of Tax Review: Term: January 8, 1988 to January 8, 1991, moved by Mr. Holmes and seconded by Mr. Parisi.

Mrs. Papale read a letter from Ms. Gail M. Powell, Chairman, Wallingford Republican Town Committee explaining that the Republican Town Committee unanimously recommends Gilbert Hunter to be reappointed to the Board of Tax Review.

Mr. Parisi stated that during the 6 years that Mr. Hunter has served on this position, he has taken several outside courses and has been certified in the matter of the duties performed by the Commission. Mr. Parisi commended Mr. Hunter for his willingness to serve and also to better himself in the process of his service to the community.

VOTE: Doherty was not present for the vote; all other ayes; motion duly carried.

ITEM 7. Consider appointment to Zoning Board of Appeals: Term January 8, 1988 to January 8, 1993, moved by Mrs. Papale and seconded by Mr. Adams. (Raymond V. Havican).

Mrs. Papale read a letter from the Democratic Town Committee which endorsed Mr. Raymond Havican.

Mrs. Papale commented that Mr. Havican has been an alternate on the Zoning Board of Appeals, has sat in on many of their meetings and believes that he is a good choice for the job. Mr. Killen agreed with Mrs. Papale.

VOTE: Doherty was not present for the vote; all other ayes; motion duly carried.

A motion was made by Mr. Parisi to waive the two week waiting period for the appointments to the Board of Education, Board of Tax Review and the Zoning Board of Appeals (items 5, 6, & 7), seconded by Mr. Holmes.

VOTE: Doherty was not present for the vote; all other ayes; motion duly carried.

Ms. Phyllis DeChello and Mr. Gilbert J. Hunter were sworn in by

Kathryn J. Wall, Town Clerk. Mr. Raymond Havican was not present to be sworn in. (APPLAUSE)

ITEM 3. PUBLIC HEARING on AN ORDINANCE ESTABLISHING AN INLAND WETLANDS COMMISSION.

Mr. Bradley moved and read the following Ordinance:

AN ORDINANCE ESTABLISHING AN INLAND WETLANDS COMMISSION

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD IN SESSION:

There is hereby established an INLAND WETLANDS COMMISSION of the TOWN OF WALLINGFORD pursuant to the provisions of Section 22a-42 of the Connecticut General Statutes.

Said Commission shall consist of five (5) regular members who shall be electors of the Town of Wallingford, no more than three (3) of whom shall be members of the same political party, and three (3) alternate members who shall be electors of the Town of Wallingford, no more than two (2) of whom shall be members of the same political party.

The members shall serve without compensation, shall elect a chairman and a secretary, shall adopt rules for the transaction of business and shall keep a public record of said Commission's activities.

III.

The regular members of said Commission shall hold office as follows:

One to hold office from 3-8-88 to 3-1-89
One to hold office from 3-8-88 to 3-1-90

AN ORDINANCE ESTABLISHING AN INLAND WETLANDS COMMISSION

One to hold office from 3-8-88 to 3-1-91
One to hold office from 3-8-88 to 3-1-92
One to hold office from 3-8-88 to 3-1-93

From 3-1-89 and on March 1 of every year thereafter, one to hold office for a term of five (5) years or until such time as a successor has been appointed and qualified.

The alternate members of said Commission shall hold office as follows:

One to hold office from 3-8-88 to 3-1-89
One to hold office from 3-8-88 to 3-1-90
One to hold office from 3-8-88 to 3-1-91

From 3-1-89 and on March 1 of every year thereafter one to hold office for a term of three (3) years or until such time as a successor has been appointed and qualified.

IV.

The members of said Commission, regular and alternate, shall be appointed by the Town Council. Any vacancy in the membership of said Commission shall be filled by appointment by the Town Council for the unexpired portion of the term in which the vacancy exists. Removal from membership shall be in accordance with the provisions of Chapter 2, Section 11, of the Charter of the Town of Wallingford.

seconded by Mrs. Papale.

Mr. Edward Musso asked if this ordinance was mandated and Mr. Bradley explained that it is mandated by the State of Connecticut that all municipalities that do not have an Inland Wetlands Commission, establish one by July 1, 1988. If you decide not to go that route, the state will charge you for services incurred.

Mayor Dickinson explained that on any ordinance, they are not effective until 21 days after publication in the paper.

Mr. Thomas Wall, 963 Northrop Road, asked what would happen if a successor has not been appointed and Attorney Mantzaris explained that someone could stay for more than 5 years, if there was no one to take his place. Mr. Killen added that the person will not be qualified until he is sworn in.

Mr. Peter Gouveia, 39 Lincoln Drive, commented that this ordinance is long overdue and hopes that the Council will scrutinize the

people elected to this commission.

Mrs. Papale pointed out that there will only be 5 names selected and there are 9 Council Members and asked how this was going to be done. Mr. Killen said that he would like to see as many good names come forward as possible and does not care what party they belong to because this is a matter that should not be taken lightly.

Mr. Bradley commented that he has a list of 14-18 names of people that have expressed interest (from all political parties).

Mr. Bradley asked Attorney Mantzaris if the Commission would be able to enter into agreements outside of the town limits and asked if they were covered. Attorney Mantzaris explained that the authority to enter into agreements would have to come by ordinance by the Council. Mr. Bradley added that this will be an extremely active Commission and will require a lot of time and will be interfacing with P & Z, and may also require weekend field trips. Mr. Bradley added that he would like to be the liaison to the Committee.

Mr. James Vitale, North Farms Road, commented that the DEP will train any Commission that is formed.

Mr. Lawrence Singer, 357 Hope Hill Road, asked if any consideration has been given to budgetary constraints, and Mr. Bradley explained that the Commission could be self-funding. Mr. Singer added that there should be a one year commitment to budget for this commission. Mayor Dickinson added that they will be addressing this issue in the 1988-1989 budget. At the very least, they will need money for a secretary because, once that Commission meets, they have to meet FOI standards, have a secretary and minutes taken so, there will have to be a transfer of funds well prior to July of this year, in order to allow them to meet.

Mr. Holmes pointed out that the Council budgets for other departments on a yearly basis because they don't know if there are going to be revenues coming in to offset that particular year.

VOTE: Unanimous ayes; motion duly carried.

ITEM 4. PUBLIC HEARING 8:00 p.m. on appropriating the sum of \$44,211 of Federal Revenue Sharing Trust Funds moved by Mrs. Papale and seconded by Mr. Parisi. (\$44,211.00 Acct. No. 003-280-003-087 \$32,227. Acct. No. 003-280-003-0281 \$11,984.)

Mrs. Papale read a letter from Mr. Thomas Myers, Comptroller to Mayor Dickinson which explained that the appropriations amend the 1987-1988 Federal Revenue Sharing Trust Fund and General Fund budgets.

Mr. Killen added that there are no more monies coming and the monies that were left over at the last fiscal year, have to be appropriated somewhere within our working budget and we have the Town Clerk's Office and the Public Works Department that are in need of further funds.

Mr. Zandri asked if all of the departments were notified of the availability of these funds and Mr. Myers replied no and explained that when the subject came up and he handled it, he knew which departments were short and in what accounts. It was not a survey item.

Mr. Doherty asked how bad the Salt Account was and Mr. Steven Deak, Director of Public Works, explained that they are \$8,000 in the red.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to consider the appropriation of funds in the amount of \$44,211 to Federal Grants: Revenue Sharing Acct. No. 001-1050-050-5850:

- \$10,000 to P.W. Salt
- 8,500 to P.W. Sand
- 8,500 to P.W. Street Lighting
- 4,750 to Town Clerk Microfilming
- 12,461 to Town Clerk Computer Indexing

seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to move up Item 10, seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

ITEM 10 Consider and approve two transfers requested by Steven L. Deak, Director of Public Works:

(a) \$ 5,000 from Wages - General to Salt, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

(b) \$10,000 from Wages to Wages - Snow Removal, moved by Mrs. Papale and seconded by Mr. Parisi.

Mr. Deak explained that the last storm that they had landed on a holiday and he had to pay double time which was \$800.00.

Mr. Zandri asked Mr. Deak how he ended up with extra dollars under Wages and Mr. Deak explained that they have extra dollars because some men resigned and it takes time to replace them.

Mr. Bradley asked how the Mailbox Fund was doing and Mr. Deak explained that the Mailbox Fund is paid by the Insurance Company. Mr. Bradley added that he received a lot of phone calls regarding mailboxes that are down and asked what the procedure is. Mayor Dickinson explained that if they fix it and send the claim to the Town Clerk, the claim is then directed to the Town Attorney's Office and he will turn it over to the Insurance Company. Mayor Dickinson added that he believes that this problem was due to the weight of the snow knocking them over. Mr. Deak added that in a lot of cases, the mailbox poles are old and just need a little push to cause them to go over.

Mr. Parisi commented that on some roads, he believes that some of the drivers are going too fast and he has seen areas (Yalesville) where they have almost hit the porches. Mr. Deak explained that he knows of the area and they have spoken to the driver.

Mr. Dwayne Braithwaite commented that they may have regraded his front lawn but, all in all, they do a good job.

Mr. Zandri pointed out that the mailboxes have to be to the Post Office regulations or they will not deliver the mail.

VOTE: Unanimous ayes; motion duly carried.

ITEM 8. Consider waiver of bid for fireworks, moved by Mr. Holmes and seconded by Mrs. Papale.

Mrs. Johanna Fishbein explained that they would like to get the bid waived, at this point, because it is very necessary for them to sign a contract in time.

Mr. Tony Avitable explained that if they could appropriate the money this year and then next year, have it so the money is already in the budget. It is a problem when you have a contract and you know you have to have it signed because everything has to be done before June 1st.

Mr. Killen pointed out that the dollars that are put into the budget for this are always for the preceeding year. Mr. Killen added that this is done different because they tell the company the amount and the company will tell them what they will get the that amount.

Mr. Doherty asked if they were running into trouble with the police and Mayor Dickinson explained that it continues to be of interest of the community and the Public Celebrations Committee to have a display. They held a meeting with the Police Department and we are looking to have the number of ground forces available to protect property. I cannot say that the manpower is guaranteed because a lot of it depends on vacation schedules and the willingness of Auxillary Police to be available. If we are short in manpower, it could threaten the display.

Mr. Raymond Rys, 96 Pierson Drive, commented that the only complaint that he heard about last year's display was that there were no

restrooms, and it might be worthwhile to bring some in this year. Mr. Killen pointed out that they are expensive. Mrs. Fishbein added that they are expensive, and they had them a couple of years ago and they paid \$360. for 6 of them.

VOTE: Unanimous ayes; motion duly carried.

Mr. Myers suggested that any contract that is signed should have a fiscal year funding clause in there.

ITEM 9. Change date on resolution regarding HAZARDOUS HOUSEHOLD WASTE COLLECTION DAY.

Mr. Killen explained that the date has to be changed because the State is running out of funds and we would have a better chance of getting money sometime in October. The Committee is still working on it and they do not have a specific date as of yet.

A motion was made by Mrs. Papale to TABLE Item 9, seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11. Discuss possible investigation of PUC action regarding the Rights-In-Deed group.

Mr. Killen explained that they have had investigations in the past having to do with the Rights-In-Deed group and he believes it is about time that they start putting their act together. The Council and the PUC have had meetings on this and he would like a Committee to start putting together, the charges and counter-charges that have been made, so we can see where we stand. There is a starting point, a medium point and a finishing point and somewhere along the line, this Rights-In-Deed group started in the middle. No-one knows how and where this started and I am trying to see that this does not happen in the future.

Mr. Doherty disqualified himself from discussion because he has a conflict of interest.

Attorney Mantzaris pointed out that there are 2 cases pending in Court, plus a possible condemnation action.

Mr. Killen pointed out that back in the 1970's, there were a series of letters that showing that the Town should have been aware and this is what he is looking for.

Attorney Mantzaris pointed out that there is a \$16 million dollar operation out there in Court, if we lose and \$3 million to \$4 million dollars even if we don't lose. It is a lot of money to risk a possible situation that might weaken our position in Court, as a result of the hearings that you are hoping to conduct. I would suggest that you do this after the Court cases are finished, on the trial level. The two pending cases should be resolved, on the trial level, this year.

Mr. Killen pointed out that his problem is that the \$16 million dollar threat started back in the 1970's and nothing was done.

ITEM 12. Consider and approve a transfer of \$2,143 from Council Contingency to Tax Refunds, requested by Norman Z. Rosow, moved by Mrs. Papale and seconded by Mr. Holmes.

Mr. Myers explained that in the 1988-1989 budget, they will no longer have to appropriate any money from any contingency account to take care of these transactions. He is going to change the accounting system and account for the funds in a different way and appropriate them from the actual cash that is overpaid to the Town of Wallingford.

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

Referring back to ITEM 11. Mr. Parisi asked Mr. Killen if there was any way that they could trigger this after the Court cases are finished and added that this should be reviewed and recommendations be made so that this does not happen again. Mr. Killen explained that he

intends to do this research on his own and he will make it available to the Council. Mr. Killen thanked Mr. Parisi for his comments, and his interest.

ITEM 13. Consider and approve tax refunds totalling \$2,142.35 as follows:

Lawrence H. Cannata	\$148.50
Charles C. Dearborn	642.66
Thomas Dalkin	216.52
Theodore P. Kiritsis, Jr.	42.41
Offis Corporation	416.84
Walter Kittredge	207.70
Kevin O'Neil	102.88
John F. Canell	95.70
Albert Massoni	71.94
Hector P. Rondo	197.20
Total	<u>\$2,142.35</u>

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

VOTE: Parisi was not present for the vote; all other ayes; motion duly carried.

ITEM 14. Consider and approve a transfer of \$3,000 from Council Contingency to Sidewalk Snow Removal, Town Engineer, moved by Mrs. Papale and seconded by Mr. Holmes.

Mr. Costello explained that this is for the people who do not shovel their sidewalks and are given a summons for this and Engineering has to hire someone to take care of this. To this date, they have sent out 12 bills. This had previously been in the Building Department however, the Sidewalk Inspector, Joel Cassista, is in the Engineering Department. In the ordinance, it is the Sidewalk Inspector that has to take the action.

Mr. Holmes asked what triggers a visit from the Police Department and Mr. Costello explained that it is generally a complaint from a neighbor, and the summons is about \$5.00. If they do not take care of it, the contractor will take care of it and bill us and we in turn, bill the homeowner, and if he still does not pay, we can go to the Town Attorney's Office and he will attach a lien to the property.

Mr. Adams pointed out that the money that is paid back to the town, goes right to the General Fund.

Mr. Zandri pointed out that he believes that one of the problems that you have in the neighborhoods is that people don't like to turn in their neighbors. This is a problem and it should be addressed in the future, where someone does tour after a storm and once you set a pattern, you will see more people doing it on a voluntary basis.

Mr. Holmes added that it would be difficult for the Sidewalk Inspector to check the whole town after a storm and Mr. Zandri suggested that the police become involved because it is a safety matter.

Mr. Killen asked how much they charge to remove the snow and Mr. Costello explained that they received 3 bids that ranged from \$1.50 a square yard to \$60.00 a square yard. We called the low bidder and he did not show up so we had to call the second low bidder at \$4.50 a square yard (.50¢ a sq. foot). Mr. Costello pointed out one instance where they had to pay \$600 for one sidewalk, which was an empty house and the Real-Estate Office did not hire anyone to clear the sidewalk.

Mr. Parisi asked if any of the money has been collected and Mr. Costello replied no.

Mr. Cassista explained that that \$600 bill was for 3 lots that were vacant and this program is only activated by the ordinance that says that the police, upon a complaint, will issue a summons.

Mr. Killen pointed out that some of the town sidewalks have been some of the last to be taken care of.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Parisi to Waive Rule V, seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Parisi to have the Ordinance Committee review the Sidewalk Snow Removal Ordinance and take under advisement, some of the comments and problems brought forth this evening, seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 15. Consider and approve a transfer of \$727 from Clerical Wages to Paid Vacation, requested by Council Chairman Albert E. Killen, moved by Mrs. Papale and seconded by Mr. Parisi.

Mrs. Carolyn Massoni asked Mr. Killen if he had ever asked Mrs. Rascati, why she was signing everything as acting Town Clerk, for those 2 weeks and Mr. Killen said that he did not. Mrs. Massoni then asked if Ms. Wall ever addressed that question to the State Secretary's Office and Ms. Wall said that she believed that it was covered by her going back over the documents and signing "also received by Kathryn Wall". Attorney Mantazaris added that he called the State Secretary's Office and they were aware of the problem and the person that he spoke to, did not see any problem with Ms. Wall signing the same documents that Mrs. Rascati signed.

Mr. Killen asked Mrs. Massoni to submit her questions to him in writing and he will put it on the agenda.

VOTE: Unanimous ayes; motion duly carried.

ITEM 16. Consider an appropriation of \$1,169,025 to the 1987-1988 Department of Education Budget:

\$ 126,480	to State Grants - Education Minimum Salary Aid
\$1,042,545	to Teacher Salary Aid
\$1,169,025	to Education Department Teacher Salary Aid

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

Mr. Doherty disqualified himself from discussing and voting on this item because of a conflict of interest.

Mr. Myers explained that the Salary Enhancement Act is in 3 parts. There is a minimum salary grant that is used to bring the teachers that earn below \$20,000 to a \$20,000 salary level within a 3 year period, (check for \$126,480). The second part of the salary grant, (large check of \$1,042,545) is used to distribute to all teachers to bring their salaries up higher. The third part of the program is called General Education Aid, which is given to each town that participates in the program, to be used for any purpose. When we did the 1987-1988 budget, we chose to use that General Education Aid toward the Education Department budget, so, that \$46,297 was included already, in the budget, (Acct. No. 1030-050-5024). The reason that the Salary Aid is handled as a pass through, is because we want to pay it to the teachers, when received. The third check has already been appropriated in the budget process, (\$46,297).

VOTE: Doherty abstained; all other ayes; motion duly carried.

ITEM 17. Discussion and action on disposition of 50 x 100 foot improved building lot, zoned residential, Eastern Land Trust on MacKenzie Avenue, moved by Mrs. Papale and seconded by Mr. Parisi.

Attorney Walter Kusak (representing the town) explained that this matter was referred to him concerning tax foreclosure on property on MacKenzie Avenue. MacKenzie Avenue runs between South Main Street and Colony Street. The property in question, was acquired by trustees of a Rhode Island Trust, back in 1920. Back then, they owned several of those lots in that area and they were very small. This lot was never sold. I filed the correct Connecticut procedure to foreclose upon this property, as we would on a mortgage. At the present time, the unpaid taxes are just over \$9,000. I did obtain a judgment of strict foreclosure in court. The owners had 5 months to pay the back taxes and retain title, and they never showed up. We did take title to this property on January 31, 1988. At the present time, the Town of Wallingford is the record owner. After checking with Linda Bush, Town Planner, this lot is an approved lot.

(Oct. 1987). If the town sells this property, they will make a windfall on this.

Mayor Dickinson suggested that the Council table this matter, in order to give the town department's a chance to review it and see if there is a municipal use.

Attorney Kusak added that he does not see what use the town would have for this property because it is in a residential area.

Mr. Adams suggested that the town hold onto this piece of property.

Mr. Dwayne Braithwaite, 26 Kingsland Avenue, commented that Attorney Kusak's fees will be recouped by the town upon sale or disposition of the property, so if you don't sell the property, where is the money going to come from?

Mayor Dickinson explained that there is a possibility of a pumping station, or something of that nature in the future.

Mr. Raymond Rys added that he thinks that the town should hold onto this piece of land.

Mr. Edward Musso disagreed with Mr. Rys and commented that he does not see any point in keeping that property.

Mr. Killen explained that they will not lose anything by offering this opportunity and if anything remote comes up, and this opportunity was here and we blew it, someone will ask why we did it because we had no reason for rushing.

A motion was made by Mrs. Papale to Table Item 17 until the March 8, 1988 Town Council Meeting, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 18. Consider and approve a transfer of \$1,000 from Power Operated Equipment to Transportation Equipment, Water Division, requested by Raymond F. Smith, Director of Public Utilities, moved by Mrs. Papale and seconded by Mr. Holmes.

Mr. Holmes asked what type of car will be purchased and Mr. Richard Vanski replied that it will be a 1988 Chevy Cavalier, 4 door, and added that this is the second time that this car has been bid.

Mr. Killen asked why they changed from a 4 wheel drive car to a 2 wheel drive car and Mr. Denison explained that the 4 wheel drive car was originally needed for the watershed (off-road situations) but, the situation changed and the 4 wheel drive is not needed. There is an older machine out there that is adequate.

VOTE: Unanimous ayes; motion duly carried.

ITEM 19. Discussion of Outside Legal Services, requested by Adam Mantzaris, Assistant Town Attorney, moved for discussion by Mrs. Papale and seconded by Mr. Parisi.

Mrs. Papale read Attorney Mantzaris' February 17, 1988 letter pertaining to this agenda item.

Attorney Mantzaris explained that he also prepared the report which covers the outside legal services retained by the Town Attorney's Office for the fiscal year 1987 and 1988 and he wanted to explain a few things about the report: the date that is indicated is the date he signed for all the attorney's bill that show payment, authorizing the Comptroller to pay that bill. Attorney Mantzaris indicated that where it is indicated "not paid" or there is no bill shown, the date indicated is the date the services of that attorney was retained, and if it is one of the attorneys retained by Adam Mantzaris, it is indicated by asterisk.

Attorney Mantzaris commented that the Wallingford Town Attorneys are general practitioners and as such, handling every single case that comes into the office, he would probably be guilty of malpractice.

Attorney Mantzaris explained that attorneys in private practice refer cases too large to risk a client's interest, at a cost of his own fee, but he feels as an attorney that he is obliged to do so to protect his client's interest. There is municipal work which comes into the Town Attorney's Office which is of a complicated nature or with substantial consequences and it is felt that as a matter of legal representation for the Town of Wallingford, it is necessary to retain the services of attorneys known to be expert in a particular area involved. Attorney Mantzaris offered to explain any of the cases listed in his report and he will try to answer any other questions anyone might have of the procedure in the Town Attorney's Office. He is in the process of preparing a similar report for the previous fiscal year to bring the Council up to date with every outside legal service the Town Attorney's Office has engaged in so the Council will know exactly who has been retained, how much has been expended for those services and what types of cases are involved.

Mr. Bradley did not wish to challenge outside expertise but commented that the 24 cases listed over a 7 month period totalled some \$32,000 and the McManus suit by itself is \$17,000, bringing the 7 month total to \$49,000. Attorney Mantzaris added that the attorneys involved have worked on these cases for longer than 7 months and it may go back 1½ years before that and that is why he explained what the dates meant--the date the requisition was signed authorizing the Comptroller to make payment indicated and some services may have been performed 2 years before.

Mr. Bradley felt that this makes a very good case for a full time attorney. Five of the suits are FOI suits, totalling \$3,000 to \$4,000 and Mr. Bradley has a hard time accepting needing outside expertise on FOI issues. Attorney Mantzaris said the Town Attorney's Office is handling those cases now.

Mr. Bradley asked the Mayor (acknowledging that it is the Mayor's pleasure) when the town was going to get a regular attorney to replace Mr. McManus? Mayor Dickinson said the appointment will be made in the near future.

Mr. Adams commented that the committee to research the hiring of a full-time Town Attorney is very active with this feasibility study and, hopefully, serving the best interests of the Town of Wallingford will be researched by the five people very much concerned and outside resources will present extra information. One of the areas which may need focus is the need for outside expertise. Mr. Adams felt that it must be taken into consideration that one-third of the Town Attorney's Office staff is missing and there is a saving which must be considered to balance off what is being paid out.

Mr. Holmes felt that it is important to remember the magnitude of the operation in town--the budget and utilities--a \$100,000,000 corporation and the types of fees involved in a \$100,000,000 corporation would involve a staggering base salary for a full-time Town Attorney and he felt it is important to keep in mind the relationship of legal fees and attorneys fees and relate that to the magnitude of the corporation and he felt that you will get what you pay for in a legal department.

Mayor Dickinson felt that if you look at any private corporation with \$100,000,000 of business and review what is spent on legal fees and defense litigation, he felt sure that the town would come in way below what most of them will show.

Dwayne Braithwaite, 26 Kingsland Avenue was glad the Council got the report and he did not care how it got added--it's a \$49,000 expenditure against a \$40,000 line item and all the cases are not yet completed and many more to come in this fiscal year, not to mention any new cases. Mr. Braithwaite found \$17,187.50 was spent to find out that Linda Bush is not the Enforcement Officer in the Town of Wallingford--Attorney Mantzaris said we have a bill but did not yet spend it. Mr. Braithwaite said that attorney was hired for P & Z and another was hired for ZBA and that amount is not on the report and he felt that the total costs will be \$80,000 or \$90,000 and if any other department had a line item of \$40,000 and spent twice that would have the Council all over them. Mr. Braithwaite's point is that the Town Attorney's Office must come back to the Council.

who must decide whether or not this money should be spent and that is not happening now and he pointed out that if \$1,199 is spent at one time, they feel they are all set. Mr. Braithwaite asked Attorney Mantzaris if he would represent the town for under \$2,000 in a class action suit such as his or would he tell people that it would probably cost more than \$2,000. Mr. Braithwaite referred to the Charter. . . if a department exceeds the amount of money on a line item without first coming to the Council. . . is that a Charter violation? Mr. Killen said he would consider it a Charter violation. Mr. Braithwaite said nobody came to the Council until he brought this matter up and that is his point.

Mr. Henry Renfrew, 25 Audette Drive referred to the \$100,000,000 corporation and said the Board of Directors has changed and there is a system with the Town Attorney's Office unmanaged by the Board of Directors--there are cases pending and the Council does not know what actions are being taken, a case involving Sharon Daly where the Town of Wallingford lost--is it your intent to continue this? Mr. Renfrew felt that the Council has no active knowledge and no participation and no decision making in the process as far as the legal action of the town and that warrants some change and involvement by the Council and it is up to the new Board of Directors.

Mr. Zandri asked if there is any procedure in getting prices for any of these cases? Attorney Mantzaris said it is difficult; in some cases you can get a ballpark figure but usually it is by the hour and some cases turn out to be complete surprises and he felt that most every charge is in line except for the McManus case which was a complete surprise--the side that the attorney was retained to represent was the same side that McManus was interested in, the overturning of Linda Bush's cease and desist by the ZBA and in this kind of case, the person who has the real interest in the matter is the one who does the work (McManus) and there are similar situations in the Town Attorney's Office where a party is given a variance by the ZBA and a citizen takes an appeal of that case and the Town Attorney's Office gets involved defending the ZBA but the work is done by the attorney for the person who obtained the variance. Attorney Mantzaris was surprised by Attorney Terrace's suit because that was the position he occupied since McManus would have done that to protect himself and his own interest.

Mr. Gough felt that the Town Council should be investigating this a little bit further. He felt that Mr. Mantzaris' point perhaps has to do with intent and intent has to do with people being removed from office and people being forced to personally pay the bills--the Charter refers to intent in that context, it does not refer to the party officials obligating the expense when talking about the \$2,000 threshold, if they go over it, not whether or not they intended to go over it and he urged the Council to take a good, hard look at this and get control of it. Mr. Gough suggested calling these bills in before March 15 **right now!** Mr. Gough said if this matter is ignored, it is going to get deeper.

Mr. Musso felt that we have tremendous bills because of people present dragging this matter out, over and over again, and they will get what they are looking for. Mr. Musso compared this matter with medical care at CHCP and the specialists to whom they refer their patients and he felt a specialist attorney knows just how to handle certain matters and the cost is higher because of the value and these are the reasons.

Mr. Holmes took exception to the statements made about the Council being kept in the dark about the Daley case since he remembers it was discussed with the former Council and an appeal was discussed.

Mr. Renfrew asked how many members of this board are in agreement to continue a fight against a state agency that has told the Town of Wallingford that it is wrong. Mr. Renfrew said the Mayor has indicated that it is his position is that it will be brought to the Supreme Court of the United States and that \$5,000 should be spent for public officials to receive education in the FOI and Mr. Renfrew would support that type of action since there have been numerous FOI problems and complaints.

Mr. Holmes can't picture running a corporation whereby a certain

amount of money would be spent and then have a two week wait and continue--it's just not the way to run a business.

Mr. Reginald Knight, Audette Drive is quite confused since Mr. Church was hired for about \$5,000 and Mr. Farrell was asked why Mr. Church was hired and Mr. Farrell said it was beyond his expertise and Mr. Church advised the PUC that the sewer deeds should be voided and the Mayor has a legal action to overturn the deeds. Mr. Knight said an attorney in this room said he spoke with an attorney in Hartford on the phone whose name he does not know and he made a decision as to the legality of documents signed by the Town Clerk and this is frightening to Mr. Knight and he wanted to know who is selecting these outside attorneys. Mr. Killen said he is not alone in his confusion. Mr. Knight added that when he bought his house, nothing was said to him about the \$15 deed and the closing was handled by Mantzaris and Farrell and he wonders what expertise the town is paying for.

Eleanor Durgen would like to know how many different specialists the town has for all these things. Mr. Killen does not know but has raised the issue time and time again about hiring outside attorneys and he wondered what particular account pays outside attorneys. Attorney Mantzaris felt it was the account in his office devoted to outside professional services.

Mr. Zandri asked if there could be a cut-off point and a review to continue depending on cost and Attorney Mantzaris felt that a contract could be worded that way and Mayor Dickinson did not see how you could since it would stop representation for the town and Attorney Mantzaris agreed with the Mayor that there could not be a cut-off point. Mayor Dickinson explained that the Town of Wallingford has legitimate legal interests on these cases and you can't wait for other processes to represent the town--you either have representation or you don't and it's not a question of taking it for a certain amount of time and then not worry about being represented because of the bill going from \$2,000 to \$2,100--the process does not work that way. Mayor Dickinson added that if you evaluate how much money is being spent on some fairly major substantive issues and the size of the business involved, you will find some very favorable comparisons with the private sector.

Mr. Parisi asked about comparisons such as how much was spent in the last eight years on outside services to obtain a historical picture. Mr. Parisi would like to know what a \$100,000,000 corporation pays their legal staff and then measure that against what Wallingford is paying since he is not totally convinced that it is a large sum and if he can't judge it against anything, he does not know how he can make a decision.

John Burns commented that Mayor Dickinson is a lawyer by trade and since his last statement sounded more like a lawyer than a Mayor, he asked if it were possible that there is any conflict of interest. Mr. Killen did not believe so and he felt that the Mayor was speaking just as any Council member speaks from the heart and he believed the Mayor would remove himself from anything he felt was a conflict.

Paul Gough noted some of the bills went back two years and he wondered if the Charter prohibits payment of bills outside of the fiscal year and he suggested that bills be rendered on a monthly basis. Mr. Gough said that any private \$100,000,000 corporation has some rules and the rules for this public corporation of \$100,000,000 are in the Town Charter which has a threshold of \$2,000 and that is the point--this threshold has been exceeded by these bills and he wishes the Council luck in negotiating the \$17,000 bill to below \$2,000. Mr. Gough asked what written contract the town has with these people for this \$17,000 bill. Questions were asked about Norbert Church's \$5,200 bill paid last year, a \$50 rate but no written agreement to be found and perhaps the Council should ask for a written agreement from whomever authorizes these things and he suggested a \$2,000 limit and then further authorization. Mr. Gough felt that the Town Council should approve the fight that precedes the settlement and the people paying the bills would like to know why money is being spent, particularly when it exceeds the rules and the Town Council must properly conduct an investigation of this matter and answer these questions. Mr. Gough has a request into the Comptroller's Office for copies of the bills involved in this and he is confident he will get them since Mr. Myers is cooperative. Mr. Gough asked for a copy of Mr. Mantzaris' letter

later. Mr. Gough said we have lots of problems with FOI and he felt that it has to do with the general attitude that the public is really a pain in the neck and he thinks the town employees should be better educated as to what the law is since those records are the public's and not the office holders.

Mr. Killen said the account that has been there most consistently is Outside Legal Services-Statutory and it has been his understanding that is for certain things obliged to do and the Council was obliged to provide the money and in other years, money was put aside because of Section 8 Housing, money put in for another wage-personnel matter, the same original numbers with a subsection broken down. Attorney Mantzaris assumed there was a fund for outside legal services and it came out of that fund. Mr. Killen felt that we have lost control and there is nothing that precludes more assistants but they have to be appointed by the Mayor and this is very specific in the Charter.

Attorney Mantzaris said he did not like surprises either and his office will cooperate with the Council and he thinks the suggestion about monthly billing is a good one and it should be done with all the cases and he would welcome a meeting with the Council and Comptroller to devise a system of accounting and knowledge on the part of the Council. Attorney Mantzaris felt that this issue should not end with a discussion but should take us to the point where we can live with each other in the future and he is open to any suggestions. Mr. Killen suggested that should a case have to be put out, the hours and dollars should be questioned and if under \$2,000, there is no problem but an attorney should be made aware that is not to exceed \$2,000 and the Comptroller's Office should have a stamp indicating "NOT TO EXCEED \$2,000." Amounts exceeding \$2,000 should come before the Council who has a lot more latitude than the Town Attorney's Office. Mayor Dickinson felt that this would create an administrative nightmare in an office that should be dealing with legal questions and he is amazed that things like this are debated when the question is not whether we are receiving good legal representation. . .Mr. Killen interjected that it is and that is part of the problem. Mayor Dickinson asked if someone was questioning the quality of legal representation. Mr. Killen said we go back to Mr. Church who said as a matter of record that you cannot enter into long term contracts and state statutes spell out specifically that you can. Mr. Killen said Mr. Church billed us for a conversation with a reporter and he questions his integrity, in addition to his ability, since he quoted a case and did not quote the correct case so Mr. Killen is questioning ability. Mayor Dickinson disagrees with Mr. Killen.

Mr. Dwayne Braithwaite, 26 Kingsland Avenue referred to the report with attorneys chosen for this and that and he asked how or who-- Better Business Bureau? Mr. Killen said that gets back to whether or not Adam could go out to bid and they might tell Adam he just can't pick anybody. Mr. Braithwaite said that before they hired an attorney, they got permission to do that from the body that empowers them and once the money was there, a couple of attorneys came at their own expense to talk to the group, describe their fees, what they thought the case entailed, etc. and they then sent a letter of engagement, nothing more than a contract, and once a decision was made, credentials were requested and given, and both sides must abide by the terms and the ante cannot be upped. Mr. Braithwaite again asked what would be done to other departments who came in with that kind of cost overrun, already spent.

Mr. Adams thinks the concerns from both sides are fairly well founded and he thinks Attorney Mantzaris realizes that we don't have a perfect situation and he is willing to sit down with the Council, Comptroller and Mayor and this is an excellent opportunity to start and, to a certain extent, he has inherited a situation without a full team and this is difficult. Mr. Adams said the feasibility committee will be sitting down with at least one member of another community that has a different way and we will learn how they deal with outside attorneys and their guidelines.

Mr. Peter Gouveia has many thoughts on this issue but would concentrate on two simple issues, such as how much has been spent on FOI this year to which Mr. Bradley replied between \$3,000 and \$4,000 and Mr. Gouveia felt that all town attorneys should be well versed in FOI. Mr. Gouveia asked if \$49,000 has been spent on outside attorneys and he asked if the account was overspent and Mr. Killen said it wasn't according to the printout. Mr. Braithwaite said the PUC's are not included in this report. Mrs. Papale realizes there is \$40,000 in that particular line item and she

asked about amounts over that and Attorney Mantzaris said there was no way he could authorize payment over \$40,000, the line item. Mrs. Papale felt that if a request had to be made from the Council for amounts over the \$40,000, it might have been just as easy to keep the Council informed during the process. Mrs. Papale felt that the McManus case at \$17,000 is a significant amount and perhaps if McManus were still here, so much would not have been paid out but she does think with 3 town attorneys, some of these cases would have had to be handled by outside attorneys and Attorney Mantzaris agreed and added that some of the zoning matters would have stayed in but he thought most of this work was done before June, 1987. Mrs. Papale felt that there is so much work with Planning and Zoning that she joked about needing an attorney there. Mrs. Papale feels there are things the Council as financial body does not know and if something can be done about that, it would be a start in the right direction and Attorney Mantzaris agreed.

Mr. Bradley referred to Chapter VI of the Charter pertaining to the Town Attorney and he doesn't understand where the translation gets lost where the Council doesn't know what he is doing. Mr. Killen said some cases are going out and he was disturbed that there wasn't even an action on the part of the PUC to initiate an investigation but he went out from the Town Attorney's Office. Mayor Dickinson said there is language in the Charter that deals with compromising of an existing claim; it deals with appeal from an order or judgment, nothing about action that has to be initiated by the town to protect itself--foreclosure actions in order to collect taxes, just legal opinions, any number of requests about what to do on this issue and that issue and the Mayor calls the Town Attorney's Office frequently, an enormous volume of business that has nothing to do with appeals from orders, judgments or compromising a settlement or claim. Mayor Dickinson said that all of that initial business is administrative business, daily business; to the extent that the Council wants to get involved in what is daily business, be the Mayor's guest but the Council will be swamped.

Mr. Doherty commented that a Town Attorney Feasibility Study Committee is already in motion and he suggested giving this committee the authority to sit down with Mr. Mantzaris and Mr. Myers and work out a solution to this problem and he moved that this be done. Mr. Killen asked that this motion be withdrawn since there is a motion on the table to discuss this item and Mr. Doherty withdrew his motion.

Mr. Zandri said the basic question is not the amount of money that has been spent and it is not the need for expert attorneys but it is a question of whether the \$2,000 dollar limit has been violated, the procedures, in a nutshell, and reporting back to the Council for the authorization.

Eleanor Durgen questioned the need for experts and said at one FOI hearing with Sharon Daly, a lawyer was hired and the next time Gerald Farrell represented the town and it came out all right.

Mr. Holmes commented that every year the bid is waived for the Board of Education for a large number of services incurred during the year and he felt that a solution would be to waive the bid for the year for the attorneys used to allow utilization of their services.

Mr. Doherty moved to waive Rule V to present a motion to solve this problem, seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

Mr. Doherty moved that the Town Attorney Feasibility Study Committee be empowered to sit down with the Town Attorney and the Comptroller and work out a solution to this particular problem involving legal fees, seconded by Mr. Holmes.

Mr. Bradley is sure this situation is not unique to the Town of Wallingford and he hopes bases will be touched with other towns. Mr. Parisi asked if the Council could be advised of the progress of the committee through minutes, etc. and Mr. Adams felt that an able person at the last meeting acted as secretary and he hopes that she will in the future since they have very good

minutes from the last meeting. It was requested that these minutes be provided to the Council. Mr. Doherty felt that the motion should be amended to include secretarial fees for that committee and Mr. Killen suggested keeping it to a minimum and if there is a problem, come back to the Council.

VOTE: Unanimous ayes; motion duly carried.

ITEM 20. Mrs. Papale moved to set a public hearing at 7:45 p.m. on March 8, 1988 on AN ORDINANCE APPROPRIATING THE SUM OF FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000) FOR COSTS TO BE INCURRED IN CONNECTION WITH THE CLOSING OF THE WALLINGFORD LANDFILL, 1988-1989, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale moved to set a public hearing at 8:00 p.m. on March 8, 1988 on AN ORDINANCE APPROPRIATING THE SUM OF THREE HUNDRED THIRTY-NINE THOUSAND FIVE HUNDRED DOLLARS (\$339,500) FOR THE DESIGN AND CONSTRUCTION ENGINEERING PHASES IN CONNECTION WITH THE ACQUISITION OF AN AIR STRIPPING PLANT FOR WATER SUPPLY WELL #2 AND A FILTRATION SYSTEM FOR WATER SUPPLY WELL #3, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Mr. Myers added that he plans to discuss this matter with the Town Council during budget workshops; however, with the pressing need for the town to go on with some of these capital improvements necessitates dealing with three ordinances during the next two meetings, these two, and \$1,220,000 for asbestos removal in the schools. Three weeks ago, Mr. Myers was informed by Adinolfi, O'Brien and Hayes that Joe Fasi with whom Mr. Myers has worked very closely, has been voted in as a partner with the law firm of Robinson & Cole in Hartford, a very large bond firm and Joe will deal exclusively in municipal bond matters only. Mr. Myers thinks we have been very successful with financing programs for the town and part of that success is because of the continuity of services and the support received from the Mayor and Council with respect to the attorneys and banking. Mr. Myers has talked with Mr. Fasi at length and the fees will not change and Mr. Myers asked if all of the previous ordinances would require amending since they name the firm of Adinolfi, O'Brien and Hayes and this would not have to be done that says once a principal in a firm moves to another firm and the client remains, the name change takes hold through the bonding resolutions at the time the market is approached. Mr. Myers wanted to advise the Council tonight of this situation because there will be a name change on the next three ordinances.

Mr. Parisi asked what the yearly cost is and Mr. Myers said nothing is paid until bonding and there is a sliding fee scale and the last time \$4,000,000 was bonded, legal fees were \$7,000 and the bidding was waived. Mr. Parisi asked if this item was bid and Mr. Myers indicated the bidding was waived. Mr. Myers said this can be discussed with Mr. Fasi. Mr. Myers has requested his secretary to mail the funding ordinances to the Council two or three weeks before they are heard.

ITEM 21. Mrs. Papale moved acceptance of Town Council Meeting motions of February 9, 1988, seconded by Mr. Parisi.

VOTE: Mr. Killen passed; all other Council Members voted aye; motion duly carried.

Mr. Doherty requested that the Council Secretary send a note to the Senior Citizens Center thanking them for the luncheon invitation this month.

Mr. Parisi asked who would be responsible for following up on the \$35,000 to be divided between Meriden and Wallingford which appeared in the Meriden Record and Mr. Killen called the Meriden Record and the money was given to the Wallingford Red Cross--it went to the Meriden-Wallingford area but not to the municipality.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 10:58 p.m.

Meeting recorded by:
Susan M. Baron, Council Secretary

Meeting transcribed by:
Susan M. Baron and Delores B. Fetta

Approved

Albert E. Killen
Albert E. Killen, Chairman

March 8, 1988
Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

March 8, 1988
Date