

Town Council Meeting Summary

March 22, 1988

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Adjourned.	35

Town Council Meeting

March 22, 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 AMENDING ORDINANCE #344 BY INCREASING THE APPROPRIATION THEREIN TO \$1,220,000 AND INCLUDING COSTS OF CONSTRUCTION.
- (4) Consider and approve a budget amendment for the Water Division: \$10,000 INCREASE in New Meters & \$10,000 DECREASE in Reserve for Water Treatment Plant, requested by Raymond A. Denison.
- (5) Consider and approve a transfer for the Water Division:
 \$11,500 from Administrative & General Salaries
 \$ 4,000 to Maintenance Pumping Equipment
 \$ 7,500 to Maintenance of General Plant
- (6) Consider and approve a transfer for the Sewer Division:
 \$24,000 from Power Purchased & Natural Gas
 \$16,000 to Power Purchased for Pumping
 \$ 5,000 to Pumping Labor & Expenses
 \$ 3,000 to Miscellaneous & Safety Expenses
- (7) Consider and approve a transfer for the Electric Division: \$1,200 from Overhead Lines to Miscellaneous Distribution, requested by Michael C. Holmes, Assistant General Manager.
- (8) Consider and approve a transfer of \$5,000 from Snow Removal-Wages to Maintenance of Vehicles, requested by Steven L. Deak, Director of Public Works.
- (9) Consider and approve a transfer of \$14,391 from Reserve for Emergency Council Contingency to Tax Refunds, requested by Norman Z. Rosow, Tax Collector.
- (10) Consider and approve a transfer requested by Stanley A. Seadale:
 \$2,000 from Self Insurance Unemployment
 \$5,000 from Blue Cross
 \$3,000 from Social Security
 \$2,000 to Advertising
 \$5,000 to Blue Shield
 \$3,000 to Medicare Tax
- (11) STATUS REPORT on the Wallingford Historic Commission.
- (12) REMOVE FROM TABLE and consider acceptance of Liberty Court as a town road, requested by Linda A. Bush, Town Planner.
- (13) REMOVE FROM TABLE and consider disposition of property of Eastern Land Trust on MacKenzie Avenue, requested by Mayor William W. Dickinson, Jr.

- (14) DISCUSSION on concerns regarding Well #2 and Well #3, requested by Councilman Steven B. Holmes.
- (15) Action to adopt rules on "Consent Calendar," requested by Councilman David J. Doherty.
- (16) Consider and approve a transfer of \$7,845 from Attorney, Assistant & Invest. Salary to Professional Services, Statutory, requested by Adam Mantzaris, Assistant Town Attorney.
- (17) Confirm Mayor Dickinson's appointment of Robert N. Beaumont as a Commissioner for a three year term on the Public Utilities Commission.
- (18) STATUS REPORT on Inland-Wetlands Commission.
- (19) Consider acceptance of March 8, 1988 Town Council Meeting Minutes.
- (20) Consider acceptance of March 14, 1988 Town Council Meeting Minutes Councilmen Doherty and Zandri were not present at this meeting.
- (21) EXECUTIVE SESSION, requested by Mark Wilson, Risk Manager.
- (22) Consider and approve:
- Amend the 1987-1988 General Fund Budget and appropriate the sum of \$411,533 to the 1987-1988 Capital and Non-Recurring Fund for roadway improvements on Cook Hill Road.
- Amend the 1987-1988 Capital and Non-Recurring Fund Budget and appropriate estimated revenue, State of Connecticut, Local Capital Improvement Grant \$203,467 and General Fund appropriation \$411,533.
- Further appropriate the sum of \$615,000 to the 1987-1988 Capital and Non-Recurring Expenditure Budget for roadway improvements on Cook Hill Road.
- (23) NOTE FOR THE RECORD the Director's Report for the Electric, Water & Sewer Division for the month ending February 29, 1988.
- (24) EXECUTIVE SESSION, requested by Adam Mantzaris, Assistant Town Attorney.

TOWN COUNCIL MEETING

March 22, 1988

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:33 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., Adam Mantzaris, Town Attorney and Thomas A. Myers, Comptroller. The pledge of allegiance was given to the flag.

Public question and answer period.

Mr. Frank Wasilewski, 57 North Orchard Street, commented that this morning, he noticed in the Record Journal that the Purchasing Agent had two items out to bid. One was for a rotary lawnmower for rental and the cost of resurfacing all of the tennis courts in Wallingford. He added that the people that are using the tennis courts should pay for using them, just like the people that use the golf course do. Mr. Killen told Mr. Wasilewski that he would look into the issue of renting a rotary lawnmower.

Mr. Zandri asked Mayor Dickinson if there was any report on whether the time table for the wells (as far as design time). Mayor Dickinson explained that he does not have a written report at this time and as soon as he receives it, he will pass it along to the Council.

Mr. Zandri asked if the work on the Oak Street bridge has started and Mayor Dickinson replied yes. Mr. Zandri asked Mayor Dickinson if he was aware that the state is starting work on two bridges on Rt. 150

at the same time (the bridge near the Masonic Home and the bridge next to the Britannia Spoon Company) which will cause a traffic problem and suggested that something be coordinated with the state to see if they can hold off on their projects until the Oak Street bridge is completed. Mayor Dickinson explained that he does not think that they are going to close the bridges. Mayor Dickinson explained that he will check with Engineering on this matter.

Mr. Zandri then asked Mayor Dickinson if he had any report on the Meriden Landfill from his meeting in Hartford today and Mayor Dickinson explained that there were no decisions made. It was a discussion of the use of the landfill and we were concerned about the protection of the wells. Various viewpoints were presented from Meriden and the Town of Wallingford and no conclusions were reached. Mayor Dickinson added that he will be scheduling a meeting with some DEP officials. Mr. Zandri added that he would like to have the Council informed of any developments because there is a lot of money being invested in the wells and what transpires or happens in the landfill is important to the Council.

A motion was made to move up Item 9 by Mr. Adams, seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

ITEM 9. Consider and approve a transfer of \$14,391 from Reserve for Emergency Council Contingency to Tax Refunds, requested by Tax Collector, moved by Mrs. Papale and seconded by Mr. Adams.

Mr. Killen explained that these are tax refunds that people have overpaid in the taxes. There are about 1 dozen people, the largest being \$7,000 and the lowest being \$1,300 and they total \$14,391 all together.

VOTE: Unanimous ayes; motion duly carried.

ITEM 3. Public hearing on AN ORDINANCE AMENDING ORDINANCE #344 BY INCREASING THE APPROPRIATION THEREIN TO \$1,220,000 AND INCLUDING COSTS OF CONSTRUCTION.

Mrs. Papale moved and read the following Ordinance:

AN ORDINANCE AMENDING ORDINANCE #344 BY INCREASING THE APPROPRIATION THEREIN TO \$1,220,000 AND INCLUDING COSTS OF CONSTRUCTION, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAID SAID APPROPRIATION

Be It Enacted By The Town Council In Session:

The ordinance adopted at the Town Council Meeting of the Town of Wallingford on July 15, 1986 appropriating the sum of \$90,000 for the preparation of preliminary plans for an asbestos abatement, inspection, design, and services program for Wallingford public schools including inspection, design, and related services, is hereby amended to read as follows:

"Section 1. The sum of \$1,220,000 is appropriated for an asbestos abatement, inspection, design, and services program for public schools in the Town of Wallingford, including design costs, architectural and engineering fees, administrative, printing and legal costs related thereto, said appropriation to be inclusive of (i) the appropriation of \$90,000 for the preliminary plans for such program adopted at a Town Council Meeting held July 15, 1986, and (ii) any and all State and federal grants-in-aid thereof. Such appropriation shall be expended in accordance with the following categorizations:

\$1,089,055	Design, construction, administrative, Industrial Hygiene and contingency
\$ 130,945	Debt Administration

AN ORDINANCE AMENDING ORDINANCE #344 BY IN-
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BONDS AND NOTES TO DEFRAY SAID APPROPRIATION

Section 2. To meet said appropriation \$1,220,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be dated as of the first or the fifteenth day of a calendar month in which they are issued or as of the first or fifteenth day of a calendar month within the three calendar month period next prior thereto, or as of the date of issue, be issued in fully registered form or in bearer form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by and payable at The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, and be approved as to their legality by Messrs. Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the annual installments of principal, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Mayor, the Comptroller and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

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

AN ORDINANCE AMENDING ORDINANCE #344 BY IN-
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Section 4. The Mayor, the Comptroller and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at and certified by The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, and be approved as to their legality by Messrs. Robinson & Cole, Attorneys-at-Law, of Hartford. They shall be issued with maturity dates not more than two years from the date of issue, but notes issued with shorter maturities may be renewed from time to time by the issue of other notes provided the period from the date of issue of the original note or notes to the date of maturity of the last renewal note or notes shall not be more than two years or, subject to the provisions of Section 7-378a of General Statutes of Connecticut, as amended, not more than four years. The notes shall be general obligations

of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing, and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Nothing herein shall prohibit the advancement of expenses by the Comptroller from available cash funds of the Town for the purposes authorized by this Ordinance and the reimbursement thereof from the proceeds of bonds or notes authorized by this ordinance.

seconded by Mr. Adams.

Mr. Frank Wasilewski commented that he would like to see the asbestos taken care of right away.

Mr. Thomas Chicowski explained that the Asbestos Committee feels the same way as Mr. Wasilewski. Because of the size of the project, it cannot be done all at once. This funding ordinance will take care of approximately 65% of the asbestos removal in the school system and we are trying to remove any material that we can and get it done as quickly as we can within the appropriate regulations that exist.

Mr. Edward Musso, 56 Dibble Edge Road commented that he believes that this is a crazy waste of money. He would like proof that asbestos is harmful.

Ms. Nancy LaBianca, 45 High Street, asked if any of the schools are near completion and Mr. Chicowski explained that Parker Farms did have all of the asbestos removed. This school had asbestos in the boiler rooms, as well as in the pipe tunnels. There is a Connecticut Public Law that requires periodic inspection for all school buildings if there is any asbestos left in them, so all of the schools in the Town of Wallingford will be put under an asbestos management plan, which will be done every other month. Ms. LaBianca asked what will be done with the Yalesville school (now being used by BenHaven) and Mr. Chicowski explained that there is some question how the Asbestos Emergency Response Act regards private schools. There has been some remedial work done there.

Mr. Holmes commented that he knows that the bid has been awarded for the engineering services and asked if they have contracted with a firm to do the actual removal process, and Mr. Chicowski explained that before any contract could be awarded, they have to have the funding. Mr. Chicowski added that the firms have been researched by the Committee.

Mr. Myers pointed out that the costs that the Council is looking at tonight, are hard costs and a lot of credit should go to Tom Chicowski, who worked with Mr. Donald Dunleavy (Purchasing Agent), to put these contracts out before money is appropriated. In the past, they would have come up with a best-guess, with an estimate for an appropriation on a major construction project. Once that Ordinance was funded, it was common knowledge, in the trades, how much money the Town of Wallingford would be willing to spend.

Mr. Doherty commented that he feels that this is a very important project and should be acted on immediately.

Mr. Killen asked if they will have to go into BenHaven again and remove more asbestos, and Mr. Chicowski explained that the Asbestos Emergency Hazard Response Act of 1986 stipulates that all public and private schools have to comply. This means that certain procedures and inspections have to be set into motion. If the material becomes degraded it will have to be removed. If BenHaven is truly a private school, not for profit, then the school will have to comply with the latest of regulations (proper record keeping, proper posting, inspection procedures, etc.). Before Yalesville was turned back from the Board of Education to the Town, this was under the original contract with their engineering consultant. So, Yalesville was properly inspected and all of the proper paper work done.

Mr. Killen asked Attorney Mantzaris to look into the agreement that the Town has with BenHaven.

Mr. Chicoski pointed out that during the last Council Meeting, they had pointed out that there were numerous options that they had bid and it was the Committee's recommendation that they go with the options of the basic package, plus options two and four which was for complete removal of the asbestos insulation in both the pipe tunnels in Lyman Hall and Moses Y. Beach. This would include doing insulation of not only those areas that they had removed the insulation from, but also insulate those condensing pipes that were not insulated before and this could be considered as a conservation project, in addition to the asbestos abatement. According to figures which were provided by their consultant, this would earn a cost savings of approximately \$12,800 per year.

VOTE: Unanimous ayes; motion duly carried.

Mr. Killen congratulated Attorney Adam Mantzaris on his appointment to Town Attorney and congratulated Mayor Dickinson on his choice.
APPLAUSE!

ITEM 4. Consider and approve a budget amendment for the Water Division: \$10,000 INCREASE in New Meters & \$10,000 DECREASE in Reserve for Water Treatment Plant, moved by Mrs. Papale and seconded by Mr. Holmes.

Mr. Holmes asked Mr. Roger Dann to explain that approximately 125 homes remain in that category. This is a considerable reduction from 320 homes a year and a half ago.

Mr. Bradley commented that he cannot find the line item for the Water Treatment Plant and Mr. Killen explained that the Water Division has never carried that forward. Mr. Myers explained this is not an account, it is a use of working capital.

Mr. Zandri asked if the Water Treatment Plant is associated with the reservoir system (where the money is coming from) and Mr. Killen explained that this was money carried over (excess funds).

Mayor Dickinson explained that when they reviewed the budget last year, some \$186,000 to \$200,000 was being appropriated and recommended that it be put in a line known as Outside Contractors. Over the past 3 years, they had \$100,000 already in that account. When I reviewed it, I wondered why we would put another \$186,000 in there. We removed \$100,000 from their request and created a line reserved for the Water Treatment Plant. The Water Division did not totally support the idea because they felt that they had outstanding bills that would more than cover the amount of money requested but, the bills had not been processed. The money was used to pay for installation of mains and service facilities that were put in place by contractors, and the Town would reimburse the contractors for that portion of the job, that we required for our purposes, but the contractor really did not need it for the work that he was doing. We required them to do something extra and would reimburse the contractor for that work. The reimbursement schedule is way behind the times. The funding for the Water Treatment Plant is forecast in a future rate increase, although we want to stay on top of not allowing the use of funds inappropriately and where there are extra funds, it should go towards debt reduction, etc. To my knowledge, they have caught up with all of the backlog.

Mr. Killen asked if some of this was used to put larger pipes in and Mayor Dickinson explained that the contractor puts them in and the town pays for the difference. Mr. Zandri asked if there is any reason that they do not mandate that size pipe and Mr. Dann explained that the contractor is required to provide a certain size main in order to meet his own requirements. If we have a need for a larger size main, in order to accommodate some future connections, then we would require him to go from a 6 inch to an 8 inch main. Mr. Zandri asked if this was going along with building codes and Mr. Dann explained that this would be over and above the building codes, set by the State.

Mr. Edward Musso suggested that the Water Division do their own work and not let the Council people try to do their job.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5. Consider and approve a transfer for the Water Division:

\$11,500 from Administrative & General Salaries

\$ 4,000 to Maintenance Pumping Equipment

\$ 7,500 to Maintenance of General Plant

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

Mr. Zandri asked if the funds are available and why they are available. Mr. Dann explained that the funds are available and one of the reasons for this might be a vacancy which was recently filled at the General Manager's position.

Mr. Zandri commented that he has a problem with these transfers coming from the Salary Accounts and going to other accounts, and added that he feels that the taxpayers are getting gypped because these positions are not being filled and they are being funded at budget time. Mr. Killen explained that at budget time, if they get a request for X number of positions, the Council has the right to ask if those positions are filled now, (are they going to be filled for the remainder of the year). The Council has no control over someone who gets through after the budget has been adopted.

Mr. Doherty asked how many vacancies (major) are there in the Water, Sewer and Electric and Mr. Dann said they are currently looking at 6 positions in Water and either 6 or 7 in Sewer. In terms of management, they are currently showing 1 vacancy in the position of Water Superintendent and nothing in Sewer.

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

ITEM 6. Consider and approve a transfer for the Sewer Division:

\$24,000 From Power Purchased & Natural Gas

\$16,000 to Power Purchased for Pumping

\$ 5,000 to Pumping Labor & Expenses

\$ 3,000 to Miscellaneous & Safety Expenses

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

Mr. Holmes pointed out that the Sewer Division has been before the Council many times for increases in this account and asked why they don't have a better handle on this.

Mr. Dann explained that in the area of Pumping Labor and Expenses, that is an area in which some unanticipated breakdowns and have occurred in the past, resulting in expenses over and above what could reasonably have been anticipated. The only other technique to avoid coming back here, would be to over-budget, anticipating a large number of problems, which may or may not occur. With regard to the Safety Expenses, that was an area where there was an unforeseen requirement that was not able to be anticipated at the time that the budget was prepared. Regarding the increase for Power for Pumping, we don't have an answer as to why we are experiencing additional pumping costs. Since the Waste Water Plant is currently in construction, we do not have all of the metering installed and therefore are unable to totalize flow coming into the facility.

VOTE: Unanimous ayes; motion duly carried.

ITEM 7. Consider and approve a transfer for the Electric Division:

\$1,200 from Overhead Lines to Miscellaneous Distribution, moved by Mrs. Papale and seconded by Mr. Adams.

Mr. Michael Holmes, Assistant General Manager, explained that the original funds budgeted in this account were for minimal miscellaneous labor and they did find it necessary to purchase a number of items that were not originally budgeted, dealing with various hazardous waste matters and disposal, which were unanticipated in this line item at the time the budget was submitted.

Mr. Parisi asked if this was coming from Overhead Lines and Mr. Holmes replied that it is. Mr. Parisi commented that the Electric Division should have a good handle on this account at budget time.

Mr. Holmes explained that the Overhead Account falls under the Capital Account. In the Maintenance Account, approximately 60% of all labor goes into those accounts and 40% goes to the Capital side. This year, they are running behind budget, mainly because of vacancies (9).

Regarding the 9 vacancies, Mr. Doherty asked how many of them were on the management level and Mr. Holmes replied 3, one being the General Manager. Mr. Holmes added that they are trying to get these positions filled as soon as possible, because they have a backlog of work. Mr. Killen asked if they are trying to use overtime to try to catch up on the backlog and Mr. Holmes replied that they are, and if they cannot get a qualified staff on board soon, they may have to begin to look outside. Right now, they have 3 apprentices on board and they are looking for more.

Mr. Adams suggested that the Electric Division train their own people to promote them within as an incentive to get ahead, even if they have to be sent to school because it might be the cheaper way to go right now. Mr. Holmes explained that they are doing that and they have a 3½ year apprentice program. The problem is, there is a lot of work to be done and an apprentice cannot do the work.

Mr. Killen suggested that they look into what the premium cost would be to bring in some outside help.

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

ITEM 8. Consider and approve a transfer of \$5,000 from Snow Removal-Wages to Maintenance of Vehicles, requested by Public Works, moved by Mrs. Papale and seconded by Mr. Solinsky.

Mr. Bradley commented that \$10,000 was just transferred into this account recently and asked why the money was being transferred back out. Mr. Deak explained that the winter is over and he is looking for maintenance of his equipment because the equipment is over 15 years old and they are coming to the Spring season and the paving and curbing machines have to run.

Mr. Killen asked Mr. Deak if he had enough money in the account to cover one more snow storm and Mr. Deak said that he would not have a problem.

VOTE: Holmes and Parisi not present for the vote; Zandri voted no; all other ayes; motion duly carried.

ITEM 10. Consider and approve a transfer requested by Stanley A. Seadale:

\$2,000 from Self Insurance Unemployment
\$5,000 from Blue Cross
\$3,000 from Social Security

\$2,000 to Advertising
\$5,000 to Blue Shield
\$3,000 to Medicare Tax

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

Mr. Killen pointed out that the correct account number on the transfer for Social Security should be 8020-800-8000.

Mr. Killen asked why money was being taken out of these accounts for advertising and Mr. Sharkey explained that they are spending less on unemployment insurance because they are self employed. More is needed in advertising because they have had a number of positions where there was no way to foresee that certain individuals would be leaving.

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

ITEM 11. STATUS REPORT on the Wallingford Historic Commission.

Mr. Arthur F. Goodearl, alternate member of the Commission was present.

Mrs. Papale read a letter submitted by Ms. Jeanne Holmes from the Historic Commission in which she states that she met with Linda Bush, Town Planner, to discuss her suggestions regarding revisions, additins, etc. to ready the booklet for the proposed District and Ordinance for Town and State approvals.

Mr. Bradley stated that he is as concerned as everyone else that they do not know what the Historic Commission is doing or what they have done and the Council does not receive minutes of their meetings.

Mayor Dickinson explained that Scott Heyl, Wallingford Center, Inc. has the plan and is doing the necessary work on it and expects that they will be finished by April 12, 1988, at which time, Planning and Zoning should get it. Mayor Dickinson explained that the problem is that the list of properties does not conform with the boundaries as adopted by the Commission. At their last meeting (January), they adopted a map and a report but, they altered what their original plan was by adopting A and B, they created two Historic District sections instead of one and the inventory has to reflect that and there has to be information regarding the powers of the Commission.

Mr. Killen commented that he would like a copy of what was turned over to Mr. Heyl because since 1981, they don't know what has been turned out and all the Council received was a letter from Jeanne Holmes.

Mr. Goodearl added that about 1 month ago, a report was hand delivered to Town Hall.

Mrs. Mary Annis, 68 Northford Road, stated that she is shocked that nobody showed up to represent the Historic District Commission and commented that it has been long past time that they should have expected some results from this Commission which was established in 1981. Mrs. Annis added that she is wondering if there will be anything to save, at this rate. Mrs. Annis explained that the Historical Society would like to see the present Commission dissolved and a new one set up with members who are truly interested in seeing that the Historic District is established, and this should be their only goal. If this is not agreeable to the Council, a deadline could be set and if the deadline is not met, the Commission should be immediately dissolved and a moratorium should be imposed on the demolition of any buildings in the Historic District. APPLAUSE!

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

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Parisi to have the Historic Commission disbanded as it stands now and re-organized, seconded by Mr. Solinsky.

Mr. Dwayne Braithwaite, 26 Kingsland Avenue, commented that the Council does have the right to request anyone to be at their meeting and be held accountable for the last 7 years.

Mr. Arthur Goodearl agreed that this Commission has done very little and supports what Mr. Braithwaite said.

Mr. Adams stated that he would like to see the members of the Commission at the next Town Council Meeting so they could see what is in the report that Mr. Heyl has.

Mr. Parisi added that there are people that are concerned, people that are interested and people that want to work.

Mr. Killen suggested that the Council wait until April 12th to see what they come up with.

Mr. Doherty commented that he would like to see this Commission straightened out tonight.

Mr. James Annis, resents the fact that no one showed up to represent the Historic District Commission.

Mrs. Papale stated that she agreed with Mayor Dickinson and they should wait until April 12th, the date that Mr. Heyl said that he will have a status report ready.

Mr. Adams stated that he would feel uncomfortable doing something like disbanding the Commission so quickly without giving the Commission a chance to defend themselves, and explain.

Mr. Parisi commented that this item came up two weeks ago and he does not think that they are rushing things.

Mr. Raymond Rys, 96 Pierson Drive, commented that on his last two terms on the Council, he does not remember this ever coming before the Council and he thought that this Commission was appointed by the Mayor.

Mr. Phillip Wright stated that he feels that this Commission is badly tainted at this point, for various reasons and something should be done tonight.

VOTE: Adams, Papale and Killen voted no; all other ayes; motion duly carried. (DISBANDING THE PRESENT HISTORIC COMMISSION)

A motion was made by Mr. Parisi to have the Council Chairman appoint a temporary Chairman to come forth with names to be acted upon at the Town Council Meeting of April 12, 1988, to remain the same size, seconded by Mr. Solinsky.

Attorney Mantzaris explained that there are 5 members and 3 alternates by Statute. The legislative body may appoint them or authorize the Mayor to appoint them.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to remove Item 12 from the table, seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 12. Consider acceptance of Liberty Court as a town road, requested by Town Planner, moved by Mrs. Papale and seconded by Mr. Adams.

Mr. Bradley commented that there are two storm drains at the foot of Liberty Court and asked Mr. Deak if the fact that there are no drains at the cul-de-sac and the road is tipped in, if this will cause any problems and Mr. Deak replied that he does not think so.

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

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

VOTE: Unanimous ayes; motion duly carried.

ITEM 13. Consider disposition of property of Eastern Land Trust on MacKenzie Avenue, requested by Mayor Dickinson, moved by Mrs. Papale and seconded by Mr. Zandri.

Mr. Killen read a letter from Francis J. Barta, Assessor, dated March 16, 1988, which states that he estimated the market value to be approximately \$65,000.

Mayor Dickinson commented that he does not see the rush is because the property will only appreciate in value.

Mr. Adams suggested that this land be used as a down payment or a trade-off because the town does have need for property. Mr. Adams added that he agrees with Mayor Dickinson.

Mr. Zandri suggested that the abutting property owners be notified of this sale.

A motion was made by Mrs. Papale to dispose of property of Eastern Land Trust on MacKenzie Avenue at fair market value and going out to bid with a minimum of \$65,000, seconded by Mr. Zandri.

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

Mr. Dwayne Braithwaite suggested that out of the sale of the property, the Attorney fees should be paid and Attorney Mantzaris explained that out of the proceeds of the sale of that property, will come the dollars paid to the Attorney.

ITEM 14. Discussion on concerns regarding Well #2 and Well #3, requested by Councilman Holmes.

Mr. Holmes stated that he is sure that everyone is painfully aware of the water problems being experienced. This administration thinks that this is a top priority. Because of the health concerns and complaints, he took it upon himself to try to come up with some figures and facts on what it would take to deliver water to these

residents (13,000 homes). Out of those, about 15% would want bottled water which would be about 2,000 homes. Presently, in the State of Connecticut, the DEP is supplying water to various parts of Connecticut due to contaminated wells which exceed their standards. The parameter that the State uses for delivering bottled water is 1 gallon per day per person. The cost will be between .75¢ and \$1.00 per gallon, which will cost approximately \$1,142.00 for one house for one year. When you multiply that times 2,000 homes, the cost will be about \$2.2 million dollars.

Mr. Roger Dann explained that at the present time, due to some bridge construction work, which is in progress at the Oak Street bridge, well #3 is currently out of service and has been for approximately the last week. During the time that this well is out of service, the Water Division will be installing a section of main to connect the discharges from well #2 and well #3 together in order to allow for blending of the two wells. The effect that this will have, is to essentially have the levels of both TCE and Manganese being pumped into the distribution system. With regard to the levels of TCE, the town is currently below the existing State levels and with the blending of the two wells, in addition, will be below the levels that are proposed to be effected as of January 1, 1989.

Mr. Holmes pointed out that they have heard from some people that it would be impossible to take well #3 out of service for any period of time. Mr. Dann stated that at the present time, due to the fact that we are in fairly low demand portion of our season, we can afford to have that well off line for several weeks, in order to facilitate the bridge reconstruction work. However, we are not in a position to take that well off line and still maintain adequate system supplies and pressures during the higher demand portion of the year.

Mr. Zandri asked if it would be possible to have a tanker of water located in the Yalesville area for the people that would want water and Mr. Dann could not answer that at this time. Mr. Zandri then suggested that the Yalesville Fire Station be used over the winter months until the filtering system is in place.

Mr. David Hetzel, 7 High Street, asked what the pumping level was for well #2 and Mr. Dann explained that the normal pumping would be at a rate of about 550 gallons a minute and the duration of that pumping varies to reflect system demands. Currently, that is running 10 hours a day. The pumping rate for well #3 is 750 gallons a minute.

Mr. David Hetzel asked Mr. Dann if he could guarantee that the blending of the water would reduce the manganese to a level that would not make people ill. Mr. Dann replied that he could not provide any guarantee.

Mr. Hetzel gave the following oral presentation to the Town Council :

ORAL PRESENTATION TO TOWN COUNCIL 3/22/88

I'd like to start off by commending you for going ahead with the financing of the filtration system for wells #2 & #3. While your consultant estimates it will be 18 months to completion, at least that was a step in the right direction.

On March 8th, 1988, I presented you with information pertaining to a health problem involving the water from well #3. Included in that package of information was a map indicating what I felt was the geographic area involved. Since then, as a result of phone calls from many concerned people, I have learned that the area involved is greater than what I had shown you. It includes the Laurelview Park area off Pent Highway and it goes as far south as Masonic Avenue.

The information I gave you regarding the survey of the illness suffered by my immediate neighbors just gave you a list of signatures of people who had suffered either from gastrointestinal irritation or headaches and whose symptoms had gone away when they stopped drinking tap water. Enclosed with this presentation is a two page report detailing what these people suffered. I am sure you will find it interesting reading.

I also presented you with copies of petitions signed by 82 people requesting that well #3 be closed until such time as a filtration system to remove the manganese is in place and operating. Tonight, I present you with copies of additional petitions bringing to 377 the number of people requesting that you close well #3.

I do not believe that it is necessary for me to provide you with the sources of my information again, as I did that on March 8th.

I also enclose a copy of a letter from a woman explaining that aspirin and decongestants had not cured her headaches, but that after talking with me three weeks ago, she had switched to bottled water and her headaches ceased.

Another woman who has been under her doctor's care for headaches and stomach problems, after talking with me, told her doctor about the manganese problem in our public water supply. After he got her blood tests back, including tests for manganese, he told her to switch to bottled water. I have requested that she try to get us a letter from her doctor.

Another woman with gastrointestinal problems called me to find out about the manganese. She has since told her doctor and they are presently awaiting the results of her blood tests.

Several other people have told me that their doctors would not listen to what they had to say about the manganese. I suggested that there are doctors who will listen.

What is happening is that people are now beginning to become educated about the hazards of manganese and are starting to ask questions of their doctors. This is not a situation which will go away - it is a situation which is intensifying.

Probably the worst thing about our manganese problem is that the "official" word reaching the people has been that while the manganese is an aesthetic problem, it is not a health problem. People tell me they find this very confusing, especially those who have suffered from the symptoms and found the cure when they switched to bottled water.

According to the Record-Journal on Monday, 3/21/88, Mr. Smith of our Water Division indicates that the area affected by well #3 is north of the route 68 area, between the Cheshire line and North Main Street (sometimes). This is not correct. Either his information is wrong, or his maps are wrong, or he does not know, or he is purposely misrepresenting the size of the area to minimize the area of involvement. The manganese in the water from well #3 serves as a dye and it is leaving its stain in an area much larger than the area indicated by Mr. Smith.

I am mystified that after I presented you and Mr. Nunn with copies of the map on 3/8/88, Mr. Smith would come out in the paper saying that the area involved is less than 1/2 of what is actually involved. Surely, the Water Division must have records to indicate from what areas they have received complaints and to what areas they have sent the chemical to remove the staining.

If Mr. Smith and therefore other town officials don't know what areas receive water from well #3, then it seems quite logical that they also would not know of the health hazards of manganese.

Mr. Smith's remarks in the paper did bring phone calls from people in Ridgeland saying they were afraid to show up at this meeting for fear of being ridiculed because they are south of route 68.

I can understand that local officials had been taking their guidance from state officials and that the state officials have been assuming that since the EPA had not set a safety level there was no health problem. As I told you on March 8th, John Trax at the EPA has told me that they know the problem exists; they just haven't been able to define it, due to a lack of studies. People have been suffering the symptoms of manganese intoxication for over two years, according to what people tell me. We the people want to believe our public officials. We the people want to believe that we are receiving good clean healthy water. We do not want to believe that our public officials would allow us to be receiving water that could make us sick.

It is unfortunate for all of us that the EPA suffers from a lack of studies in this matter. However, since I drew the correlation between illness and water, I have done some research and a small study and found that our people are suffering the symptoms of manganese intoxication. I have presented this information to our local, state, and federal governments. Up until this evening, none has taken the necessary action to protect the people of Wallingford from manganese intoxication.

You have a choice tonight, you may either recognize that people are being made ill by drinking the water from well #3 or you may ignore it. However, on March 8th you agreed to spend two million dollars to clean up the water from well #2 and well #3, of which about one million is for a green sand filter to remove manganese from well #3. By so doing, you have already recognized a very severe problem with manganese levels at well #3. It should be impossible for you to ignore the health problems being caused by the manganese from well #3. It would be irresponsible for you to go forward telling the people of Wallingford that this water is not making them sick. They are learning the sickening truth and they do not like it. When they stop drinking tap water and their symptoms go away, they draw the only correlation possible - tap water makes them ill. You must warn the people of Wallingford that drinking tap water may be hazardous to their health; it may make them sick. Once you do this, you have no choice but to protect the people by closing down well #3, until such time as the green sand filter is up and running. Mr. Poirer, the engineer from Whitman and Howard, admitted on March 8th that he can not guarantee that blending the water from well #3 with the water from well #2 will reduce the manganese level to a level which will not make people ill. Therefore he has not left that option open to you. If you agree to provide bottled water or a tank truck, you are recognizing the problem. Once you recognize the problem, you have no choice but to cure it. You are the people elected to take care of our people and our town. You may not abdicate your responsibility to the state or federal level. They are more concerned with their lack of studies and the problems posed by their lack of studies than they are with the immediate health problems here in Wallingford. Your first concern must be the good health of the people of Wallingford. As I see it, you have only one choice, that being to close well #3.

Presented by:

David Hetzel
7 High Street
Yalesville, Ct. 06492
203-265-5734

Enclosures:

Two pages detailing the symptoms suffered by the people in my survey

A copy of the additional petitions

A copy of the letter from Kathleen Short

58 Wooding Road
Yalesville, CT 06492
March 21, 1988

Town Council Members
Town of Wallingford
Wallingford, CT 06492

Dear Council Members,

For the last three months I have experienced constant headaches. Since aspirin did not seem to relieve the pain, I tried decongestants, thinking I had sinus problems, and made an appointment for an eye examination, thinking it might be eye strain.

Three weeks ago, Mr. Hetzel came to my house with the petitions regarding Well 3. In the course of our conversation he mentioned that other people in my neighborhood had been experiencing headaches. After his visit I purchased bottled water and have since ceased having headaches.

Sincerely,



Kathleen P. Short

The heading on the survey reads as follows:

"SUFFERED ILLNESS

We the undersigned have suffered from one or more of the following symptoms of manganese intoxication. The symptoms ceased when we stopped drinking Town of Wallingford tap water. The symptoms: Gastrointestinal Irritation (upset stomach), Headaches on a regular basis." I could not even consider getting involved with other symptoms because I wanted something that was somewhat easy to isolate.

I would not let people sign this survey unless they convinced me that they truly complied with the meaning and intent of the survey, quality being more important than quantity.

The signers are:

David M. Hetzel	7 High St	2/26/88	A 1987
Sharon Tutz	54 Wooding Rd	2/26/88	B
Sharon Tutz for daughter Kathy-age 6			A+B
James A Urcan	5 Hillside Lane	2/26/88	A
Joan C Urcan	5 Hillside Lane	2/26/88	A*
Peter C Doyle	41 Hill Ave	2/27/88	A 1987
Nancy C LaBianca	45 High St for 2 children	2/27/88	A*
Laura Stewart	28 Wooding Road	2/27/88	A
Laura Stewart for daughter Katie-age 5			A
Cynthia Mansfield	35 Hill Ave	2/28/88	A
Kathryn Powell	16 Cottage St	2/28/88	A+B
Gertrude Moshier	26 High Street	2/28/88	A

A = Gastrointestinal Irritation
B = Headaches

I have indicated that 2 of the above went through this last year and are still on bottled water now.

Mrs. Urcan goes back about 2 years. She went to her doctor with her complaint of Gastrointestinal Irritation. They put her through a series of tests including an upper G.I. series. The results were inconclusive but the symptoms continued. Then for some other reason they switched to bottled water and her symptoms disappeared. She was glad to see the articles in the newspapers and to find that it's not just her.

In my case, when I came to the conclusion that water was causing my upset stomach, I switched to soda and juices and had no problems. I went back to tap water and the symptoms resumed, I went to bottled water, and the symptoms have not returned. Pretty conclusive, I think.

LaBianca moved to this section of Wallingford not too long ago, maybe last year. In their other house they drank bottled water because the water was so bad. When they moved here, they continued to drink bottled water. However, from time to time, she gets lax and runs out of bottled water. Each time this happens, the kids drink tap water and then complain of tummy problems. When she replenishes her supply of bottled water - no more complaints. Her husband has had similar complaints. When her mother visited from Florida, against the advise of Mrs. LaBianca, she drank tap water and also became ill.

As for Sharon Tutz, although she drinks very little water, she drinks 15 to 20 cups of coffee a day. She had a headache every afternoon. She said she was popping Advil like a junky. Since she switched to bottled water for her coffee supply, she hasn't had one headache. Her six year old daughter complained of headaches and tummy upsets regularly before they switched to bottled water. Since then, no more complaints. Even her husband says he feels better now that he is no longer drinking tap water.

Peter Doyle was having stomach problems during the summer of 1987. Switching to bottled water seems to have been the cure for him also.

Laura Stewart is another with problems affecting her whole family. Her children were chronic with the stomach complaints. She went on a diet which involved a high water intake. She had a problem with stomach upset. When she saw an article in the newspapers in early February, she switched to bottled water and now no complaints from any of them.

Cynthia Mansfield had been suffering stomach problems and after reading an article in the paper had also switched to bottled water and her problems went away.

Powell and Moshier tell similar stories.

Then there is my older son. In middle school and high school he was diagnosed as a probable ulcer patient. Many days were lost from school when he stayed home with an "upset stomach." A variety of tests produced nothing conclusive, just suspicion. He is now away at college, not eating the right diet for an ulcer patient, not getting the proper amount of sleep, and under a lot of pressure. For the two years he has been away from our water supply, no stomach problems. My wife and I now suspect his problem may also have been the manganese in the water.

Mayor Dickinson explained that they have inquired at one school in that area as to what the absenteeism or sickness may be at the school and Mr. Robert Nicoletti told him that it is one of the three lowest, percentage wise, in the system.

Mr. Edward Musso commented that he wishes that Mr. Holmes would let people take care of themselves.

Mr. Ronald Gregory read the following statement which was said by himself and appeared in the Wallingford Post in 1981: "Past pollution of the Oak Street well, near the dump, is a major concern. At the time of the contamination of this well, I remember reading that the Town was considering diluting the polluted water, until pollution standards are met. In my opinion, only the highest standards should be acceptable. The health impact on area residents is of foremost importance". These statements were made to Mr. Bruno.

Mr. Gregory added that this is not a new issue that those wells have been contaminated. He suggested that an investigatory committee be set up to find out what the PUC is doing and why they have sat on their hands all of these years. He added that he heard today that the blending of the wells might not meet the standards in 1989. He suggested that they get it in writing from DEP, that it would be acceptable. In his opinion, the water should be shut off. He added that he does not think that the people that pay for city water should have to tolerate stained fixtures, allegations of health problems, etc. He would like to see the Council supply clean water and investigate the PUC.

Mrs. Nancy C. LaBianca, 45 High Street, commented that her family has used bottled water for the past 3 years and her children have been fine since they have been using it. She added that she does not care for having the water trucked in because there is no way to maintain the purity of the water.

When asked how long well #3 would be out, Mr. Dann explained that it would be out for at least 3 weeks, at which time, piping for the bridgework will be in place. Once that is completed, there is additional bridge work, however, that does not impact on the operation of the well.

Mrs. Sharon Tetz, 54 Wooding Road, commented that she is a life long resident of Wallingford. The water stains her tub, clothes and there has been a problem for the past 2 years. Her 6 year old daughter would have a glass of water every night before she went to bed and would awaken in the morning with a headache, until she switched to bottled water.

Ms. Cathy Avery, 70 Masonic Avenue, commented that she was upset last week when she read Mr. Aldi's comments in the newspaper regarding the landfill. He commented in the newspaper that the landfill was not the cause of the contamination in the wells, and she does not agree with him but, Mr. Killen said that there has to be proof before someone can be blamed.

Mr. Killen added that when the Council makes their decision, it is going to have to be based on something concrete and the Council appreciates people coming before them and expressing their feelings.

Mr. Robert Avery, 70 Masonic Avenue, told the Council that their price for bottled water was extremely high and they should think about buying wholesale. Mr. Holmes said that he spoke to 2 different companies that that is the price that he was given.

Mr. Avery added that he does not agree with fact that they will be blending the 2 different wells. All you will be doing is combining the two different poisons and distributing them to the residents.

Mr. Roger Dann commented that they perform analysis on those wells on a regular basis and on that basis, they look at every regulated contaminant and they meet requirements for each of those regulated contaminants. Mr. Dann stated that he will make a report available to anyone who submits a request in writing, as to the contaminants in the water.

Mr. Avery asked if anyone knew when the Town of Wallingford was notified as to the change in the regulations regarding TCE and Mr. Robert Beaumont, from the PUC, replied that he believes it was last summer. Mr. Avery asked Mr. Beaumont if he knew of any problems with well #1 and Mr. Beaumont replied that he only knows of a high sodium content, which Mr. Holmes explained was a natural element.

Mr. Avery asked Mr. Killen if he agreed that the people should have been told about the problems in their water and added that the politicians always say that they are meeting the standards. Mr. Killen explained that telling the people is not the answer. They are looking for some insight of what the citizens want them to do and whether they can do it or not. They know that there are things that should have been done and there are things that still have to be done.

Mayor Dickinson explained that it was the fall that they were in receipt of the information. This is when Whitman and Howard did the pilot of the greensand filter and the report came in on that in December.

Mrs. Nancy Hetzel, 7 High Street, commented that she does not agree with the blending of the wells because you will be combining the chemicals and spreading them. On various occasions, the Water Department has told them that well #3 provides 25% of the water in this town, and on other occasions, they have been told that the 3 wells provide 25% of the water in this town. Well #3 has been off and there has been no change in her water pressure and nothing else has changed. She added that she is opposed to both bottled water and tanker water because she resents paying \$400.00 a year and having to take a container and go to a truck and get her water, not knowing where the water came from and the purity of the truck.

Mr. Paul Gough, 1 Kingsland Avenue, commented that he would wonder about the safety of truck water being tampered with. It would be a good idea, but they would have to have some security along with it. Mr. Gough added that bottled water is not pure water, it is merely bottled water.

Mr. Holmes pointed out that bottled water has to meet State guidelines. Mr. Hetzel stated that they only have to meet State guidelines if they cross state lines, but there are very few.

Mr. David Hetzel commented that he went to the place where the town has their water tested and their speculation on the source of the manganese, is that it would be an ore deposit in the ground that the aquifer is traveling through. They are not pointing a manganese finger at the landfill.

A motion was made by Mr. Zandri to Waive Rule V, seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Zandri to have the Water Department supply tankers of drinkable water to Wallingford residents, until the filtering project is complete, seconded by Mr. Doherty.

Mr. Braithwaite would like to see the motion amended to state that the water must be tested or certified to some standard to which Mr. Zandri replied he included the word "drinkable" and it could come from the reservoir. Someone from the audience commented that someone is selling bottled water for 3¢ per gallon.

Mr. Bradley asked what was done in the Grieb Road area and Mayor Dickinson explained that the grant was to reimburse homeowners on hookups in the road; either during the ice storm

or hurricane, Fire Department tankers were used in areas without power but all of it was town water. Mayor Dickinson wanted it kept in mind that all of the water gets mixed in the system; wells don't run all of the time but depend upon demand and most of the water is from surface supplies but there are times when the wells do augment those supplies and there are times when the wells are not operating at all and it all gets mixed in the system. Mayor Dickinson added there have been programs to create loops because of dead-end areas where the water becomes stagnant in the pipes and there were complaints about that but when you try to identify exactly where a certain molecule is going to go, when all is interrelated, it's extremely difficult.

Mr. Robert Beaumont agreed that it was during Hurricane Gloria that water was distributed to areas where people had wells that became contaminated by a local contaminant and water was utilized from nearby hydrants. Mr. Beaumont commented that the reservoirs cannot handle distribution at an adequate pressure to the entire town and there is the Masonic tank, Hill-house tank and Carpenter Lane. Mr. Beaumont said it depends on the time of year as to how much the wells will produce, up to 25%-28%, sometimes at 10 hours a day and other times at 16 to 20 hours a day, based on an as-needed basis.

Mr. Beaumont commented on the motion with regard to the purity and what vehicles would be used, concerns to address before a decision is made. Mr. Holmes felt that it sounded like trucking water is unacceptable and he does not know what the exact solution is.

Mr. Killen indicated that the Water Department has no money allocated to distribute bottled or tanked water and he asked Mr. Zandri what the logistics were. Mr. Zandri said if this motion is passed and the Water Department has a problem funding it, they can come to the Council to discuss funding and he feels this gives the residents an option which they do not have right now.

Mr. Bradley recommended that the Council, PUC and our State Representatives meet next week and form a session to come up with alternatives and solutions to the problem; we are in the process of solving our long range problem and must address the immediate problem but he would like to hear if there are better alternatives. Mr. Zandri felt that passing his motion could be an interim step and it can be pursued further next week. Mr. Killen felt this has been belabored enough.

Mr. Parisi asked what kind of trailer would be used and Mr. Zandri said there are tankers which haul milk and he is sure that our Water Department has the capability of handling this problem.

Mr. Solinsky asked if the Water Department has a tanker and Mr. Dann said they did not but they can be rented. Mr. Parisi wanted it made clear that the motion indicated that a tanker of water would be hauled for the residents' use. Mr. Parisi wondered if the Council was not overstepping their financial and legislative bounds and suggested that this matter be pursued with perhaps a representative from the Council. Mr. Solinsky asked about this item going out to bid and Mr. Parisi said it must if it is over \$2,000. Mrs. Papale wanted to know who would administer the water distribution and Mr. Zandri said they would have to give proof of residency.

Mayor Dickinson felt that the way to begin is to allow the Water Department to investigate the possibilities and costs and if they don't have the money, they can't do it until the transfers are made and the cost has not been determined yet. Mr. Parisi agreed that the matter needed to be studied.

VOTE: Adams, Doherty and Zandri voted aye; Bradley, Holmes, Killen, Papale, Parisi and Solinsky voted no; motion did not carry.

Mayor Dickinson added that the Water Department will look into it.

Mr. Holmes moved to empower Mayor Dickinson to contact the Water Department to obtain the necessary background information as soon as possible for a distribution program, seconded by Mr. Solinsky. (WITHDRAWN.)

Mr. Killen felt that the Mayor received the message and rather than go through the motion, it can be made later on. Mr. Bradley would like a time limit since he would rather not wait until the next meeting. Mr. Doherty asked if it were possible for the Water Department to adopt some sort of policy where Well #3 would be closed down every day possible to do so. Mr. Dann suggested that in doing that, the department would be failing perhaps to look at the other solution which would be to find a way to mitigate the problems at Well #2 at the same time which is why the suggestion was raised for blending the two sources together--we are likely to be right back here at some future time to discuss shutting down Well #2 and running #3 and Mr. Dann suggested operating both wells as needed to maintain adequate supply and pressure within the system, a policy which the department has been in existence an extended period of time.

ITEM 15. Action to adopt rules on "Consent Calendar," requested by Councilman David J. Doherty. Mr. Doherty presented two possible choices for rules, **RULE OF PROCEDURE XVI**. There is a definition and procedure and Mr. Doherty feels that both sections would be agreeable.

Mrs. Papale read the following letter dated March 22, 1988 which was received at the meeting, presented by Mayor Dickinson.



OFFICE OF THE MAYOR
TOWN OF WALLINGFORD
CONNECTICUT

March 22, 1988

Wallingford Town Council
Wallingford, Connecticut

Attention: Mr. Albert E. Killen, Chairman

Dear Council Members:

I would like to make some suggestions as to measures that could be adopted and aid us in reducing the amount of time that Department Heads must wait for business to be approved or disapproved at Council Meetings.

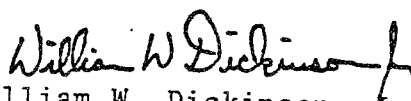
Would the Council be receptive to starting their meetings at 6:30 P.M. and perhaps considering all transfers from various Department Heads at that time?

In addition, would it be possible to adopt a rule of operation which provides that any transfer of less than \$5,000 within a single department's operational budget be deemed to be approved by the Council (Consent Calendar) unless the Department Head is contacted the day prior to the meeting that attendance at the meeting is necessary?

A transfer must be restricted to money between operational accounts within one department's budget. Transfers involving personnel funding from personnel and capital accounts would require the presence of the Department Head.

Thank you for your consideration.

Sincerely,


William W. Dickinson, Jr.
Mayor

Mr. Holmes commented that one of the criticisms of the Council over the years was that information is hidden and while he can sympathize with efforts to keep business moving ahead, he is more in favor of starting the meetings at 6:30 p.m. for department transfers and they pursuing matters more meaningful to the public from 7:30 p.m. on.

Mr. Musso, 56 Dibble Edge Road felt that 6:30 p.m. meetings for transfers is a good idea and he felt that some of the other issues such as water and garbage should not be handled at Council meetings but with the PUC or wherever appropriate.

Mr. Doherty felt a 6:30 p.m. starting time is an excellent idea and a "Consent Calendar" could be tried to determine its effectiveness.

Mr. Parisi acknowledged the fact that Mr. Doherty has brought this problem to the fore and perhaps by the next meeting, a solution will be accomplished which will be fruitful to the Council, department heads and the public. The only problem Mr. Parisi has with the Mayor's proposal is that he is not in favor of giving up the \$200 Mayoral transfer.

Mr. Killen said the transfers on this agenda were completed long ago but the items generating the most interest are discussion items and in the final analysis, there is no motion. Mr. Killen said that he, Iris, Mayor Dickinson and Mr. Myers meet and put the agenda items together on Wednesday before a meeting.

Mr. Parisi commented that at no point was it ever inferred that the structure of the agenda. . .Mr. Killen didn't take it that way.

Mrs. Papale asked if by getting out at 11:00 p.m., did Mr. Killen intend to limit the amount of discussion? Mr. Killen said a \$3,000 item could bring enough action for the evening and a \$500,000 item can be done in two seconds and he has no way of knowing which should be put on a consent calendar and which should not.

Mr. Doherty moved to change the rule for the opening of meetings to start at 6:30 p.m. and consider transfers for the first hour of the meeting for various department heads, seconded Mr. Parisi. (All meetings will begin at 6:30 p.m.)

Mrs. Papale suggested that everyone check their agenda for the exact starting time because after a newly adopted budget, there are very few transfers and the start time could be 7:30 p.m. on occasion. Mr. Doherty suggested that all meetings could be started at 6:30 p.m. Mr. Holmes asked if the Secretary of State had to be notified and Mr. Bradley said right on up to Hartford. It was noted that question and answer period will begin at 7:30 p.m.

VOTE: Mr. Killen voted no; all other Council Members voted aye; motion duly carried.

Mr. Doherty moved that the Public Question and Answer Period take place beginning at 7:30 p.m., seconded by Mr. Parisi.

Mr. Bradley said this would revamp Rule III of the Rules of Procedure. Mrs. Papale asked if this would mean that any item being discussed at 7:30 p.m. would be stopped and Public Question and Answer Period started and then the item resumed and Mr. Parisi suggested waiting to see what happens.

VOTE: Mr. Killen voted no; all other Council Members voted aye; motion duly carried.

Mr. Doherty moved adoption of a rule which provides for any transfer of less than \$1,000 within a single department's operational budget be deemed to be approved by the Council Consent Calendar unless the department head is contacted the day prior to the meeting that attendance at the meeting is necessary, seconded by Mr. Holmes.

Mayor Dickinson wanted everyone to understand that this is not a Mayoral Transfer but a transfer needing Council approval such as \$200 transfers but what you would be approving is that unless that department head is contacted prior to a meeting that he should be there, he would consider that the item would automatically go on a Consent Calendar and the Council would transfer

it pursuant to a vote. Mr. Bradley commented that the liaison committees would be able to do their homework up on the front end for consent items but there would still be others who would have questions. Mr. Parisi has a reservation with discussion being limited but he feels maybe it's time to try a Consent Calendar but he feels what we have done does not eliminate discussion. Mr. Doherty suggested that if we feel uncomfortable with it, it can be scrapped but it can be tried. Mr. Doherty felt that any Council Member can asked for an item to be pulled off the Consent Calendar, at their discretion. Mr. Solinsky pointed out that there were no transfers tonight under \$1,000 and by going on Consent does not mean it will be passed and in many cases, the department head will have to be present.

VOTE: Adams, Bradley, Doherty and Parisi voted aye; Holmes, Papale, Solinsky, Zandri and Killen voted no; motion did not carry.

Mr. Doherty moved to adopt as RULE XVI. the CONSENT AGENDA similar to that used in New London, Connecticut, seconded by Mr. Adams.

TOWN COUNCIL RULES

"CONSENT AGENDA"

MARCH 22, 1988

RULE OF PROCEDURE XVI. CONSENT AGENDA.

DEFINITION-A consent agenda is a separate listing from the regular agenda of a variety of items to be approved by one vote of the Town Council rather than specific votes on each item. There is no discussion or debate either by members of the council or by the general public on consent items, only a single roll call vote for approval of all items.

Procedure-That the Town Council Chairman delegate to one or more Councilors, the preparation of the Consent Agenda and that the Consent Agenda shall contain a motion relative to all matters listed on the Agenda.

The opening motion on the Consent Agenda shall be to move the passage of the Consent Agenda. Upon being seconded, exceptions are permitted on the part of any Councilor, but no other amendments, nor discussion of the items proposed for the consent agenda. The exceptions having been requested the final vote would be taken on the Consent Agenda with specific items excepted. The passage of the Consent Agenda is to be by roll call vote and must be unanimous. If it fails each item must be taken up and voted in its turn.

At the conclusion of the vote on the Consent Agenda, any supplementary motion relating to any item thus passed, may be made by any Councilor.

(New London, Conn.)

Mr. Doherty explained the procedure indicated above, including exceptions and the fact that the roll call must be unanimous; if it fails, each item will be taken up and voted upon. Mr. Parisi asked if the public wished to speak on one item and Mr. Doherty said it would have to be removed as an exception because with a Consent Agenda, it is nondebatable, non input type of items. Public questions would have to be raised while the Council is discussion a motion on the Consent Agenda and one of the Council Members would remove that item for public comment, but this would not be mandatory.

Mrs. Papale explained that an agenda is prepared on Wednesday and Mr. Doherty added that after receiving the agenda, one member from each party would get together on a Friday and let the Council Secretary know what has been agreed upon and a Consent Agenda would be prepared and ready for the Tuesday meeting. Mr. Killen explained the tight schedule for agenda preparation and by waiting until Friday for input on Consent Agenda, he does not know when the secretaries can prepare the packets.

Mr. Raymond Rys, 96 Pierson Drive used the \$18,000 shed which the PUC wanted to build and asked if such an item is approved and goes on the Consent Agenda and someone from the public knows for a fact that it can be built for \$2,500, they will

not be able to speak. Mr. Killen said the issue can be raised and the item would have to be an exception. Mr. Doherty said such items would go back into the regular spot on the regular agenda. Mayor Dickinson suggested trying to do this at the beginning of the meeting rather than typing a separate agenda; the first item of business would be to look through the list and make a motion to move that items 1, 5 and 7 be on the Consent Agenda and if someone objects, just do 1 and 5. Attorney Mantzaris said that would provoke a discussion of one hour.

Mr. Doherty said that if a Councilman has an objection to an item, there is no debate; it's automatically pulled off. It is an attempt to eliminate noncontroversial items on the Consent Agenda.

Mr. Holmes felt that a delegate could arrive ten to fifteen minutes before a meeting and determine the Consent Agenda items.

Mrs. Papale felt that the idea of a Consent Agenda came about because of the late meeting hours but with a 6:30 p.m. start, she feels that the meetings will end at a reasonable hour. Mr. Zandri feels that the Mayor's suggestion gives the option of going either way. Mayor Dickinson felt that essentially, you don't even have to adopt a rule; if someone just makes a motion and all the items are objected to, it doesn't go but it is a parliamentary motion like anything else. Mr. Bradley explained that the Hartford Council does it in this manner.

VOTE: Council Members Adams, Doherty, Holmes, Parisi and Solinsky voted aye; Bradley, Killen, Papale and Zandri voted no; motion duly carried.

ITEM 16. Mrs. Papale moved a transfer of \$7,845 from Attorney, Assistant & Invest. Salary to Professional Services-Statutory, Town Attorney's Office, seconded by Mr. Parisi.

Attorney Mantzaris said his account as of today has \$12 in it and these two bills can come out of the first 8 months of the Town Attorney's Salary which was not used and the larger of these bills involves a very important case for the Town of Wallingford, Northeast Datacom for which Tyler, Cooper & Alcorn was retained. The attorney handling this case has done very good work for the town in the past and it involves the question of whether or not software in a computer operation is personal property subject to taxation under the laws of the state and it is the first case in Connecticut and the more important cases in the country favor Wallingford's view; there are a number of cases against Wallingford's view. Northeast Datacom's position is that the only item taxable is the value of the tape itself, say \$2 or \$3 and the difference in taxes to the Town of Wallingford on the tapes alone, if they are successful is \$20,000; if the town is successful, \$140,000 for each year on the tapes alone. The second issue in this case is the depreciation schedule--they are looking for 5% on all regular personal property and Frank Barta uses a 10% depreciation schedule which is used throughout the state. On the computer equipment, they are trying to argue for a depreciation of 40% the first year, substantial dollars for the town and Attorney Mantzaris felt that since the plaintiff had retained a firm tied into a national computer for cases and 60 or 70 attorneys, our town needed the same kind of qualified firm since it's too large a case to take a chance on. The case has been tried so far for 3 days and has been scheduled for 5 more days in April and will probably be appealed and will probably cost another \$15,000 in transfers in the next fiscal year and Attorney Mantzaris wanted the Council to be aware of the type of case being discussed, a very small amount of money compared to what it means for the Town of Wallingford year after year in tax collections if we are successful and there is a strong hope that we can be successful and Attorney Mantzaris would very much appreciate the Council's consent for this transfer request for Tyler, Cooper & Alcorn.

Mr. Zandri asked about the software or the data on the tapes and Attorney Mantzaris said it's the data. Frank Barta said we are talking about the taxability of computer software. Mr. Zandri said software and data are two different things--software is the mechanism that makes a computer work and data is just compiled data. Mr. Barta said there are three types of software: machine software which makes the machine work, canned

software which you can buy in a store and custom software, in-house developed and generated on the premises for particular use by a company, about \$2.5 million of in-house developed software, not what is stored in the memory banks of the computer which is data.

Mr. Bradley asked if this software is developed for sale rather than proprietary software such as IBM software and Mr. Barta said we are looking at taxing all software. Mr. Barta explained that none of it is copyrighted but picked up on an audit report--the software has been capitalized as a capital asset and depreciated. Mr. Bradley felt that IBM would debate that point. Mr. Bradley realizes there are tax dollars coming into the town but he commented that the cost will be passed on to someone and you know who it is. Mr. Holmes said the key is this is claimed as a capital asset and anytime you claim a capital asset in a plant, it is taxable and that is like any other asset they are claiming.

Mr. Dwayne Braithwaite asked if that was the only case this money would be transferred to and Attorney Mantzaris said he was also asking for a transfer for Dubar v. Wallingford ZBA. Mr. Braithwaite asked if Wiggins & Dana represented the town right now and Attorney Mantzaris said they represent the town in the appeal of Sharon Daly and he is not sure which case came first. Mr. Braithwaite knows of 4 cases in which the town paid them over \$10,000 in the past year alone and they are still hired to defend a case and we are a client. Attorney Mantzaris said the only case if the Sharon Daly case and Mr. Braithwaite felt there was a conflict of interest here. Attorney Mantzaris pointed out that those bills were paid before Northeast Datacom case came into being and the only case still with that firm is the FOI ruling appeal for Sharon Daly and that's the last case they will be handling while Northeast Datacom is alive and there is no conflict since the two cases are so far apart in issues presented. Attorney Mantzaris said the same thing is happening with our Bond Counsel--a tax appeal is being represented by Robinson & Cole and Attorney Mantzaris sees no possible conflict with Attorney Fasi giving advice on bonds and at the same time, his firm is being opposed in a zoning appeal but there is no conflict. Attorney Mantzaris felt that the important distinction is that when Wiggins & Dana came in to represent Sharon Daly, they made the Town Attorney's Office aware that they were representing Northeast Datacom in a tax appeal against the town and asked if it would be a conflict as far as the client is concerned and Attorney Mantzaris did not see a conflict, just as he does not see a conflict with Attorney Joseph Fasi.

Mr. Braithwaite has spoken to lawyers at Wiggins & Dana involved in the Sharon Daly and he felt there was a potential for passing those cases around until they all match up. Mr. Killen can see both points.

Mr. Killen asked about the word "Statutory" and Mr. Myers felt that it should read Professional Services. Mr. Gough asked if this was a request for a bid waiver since he feels that it is a necessary element of this. Mr. Killen said this has grown outside the Charter and we have been led to believe that lawyers will not go out to bid but he would be happy to entertain a motion to waive the bid. Attorney Mantzaris felt that this discussion was held two or three meetings previous and he gave the opinion that the Town Attorney's Office was not violating the Charter provision by not going out to bid and that it had been resolved since this man has been hired and has been paid for previous bills. Mr. Killen does not recall the reason why the Charter would not be violated and Attorney Mantzaris felt that he put in his letter that at the time services are retained, there is no sure way to know that it will exceed \$2,000 and that was the basis of his opinion. Mr. Killen suggested that the purchase order be noted "NOT TO EXCEED \$2,000" and Attorney Mantzaris remembers the suggestion of submitting a list of attorneys that his office is likely to use and the bid be waived at budget and he will prepare this list if the procedure is recommended by the Town Attorney Feasibility Committee and adopted by the Council. Mr. Killen referred to the Charter which gives the Mayor the authority to appoint Town Attorneys. Attorney Mantzaris explained that he appears in these cases as attorney and these firms are assisting him, co-counsel with the Town Attorneys. Attorney Mantzaris felt that Mr. Killen's reading of the Charter would prohibit the Town Attorney's Office from going to any outside lawyer and Mr. Killen agreed absolutely.

Attorney Mantzaris said that using co-counsel is normal procedure in private practice, as well as municipal practice and that could not have been the intention of the Charter.

Mayor Dickinson did not think it could be read as literally as Mr. Killen indicates. Under the Fire Department, it states that the Fire Chief shall assign, reassign all members of the regular division to their respective posts, shifts, details and duties, shall make rules and regulations concerning operation of the regular and volunteer division; he shall be responsible for the retraining, efficiency, discipline and good conduct of the regular and volunteer divisions and for the care and custody of all property used by the department. Mayor Dickinson said that he physically does not do all of those things, 24 hours a day since duties get delegated but he is ultimately responsible. The same thing--the Town Attorney is responsible for the legal defense and prosecution of cases by the Town of Wallingford and he physically cannot do all of them and that work gets delegated and it gets delegated to other assistants as the Charter indicates and the Charter also indicates a classified service for other town employees but it in no way says that other people cannot be delegated to co-counsel through hiring on a consultant or whatever basis to assist the Town Attorney in his duties--it does not say that it can't be done just as it doesn't say that the Fire Chief must do everything himself. Mayor Dickinson felt that if you read the section on the Town Attorney that way, you have to read the Fire Chief that way and you have to read the Police Chief that way. Mr. Killen asked the Mayor to read the state statute that prohibits the town from having a section on recall and he would concede the argument.

Attorney Mantzaris felt that you can't write a Charter, Statute or Constitution with that kind of construction in mind; these documents must be construed reasonably to effectuate the purposes of running a government or department. Mr. Killen said the problem is, who decides what is reasonable?

VOTE: Mr. Killen voted no; all other Council Members voted aye; motion duly carried.

ITEM 17. Mr. Parisi moved confirmation of Mayor Dickinson's appointment of Robert N. Beaumont as a Commissioner for a three year term on the Public Utilities Commission, seconded by Mr. Holmes.

Mrs. Papale read Mayor Dickinson's March 16, 1988 letter in this regard.

Mr. Doherty felt it was time for a change in the PUC, new people, new ideas and a little bit of new direction since there are too many unresolved problems, sewer contracts voided, other contracts approved where the customer pays half the bill, water problems, pilferage problems, personnel problems, 9 positions in the Electric Division, 3 on the managerial level open, 6 positions in the Water Department with a superintendent missing, 6 positions in the Sewer Department, a Board of Directors of three and he doubts that any set of stockholders would ever reappoint the three of them to run the company the way they are running it.

Mr. Holmes strongly disagreed with Mr. Doherty's statements with regard to Mr. Beaumont. He felt that Mr. Beaumont came to the PUC during a very difficult time and his integrity is beyond reproach and Mr. Holmes sincerely regrets any insinuations in that respect about Mr. Beaumont and his work and dedication are an example and to blame past mistakes on Mr. Beaumont is a serious miscarriage.

Paul Gough referred to the Charter which states that the PUC shall not void contracts which existed prior to the Charter; Mr. Beaumont voted to do that; Mr. Beaumont voted when the Ashlar Village agreement came through the PUC with very little comment, large implications for taxes; the PUC has put liens on property owners and Mr. Beaumont is part of the PUC. Mr. Gough does not question Bob's integrity but he thinks he could exercise better judgment and he did not absent himself from voting on easements with SNETCo. and Mr. Gough thinks Mr. Beaumont works for SNETCo., no

real problem but a problem with judgment as far as Mr. Gough is concerned. Mr. Gough thinks it is time for a change.

VOTE: Adams passed; Doherty and Zandri voted no; Bradley, Holmes, Killen, Papale, Parisi and Solinski voted aye; motion duly carried.

ITEM 18. Status Report on Inland-Wetlands Commission. Mr. Killen said there will be a special meeting on March 23, 1988 to interview the candidates at 6:00 p.m. Mr. Killen asked if more time was needed to make the appointments since these are important decisions. The Council felt a decision could be made after the interviews.

ITEM 19. Mrs. Papale moved acceptance of the March 8, 1988 Town Council Meeting Minutes, seconded by Mr. Parisi.

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

ITEM 20. Mrs. Papale moved acceptance of the March 14, 1988 Town Council Meeting Minutes, seconded by Mr. Parisi.

VOTE: Messrs. Doherty, Killen and Zandri passed; all other Council Members voted aye; motion duly carried.

Mrs. Papale moved to consider Item 23, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 23. Mrs. Papale moved to note for the record the Director's Report for the Electric, Water & Sewer Division for the month ending February 29, 1988, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale moved to consider Item 22, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 22. Mrs. Papale moved to amend the 1987-1988 General Fund Budget and appropriate the sum of \$411,533 TO 1987-1988 Capital and Non-Recurring Fund for roadway improvements on Cook Hill Road, seconded by Mr. Solinsky.

Mayor Dickinson explained that this was not to set a public hearing and Cook Hill Road is in bad condition and the cost is \$615,000 to put in storm drainage, break up the surface and repave South Turnpike out to the Cheshire line, around 10,000 linear feet long, almost two miles. It's important that the Council move on this so that the work can be done this summer; if Mr. Deak can begin work in April and May doing the drainage, it will be ready in July for breakup and paving. Once paved, we will look for two years without any kind of excavation except for emergencies. Mr. Doherty said there was a list from P & Z waiting for the sewer plant to come on line and Mayor Dickinson said that would be checked out. Mr. Adams asked if state recommendations would be taken into consideration, such as regrading coming into South Turnpike and Mayor Dickinson said it would take into account anything that is feasible but the main problem is Cheshire Road. Mr. Adams just wanted to avoid duplication of effort. Mr. Zandri asked if all property lines are defined and Mr. Deak felt they were and the widening will be staked out ahead of time. Mayor Dickinson added that all of it is clearly within the right of way owned by the Town of Wallingford.

Mr. Killen stated that he feels that this particular item violates the intent of the Capital and Non-Recurring Plan and he has spoken with Attorney Mantzaris and Mr. Myers about it and they disagree with him and he is voting against this because these things are supposed to be adopted at the beginning of the fiscal year.

Mr. Doherty asked if there was no other road with a more pressing need than this one and Mayor Dickinson said Mr. Deak requested the possibility of doing this road and in ten years, it will be at least a \$3 million dollar project and much more controversial. Mayor Dickinson added this this road serves a lot

of people and is in terrible condition because of all the development but there are others that can be done but in balancing everything out, there was an attempt earlier to do this under the Urban Transit Program and it didn't get in there.

Mr. Edward Musso, 56 Dibble Edge Road agreed with the Mayor and felt that with the degree of disrepair, that much money will be spent for repair and the money should be applied to doing a proper job now.

Mayor Dickinson explained that one of the reasons it doesn't appear in the current Capital Program is partly because of other roads which have taken more time than expected to get underway and secondly, there was a serious attempt to put it under the Urban Systems Program which does not appear under our Capital Program and the reason it appears in the Capital and Non-Recurring Fund is because we need to have it in a five year program to qualify for state funds and our plan is being amended to include the road and the Mayor feels it is a real plus and we are able to do these things with cash in spite of all the other projects underway with the upgrade in our financial situation and the Mayor thinks everyone in town should take credit on that situation in general. Last year, this would have cost \$550,000 and now it is \$615,000 and with that rate of increase each year, there is no time to wait, added the Mayor. Mayor Dickinson understands Mr. Killen's concerns but he is satisfied that we are doing what is appropriate.

Mr. Myers noted that it has been his general perception that we've adopted a 6 year plan that has only addressed one method of our financing abilities and that is the method that we refer to as the Capital and Non-Recurring Program but he felt that you could read the Charter to say that that 6 year plan should encompass every project of the Town of Wallingford, regardless of what division or department it is contemplating. Mr. Myers felt that that should be the six year plan in his opinion, encompassing the complete entity of the Town of Wallingford, utilities, education, Senior Citizens Center, whatever the source of the capital project might be; it has been that way admittedly for the 18 years Mr. Myers has been here. Mr. Killen said literally, this should have been in the 6 year plan. Mayor Dickinson said there is nothing new about it; we paved North Elm, not in the six year plan, we paved North Main Street, not in the six year plan. Mr. Killen said the Capital and Non-Recurring was not amended for those and this is in violation of the Charter.

VOTE: Messrs. Bradley and Killen voted no; all other Council Members voted aye; motion duly carried.

Mrs. Papale moved to amend the 1987-1988 Capital and Non-Recurring Fund Budget and appropriated estimated revenue, State of Connecticut, Local Capital Improvement Grant \$203,467 and General Fund appropriation \$411,533,

Further appropriated the sum of \$615,000 to the 1987-1988 Capital and Non-Recurring Expenditure Budget for road improvements on Cook Hill Road, seconded by Mr. Holmes.

VOTE: Messrs. Bradley and Killen voted no; all other Council Members voted aye; motion duly carried.

Mrs. Papale moved to waive Rule V to consider Resolution for above, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale read and moved adoption of the following resolution, seconded by Mr. Parisi:

BE IT RESOLVED BY the Town Council of the Town of Wallingford

THAT William W. Dickinson, Jr., Mayor, is hereby authorized to execute for and in behalf of the Town of Wallingford, a public

entity established under the laws of the State of Connecticut, an application with the Office of Policy and Management for the purpose of obtaining financial assistance under the Local Capital Improvement Program.

THAT the Cook Hill Road Improvements project was authorized by the Town Council on _____, in accordance with Public Act 87-584.

THAT the Mayor is hereby authorized to provide such additional information as may be requested to execute such Grant Action with the State of Connecticut, to execute any amendments, recisions, and revisions thereto and to act as the authorized representative of the Town.

VOTE: Messrs. Bradley and Killen voted no; all other Council Members voted aye; motion duly carried.

Mrs. Papale moved that the meeting go into Executive Session for the purpose of discussing personnel, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried and the meeting moved into Executive Session at 12:50 a.m.

Mrs. Papale moved that the meeting come out of Executive Session, seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried and the meeting moved out of Executive Session at 1:30 a.m.

Mr. Holmes moved to approve a settlement as detailed by Mark Wilson, Risk Manager, in the amount of \$55,000, seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Mr. Holmes moved to authorize the Town Attorney to proceed with the appeal of the Town of Wallingford v. Local #1326 AFLCIO, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 1:33 a.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, Council Chairman

April 12, 1988

Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

April 12, 1988

Date

SPECIAL TOWN COUNCIL MEETING

March 23, 1988

7:45 p.m.

A special meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:48 p.m. by Chairman Albert E. Killen. Answering present to the roll called by Susan M. Baron, Council Secretary were Council Members Bradley, Holmes, Doherty, Papale, Parisi, Solinsky, Zandri and Killen. Councilman Adams was not present for the meeting. The pledge of allegiance was given to the flag.

Mr. Killen explained that the purpose of this meeting was to consider appointments to the INLAND-WETLANDS COMMISSION.

A motion was made by Mrs. Papale to nominate Mr. James J. Heilman as a regular member for the term of 3/8/88 to 3/1/93 (5 years), seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Bradley to nominate Mr. Vincent F. Testa, Jr. as a regular member for the term of 3/8/88 to 3/1/92 (4 years), seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Holmes to nominate Mr. James Vitali as a regular member for the term of 3/8/88 to 3/1/91 (3 years), seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to nominate Ms. Barbara Lagerstrom as a regular member for the term of 3/8/88 to 3/1/90 (2 years), seconded by Mr. Solinsky.

A motion was made by Mr. Doherty to nominate Mr. Peter Scott as a regular member for the term of 3/8/88 to 3/1/90 (2 years), seconded by Mr. Bradley.

VOTE: Lagerstrom - Holmes, Papale, Parisi, Solinsky and Killen
Scott - Bradley, Doherty and Zandri

Motion to nominate Ms. Barbara Lagerstrom for the term of 2 years, duly carried.

A motion was made by Mr. Doherty to nominate Mr. Peter Scott as a regular member for the term of 3/8/88 to 3/1/89 (1 year), seconded by Mrs. Papale.

A motion was made by Mr. Holmes to nominate Mr. William C. Bowden, Sr. as a regular member for the term of 3/8/88 to 3/1/89 (1 year), seconded by Mr. Solinsky.

VOTE: Scott - Bradley, Doherty, Papale, Zandri and Killen
Bowden - Holmes, Parisi and Solinsky

Motion to nominate Mr. Peter Scott for the term of 1 year, duly carried.

A motion was made by Mr. Doherty to nominate Mr. William C. Bowden, Sr. as an alternate for the term of 3/8/88 to 3/1/91 (3 years), seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Parisi to nominate Ms. Carol Davidson as an alternate for the term of 3/8/88 to 3/1/90 (2 years), seconded by Mr. Doherty.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mr. Doherty to nominate Mr. Wayne B. McDermott, Jr. as an alternate for the term of 3/8/88 to 3/1/89 (1 year), seconded by Mrs. Papale.

A motion was made by Mr. Parisi to nominate Mr. Peter P. Hale as an alternate for the term of 3/8/88 to 3/1/89 (1 year), seconded by Mr. Holmes.

VOTE: McDermott - Zandri
Hale - Bradley, Doherty, Holmes, Papale, Parisi,
Solinsky and Killen

Motion to nominate Mr. Peter P. Hale as an alternate for the term of 1 year, duly carried.

A motion was made by Mr. Holmes to appoint Mr. James J. Heilman as temporary Chairman, seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

A motion to adjourn was duly made, seconded and carried. The meeting adjourned at 8:08 p.m.

Meeting recorded and transcribed by:
Susan M. Baron, Council Secretary

APPROVED:

Albert E. Killen
Albert E. Killen, Chairman

April 12, 1988
Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

April 12, 1988
Date