

TOWN COUNCIL MEETING

May 24, 1988

6:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 6:30 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, Papale, Parisi, Solinsky, Zandri and Killen. Council Member Holmes arrived at 7:30 p.m. Also present were Mayor William W. Dickinson, Jr., Thomas A. Myers, Comptroller, and Town Attorney Adam Mantzaris. The pledge of allegiance was given to the flag.

ITEM 3. Public hearing on AN ORDINANCE APPROPRIATING THE SUM OF \$800,000 FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS, 1988-1989, AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Mrs. Papale moved and read the following Ordinance:

(attached) pages 2 and 3

seconded by Mr. Adams

Mr. John Marriott, 33 Grieb Road, addressed his comments to the appropriation of \$300,000 relative to East Main Street. He called the Council's attention to four issues. The first dealt with the ownership of land to be used in the road improvement, basically phase #4. He had checked into the land records relative to the property from the center of East Main Street. The second issue was whether proper procedures had been followed in the planning and implementation of municipal improvements represented by the right reconstruction of East Main Street. He also questioned whether the PZC had filed such maps with the Town Clerk for phases #1, #2, and #3. He also wanted to know whether hearings had been called for affected property owners prior to adopting the maps or plans. What was different in this new appropriation that was not decided in 1986 concerning Grieb Road to Christian Street. Lastly, he was concerned about the width of the proposed road and the safety factors. The area opposite Stevens Street was discussed because of the fill left there to widen the road. He felt that the fill being used would be the cause of septic problems. Also, with heavy rains, he felt there would be significant movements of soil and stone. With the heavy weight of buses and

AN ORDINANCE APPROPRIATING THE SUM OF \$800,000 FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS, 1988-1989, AND AUTHORIZING THE ISSUE OF \$800,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$800,000 is appropriated for municipal capital improvements, 1988-1989, in the Town of Wallingford, all as hereinafter set forth, including design costs, engineering fees, legal expenses and all other expenses incidental to said projects.

Roadway Reconstruction

|   |                  |
|---|------------------|
| East Main Street - Phase IV<br>Steven to Grieb            | \$300,000        |
| Ward Street Railroad<br>Crossing                          | 20,000           |
| North Airline Road<br>East Center - New Rock<br>Hill Road | <u>480,000</u>   |
| Total   | <u>\$800,000</u> |

Section 2. To meet said appropriation \$800,000 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 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 form of issuance as serial or term bonds, the dated date, the annual installments of principal, provisions for redemption, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, 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.

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 in accordance with Sections 7-378 and 7-378a of the General Statutes, or such legislation as may be enacted authorizing an extension of the maturity date of such notes. 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.

trucks on this new road, he is extremely concerned that there could be a significant safety hazard.

Atty. Phyllis Corneal, 339 East Main Street, felt the Council should see the final plan before making any appropriations for any further destruction of East Main Street. She felt the Council had not ever considered the impact it would have on the residential area of which she is very proud. She questioned how the council could spend the taxpayer's money on a project like this, but not have a final plan for this road. She felt that most of the beauty of that road has been severely damaged, but felt that we have the potential to save the area still. She said that she felt the Engineering Department was mainly at fault by not keeping the Council informed about their plans.

Mr. Edward Musso, 56 Dibble Edge Road, stated he did not like the new starting time for the meeting and also the previous speakers were trying to block progress for the Town. He felt this new road was an important connector road that connects the North part of the town to the South part of the town.

John Costello was asked by Mr. Zandri about the different phase names of the particular projects. He identified them as follows:

- Phase 1: East Center to Constitution Streets
- Phase 2: The separate contract to install the large free-cast concrete culvert just North of Stevens Street
- Phase 3: Reconstruction of the roadway from Christian to Stevens Street
- Phase 4: Stevens to Grieb Road, which is in the ordinance before the Council.

Mr. Zandri asked John Costello whether this road was going to be 24 feet the entire length. Mr. Costello answered no and explained that the culvert contract was designed long before the road reconstruction project was designed and was designed 30 feet in width. The rest of the street as of now will be 24 feet with no curbing. His intention now is to have a 24 foot width from the Culvert to Grieb Road. He stated that he had waited each time for the Council to approve these phases before he designed them. He said that he could change this procedure, however, if that is how the Council wanted to do it.

Mr. Doherty then suggested that we should have the plans available for people to get an idea of what is proposed and what is happening. They may have the opportunity to have some input, although it might not change anything.

Mr. Killan suggested that he should pursue it a little bit longer and then he can make a motion effective later.

Mayor Dickenson reminded them "that before any plan is adopted or work commenced, the plans will be available for all the residents of the East Main Street area who will be notified. There will be an opportunity for all of them to comment and wherever possible, comments incorporated. That has been the position for a good year and a half or more. I had a meeting with the people of East Main Street over a year ago and indicated that then. It is clear that whether we have the plan here right now or not there will be the opportunity to comment on it.

Mrs. Papale asked the Mayor if we approve the plan tonight, what would the good be to comment on it at a later date. She said, "A comment after I voted on it would not mean anything to me because the vote is already taken."

The Mayor also said, "that the purpose of this hearing is to determine if you feel the road as a general subject has to be improved. If you feel that the East Main Street as it now exists is okay then of course, you would not approve funds to improve it. If you feel that East Main Street is a legitimate project that the Town must spend money on to make it safe, then there would be support for this. Our budget year brings us to a July 1st date. The only time you can do road work is in the warmer weather, automatically it puts us behind on many projects. To put off these things and then require additional formalities, it could take you right through the summer."

Mrs. Papale then asked Mr. Costello exactly what would be considered "reconstruction". Mr. Costello answered that "reconstruction implies more than just an overlay of an existing roadway. It implies some drainage improvements, maybe some roadway widening." He went on to say that he intends on breaking up some pavement, adding some stone and then putting down an entirely new pavement in two courses.

Mrs. Papale also suggested that the problem with this phase of it with the residents of East Main Street really coincides with the 'scenic road'. Mr. Costello agreed with her and added that he felt that this was why the design work had not been started.

Mr. Solinsky added that "We are being asked to spend \$800,000 without any plans in front of us. Without the plans, I would have to vote against this ordinance."

Mr. Killen stated he felt that the 'Scenic road' would have an impact on this particular design of the road. He continued, "If John designs the road and we pass the 'Scenic Ordinance Road', then we have a conflict and the design might go out the window. He said,

"On the other hand, if we go ahead and pass this ordinance tonight and the period goes by whereby the people take it to a referendum, those people out there might lose their opportunity and the design might not be done until long after the 21 days have gone by after this evening, if we pass it."

Mr. Adams then added that the residents of North Airline Drive waited a long time for the improvements of the road. They are not here tonight because they are satisfied with the progress that is taking place. He also said that the important factor is the one about safety. He feels we should have confidence in the people who are doing the jobs for us. He said all the experience with the Engineering Department he has had thus far has been very positive.

VOTE: Bradley, Doherty, Parisi, Solinsky, Zandri, Killen, Holmes, (absent) voted no; Adams and Papale voted ayes.

Mr. Parisi moved to reconsider and was seconded by Mr. Doherty.

VOTE: Adams, Bradley, Doherty, Papale, Parisi, Zandri, Killen voted ayes, Solinsky voted no, Holmes passed.

Mr. Doherty moved to delete the appropriation for the construction of the East Main Street project and to decrease the bond authorization accordingly. Mr. Bradley seconded it.

VOTE: Adams, Bradley, Doherty, Holmes, Papale, Parisi, Killen voted ayes, Solinsky, Zandri voted no.

Mr. Doherty moved to amend the ordinance to \$500,000 and Mr. Bradley seconded it.

VOTE: Adams, Bradley, Doherty, Holmes, Papale, Parisi, Killen voted ayes. Solinsky and Zandri voted no.

ITEM 4. Public hearing on AN ORDINANCE TO ESTABLISH THE FOLLOWING STANDARDS AND PROCEDURES FOR THE DESIGNATION OF CERTAIN ROADS AS SCENIC ROADS IN THE TOWN OF WALLINGFORD

Mrs. Papale moved and read the following Ordinance:

(attached) see pages 7 and 8

seconded by Mr. Adams

John Costello, Town engineer, wanted to suggest that the term "scenic" is a misnomer. Instead he wanted it to be considered a "restricted" road because future improvements are somewhat restricted. He claimed that this may conflict with the Town

SCENIC ROAD ORDINANCE

BE AND IT IS HEREBY RESOLVED that, pursuant to Connecticut General Statutes Section 7-149a, the Town of Wallingford establishes the following standards and procedures for the designation of certain roads as scenic roads.

## I. STANDARDS UPON WHICH ROADS MAY BE DESIGNATED SCENIC ROADS

A. In order to be designated a scenic road, the road must be free of intensive commercial development and intensive vehicular traffic. Intensive vehicular traffic is defined as having average daily traffic volumes which exceeds one thousand vehicles per day; and

B. The road must meet at least one of the following criteria:

- i) It is unpaved;
  - ii) It is bordered by mature trees or stone walls;
  - iii) The traveled portion is no more than twenty feet in width;
  - iv) It offers scenic views;
  - v) It blends naturally into the surrounding terrain;
- or
- vi) it parallels or crosses over brooks, streams, lakes or ponds.

## II. PROCEDURE FOR SCENIC ROAD DESIGNATION

A. The Town Council shall have the power to designate scenic roads.

B. An owner of lot frontage abutting the proposed scenic road or portion of said road may apply for the designation of said road as a scenic road. Applications shall be filed with the Town Clerk. A written statement shall accompany the Application listing the names, addresses and signatures of the owners of a majority of lot frontage abutting the road or portion of road approving of the designation. No road may be designated as a scenic road without such approval.

C. The Town Council shall hold a public hearing on all applications for designation of scenic roads. Notice of the hearing shall be given at least ten (10) days in advance by publication in a newspaper having a circulation in said town, and by posting a notice in a public place. In addition to the published notice, the applicant shall mail notification of the pending application to the owners of all land abutting the road or portion of road to be designated as a scenic road not more than fifteen (15) days or less than ten (10) days before the date set for public hearing. The notification shall specify the road or portion of road to be designated as a scenic road and the date, time and place of the public hearing. Proof of the mailing, by certified mail, shall be submitted to the town clerk along with the names and addresses of said owners not less than five (5) days before the hearing date.

D. Upon receipt of said application, the town clerk shall send a copy of said application and hearing notice to the Town Engineer, Department of Public Works, Electric Department, Water Department and Sewer Authority.

E. The Town Council shall designate by resolution scenic roads. The Town Council shall have the discretion to reject any application if in the Council's opinion it is not in the best interest of the Town.

F. Any road or portion of road designated as a scenic road shall not be altered or improved without the consent of the Town Council. Designation as a scenic road does not prohibit future alterations or improvements on said road, including, but not limited to, widening of the right-of-way or of the traveled portion of the highway, paving, changes of grade, straightening, removal of stone walls and removal of mature trees. The Town reserves the right to make any alteration or improvement it deems necessary to maintain the road in a safe condition and keep it in good and sufficient repair and in passable condition.

G. The scenic road designation may be rescinded if it fails to satisfy the criteria of I A and B and/or the owners of a majority of lot frontage abutting said road concur in writing.

I HEREBY CERTIFY that the above Ordinance was enacted by the Town Council of the Town of Wallingford this day of \_\_\_\_\_, 1988, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Kathryn Wall  
Town Clerk

of Wallingford's zoning and subdivision regulations. He cited all the planned developments and condominiums which will be in this area soon will bring future traffic increases in the area of East Main Street. He is concerned with engineering standards which could be established by "non-road way engineers".

Linda Bush, town planner, recommended that if the Town Council was going to adopt the Scenic Road Ordinance, that the number of vehicle trips per day should be decreased to a maximum of 500 vehicles per day. She also did not think the East Main Street and Grieb Road area was appropriate for the Scenic Road Ordinance because of all the related traffic. She felt safety was more important in this area than aesthetic values. She wanted to prevent the town from having a "network" of unsafe roads.

Mr. James Kennedy, 251 No. Elm Street, did not think the ordinance presented was adequate to meet the needs of Wallingford. He brought a copy of New Milford's Scenic Road Ordinance and presented the 14-page document to the Council today. He felt it would satisfy the concerns of both the Engineering Department and the other concerned groups in Wallingford. He did not feel defining exact numbers of vehicles traveling through was beneficial in determining scenic status.

Mr. John Marriott, 33 Grieb Road, commented that he believes East Main Street should be a 'road for all seasons'. He continued that there is scenic beauty and he felt it could be widened beyond by 16 to 18 feet. He said in conclusion that he stands opposed to the definition of intensive vehicular traffic, but instead undefined.

Atty. Phyllis Corneal, 339 East Main Street, commented that there is beauty in Wallingford and wants people to come and enjoy it, whether by car or by foot. She warned that it should not become too commercial, but rather keep the New England look to Wallingford.'

Assistant Town Attorney, Janice Small, said she drafted this ordinance with the provision that the Town Council could approve any alterations or improvements it deemed necessary. Otherwise, the Ordinance could become legislative negligence. "You cannot have the Town Engineer say a certain road needs to be improved because of safety factors, and then say it is considered a 'scenic road' and cannot be touched." she continued. She said her primary concern was that even if a road is designated a 'scenic road' it still will have to have improvements made on it when necessary.

A motion was made by Mr. Doherty to delete the last sentence in paragraph I-A. "Intensive vehicular traffic is defined as having average daily traffic volumes which exceeds one thousand vehicles per day."

seconded by Mr. Parisi.

VOTE: Bradley, Doherty, Parisi, Solinsky voted ayes. Adams, Holmes, Papale, Zandri, Killen voted no for amendment.

VOTE: Adams, Bradley, Holmes, Parisi, Solinsky, Zandri, Killen, voted ayes, Doherty, Papale voted no to Ordinance as presented.

ITEM 5. Public hearing on AN ORDINANCE APPROPRIATING THE SUM OF \$2,750,000 FOR PROFESSIONAL DESIGN AND ENGINEERING SERVICES FOR A WATER TREATMENT FACILITY AND AUTHORIZING THE ISSUE OF \$2, 750,000 BONDS AND TEMPORARY BORROWING OF THE TOWN TO MEET SAID APPROPRIATION FOR SUCH PURPOSE

Mrs. Papale moved and read the following Ordinance:

(attached) see pages 11, 12, and 13

seconded by Mr. Doherty

Mr. Edward Musso, 56 Dibble Edge Road, felt that there was no need for discussion because the State handed down the decision already.

Mr. Zandri asked if there had been any other bids for the engineering services. Mr. Killen said there had not been, but if rejected, could go out for bid again.

Ray Smith, Director of Utilities, said the reason no other bids were available was probably because no other engineers wanted to take on the responsibility for the work already started by Whitman & Howard Co. He said the price seemed reasonable to him, although he would have preferred more bids to chose from for the project.

Mr. Killen questioned the ethical points of view by having just one bid for the project.

Donald Levy, Purchasing Agent, commented that the number of engineering firms that are capable of doing this work are limited and their schedules are very busy. He thought that once any vendor exposes his "price to us and the world should be treated fairly. This is where ethics comes in and there is no reason in the world why we should expose ourselves to a situation of taking that fair price as we interpret it and then going back out for other prices."

VOTE: Killen voted no, Adams, Bradley, Doherty, Holmes, Papale, Parisi, Solinsky, Zandri voted ayes. Motion duly carried.

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

Section 1. The sum of \$2,750,000 is appropriated for professional design and engineering services incurred in connection with the design and during construction of a water treatment facility and associated system improvements including engineering and architects's fees and services necessary and incidental thereto, costs of marketing temporary notes pending the sale of bonds, legal expenses and all other expenses customary and incidental thereto in accordance with the following:

|  |                    |
|--|--------------------|
| Engineering, design and related expenses | \$2,625,000        |
| Debt administration expenses             | <u>125,000</u>     |
| Total                                    | <u>\$2,750,000</u> |

Section 2. To meet said appropriation \$2,750,000 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 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 form of issuance as serial or term bonds, the dated date, the annual installments of principal, provisions for redemption, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, 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.

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 in accordance with Sections 7-378 and 7-378a of the General Statutes, or such legislation as may be enacted authorizing an extension of the maturity date of such notes. 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. In addition to the authorization to issue the aforesaid bonds and notes, not more than \$2,750,000 of temporary notes of the Town are authorized to be issued pursuant to the provisions of Chapter 102 of the General Statutes. The temporary notes authorized by this section shall be issued in lieu of bonds and notes authorized in sections 2 and 4. In no event shall the total of outstanding temporary notes authorized by Section 5 herein plus the outstanding obligations authorized by Sections 2 and 4 of this ordinance exceed the total authorized appropriation of \$2,750,000. The temporary notes authorized by this section shall be general obligations of the Town and the full faith and credit of the Town shall be pledged to the payment when due of the principal and interest thereon provided that the Council may, by resolution, provide that all or any combination of the



following revenues may be pledged to the note holders for payment of the principal and interest thereon, in addition to, or in lieu of the full faith and credit pledge of the municipality:

1. Waterworks System use charges;
2. Waterworks System connection charges;
3. Waterworks System benefit assessments;
4. Any other revenues which are collected by or on behalf of the Water Department.

The Mayor, the Comptroller, and the Treasurer, or any two of them are hereby authorized pursuant to Section 7-244a to determine the form of such notes, their date and the dates of principal and interest payments on such notes, the interest rate, the date and time of issue and other terms, details and particulars thereof.

Section 6. 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.

VOTE: Doherty abstained, Holmes absent, and all other ayes; motion duly carried.

Mr. Doherty moved the following items for the Consent Calendar to be voted upon as a block by one unanimous vote, Mrs. Papale seconded:

ITEM 7. Consider and approve a transfer of \$545 from Contingency Reserve for emergency: \$470 to Office Supplies and \$75 to Secretarial services, Inland-Wetlands Commission, requested by Linda A. Bush, Town Planner.

ITEM 10 (a). Consider and approve transfers requested by Steven L. Deak for \$700 from Annex-370 Center Street to 9 & 21 North Main Street

10 (b). \$650 from Snow Plow Truck to Maintenance of Building

10 (c). \$800 from Utilities-Annex-370 Center Street to R.R. station

ITEM 24. Correspondence letter from Town Attorney re Sidewalk Ordinance and the responsibility for the enforcement by the Police Department.

ITEM 27. Note for the record the Director's Report, Public Utilities Commission, for the month ended March 31, 1988.

ITEM 28. Consider acceptance of Town Council Meeting Minutes dated May 10, 1988.

VOTE: Unanimous ayes; motion duly carried.

ITEM 2. Public question and answer period

Mr. Ray Rys, 96 Pierson Drive, commented that he questioned the new time for public hearings so more people could come to the meetings and get involved. He also said he had noticed that many sites in town had not been sufficiently mowed and trimmed and he recommended that more time should be spent in this area. Also, he said that the street cleaning he noticed going on by contractual firms did not seem adequate.

Mr. Killen asked that someone should check into the work being done and its quality around town.

Mr. Mike Stanes, 10 Sorrento Road, who is the Communications Director for the Civil Preparedness in Wallingford, suggested that the council keep his group in mind when they want to install towers for civil defense. His group offers their services in putting up towers and taking them down, without charge to the community and they would be available to do this for the town to help save money. He asked to be notified when

the town needs this service, instead of calling outside contractors.

Mrs. Caroline Massoni, 41 Hillsvie Road, asked questions about the Code of Ethics concerning relatives in office to Mrs. Papale. Also she inquired about why the secretaries left their positions with the Town Council. Mr. Killen explained that it was not because of the salary, but because of the long hours of the Town Council meetings.

Mrs. Papale made a motion to move Item 18 and Tom Solinsky seconded.

Mr. Edward Musso, 56 Dibble Edge Road, commented that he objected strenuously to the contract between the Board of Education Paraprofessionals and the Town of Wallingford. He said that "if they cannot come to an agreement by the time the contract ends, they are working with no contract and they don't get any money until they sign a new contract."

John Marriott, 33 Grieb Road, said he endorses the proposed agreement because one of the individuals represented has been honored by the Board of Education as staff member of the month.

ITEM 18. Consider acceptance of Agreement for Board of Education Paraprofessionals, requested by Stanley A. Seadale, Personnel Director. Moved by Mr. Adams and seconded by Mrs. Papale.

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

ITEM 6. Set public hearing for SUMMARY LIST OF NEIGHBORHOOD ASSISTANCE PROGRAMS, requested by Donald W. Roe. Moved by Mr. Doherty and seconded by Mr. Adams. (attached) page 16

VOTE: Papale, Parisi, Solinsky absent for vote; all other ayes; motion duly carried.

ITEM 8. Consider acceptance of Hintz Drive, Section 4 and Farm Hill Road, Section 7, requested by Linda A. Bush, Town Planner. Moved by Mr. Doherty and seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

ITEM 9. Consider and approve transfers for Police Department:

- (a.) \$20,000 Charges for Current Service to Outside Work-Recoverable (BUDGET AMENDMENT)
- (b.) \$ 6,000 transfer from Detective Wages to Detective Overtime.
- (c.) \$ 1,800 transfer from Gas & Oil to Physician's Special Services. Moved by Mr. Holmes and seconded by Mrs. Papale

VOTE: (9a) Unanimous ayes; motion duly carried.

(9b) moved by Mr. Holmes and seconded by Mrs. Papale

VOTE: (9b) Unanimous ayes; motion duly carried.

(9c) moved by Mr. Holmes and seconded by Mr. Bradley.

VOTE: (9c) Unanimous ayes; motion duly carried.

RESOLUTION

WHEREAS, pursuant to Public Act 82-469, the State of Connecticut has provided tax incentives for Connecticut businesses that donate to Community programs under certain circumstances, and

WHEREAS, it is required under Public Act 82-469 that any municipality desiring to obtain benefits under the provisions of this Act shall, after holding at least one public hearing and after approval of the legislative bodies, submit to the Commission of Revenue Services a list of programs eligible for investment by business firms under the provisions of this Act; and

WHEREAS, it is desirable and in the best interest that the Town of Wallingford submit such a list to the State of Connecticut.

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

1. That after holding a public hearing on the list required under Section 2 of Public Act 82-469, the Town Council of the Town of Wallingford hereby approves the attached list entitled: Summary List of Neighborhood Assistance Programs, May 24, 1988.
2. That the Mayor of the Town of Wallingford is hereby authorized and directed to submit to the Commissioner of Revenue Services the approved list of programs eligible for investment by business firms and to provide such additional information; to execute such other documents as may be required by the Commissioner; to accept on behalf of the Town any funds available for those municipal programs on the list; to execute any amendments, recisions, and revisions thereto; and to act as the authorized representative of the Town of Wallingford.

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

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Clerk)

ITEM 10. (d) Consider and approve transfers requested by Stephen L. Deak of \$1,005 from SNOW PLOW TRUCK TO MAINTENANCE OF BUILDING. Moved by Mrs. Papale and seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

(e) Consider and approve transfers requested by Steven L. Deak of \$7,800 from Wages to Street Lighting.

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

A motion was made by Mrs. Papale to Waive Rule V, seconded by Mr. Parisi for the purpose of transfer of funds for \$600 from telephone, \$195 from printing, \$224 from maintenance of equipment, \$70 from copier rental, \$287 from office supplies, \$238 from printing, \$690 from maintenance of equipment, \$2,233 from copier rental and supplies, \$1,500 from Personnel Director and Assistant's salaries, and \$6,037 to Postage.

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

A motion was made by Mrs. Papale for the transfer of above funds, and was seconded by Mr. Parisi.

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

ITEM 11. Consider and approve a transfer of \$1,000 from Self-Insurance-Unemployment to College Reimbursement, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 12. Consider approval of job description for Chief Appraiser, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 13. Consider and approve a transfer of \$5,000 from General Hospital to Professional Fees, requested by Francis Francesconi, Welfare Administrator, moved by Holmes and seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

ITEM 14. Consider and approve a transfer of \$1,354 from Contingency to Wages-Deputy Fire Marshal, requested by Victor J. Scionti, moved by Mr. Holmes and seconded by Mr. Parisi.

VOTE: Killen no, all others ayes, motion duly carried.

ITEM 15. Consider and approve transfers requested by Electric Division:

15(a). \$6,000 from Property Insurance to Interest Expense, Cust. Dept.

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

VOTE: Unanimous ayes; motion duly carried.

15 (b). \$5,400 from O/S Services/Legal to Community Welfare Exp.

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

VOTE: Unanimous ayes; motion duly carried.

15 (c). \$25,000 from Structures and Improvements to Boiler Plant Equipment

moved by Mrs. Papale and seconded by Mr. Parisi

VOTE: Unanimous ayes; motion duly carried.

15 (d). \$6,000 from Property Insurance to General Insurance

moved by Mrs. Papale and seconded by Mr. Adams

VOTE: Unanimous ayes; motion duly carried.

15 (e). \$50,000 from Underground Conductors to Overhead Conductors

moved by Mrs. Papale and seconded by Mr. Adams

VOTE: Unanimous ayes; motion duly carried.

15 (f). \$35,000 from Underground Conduit & Duct to Poles, Towers & Fixt.

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

VOTE: Unanimous ayes; motion duly carried.

15 (g). \$10,000 from Moving Contingency to Misc. General Expense.

moved by Mrs. Papale and seconded by Mr. Parisi

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

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

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Mrs. Papale to extend Contract to 1990. Mr. Solinsky seconded

VOTE: Unanimous ayes, motion duly carried.

ITEM 16 (a) Consider waiving bidding procedure and awarding contract to General Electric Company, Waltham, MA for estimated total cost of \$70,000 to repair Pierce Station #2 Generator, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Bradley, Zandri, Killen voted no; Adams, Doherty, Holmes, Papale, Parisi, Solinsky voted ayes; motion duly carried.

ITEM 15 (b) Consider transfer of \$75,000 from Fuel Expense to Prime Movers, moved by Mrs. Papale and seconded by Mrs. Adams

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

ITEM 17. Consider a budget amendment: \$2,000 from State Grants-Schools CT Adult Performance Program to Education Department-CT Adult Performance Program, moved by Mrs. Papale and seconded by Mr. Adams.

VOTE: Doherty abstained, all others unanimous ayes; motion duly carried.

ITEM 19. Remove from Table and consider waiving the bidding procedure for Hewlett Packard 3000 Computer System for Board of Education, Mrs. Papale moved and Mr. Adams seconded.

VOTE: Unanimous ayes; motion duly carried.

Both Mr. Bradley and Mr. Parisi said they were not satisfied that the school system had gathered enough information to request the waiver. Mr. Killen also said that he could not find a reason to waive the bit, but he wished there had been another way to solve the problem.

Mr. Zandri said that the high cost of maintaining the present outdated computer system means the schools will be "throwing good money after bad."

Mr. Nicoletti commented that he did not blame anyone and said the school system would not be in any worse shape without the new computer.

WAIVER BID NOTE: Bradley, Holmes, Parisi, Solinsky, Killen voted no; Doherty abstained; Adams, Papale and Zandri voted ayes; motion did not carry.

ITEM 20. Consider authorizing Mayor to sign deeds for the old Town Hall and other municipal building, moved by Mrs. Papale and seconded by Mr. Parisi.

VOTE: Unanimous ayes; Solinsky abstained; motion duly carried.

ITEM 21. SET PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE NO. 237 ENTITLED, "AN ORDINANCE TO PROVIDE FOR THE REMOVAL OF ABANDONED, UNREGISTERED, AND/OR INOPERABLE MOTOR VEHICLES OR MOTOR VEHICLE PARTS." moved by Mrs. Papale and seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

ITEM 22. Remove from table and consider waiving bidding procedure for seven rolling shelves, Town Clerk's office, moved by Mrs. Papale and seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale moved to waive bidding procedure for seven rolling shelves for Town Clerk's office, and Mr. Holmes seconded.

VOTE: Unanimous ayes; Mr. Holmes absent from vote; motion duly carried.

ITEM 23. Consider appointing committee for roof and underground tank removal, requested by Councilman Thomas D. Solinsky. Solinsky moved and Adams seconded.

VOTE: Unanimous ayes; Holmes absent from vote; motion duly carried.

ITEM 25. Consider appointments to serve on committee to implement results of recent Police Department Management Study, moved by Mrs. Papale and seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 26. Discussion of standard route for trash trucks, requested by Councilman Robert F. Parisi.

WITHDRAWN

A motion was made by Mrs. Papale to Waive Rule V, and was seconded by Mr. Parisi to go into Executive Session for the purpose of discussing pending litigation and settlement of claims.

VOTE: Unanimous ayes; motion duly carried and the meeting moved into Executive Session at 12:49 a.m. . .

A motion to come out of Executive Session was duly made, seconded and carried and the meeting came out of Executive Session at 1:14 a.m.

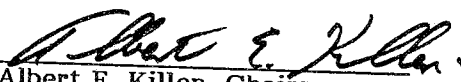
VOTE: Unanimous ayes; motion duly carried.

Town Attorney Adam Mantzaris made known to the Council his possible conflict of interest in CMC Development, Inc.

Mr. Parisi moved to have Attorney Adam Mantzaris be allowed to settle the case of PZC brought by Pilgrim Harbor. Mrs. Papale seconded.

VOTE: Unanimous ayes; Holmes absent; motion duly carried.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 1:25 a.m.

  
Albert E. Killen, Chairman

March 28, 1989

  
Kathryn J. Wall, Town Clerk

March 28, 1989

Meeting recorded by:  
Gail Retzer

SPECIAL TOWN COUNCIL MEETING

Friday, June 3, 1988

5:30 P.M.

A Special Meeting of the Wallingford Town Council was held in the Council Chambers on Friday, June 3, 1988 and was called to order at 5:30 P.M. by Vice-Chairman Iris Papale. Answering present to the roll call read by Town Clerk Kathryn Wall were: Councilmembers Frank Adams, Edward Bradley, David Doherty, Iris Papale, Robert Parisi and Geno Zandri. Mayor Dickinson and Comptroller Thomas Myers were present.

APPROVAL OF TRANSFERS WITHIN THE FIRE DEPARTMENT BUDGET

Fire Chief Jack McElfish was present for this discussion.

Councilman Adams MOVED TO APPROVE THE FOLLOWING TRANSFERS WITHIN THE FIRE DEPARTMENT BUDGET:

\$3,500 from General Wage to Overtime Account  
\$3,000 from General Wage to Vacation Replacement Account  
\$3,000 from General Wage to Sick Replacement Account  
\$3,500 from General Wage to Workman Comp. Account  
\$1,000 from General Wage to Union Business Leave Account

Mr. Doherty seconded the motion.

Chief McElfish thanked the Council for coming tonight. We were here last week and had hoped we would not have to come again. We have been averaging \$3300 a week in overtime, mainly because we do have people out on sick leave, three are on injury leave and we do have the minimum manpower requirement. Three to four people off creates overtime.

It is an expensive process and most of our people have six weeks vacation and eighteen days sick leave. There are three people on the union negotiating team and we must pay for a replacement team. We also have a fire watch at the telephone building uptown where they are doing renovations. Three fire fighters do fire watch. The Town will be reimbursed for this work, but it goes back into the General Fund.

We had two out on injury leave and another person was hurt the other day.

The reason funds are available in the General Wage account is that a Lieutenant retired last year and we hired replacement at lower wage scale.

Mr. Zandri asked if we have a track record on the amount of overtime on a yearly basis, or should we look to filling positions.

The Fire Chief noted that every year in April, May or June he must ask for additional monies. This year we spent \$184,000. When putting the budget together in February, we requested for next year sum of \$166,000. We are already \$18,000 short when we compare the costs.

Mr. Zandri asked if he had looked at hiring additional full-time people and the Chief noted that the Mayor had asked this of him. As to whether this would reduce the overtime, the Chief responded - honestly no. It is contingent upon the number of people that are off work. We have not hired additional people since 1977 and we only have four or five people with less than six years on the job.

Mr. Zandri asked if the cost of hiring two additional people would reduce the overtime cost and the Chief responded in the negative. People have come to expect the overtime.

Mr. Zandri said you are forced to go to overtime because you do not have enough people. I would assume with additional personnel, you could stagger the vacations.

Chief McElfish explained that by contract only four people should be out on vacation. In response to further questioning, the Chief explained that right now they have spent \$184,000 in overtime for this fiscal year, last year \$167,000 and the year before that \$121,000. A fire fighter starts at approximately \$22,000. We do move people around, but you must allow two weeks before you move somebody.

Mr. Parisi observed you are up against the wall because you do not have enough people. If you have just the exact amount of manpower and you have extended sick leave, you and the Town suffer. As far as minimum staffing, we have as much right to dictate that as the union.

Chief McElfish indicated he has been through three negotiations and I am trying to be honest with you. The Mayor has asked every year at budget time if additional manpower will reduce the overtime significantly.

Mayor Dickinson said it is not true we have the right to dictate minimum manpower. We still have the jump in overtime particularly because of the increase in wages and vacation time. Most of our men are at six weeks. If you look at any of the publications, overtime is a major problem in every community. You will not reduce the overtime by increasing the number of people. I would suggest you sit down with the Chief or come and see me. I have been convinced that the only way is to stay on top of the sick leave, which we do. Through the Risk Manager we are trying to keep a better handle on sickness. If someone is out, that position must be filled.

Mr. Bradley referred to the issue of replacement. Isn't that more of a planned item and you should have a good handle on it.

Chief McElfish pointed out that they cannot dictate how many people take vacation and we do not always pay vacation replacement. There are times when we only have to pay for one vacation replacement. For the next two weeks everything is clean - there are no vacations. During the last two weeks we had 14 overtime days. We had the holiday and more people were out. You cannot tell an employee when they will take vacation. Many times they will take a vacation day when nobody else is off. Senior employees get the prime vacation periods.

Mr. Bradley suggested they insist everyone fill out a vacation schedule. Chief McElfish said perhaps they could put that in the next vacation period.

Mr. Adams felt this is another reason to look at all department to check on efficiency. We must have some input.

Mr. Doherty asked if it would make any difference if you have six more people. The Chief pointed out that you must look into the other fringe benefits. I do not want to lead you on. It would take eight to nine men to decrease the overtime.

In response to further questioning on minimum manpower, the Chief pointed out that 12 is the minimum manpower requirement and they are ready to go 24 hours a day. If you reduce it down, you have problems.

On a roll call vote, the motion was unanimously adopted.

APPROVE A TRANSFER OF \$43,500 TO WORKERS' COMPENSATION INSURANCE.

Mr. Adams MOVED TO APPROVE A TRANSFER OF \$43,500 TO WORKERS' COMP-  
SELF INSURANCE ACCOUNT FROM THE FOLLOWING ACCOUNTS:  
\$30,000 FROM EDUCATION INSURANCE  
4,500 FROM HYPERTENSION - POLICE  
9,000 FROM HYPERTENSION - FIRE

Risk Manager, Mark Wilson, explained that we have approximately \$3,200 a week payments for Workmans' Compensation. For people on weekly disability, we expend \$11,591 and approximately \$7,295 in medical payments.

Anyone self-insured is assessed approximately three times annually according to the money they expend for administrative fees. When you are assessed, it is like a phone bill - due and payable - the fee is \$27 285 74



Mr. Adams said next year this will be taken into account so we do not have to have these transfers again.

Council Member Papale asked why there is so much money available in the Education Insurance account. It was noted that this year the rates came in lower than anticipated.

On a roll call vote, the motion was unanimously adopted.

CONSIDER WAIVING BID PROCEDURE ON SALE OF MERCHANDISE FOR PARKER FARMS BUILDING COMMITTEE.

Mr. Robert Devine, Chairman of the Building Committee, explained that a stove was purchased for the school, but they cannot use it now. An attempt to sell it resulted in a bid for \$400. We now have received a second offer for approximately \$1,000 from Tom Golanski. We would like to reject the public bid and accept the \$1,000 for the stove.

Mr. Zandri asked if this was a new piece of equipment. Mr. Devine indicated the stove was worth approximately \$2500 - \$2800. Jerry Lehman spec'd out the equipment for the stove and it must have been done erroneously.

We asked if any facility could use it and had no response within the system or from any restaurant.

The Mayor asked if Mr. Golanski was buying this stove. Mr. Devine stated the group of people he is involved with in a time share in Vermont is buying it.

The Comptroller asked how this stove had been paid for and Mr. Devine indicated it was from the bonding.

He also noted it had been used perhaps one week of the school year. The only bid received was from the school system in Milford.

The Mayor asked if he had anything in writing from the school system indicating that they do not want it. He also questioned if it could be used by the Senior Center. The Mayor then suggested the Council table this request. I would hate to see you sell it and have one of the schools in need of an oven.

Councilman Adams left prior to the motion on this request.

Mr. Parisi MOVED TO TABLE THE REQUEST FOR WAIVING OF BID PROCEDURE ON SALE OF MERCHANDISE FOR PARKER FARMS BUILDING COMMITTEE.

Mr. Bradley seconded the motion. The motion was unanimously adopted with Councilman Adams absent on the vote.

Mayor Dickinson noted this is a piece of equipment we bought. Now if we sell it, I would like to have something documented that the school system does not need it.

The meeting was adjourned at 6:15 P.M.

Respectfully submitted,

Ruth Kenney, Secretary Pro-tem

APPROVED

Iris Papale  
Iris Papale, Vice-Chairperson

3-28-89  
Date

Kathryn J. Wall  
Kathryn J. Wall, Town Clerk

3-28-89  
Date