

Town Council Meeting Summary

July 12, 1988

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TOWN COUNCIL MEETING

July 12, 1988

6:30 P.M.

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

A motion was made by Mr. Doherty to move the following items be placed on the Consent Calendar; Item 3, Item 4, Item 5, Item 7, Item 10, Item 14 and Item 15. This motion was seconded by Mr. Holmes.

VOTE: Items 7 and 10 are the only items being considered under the Consent Calendar.

Unanimous ayes; motion duly carried.

ITEM 14. Mrs. Papale's motion to move up this item, consider and approve appointment of alternate to Zoning Board of Appeals was seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

Mr. Killen read the letter he received from Bonnie L. Rubenstein advising that if appointed, she will be willing to accept the vacancy of alternate on the Wallingford Zoning Board of Appeals and perform the duties as specified in the Town Charter.

Mrs. Papale's motion to put the name of Bonita Rubenstein to the appointment of alternate to Zoning Board of Appeals and that the Council will ignore the two week waiting period and have Mrs. Rubenstein sworn in immediately. This motion was seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Rubenstein was sworn in by Kathryn Wall, Town Clerk.

ITEM 2: Consider and approve transfer of funds of \$765.00 from Part-Time Inspectors Account No. 2050-100-1350 to Permit Refunds Account No. 2050-800-8900. Mrs. Papale's motion was seconded by Mr. Holmes. Mr. Bradley asked if 8900 was a new account, and he was advised it will be a new account. This item is from the 1987-1988 fiscal year.

VOTE: Unanimous ayes; motion duly carried.

ITEM 3: Consider and approve transfer of funds of \$265.00 from Part-Time Secretary Wages Account No. 7040-100-1350 to Professional Services Account No. 7040-900-9010. Mr. Papale's motion was seconded by Mr. Parisi.

Mr. Bradley asked what budget this was coming out of. Mr. Killen advised it was the new budget. Mr. Killen advised that through May 31, the Conservation Committee had expended nothing on secretary wages, the only money they spent was on the Professional Services, which they contract for. The money is there. Mr. Bradley advised they lost their secretary in 1987 and the position was never filled; and he does not know the status now. As far as Professional Services, Mr. Bradley advised he did not think the Conservation Commission ever utilized them; he thought it was more Planning and Zoning, and that it was a line item in the Conservation Commission budget. The Mayor advised that it is paid for out of the Conservation Commission budget, and that the amount changed from \$750 to \$1000. The Mayor advised that his office has been unable to reach the Chairman of the Commission, but the town would like to pay for the services. Mr. Killen advised he felt there was nothing wrong with this particular transfer, but he would like to see a little more action from the Conservation Commission; and if those that are on there now feel they cannot serve, the Council would rather put people on the Commission that can serve. Mr. Killen asked the Mayor to have his office try to contact someone on the Commission to find out what is going on.

Mrs. Papale noted the invoice of a contribution for technical services and programs covered by the New Haven County Soil and Water Conservation District in the amount of \$1,000. Mrs. Papale asked whether this was a contribution or is it actually used for secretarial services. Mr. Killen advised that the

transfer is from the secretarial services, and this invoice is for professional services. It is an annual fee.

VOTE: Unanimous ayes; motion duly carried.

ITEM 4: Mrs. Papale's motion to accept contribution of \$1,000 from Masonic Charity Foundation for Railroad Station Restoration and authorize the appropriation to Wallingford Center, Inc. Railroad Restoration Fund Account No. 3070-600-6884 was seconded by Mr. Parisi. Mr. Killen advised he was a little unhappy with this item since the town is in litigation with the Masonic Home at this time. This contribution has no affect on this litigation in any way.

Mayor Dickinson advised that the Masonic Home approached him with the fact that they are interested in the town and want to feel that they do make a contribution to the community and are supportive of the community and all aspects of what goes on in it. The Masonic Home was aware that the Wallingford Center Inc. had been seeking contributions for a fund known as the Restoration Fund, and the project is getting underway. They told the Mayor that at this juncture they wanted to participate in that effort and the contribution is to the Town of Wallingford but as you can see this would be an appropriation over to the fund which is established by Wallingford Center, and so the town with the help and assistance of the Masonic Charity Foundation would turn the money over to the Restoration Fund that is being set up by Wallingford Center.

Mrs. Papale asked if this was the first time the Masonic Charity Foundation had given a contribution to the town. The Mayor advised that it is the first contribution by the Masonic Home since he has been in office.

Mr. Bradley asked if the account numbers are new. Mr. Killen advised we are establishing Account No. 1075-070-7040, and we are going to account for it under 3070-600-6884. Two sentences will be added to the budget with these account numbers. Mr. Holmes advised he did not feel the Wallingford Inc. and the Restoration Project should be penalized because of the Council's disagreements with settlements with Masonic Home in the past; he thinks this appropriation should be passed and help Wallingford Inc. get established in their effort with the station.

VOTE: Mr. Killen voted no; Adams passed; seven ayes; motion duly carried.

Mr. Killen asked the Mayor who has the responsibility for maintaining the Green. The Mayor advised it is the Public Works Department. Mr. Killen advised some of the evergreens near the railroad station are brown, one of the spotlights is out, and it could use some sprucing up.

ITEM 5: Consider and approve transfer of funds from the Town Clerk's Office of \$700 from Self-Insurance Claims 001-8040-800-8020 to Advertising 001-6030-400-4100 in the amount of \$550, and Dog Tags and Supplies 001-6030-400-4010 in the amount of \$150. Mrs. Papale's motion was seconded by Mr. Holmes.

Mr. Bradley asked if we normally transfer across accounts on this, can't the money come from 60/30. Mr. Holmes advised that during the last three months of the year the Controller can transfer from any account. Mr. Killen advised that according to the terms of the Town Charter, only during the last three months of the year, can you go from one account to another with the Mayor's approval.

VOTE: Unanimous ayes; motion duly carried.

ITEM 6: Consider and approve transfer of funds of \$443,778 to cover retro pay for Police Department Account No. 001-8050-3230. This account number is the Police Department's General Account. Mrs. Papale's motion to transfer \$312,887 to cover retro pay was seconded by Mr. Holmes.

Mr. Edward Musso, 56 Dibbel Edge Road, advised he is violently against taking one-half million dollars out for retroactive pay. He noted that he knew the police department would win no matter how it is. He commented that they ask you for your blood and then they want to take your flesh with it. He said when they sign a contract it becomes effective the day they sign it. Nothing is retroactive. They should get just what they get from the time it is signed. Mr. Musso does not feel it is right. Everyone knows by stalling they are going to make a mint. He commented that there is a half-million dollars here.

Mr. Killen advised that the Council cannot say as Mr. Musso does that they do not care what anyone says, and that in the final analysis the Council has to care. Mr. Musso noted that the legislature made it so that it had to go to arbitration, and it is time now that it is changed. Mr. Musso noted it is no good and this retroactive stuff is union stuff.

Mr. Stanley Seadale commented that the entire amount is not retroactive. The first page is \$130,891 which covers 1987-1988; that is in fact retro. The second grouping of numbers is for the fiscal year that we are now in 1988-1989; and there is obviously no retroactivity there. The calculations are based on actual numbers for 1987-1988, all salaried accounts time 7% and then the budgeted accounts time 7% for this current year.

Mr. Killen commented he hopes someone went over the numbers carefully since it is something the Council cannot fool with because they do not have all the information. Mr. Seadale advised that Mr. Myers, Comptroller, worked on this and an agreement was met with the Police Department.

Mr. Adams asked how long the contract is for. Mr. Seadale advised it is a three year agreement with nothing obviously in it for next year since it will be in next year's budget.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale's motion to transfer \$130,891 from fiscal year 1987-1988 General Government Account No. 001-8050-3230 to Town Council Contingency Fund was seconded by Mr. Holmes. See attached budget transfers.

VOTE: Unanimous ayes; motion duly carried.

ITEM 9: Mrs. Papale's motion to consider and approve Waiver of Bid Procedure for Police Department was seconded by Mr. Adams.

The following items were asked to have bidding waived on by the Police Department:

(7) Light Bars	6,848
(8) Revolvers	2,040
(20) Portable Radios	15,160
(7) Lexan Shields	2,296

Mr. Holmes asked if the revolvers were not available from a variety of sources. Deputy Chief York advised that the Police Department has 66 Smith and Wesson Model 581's and they need 8 more with the new officers coming on board, and they would like to have the revolvers be the same type, model, and make for maintenance, training, and use. Mr. Killen asked if there is not more than one store that sells that revolver.

Deputy Chief York commented that he thought in the bidding process you had to go generic, you cannot say a brand name. Mr. Killen advised that that is correct. You have to spell out the article, but you cannot call it by name.

Mr. Holmes asked if the bidding process was waived, would two or three firms be contacted to solicit their prices. Deputy Chief York advised that the chief would not spend any town money without trying to get something for it. The price for revolvers are within 3 or 4 dollars of last year's price.

Mr. Parisi asked if the town would have light bars with lights in the center. Deputy Chief York advised they would not be in the center where they had had problems with the old ones, but they would be inside.

Mr. Zandri asked what the problem was with specifying the particular item and getting a price on it from the different dealers. Mr. Killen advised that sooner or later you would be doing everything along that way and you would soon end up with items that there are only one dealership for. The purpose of competitive bidding is to try to get the best price for your community, so therefore you give an overall description of it and it does not matter what the name is so long as it can meet the specs.

Mr. Zandri asked once you have come to the conclusion that for certain reasons you want a specific item, and we can justify that, then what is wrong at that point in going out and still getting prices on the specific item, in other words to get your best price for the item you justified to be specific on. Mayor Dickinson advised that this is a fair question. Why aren't we able to put out a bid for Smith and Wesson and any dealer who happens to have that supply available would bid on it; one might offer it for a certain price, and another another price, and we take the lowest price for that given type of weapon. Deputy Chief York reiterated that the bid has to go out generic, not Smith and Wesson. Mayor Dickinson thinks we can specify a particular brand, and that anyone who happens to deal with that specific weapon could offer a bid on what they would sell it for. He does not see why we cannot do that. If the department has determined you need a Smith and Wesson of a given caliber, I do not see why that cannot be the nature of the bid. Mr. Killen advised that what we are now entering into is another phase of our bidding process, and he does not know how many are aware of it, but our purchasing ordinance is the most altered ordinance we have. It has been amended more times than anything because situation like this arise. We are able to decide

whether or not you can waive the bidding. There is no in between steps saying that we now waive the bidding, but we insist that as long as you are going to get Smith and Wesson and there are eight dealers out there, you must seek a bid from those eight Smith and Wesson dealers. That is a gray area. That is what we will have to enter into upon now, it is not covered in the purchasing ordinance. What we are doing is if we accept carte blanche on all these items, we are waiving the bidding proceeding so long as you stay within the dollar figure. If we are going into another step, someone is going to have to make a motion to that effect, we are going to have to find out from the purchasing agent whether it meets his understanding of the purchasing ordinance, and as Mr. Killen says, it is a gray area that he cannot give his opinion on because it is not within the Council's ballpark.

Mr. Holmes asked if the Council saw some proposals from the Chief after he purchased them that he did solicit two or three dealers for the same weapon. Mr. Bradley mentioned he would look at it a different way, if a department head was going to come in to waive the bid, he would be asking the Council specifically that, to waive the bid. Hopefully he would already have justification on why the bid should be waived. He would have two or three different quotes on prices. Hopefully if we wanted to take that approach we could look at it more in a positive sense.

Mr. Holmes advised that the chief usually comes back with other prices.

Mr. Edward Musso asked why they have to have 67 different types of weapons. Why don't they standardize. Mr. Killen advised that they are looking to standardize, that is why they are asking for waiving of the bid. They are asking to buy guns without going out to bid so these guns will be exactly the same as what the other officers are carrying. Mr. Musso said his understanding is that the only time you waive the bid is when you can get a favorable price. Mr. Musso commented not to let them waive the bid unless they get a price that is a lot better.

Mr. Killen asked that under the request for revolvers it states that all officers must carry the same type weapon. Deputy Chief York advised that it is in the police contract that all officers have to carry the same gun.

Mr. Killen mentioned that in the overall request all answers under reasons is essentially the same, which is we want to be comparable to what we have. Deputy Chief York advised that the light bar vendor is Whelan and Strobe. The service contract is with Whelan and Strobe. For the police department to get someone else other than Whelan and Strobe, they will have to do another entire deal with a maintenance contract and with buying them from somewhere else.

Mr. Killen mentioned that the picture he is getting is that if a man is smart enough, he soon gives a very very low price to get into the department, and from that point on he gets whatever the going rate is and then a little more because the department is going to say we have eight of them now we want 10, now we want 15, now we want 20, and all to keep them comparable. Mr. Killen noted that this defeats competitive bidding, and he does not particularly care for this.

Deputy Chief York advised that the police department has \$127,000 worth of Motorola equipment, they need Motorola radios to be comparable. They also repair and maintain all of them.

Mayor Dickinson suggested the motion should be that the Council waive bidding on particular brands being requested, then if they are able to put out a bid that asks for prices on that particular brand with the specifications regarding that brand, they will do so.

Mr. Adams noted that a certain amount of discretion should be left to the department heads. They have budgets they have to live within, and he is sure they are going to do their homework. He feels it is important that they know the Council does have confidence in their administrative abilities, and unless we really see something way out of whack, that the Council will have some confidence in their ability to select those things which they feel are necessary to perform their jobs to the best of their abilities. Mr. Killen noted that he does not feel that any department heads feel that the Council is attacking them. They realize that it is the Council's duty to question what they are doing.

Mr. Musso asked why the police need new strobe bars. He wanted to know what is wrong with the strobe bars they have. Mayor Dickinson advised that the reason we are changing strobe bars is that they have been having electrical problems with the existing strobe bars and they run into so much downtime that it ends up keeping cars off the road. Deputy Chief York advised that this is true and that most of the strobe bars are 10 or 12 years old.

Mrs. Papale amended her motion to consider and approve waiver of bid procedure for the police department but to select particular brand names that the police department are requesting, and if you can bid it that way you should do so, and if you cannot you have to go out and get three proposals, and purchase at the lowest price. Mr. Adams' seconded the motion. Mayor Dickinson advised that the Council should indicate what the brands are.

Mrs. Papale advised the following brand names should be included in the motion:

Light Bars	Whelan and Strobe
Revolvers	Smith and Wesson
Portable Radios	Motorola
Lexan Shields	(Pro Guard)

Motion seconded by Mr. Holmes.

Sgt. Fairchild advised that Motorola is the only vendor for Motorola Radios. The prices on the same type radio last year was \$904, and they have a sale going on with this radio now for \$737.25, making it lower than the bid price last year. It is on sale because this particular band is unpopular, and many police departments are not purchasing it.

Mr. Musso said not to give them a blank check. Do not give them anything until they get their act together and come over with some good figures, what they want, and why.

Mr. Bradley asked Sgt. Fairchild that if other police departments are moving away from these types of radios and the bands - what is the situation? Sgt. Fairchild advised that the other police departments are going to higher frequency bands.

VOTE: Unanimous ayes; motion duly carried.

#### Public Question and Answer Period (7:30 P.M.)

Mr. Edward Musso, 56 Dibbel Edge Road, mentioned the sign on the front of the building saying that the doors are locked at 5:00 P.M., come in through the dungeon. When they had meetings in the old Town Hall, you could come through the entry doors, you did not have to go on Main Street, through Electric Department offices, through Caplan's Building and out the back yard and then come upstairs to get into the Town Council Chambers. Why should this building be any different? You have doors over there and you have to go down on Prince Street and you have to check all over the place. These doors are operable and

they should be open when there are meetings. If there are no meetings, then he can understand why they are closed at 5:00 P.M. When there are meetings, they should be open so the public can come in without getting confused and given the run around. He feels security reasons given by the Mayor is a poor excuse. People are cleaning here until midnight or so, so if anyone is hiding they will be flushed out, and if they are not what difference does it make they are not going to take anything.

Mr. Killen told Mr. Musso that if the only people who spoke here were those who knew what they were talking about, they would all go home. Our thought process does not agree with everybody else's. This does not mean they are wrong or right. If you disagree with them, speak with them later, this is a question and answer period.

Mrs. Carolyn R. Massoni, 41 Hillview Road, asked if Dona was staying on as secretary. Mr. Killen advised he is hopeful. Mrs. Massoni asked if someone was going to sit down with Dona and tell her how to prepare the minutes or the way they should be prepared. Mrs. Massoni picked up a set of minutes on July 5, and she feels that there are numerous errors and omissions. Last Friday, she asked Kati if Dona had typed the minutes in the Council office and Kati said she did not know. Mrs. Massoni noted that at the last meeting Mr. Killen told her that Kati was going to sit down with Dona to tell her what is expected of her. Mr. Killen advised that Kati cannot tell Dona what is expected of her, it is up to him. Mrs. Massoni told him that is what he had said. Mr. Killen said he told her that Kati could help Dona with some of the questions that might arise, but he is the one who will have to tell her what is expected of her. Mrs. Massoni noted that the Council has on the agenda an item to approve the minutes for both June 14 and June 28, and she advised that

they not be approved this evening because there are a lot of corrections to be made. Mr. Killen advised that was the Council's decision. Mrs. Massoni noted that there are a lot of omissions, even the ordinance is not in there, none of the attachments are in, so you might take a look. Mr. Killen advised that if you go back through the years, and you see the ones that are there, and they accurately reflect what happened, then he missed a lot of the meetings. Mr. Killen noted that he knows she is taking an interest now, but these things have been going on for years, the minutes very rarely reflect exactly what transpired at the meeting, nor do they always reflect what someone in the audience wished they had. Mrs. Massoni noted that if there was an ordinance adopted, then she would assume that there would be an attachment incorporated into the minutes. It always has been. Mr. Killen advised it has not always been. Mrs. Massoni advised that when she was Clerk for this Council for many years, as far as she knows it was always a part of the minutes. Mr. Killen advised that Mrs. Massoni has it in for Kati and she is going to get back at her. Mr. Killen advised that he is responsible for the minutes.

Mrs. Massoni noted that she knows what goes on in the Town Clerk's Office. The minutes of May 24 have not been approved yet. Mr. Fazi was here that evening, there was a bonding ordinance, and he is a very particular attorney, has anyone notified him that those minutes have not yet been approved by this Council. She asked how the Council can certify that ordinance. She asked how the town attorney's office can certify to those minutes if they have not been approved. Mr. Killen asked if she knew if in the state statutes it states that the Council must approve the minutes. Mrs. Massoni advised she will not get into that. Mr. Killen reiterated the question. Mrs. Massoni admitted that she did not. Mr. Killen asked her to find it and bring it to him. Mrs. Massoni commented that she would assume that would be one of the Council rules. Mr. Killen advised her never to assume. He learned that rule the hard way.

Mrs. Massoni asked Mr. Mantzaris if the Council minutes must be approved by the Town Council. The Town Council minutes according to Mrs. Massoni do come under the mandate of the statutes, in fact, they are to be reproduced on a certain quality paper, there cannot be any foreign matter attached to it like scotch tape or staples, and she assumes if they are that strict that they should be approved by the Council. According to the charter the ordinance has to be signed by the Mayor, then it has to be advertised, and it does not become effective until 21 days after publication; the minutes have to be approved or certified within that time. She noted that she would appreciate an answer from the Town Attorney.

Mrs. Massoni noted that regarding item 22 from the last minutes on consider and approve waiving of Town Clerk's computerized indexing and microfilming - a copy of the letter from Kathryn Wall is attached to these minutes. She noted there is no copy attached, so she does not know what was in that letter. She noted from the minutes that Mr. Zandri wanted to know if the price was close - she continued that Kathryn Wall advised that one firm was more expensive and another firm was very new to the market and did not give a quote. Mrs. Massoni asked Kati if she received a quotation or a bid from Adkins and Cott. Kati advised that she did not receive a quotation or bid. Mrs. Massoni asked if before Kati came to the Council to ask them to waive the bid if she presented a quotation from Adkins. Mr. Killen advised the question is to the Council. Mrs. Massoni commented that Kati was part of this Council. Mr. Killen reiterated that Kati is not part of the Council. Mrs. Massoni commented that the Town Clerk is part of the Council, and it is in the Charter. Mr. Killen is aware of that as much as she is. Mrs. Massoni asked Kati if Paul Machesney was still in existence. Again reading from the last minutes Mrs. Massoni noted that Kathryn advised they were the highest bidders. Mr. Killen advised that this is a question and answer period. What this pertains to is general government. If she has a question of the Council that they can answer or the Mayor, fine, if you have one of a particular department head, contact the department head. Mrs. Massoni commented that she is asking the Council if a quotation or a bid was presented along with the letter. Mr. Killen advised that he had no idea. Mrs. Massoni then asked him to ask the Town Clerk. Mr. Killen advised that he would mind asking the Town Clerk. Mrs. Massoni advised that he had not heard the end of her. Mrs. Massoni commented that she did a little research and investigating on her own, and for his information, Kati did not seek a quotation from Paul Machesney; they have not heard from the Town of Wallingford.

WAIVER RULE V: Mr. Bradley's motion that due to an oversight the Inland Wetlands Commission had not been sworn in was seconded by Mrs. Papale. There were five members at the meeting.

VOTE: Unanimous ayes; motion duly carried.

Inland Wetlands Commission members were sworn in by Kathryn Wall.

WAIVE RULE V - Mrs. Papale's motion to transfer \$28,558.00 from Contingency Account No. 8050-800-3230 in the amount of \$28,558.00 to Assessor, Chief Appraiser Salaries Account No. 1430-100-1200 was seconded by Mr. Doherty. Mrs. Papale read the letter requesting this transfer of funds enabling Mr. Francis Barta, Assessor, to fund the position of Chief Appraiser. The new position was approved in the 1988-89 budget and a job description was approved by the Town Council on May 24, 1988. The individual appointed to this position had been certified for appointment by the Personnel Department in accordance with the town's personnel rules and regulations.

Mr. Doherty commented that the new positions put into the budget were not fully funded, figuring it would take a few months for some of these positions to be filled. Mr. Killen advised that the Council tried to get from the department heads when they thought the new people would be coming on board and they were funded pro rata. Mr. Doherty noted that in Item 10, job description for Assistant Superintendent of Programs which was approved, there was \$11,000 as the figure for one half year salary. Mr. Doherty noted that now that the job description has been approved, more than likely they would probably fill the position by September 1, at \$11,000. Mayor Dickinson advised that no, they probably will require a transfer of funds in order to allow that position to continue. There is a Superintendent of Programs, and that person is funded at this point. That position is what will become the new position and he thinks additional money will be necessary. Mayor Dickinson, after checking with Stan Shepardson, advised that there will be a transfer necessary. The Mayor advised there are two contingencies; the contingency here is the labor contingency. This other transfer, unless there is another source, would have to come from 319, Emergency Contingency. Mr. Killen asked that if someone was ready to come on board in July, why was the funding cut in half. Mayor Dickinson advised that most of the cuts in funding occurred the last night of the meetings and it was impossible to know which departments were affected.

Mr. Killen commented that when a department head requests a new position in the future, he must let the Council know pretty darn close to when the man is going to come on board because the positions are funded to the fullest extent for 12 months.

Mr. Holmes noted that when the Council told the department heads that they were going to cut the salaries, an agreement was reached that if the position was filled ahead of time, the department head would come back to the Council for a transfer. The Council agreed with them.

VOTE: Unanimous ayes; motion duly carried.

Attorney Mantzaris advised that his office received a decision on the Northeast Data Comm case which involved the software issue, whether it was taxable as personal property or not. The decision of the trial court found all issues in favor of the Town of Wallingford. Attorney Mantzaris noted that undoubtedly the case will be appealed because there is a lot of money at stake. Mr. Frank Barta noted that at least \$125,000 per year in taxes would be gained from this decision.

Mr. Vin Avallone, 1 Ashford Court, asked about the article on landfill use. He wanted to know with a police officer at the landfill if New Haven came with a load of garbage, what would happen? Mayor Dickinson advised they would not be allowed to dump the material. Mr. Avalone asked under what authority. Mayor Dickinson advised under the authority of the ordinance. Mr. Avalone also noted that the article mentioned that an inspection program could continue after the trash plant opens; he wanted to know who would be responsible for that. Mayor Dickinson advised that the CRA is responsible.

ITEM 11: Consider and approve upgrading of Chief Clerk position in the Engineering Department and transfer of \$1,019.00 from Council Contingency General Government 8050-800-3230 to Engineering Wages (Chief Clerk) 5010-100-1300. Mrs. Papale's motion was seconded by Mr. Parisi.

Mr. Bradley asked if this was a new position. John Costello, Town Engineer, advised that it was not a new position. It was upgrading the present secretarial position to Chief Clerk. There is a job description available. Mr. Parisi asked if it was a different labor. Mr. Costello advised it was a different step; it would be a step down in title, but a step higher in salary.

Mr. Killen noted that in the budget book the figure approved was for the lower position and that this figure was in contingency. Mr. Killen asked the Mayor if the entire salary has to be approved rather than \$1019 since under the approved column in the budget book it states contingency. Mayor Dickinson



asked if the entire amount for that employee was put in contingency. The Mayor advised that Tom Myers would only put the difference between the two positions, difference in money. There would be no reason to put the entire year's salary.

VOTE: Unanimous ayes; motion duly carried.

Mr. Bradley asked Mr. Costello for a status on East Main Street. Mr. Costello advised that the pulverizing of the old pavement was completed, stone is being placed on top of that, and they should be putting down the bituminous pavement on July 14.

ITEM 12: Consider and approve upgrading of Clerk Typist II position to Senior Clerk in Risk Manager's Office, and transfer of \$510.00 from Council Contingency 8050-800-3230 to Risk Management Clerk Wages 1620-100-1300. Mrs. Papale's motion was seconded by Mr. Adams.

Mr. Killen noted that in the second paragraph of the letter to Mayor Dickinson, Mark Wilson mentioned downgrading the present position of part time Account Clerk. Mr. Killen asked whether there was a cut in pay associated with this downgrade. Mr. Wilson advised that yes there was a pay cut involved:

Account Clerk's present salary is \$9.35, Clerk Typist II will be around \$7.88. Mr. Killen asked that over the course of a year if the salary difference can take care of that transfer. Mr. Wilson advised there are two separate positions; the Senior Clerk \$510.00 was in contingency, which is the difference between the Senior Clerk and the Clerk Typist II. Mr. Wilson also noted that because the present position of Account Clerk is budgeted for 15 hours per week, if they downgrade it to Clerk Typist II they would work 19 hours per week.

VOTE: Unanimous ayes; motion duly carried.

Mr. Wilson asked if the vote was for both items. Mr. Killen advised it was only for the transfer of \$510.00 from Council Contingency to Risk Management Clerk Wages accounts. Mr. Killen noted that the letter does include asking the Council to consider downgrading of the position.

Mrs. Papale's motion to Waive Rule V to downgrade present position of Part Time Account Clerk to position of Part Time Clerk Typist II and increasing the hours to 19 was seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

Mayor Dickinson advised that part of this motion should be amending the budget personnel page to reflect new position under the Personnel Office to be part time. It does not reflect the number of items on that page but it should be 19 hours instead of an implication that it is full time.

Mayor Dickinson advised that the original plan was for a full time person to work part of the time in Personnel and part of the time in Risk Management.

Mrs. Papale's motion to downgrade the present position of Part Time Account Clerk to the position of Part Time Clerk Typist II; duties and skills to perform this job correspond to the specification for a Clerk Typist II. This person will be trained and supervised by the requested Senior Clerk of the Risk Management Office. The present budget allocation allows for a part time position of approximately 15 hours per week (Account Clerk). Upon the Council's approval, it is hoped to fill this position by August 1, 1988, with a 19 hour per week part time Clerk Typist II. Also Mrs. Papale's motion would also amend personnel page to change the position to reflect that the Clerk in the Personnel Office will be a part time clerk of 19 hours per week; Mr. Doherty seconded the motion.

VOTE: Unanimous ayes; motion duly carried.

ITEM 13: Consider and approve resolution to apply for air stripping water treatment grant.

RESOLUTION:

BE IT RESOLVED: That the Mayor of the Town of Wallingford or in his absence the Director of Public Utilities is hereby authorized to execute

and file applications and agreements on behalf of the Town of Wallingford with the Commissioner of Environmental Protection for state grants pursuant to the provisions of Special Act 88-77 and the General Statutes of Connecticut, as amended, and to execute on behalf of the Town of Wallingford all the applications, instruments and documents and accept payments and do all other things that may be necessary for state grants for: Design and construction of treatment facilities on Municipal Well No. 2.

Mrs. Papale's motion was seconded by Mr. Bradley.

Mr. Bradley advised he was sorry to have missed the July 5th meeting. Mayor Dickinson advised that the meeting was requested by DEP and the purpose was just to inform the town of the rules that go along with grant application. There will no longer be lump sum grants. The town has to make application and will then be reimbursed on an on-going basis.

Mr. Bradley asked if there was an order being issued regarding contamination. Mayor Dickinson advised that the DEP wants the town to be under order in order for them to be able to pursue their side of the issue regarding whether there are any contributions to be made from Meriden.

Mary Fritz noted that DEP made it very clear that an order will be issued and that is the way the money will be accessed. What it would say is that the water is polluted at site, and that should be very clearly understood by the Council and in any communications with the people in town that this be specifically related and conveyed. The water that is going into the homes is perfectly safe and healthy. It has been blended or it has been treated. However, at site, it does have TCE in it which is polluted.

Mrs. Papale noted that she received a call on the DEP meeting after the meeting was over. Mayor Dickinson advised that the meeting was strictly an administrative matter.

Mr. Doherty asked about the meeting held in Meriden on the diversion of water on the Quinnipiac River. He noted this will certainly have an impact on the neighbor downstream, Wallingford. Mr. Doherty asked that if they are labelling the well polluted at the site, and the site is not too far away from the Quinnipiac River, then what impact are the plans of Meriden, Cheshire and Southington going to have on this whole situation.

Ms. Fritz noted that she is not sure but she has expressed that concern prior to this. The well they are talking about is 1500 feet from the Quinnipiac River so it is of great concern. Ms. Fritz noted that Mr. Tom Morrissey from DEP expressed the same concerns with regard to the amount of water that would be taken out of the Quinnipiac River. Ms. Fritz concern is also what is going to happen to the quality of the river since \$40,000 had been appropriated for water quality study, in addition to \$35,000 that was received last year for Community Lake. Ms. Fritz advised that she will go back to the DEP and express the concern of the Council with regard to water quality of the Quinnipiac as it comes into these wells.

Mr. Doherty advised that Roger Dann from the Water Department was at the meeting July 11 and indicated that the town was going to make some comments toward that in Hartford. Mayor Dickinson and Roger Dann are planning to attend the next meeting in Hartford on July 13 at 9:30 A.M.

Mr. Doherty noted that his major concern is Well No. 3 which is even closer. Mr. Doherty mentioned that Hamden officials were at the meeting and they are concerned about the Mill River in their particular town. Ms. Fritz also advised that Meriden in about two years should not be in deficit condition because the Broadbrook Reservoir, which is their water on Cheshire's land, has \$1.5 million in a bonding package for its expansion. The reservoir will be expanded so that the water level can be raised. They are going to re-do Reservoir Road, raise it and widen it. That will increase their gallonage.

Mary Fritz advised she would reflect to the DEP, Mr. Doherty's concerns that the Town of Wallingford is going to get short changed in the long run.

Mr. Holmes mentioned that Cheshire also wants to divert the water because they have a problem with pollution in the wells. He wanted to know if there are any plans for Cheshire to try to clean up those affected wells. Mary Fritz advised that their wells have been already treated. The South Central Water Authority in the well field on Blacks Road/East Johnson is very very rich, but there is only a small section owned by the South Central Water Authority. What they plan to do is to buy more acreage in that well field so they can increase their productivity.

Mr. Killen asked what form of price the town was getting from the state in

willing that monies will be repaid to the town. Mayor Dickinson noted that the state will accept the application and give us formal indication that it has been approved. The Mayor stated that the town has opted to have them pay the bills directly so it is possible that in some of the design phases the town is going to have to pay pursuant to the roughly \$300,000 that was appropriated by the Council for design, and get reimbursed, but as time goes by and the program is effective, the town would look to have them pay the bills from the engineers or contractors directly. The Mayor advised that this is where the 10 day turnaround crunch comes in. It is going to mean a lot of quick movement in order to get the bills to the state, have them approve it, and get the contractor paid. The state has not used this process before, and they are concerned about it.

Mr. Killen noted he wanted to be kept informed. He has no doubt that the intentions are the best, but he wants to make sure the process is working.

Mary Fritz advised that the entire process is not new, just the 10 day turnaround time, and the DEP's hope is to reduce bureaucratic red tape and paperwork as expeditiously as possible. The DEP is waiting for this resolution, the application, and then they will have orders issued for the pollution at the site of the well.

Mr. Bradley asked if the resolution is passed, how long it will take to get the paperwork up to the state. Mayor Dickinson advised it would be sent in the next day or so. The application is ready, and with the resolution it can go immediately.

Mr. Zandri asked when the filtering plant is in operation if there will be ongoing expenses for this plan, and if so, where will the money come from. Mayor Dickinson advised that the state may be chasing Meriden for the money. The state is in control of any findings as far as sources of pollution; they have all the experts.

VOTE: Unanimous ayes; motion duly carried.

ITEM 15: Mrs. Papale's motion to accept the lease of two vans from Greater New Haven Transit District and authorize execution of the lease to the Wallingford Committee of Aging, Inc., was seconded by Mr. Parisi.

The leases were accepted by a telephone poll. Mayor Dickinson advised that the poll was not meant as an official vote, it allowed an action to take place without calling a special meeting. The alternative was to call a special meeting last week in order to sign the leases in order to allow the vans to be used.

Mr. Killen advised that the poll results should not have to be confirmed at this meeting then. If a van was in an accident, the Council would have to turn around to the town and say no, we did not confirm it. Either the action the other day was legal or not. Mr. Killen asked Adam Mantzaris to research this. Either the vote stood the other day or they are not going to vote that way in the future. Mayor Dickinson advised that the bylaws of the Council do not provide for a telephone poll. What the poll does is indicate the Council's approval for the Mayor's action in signing the leases, which he did, and the vote tonight would ratify the signature, but the signature was still effective the day it was signed; otherwise the alternative is to hold a special meeting.

Mr. Killen advised that it was either OK to use the vans and they had the official OK of the Town of Wallingford from whatever body was necessary or they did not have it. Mayor Dickinson advised they did have approval, they had his approval. The Mayor advised that to meet FOI requirements, the Council has to take the action at a regular meeting, and take the vote. Mrs. Papale asked if they are not voting to confirm the poll.

Mr. Bradley asked why the lease had a lot of items penciled in. The Mayor advised the leases were received this way from the New Haven District. The leases are for the vans, and the town does not have to pay for these vans.

Mr. Killen commented that an official document that has been witnessed should have initials appearing where a change has been made. The Mayor indicated that the leases were received at the same time the vans were received. The town was using other vehicles which were being rented which were not in a condition or a type of vehicle that was best for the elderly. The new vans came in, and immediately the Senior Center wanted to be able to use them because they are built for this purpose. In order to facilitate that it was necessary to execute the leases; they were reviewed by the Town Attorney, by the Mayor's office, and they did not see anything really substantive in any of the changes that had been made, and it was vital to be able to provide the

service to the senior citizens and allow the new vans to be used. The vans are made available to the Committee on Aging through the Transit District of the State of Connecticut. The lease allows the town to take the vans and use them within Wallingford.

Mr. Edward Musso, 56 Dibbel Edge Road, mentioned that the vans are miniature buses. He does not see why they need such a big vehicle to cart one or two people, and they are trucking all over town. He noted it must get poor mileage.

A copy of the leases are attached to these minutes. (Town Clerk's and Town Council official Minutes)

VOTE: Bradley and Killen voted no; seven ayes; motion duly carried.

ITEM 16: Approval of Town Council Minutes of June 14 and June 28, 1988. Mrs. Papale's motion was seconded by Mr. Parisi.

Mr. Parisi noted an incorrect street name for Mr. Edward Musso.

Most of the Council did not have June 14, 1988 Minutes.

Mr. Doherty voted to table both sets of minutes; motion was seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

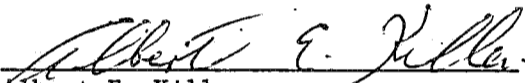
At execution session a discussion was held. No votes were taken.

Meeting adjourned at 9:45 P.M.

Meeting Transcribed and typed by:

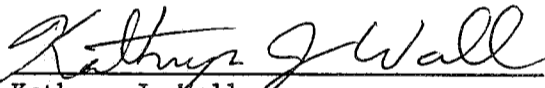
Dona P. Morse  
Council Secretary

APPROVED:

  
Albert E. Killen  
Chairman

DATE:

7-26-87

  
Kathryn J. Wall  
Town Clerk

DATE:

7-26-87

#### TOWN COUNCIL MEETING AGENDA

July 12, 1988

6:30 P.M.

6:15<sup>PM</sup> Interview candidate for appointment to Zoning Board of Appeals.

1. Roll Call and Pledge of Allegiance to flag.
2. Consider and approve transfer of funds - Building Department:  
\$765.00 from Part-Time Inspectors 2050-100-1350 to Permit Refunds  
2050-800-8900.
3. Consider and approve transfer of funds - Conservation Committee:  
\$250.00 from Part-Time Secretary Wages 7040-100-1350 to Professional  
Services 7040-900-9010.
4. Acceptance of contribution of \$1,000 from Masonic Charity Foundation for  
railroad station restoration and authorize appropriation to Wallingford  
Center, Inc. Railroad Restoration Fund 3070-600-6884.

5. Consider and approve transfer of funds - Town Clerk's Office: \$700 from Self-Insurance Claims 001-8040-800-8280 to Advertising 001-6030-400-4100 in the amount of \$550 and Dog Tags and Supplies 001-6030-400-4010 in the amount of \$150.
6. Consider and approve transfer of funds: \$443,778 to cover retro pay for Police Department.
7. Consider and approve merit increases for the following management personnel:
 

Donald Roe  
Salvatore Sandillo  
Richard Vanski  
W. Gerald Sands  
Karen Plover  
Thomas Dooley
8. Public Question and Answer Period - 7:30 P.M.
9. Consider and approve Waiver of Bid Procedure for Police Department.
10. Consider and approve job description for Assistant Superintendent of Programs - Recreation Department.
11. Consider and approve upgrading of Chief Clerk Position in the Engineering Department and transfer of \$1,019 from Council Contingency General Government 8050-800-3230 to Engineering Wages (Chief Clerk) 5010-100-1300.
12. Consider and approve upgrading of Clerk Typist II position to Senior Clerk in Risk Manager's Office, and transfer of \$510 from Council Contingency 8050-800-3230 to Risk Management Clerk Wages 1620-100-1300.
13. Consider and approve resolution to apply for air stripping water treatment grant.
14. Consider and approve appointment of alternate to Zoning Board of Appeals.
15. Accept lease of 2 vans from Greater New Haven Transit District and authorize execution of lease for the 2 vans to the Wallingford Committee on Aging, Inc.
16. Approval of Town Council Minutes of June 14 and June 28, 1988.
17. Executive Session - requested by Councilman Doherty.



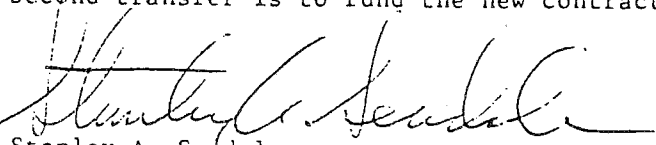
*Town of Wallingford, Connecticut*

STANLEY A. SEADALE  
PERSONNEL DIRECTOR

DEPARTMENT OF PERSONNEL  
MUNICIPAL BUILDING  
WALLINGFORD, CONNECTICUT 06492  
TELEPHONE (203) 294-2080

TO: MAYOR DICKINSON  
FROM: STANLEY A. SEADALE  
PERSONNEL DIRECTOR  
DATE: JULY 6, 1988  
RE: TOWN COUNCIL AGENDA ITEMS

Could you please place the attached budget transfers on the agenda for the next Town Council meeting (July 12). The first is for retro pay for the police in connection with the new contract recently approved. The second transfer is to fund the new contract for the current fiscal year.

  
Stanley A. Seadale  
Personnel Director

SAS/clj  
Enclosures