

TOWN COUNCIL MEETING

OCTOBER 27, 1992

6:30 P.M.

AGENDA

NOTE: EXECUTIVE SESSION AT START OF MEETING SHOULD LAST APPROXIMATELY 1/2 HOUR)

1. Roll Call and Pledge of Allegiance
2. Executive Session Pursuant to Section 1-19(b)(9) of the CT. General Statutes with Regards to Ongoing Negotiations with Respect to Collective Bargaining
3. Consent Agenda:
 - a. Consider and Approve a Transfer of Funds in the Amount of \$3,360 from Personnel Acct. #001-4000-100-1300 to Outside Secretarial Services Acct. #001-4000-900-9000 - Dept. of Parks and Recreation
 - b. Consider and Approve a Transfer of Funds in the Amount of \$21,500 from Professional Services Acct. #001-1320-900-9010 to the following accounts: \$15,000 to CRRA v. P&Z; CRRA v. ZBA Acct. #001-1320-900-9060; \$5,000 to Chaconis v. P&Z Acct. #001-1320-900-9070 and \$1,500 to Local 1183 v. CSBLR, et al Acct #001-1320-900-9080 - Town Attorney
 - c. Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Blue Cross Acct. #001-8041-800-8310 to Advertising Acct. #001-1590-400-4100 - Personnel
 - d. Consider and Approve a Transfer of Funds in the Amount of \$14,235 from Sworn Officers Wages Acct. #001-2002-100-1310 to Physicians Special Services Acct. #001-2001-600-6000 - Dept. of Police Services
 - e. Consider and Approve Tax Refunds (#56-67) in the Amount of \$951.51 - Tax Collector
4. Items Removed From the Consent Agenda
5. Consider and Approve a Transfer of Funds in the Amount of \$800 from Property/Casualty Self-Insurance Acct. #001-8040-800-8250 to Maintenance of Equipment Acct. #001-1620-500-5200 - Risk Manager
6. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
7. PUBLIC HEARING to Amend the 1992-93 Budget of the Town of Wallingford - 7:45 P.M.
 - a. Amend the Mayor's Council on Substance Abuse Prevention Revenue and Expenditure Budget in the Amount of \$6,634.40

- b. Amend the Town Aid Road Fund Revenue From the State of Connecticut Acct. and the Expenditure: Improvements to Town Roads Acct. in the Amount of \$72,376 - Comptroller
- c. Amend the Local Capital Improvement Fund Revenue from the State of Connecticut Acct. and Expenditure: Capital Improvements Acct. in the Amount of \$1,261 - Comptroller
8. PUBLIC HEARING on an Ordinance with Respect to the Authorization Issuance and Sale of Not Exceeding \$20,000,000 Town of Wallingford General Obligation Refunding Bonds - 8:00 P.M.
9. Remove From the Table Report Out by the Comptroller on the Sale of \$8 Million General Obligation Bonds of the Town
10. Discussion Pertaining to the Town of Wallingford Forming a Committee to Study the Feasibility of a Municipally-Owned Cable Television Company as Requested by Councilor Brian M. McDermott
11. Consider and Approve Nominating Two (2) Town Council Designees to the Committee on Aging
12. Consider and Approve a Lease with the Wallingford Committee on Aging for Copy and Printing Services, Mail Service, Technical Assistance Provided Through the Office of Program Planning and Any Additional Services Recommended by the Mayor and Approved by the Town Council for a Five (5) Year Term to Commence September 1, 1992 - Dept. of Law
13. Consider and Approve a Lease with the Wallingford Committee on Aging for the Use of One (1) 24-Passenger Lift-Equipped Transit Vehicle and for the Use of One (1) 18-Passenger Lift-Equipped Transit Vehicle for a Term of Five (5) Years to Commence September 1, 1992 - Dept. of Law.
14. Consider and Approve a Lease with the Wallingford Committee on Aging for Premises Known as 284 Washington Street, Wallingford, CT for a Term of Five (5) Years to Commence September 1, 1992 - Dept. of Law
15. Endorse Wallingford Center Inc.'s Action of Making Application to the State Historic Preservation Officer for Enrollment of the Center of Wallingford in the National Register of Historic Places - Wallingford Center, Inc.
16. Discussion and Approval of the Educational Administrators' Association of Wallingford (E.A.A.W.) and the Wallingford Board of Education's New Contract Effective July 1, 1993 Through June 30, 1996 - Asst. Superintendent for Personnel Dale Wilson
17. Report Out by the Town Council Subcommittee Charged with Investigating Options to Shorten and Improve Overall Efficiency of the Town Council Meetings - Councilors Steven Holmes, Thomas Solinsky and Chairperson Iris F. Papale

18. Report Out by the Simpson School Study Committee as Requested by Susan S. Duryea
19. Discussion on the Immediate Plans for the Wooding Property as Requested by Councilor Geno J. Zandri, Jr.
20. SET A PUBLIC HEARING on An Ordinance Amending an Ordinance Entitled "An Ordinance Appropriating \$1,195,000 for Various Municipal Capital Improvements 1990-91 and Authorizing the Issue of \$1,195,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose"

(The Purpose of the amendment is to decrease the "Ward Street Ext. - Wharton Brook" appropriation and bond authorization from \$550,000 to \$450,000 and to appropriate and authorize the issuance of \$100,000 bonds for a new capital project entitled "Park View Sub-division-Drainage Improvements")
21. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes to Discuss Strategy and Negotiations with Respect to Pending Litigation and in Particular
 - a. Barberino v. Inland Wetlands and Watercourses Commission;
 - b. Pending Tax Appeals, in general, and Specifically the Tax Appeal of American Cyanamid Company

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6:30 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, October 27, 1992 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order at 6:34 P.M. by Vice Chairman David J. Doherty. Answering present to the Roll called by Town Clerk Kathryn J. Wall were Councilors Doherty, Duryea, Holmes, Killen, McDermott and Zandri. Councilor Solinsky arrived at 6:38 P.M. and Chairperson Iris F. Papale and Councilor Robert F. Parisi arrived during executive session as did Mayor William W. Dickinson, Jr. Town Attorney Janis M. Small arrived at 7:37 P.M. and Comptroller Thomas A. Myers was also present.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Executive Session Pursuant to Section 1-19(b)(9) of the CT. General Statutes with Regards to Ongoing Negotiations with Respect to Collective Bargaining

Motion was made by Mr. Killen to Enter Into Executive Session, seconded by Mr. Holmes.

VOTE: Parisi, Solinsky and Papale were absent; all others, aye; motion duly carried.

Motion was made by Mr. Doherty to Exit the Executive Session, seconded by Mr. Parisi.

VOTE: Solinsky was absent; all others, aye; motion duly carried.

ITEM #3 Motion was made by Mr. Doherty to Place the Following Items on the Consent Agenda to be Voted Upon with One Unanimous Vote of the Council, seconded by Mr. Parisi.

ITEM #3a. Consider and Approve a Transfer of Funds in the Amount of \$3,360 from Personnel Acct. #001-4000-100-1300 to Outside Secretarial Services Acct. 001-4000-900-9000 - Dept. of Parks and Recreation

ITEM #3b. Consider and Approve a Transfer of Funds in the Amount of \$21,500 from Professional Services Acct. #001-1320-900-9010 to the following Accounts: \$15,000 to CRRA v. P&Z; CRRA v. ZBA Acct. #001-1320-900-9060; \$5,000 to Chaconis v. P&Z Acct. #001-1320-900-9070 and \$1,500 to Local 1183 v. CSBLR, et al Acct. #001-1320-900-9080 - Town Attorney

ITEM #3c. Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Blue Cross Acct. #001-8041-800-8310 to Advertising Acct. #001-1590-400-4100 - Personnel

ITEM #3d. Consider and Approve a Transfer of Funds in the Amount of \$14,235 from Sworn Officers Wages Acct. #001-2002-100-1310 to Physicians Special Services Acct. #001-2001-600-6000 - Dept. of Police Services

ITEM #3e. Consider and Approve Tax Refunds (#56-67) in the Amount of

\$951.51 - Tax Collector

VOTE: Killen, no; all others, aye; motion failed.

Motion was made by Mr. Doherty to Place Item #3e on the Consent Agenda, seconded by Mr. Parisi.

VOTE: All ayes; motion passed.

ITEM #4 Items Removed From the Consent Agenda

ITEM #3a Consider and Approve a Transfer of Funds in the Amount of \$3,360 from Personnel Acct. #001-4000-100-1300 to Outside Secretarial Services Acct. #001-4000-900-9000 - Dept. of Parks and Recreation

Motion was made by Mr. Doherty, seconded by Mr. Parisi

VOTE: Killen, no; all others, aye; motion passed.

ITEM #3b Consider and Approve a Transfer of Funds in the Amount of \$21,500 from Professional Services Acct. #001-1320-900-9010 to the Following Accounts: \$15,000 to CRRA v. P&Z; CRRA v. ZBA Acct. #001-1320-900-9060; \$5,000 to Chaconis v. P&Z Acct. #001-1320-900-9070 and \$1,500 to Local 1183 v. CSBLR, et al Acct. #001-1320-900-9080 - Town Attorney

Motion was made by Mr. Doherty, seconded by Mr. Parisi

VOTE: Killen, no; all others, aye; motion passed.

ITEM #3c Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Blue Cross Acct. #001-8041-800-8310 to Advertising Acct. #001-1590-400-4100 - Personnel

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: Killen, no; all others, aye; motion passed.

ITEM #3d Consider and Approve a Transfer of Funds in the Amount of \$14,235 from Sworn Officers Wages Acct. #001-2002-100-1310 to Physicians Special Services Acct. #001-2001-600-6000 - Dept. of Police Services

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: Killen and Zandri, no; all others, aye; motion passed.

ITEM #5 Consider and Approve a Transfer of Funds in the Amount of \$800 from Property/Casualty Self-Insurance Acct. #001-8040-800-8250 to Maintenance of Equipment Acct. #001-1620-500-5200 - Risk Manager

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Frank Infante with ESB Computer Systems accompanied Mr. Wilson to explain to the Council the need for new soft and hardware in the Risk Manager's Office.

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Mr. Infante explained that the software currently being utilized by Mr. Wilson only allows him to access 30MB (megabytes) of the hard drive which has a storage capacity for 40MB of information. It is a feature unique to the type of program that Mr. Wilson works with. By purchasing a 120MB hard drive along with software that will allow him to access all of it for storage Mr. Wilson will be able to store and compare up to five (5) years worth of information.

Mr. Zandri stated that he personally visited ESB Computers following the October 13, 1992 Town Council Meeting to gain a better understanding of exactly why the Risk Manager's equipment was no longer sufficient for his needs. The representative at the computer store repeated exactly what Mr. Infante stated to the Council and Mr. Zandri better understood the issue at hand. He attributed his negative vote on this item at the last meeting to the fact that it was not explained quite clearly enough for him to understand the issue.

Other Councilors agreed.

Mr. Parisi was still of the opinion that the data could be stored on floppy disks and a new hard drive was not necessary.

VOTE: Killen and Parisi, no; all others, aye; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Emil Lawrence, 1149 S. Curtis Street addressed Yale Avenue and North Main Street and how extremely dangerous the intersection has become with the road all torn up. He feels that fire trucks and/or other emergency vehicles will not be able to pass through the area in its present condition. He was concerned that once the road is paved it will become a race way due to the fact that there are no traffic lights from that point on through to Meriden.

Mayor Dickinson vowed to look into the issue.

Mr. Lawrence suggested that there be no right turn allowed onto N. Main Street traveling east on Yale Avenue.

Mayor Dickinson stated that perhaps the left turn from N. Main onto Yale Avenue should be prohibited as well.

Mr. Doherty requested a report out on Yale Avenue by the Town Engineer at the next Town Council meeting.

Mr. Walter Sawallich, Jr. asked that the Council and/or Mayor look into issuing stickers for the recycling center. He is aware of many out of town residents from as far away as Stamford visiting the site to dispose of goods they cannot dispose of in their own town or city. Federal regulations surrounding the disposal of goods with freon are the reason that these people are coming to Wallingford. Some centers do not accept goods that contain the gas.

Ms. Papale asked if the Program Planner's Office is aware of this?

Mr. Sawallich has notified them.

Mr. Edward Musso, 56 Dibble Edge Road congratulated the Council for purchasing new microphones.

Frank Wasilewski, 47 N. Orchard Street was happy to see that the legal notices now reflect the department from which the notice is filed. He pointed out that the Fire Department budget has a rubbish removal allocation of \$8,000. The bid for the work totaled \$4,300 for a three year bid. He wanted to be sure that the Mayor and Council do not approve the \$8,000 per year in error.

Mayor Dickinson was not entirely clear on the issue and asked that Mr. Wasilewski talk to him in the near future on the issue.

Mr. Wasilewski went on to say that the Electric Division and Public Works Departments should "piggyback" their bidding on trees. Both are purchase them separately.

The suggestion will be looked into.

ITEM #7 PUBLIC HEARING to Amend the 1992-93 Budget of the Town of Wallingford - 7:45 P.M.

#7a. Amend the Mayor's Council on Substance Abuse Prevention Revenue and Expenditure Budget in the Amount of \$6,634.40

Motion was made by Mr. Doherty to Approve the Budget Amendment, seconded by Mr. Parisi.

Mr. Killen stated that on October 8, 1991 the Council approved a budget amendment for the same reason as tonight, effecting the same accounts. The only difference is that there was no public hearing held last year. He stated that he has been waiting to hear from the Town Attorney on the issue of whether or not public hearings are required for the budget ordinance for quite some time. In the past many Councils have approved budget amendments without public hearings. Have those actions been illegal all that time? In the meantime he continues to vote in the negative and feels that he may as well stay home. He is looking for an answer.

Ms. Papale stated that Atty. Small is still working on it.

Atty. Small responded that she has one additional source to check. She should have her decision next week.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

#7b. Amend the Town Aid Road Fund Revenue from the State of CT Acct and the Expenditures; Improvements to Town Roads Acct. in the Amount of \$72,376 - Comptroller

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

#7c. Amend the Local Capital Improvement Fund Revenue from the State of CT Acct. and Expenditure; Capital Improvements Acct in the Amount of \$1,261 - Comptroller

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: Killen and Zandri, no; all others, aye; motion duly carried.

ITEM #16 Motion was made by Mr. Doherty to Move Agenda Item #16 Up to the next Order of Business, seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

ITEM #16 Discussion and Approval of the Educational Administrators' Association of Wallingford (E.A.A.W.) and the Wallingford Board of Education's New Contract Effective July 1, 1993 Through June 30, 1996 - Asst. Superintendent for Personnel

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Wilson reviewed the highlights of the contract as follows:

Salary:

1993/94	- 2.45% increase plus .44% increment
1994/95	- 2.55% increase plus .29% increment
1995/96	- 2.40% increase (no increment)

TOTALS - 7.40% increase plus .73% increment

Medical: Administrators will pay the following medical copayment:

1993/94	- 5% copayment	
	caps:	individual - \$350
		two-party - \$450
		family - \$550
1994/95	- 5% copayment	
	caps:	individual - \$425
		two-party - \$525
		family - \$625
1995/96	- 5% copayment	
	caps:	individual - \$550
		two-party - \$650
		family - \$750

Admission planning service has been agreed to.

Reduction in Force language was agreed to. This will allow certain "bumping rights" for administrators if administrative positions are eliminated.

Mr. Holmes addressed the issue of retirement benefits and asked, was there any thought by the Board to negotiate the benefit out that when a person retires they receive a lump sum check of which the maximum payment is

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\$56,000 and for people hired after 1985 the maximum is \$54,000? Was there any thought to negotiate that out of the contract for future hirees?

Mr. Wilson responded, no. That issue was addressed two contracts ago. That benefit had been negotiated from 92% of the administrator's salary to the \$56,000/\$54,000 two years ago. It was grandfathered so that new people hired will receive a lesser amount than that. It is very difficult to change that after it has been negotiated and grandfathered in.

Mr. Holmes referred to the New Haven Register on October 22, 1992 in which an article appeared stating that East Haven successfully negotiated the accumulated retirement benefit out of their contract.

Mr. Wilson added that their percentage is much higher than Wallingford.

Mr. Holmes referred to page #3, item #3 and questioned the stipend benefit.

Mr. Wilson explained that this was done for six years. The Board of Ed budgeted \$6,000 for two years. No money has since been budgeted nor dispersed.

Mr. Holmes' final comment was, although the Board was successful in negotiating the percentages to below 3% per year which is good, he could not, in good conscious, accept any increase at all with the state that the economy is presently in. He will not vote in favor of the contract.

Mr. Parisi referred to page #5, items #4 & 5. He asked what the life insurance and income protection plan cost?

Mr. Wilson explained that the cost for term life is approximately \$400-\$500 per person. There are twenty people. The income protection plan is self-insurance. It has not been used by administrators.

Mr. Parisi asked if the annual mileage reimbursements are benefits in the contract?

Mr. Wilson responded, yes. It is not part of the salary. Whether you travel or not you still receive it.

Mr. McDermott pointed out that the Council sends messages to the unions that they meet certain requirements of the Council in their negotiating. One that they keep their percentages low (3% or under) and that they give back in the form of co-pay on the insurances (in this case it is 5%). This contract has met those requirements. He felt once the line is drawn in the sand it is not fair to move the line back further and further.

Mr. Killen felt that the percentages were fine, it is when you apply them to the large salaries at the top of the scale that it becomes a problem.

Mr. Vincent Testa, Board of Education Member, Negotiating Team Member, stated that the team wanted to avoid arbitration, if at all possible. They also wanted to keep in mind where they would be left after a settlement. A lack of demands were noticeable, not many issues were raised. The atmosphere was neutral with both parties wanting to reach an agreement. The real issue was salary and medical benefits. A few minor language changes were requested

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by the team. He stated, on behalf of the administrators, they moved a lot more than the team during the negotiating process. Going into arbitration would have meant the risk of coming out a lot worse than they did.

Mr. Holmes reiterated that he could not support the contract due to the many people who are unemployed or earning meager pays.

Mr. Testa stated that the fact remains that they those individuals are not in the public sector and are not faced with binding arbitration. He d not want to risk a 4-5% arbitration award to make a point that we fer 0%. It costs the taxpayer for the award.

Mr. Holmes continued to defend his opinion.

Mr. Parisi felt that, all in all, it was a good contract. There has to be a point, however, where it stops. At one time the salaries were low and they have come a long way since, rightfully so, but it is time to slow them down now. A 2% raise on \$80,000 is a lot more than 2% on \$40,000. He agreed with Mr. Holmes. He requested that Mr. Wilson forward to him a 1982 schedule of salaries for the administrators.

Mr. Wilson stated that the Board was confident that the arbitration award would be much higher. He agreed to send the list to Mr. Parisi.

Mrs. Bernadette Renda, 753 N. Main Street Ext. agreed with Mr. Holmes. She urged the Council to vote against it.

Mr. Frank Renda, 753 N. Main Street Ext. was opposed to the contract.

Mr. Edward Musso, 56 Dibble Edge Road agreed with Mr. Holmes. He felt that the contract details should be published in the newspaper.

Mr. Solinsky felt that the six weeks of vacation, holidays, plus twenty sick days are still too much to ask for. Regarding the small increase in wages. is a good contract. There is a lot in the contract that could be dressed. His first inclination was to vote in favor of it until he looked closer at the fringe benefits. He will vote in opposition of the contract.

Mr. Doherty stated that the Council gave specific guidelines to follow in negotiating contracts and they were followed. This particular recession continues to drag on and in some particular cases we will have to adjust our guidelines down further. In the future if this recession continues the various educational unions, when they come up for contract renewal, are going to be asked that no increase be given. This contract meets our guidelines at this time and under these circumstances this contract should be approved.

Mr. Frank Wasilewski, 57 N. Orchard Street asked, why not approve one year contracts to see how the economy will fare. We should go to binding arbitration and if we lose the school board should start thinking about laying off some administrators. We don't need twenty, twelve is enough. He was opposed to the raises. He added that thirty-eight out of the top fifty wage earners in the Town's employment are teachers. He felt that there should have been a freeze on wages with the first contract that was presented by the teachers. He urged the Council to reject the contract.

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Mr. Doherty explained to Mr. Wasilewski that, yes, we should be moving in the direction of binding arbitration, however at this particular moment the binding arbitration awards are still coming in higher than these percentages proposed this evening. He did not think we should be going to binding arbitration with a contract like this which is below what they are awarding in most places in the state. Perhaps six months from now we should be considering it.

Mr. Holmes stated for the record that he voted in opposition of both the teacher's contract and the past municipal contract before the Council. He was being consistent and not specifically voting in opposition for the educational contract.

VOTE: Duryea, Holmes, Parisi and Solinsky, no; all others, aye; motion duly carried.

ITEM #8 PUBLIC HEARING on an Ordinance with Respect to the Authorization Issuance and Sale of Not Exceeding \$20,000,000 Town of Wallingford General Obligation Refunding Bonds - 8:00 P.M.

Mr. Thomas Myers, Comptroller, explained that interest rates are approaching historic lows. These rates could present Wallingford with an opportunity to refund outstanding bonds issued in previous years at a higher interest rate to realize present value savings. The savings result when the debt service on the new bonds is lower than the debt service on the old bonds. This financial technique is known as "advance refunding resulting in defease debt".

Advance refunding occurs when the refunded (old) bonds are retired more than 90 days after the refunding (new) bonds are issued. The old debt is defeased because the refunding (new) bonds are invested in U.S. government securities held in an escrow account until funds are required to pay interest on the refunded (old) bonds and to purchase the old bonds from investors at the maturity date or at a call date prior to the maturity date, and because the possibility the issuer will be required to make future payments on that debt is remote.

The Tax Reform Act of 1968 imposed severe restrictions on advance refunding in that savings can only be realized by refunding "old" (high interest) bonds with "new" (low interest) bonds escrowed to the first call date rather than to the maturity date. The escrow account can only earn interest at a restricted level (the low refunded rate). This results in a higher bond issue amount and a lower savings amount. Besides restricting the interest earnings, the act permits bonds issued after 1985 to be refunded only o prescribes rules for calling the bonds, prohibits private activity bond from refunding and prohibits several types of "abusive" transactions.

An economical refunding requires at least a 200 basis point (2.00 percent) difference between the old bonds and the new bonds, on a maturity-by-maturity basis.

Mr. Killen did not approve of section 4 which allows the Mayor, Comptroller and the Treasurer, or any two of them authorization to appoint an escrow agent and to execute and deliver any and all escrow and related agreements necessary to provide for the defeasance of the refunded bonds and to issue

such refunding bonds as tax exempt obligations.

Motion was made by Mr. Doherty to Dispense with the Reading of the Ordinance and Append a Copy to the Town Council Minutes. seconded by Mr. Parisi (Appendix I).

VOTE ON APPENDING ORDINANCE TO MINUTES: All ayes; motion duly carried.

VOTE ON ORDINANCE: All ayes; motion duly carried.

Motion was made by Mr. Doherty to Move Agenda Item #10 Up to the Next Order of Business, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

ITEM #10 Discussion Pertaining to the Town of Wallingford Forming a Committee to Study the Feasibility of a Municipally-Owned Cable Television Company as Requested by Councilor Brian M. McDermott

Motion was made by Mr. Doherty to Hear Discussion, seconded by Mr. Parisi.

Mr. McDermott turned the floor over to Mr. Timothy Sullivan, Councilor of the City of Norwich, CT. who has been through the process in Hartford to try and change some laws that would allow a municipality to operate a cable television company.

Mr. Sullivan explained that he has discovered an issue in his work on the Norwich City Council that he thought, and still thinks, is on a level with the concern over municipal taxes, and that is of consumers and their absolute disgust with cable television, rates and service provided by the companies involved with the provision of cable service in this state. He had discovered that in other communities throughout the country where there existed a municipally owned and operated electric system it was quite possible to pursue this course of action. There are some compatibilities as well as economies on a scale that can be derived from adding to the existing line of service that we have here, gas, water, electric and sewer. Cable television is no longer a luxury but rather a utility. He has pursued a course of action with the State of CT. in persisting with the energy and public utilities committee to request that municipalities that own and operate an electric division be able to compete for and gain a franchise within the franchising system of cable television in the State of CT. He was successful in that effort in that we currently have a State Statute that would allow a community which owns its own electric division to pursue that course of action. In his opinion rate regulation is not the answer to the problems that we face in terms of rates and service with cable television, but rather the answer to this is providing competition. He has never sought to tear down Century Norwich or any other cable television operation in the State of Connecticut. It is only his desire to seek competition brought to bear with an industry that is sorely lacking in it. The consumers are the ones who fail to benefit by the way they have been treated in the past.

Mr. Sullivan went on to say that he has taken many trips to Shrewsbury, Mass. where he found that they were providing at the time, at to his

knowledge continue to do so today. basic service which includes eighty channels for \$12.50. In addition to that they give a twenty-five percent discount to any senior citizen who is a consumer of the Shrewsbury cable system.

Mrs. Duryea asked what the initial cost will be to start up the business?

Mr. Sullivan responded, the feasibility study commissioned by the City of Norwich from Rice Williams of Washington, D.C. states that that capital outlay for Norwich would be approximately \$4 Million. The City of Norwich has approximately 38,000 residents.

Mrs. Duryea commended Mr. McDermott for bringing this item to light. She asked if the town will be liable to the cable company currently servicing Wallingford?

Mr. McDermott stated that those issues will be investigated by the comm. should the Council decide in favor of establishing one.

Mr. Zandri stated that there are franchise areas designated by the State of Connecticut. He explained that the federal government has recently deregulated the industry due to spiraling rates under regulation. They are taking steps to rectify the situation.

Mr. Parisi asked if the state statute allows anyone to apply for a franchise in an area that has a municipally owned electric division? Can two companies have a franchise in direct competition in that same area?

Mr. Sullivan answered, yes, yes. It is possible under state statute for anyone to apply for a franchise.

Mr. Holmes asked if the study has been completed? Has the study assumed that the franchise will have 100% of the market share when analyzing the cost to be approximately \$15.00 per month for seventy channels?

Mr. Sullivan answered that the study is complete and that it was based on the assumption that the franchise would have 35% of the market share.

Mr. Holmes asked if the franchise begins operation and the existing cable company decides to offer the same service for the same price, what would happen?

Mr. Sullivan responded that the war of competition has begun and the consumer will be the winner.

Mr. Holmes reminded everyone that the cost of the obligation notes would be borne by the taxpayer. The cost of the service would have to be covered as well.

Mr. Sullivan added that Norwich has made a commitment that as they move forward with the proposal the project must stand on its own and must be self-sufficient and will not be cross-subsidized by taxpayer funds nor will it be cross-subsidized by electric division rates, gas rates or water and sewer rates. If it cannot stand on its own then it has no merit.

Mr. Holmes asked what would happen if Norwich spends \$4 million to begin operations and the market share shrinks to ten percent?

Mr. Sullivan responded it is part of the risk that you assume.

Mayor Dickinson reminded everyone that it is an optional service that not everyone receives. The rate is keyed to the exact number of people who opted for the service with the ultimate liability being on the taxpayer if we ended up with too few customers signing on. Who decides what channel is offered? Now municipal government becomes involved in the entertainment industry. Some channels are of controversy with various people in the community.

Mr. McDermott agreed that that very issue is one that the committee would have to look into and investigate. He proposed an eleven (11) member committee, one from each Councilor and two from the Mayor's Office to study the questions. It is not an easy decision. It will take a lot of time and work to see if it is worth progressing forward with.

Mr. Doherty asked if Norwich offers the service to other towns due to the fact that they service these towns with electricity?

Mr. Sullivan responded that they do not supply electricity but they have agreements in other areas in terms of gas, water and sewer. It is governed by their charter and it tends to be a sticky legal issue at times.

Mr. Doherty asked Raymond Smith, Director of Public Utilities, since we provide electricity not only to Wallingford but to residents of Northford would we also assume that as part of our cable franchise we would also have to service those residents of Northford as well?

Mr. Smith answered that the way the statute reads now we would not only have to serve the Wallingford area but all the other communities served by the present franchisee. That entails Madison, North Haven, etc.

Mr. Doherty responded, yes, North Branford, Madison, Branford, East Haven and North Haven, for a total of 53,000 customers.

Mr. Smith stated that you can buy out the present franchise which could be very expensive, he has heard the figure of \$2,000 per customer mentioned. There is no restriction to serve outside of the town. How the DPUC will feel with regards to their role in this remains to be seen.

Mr. Doherty asked if it is possible to amend the statute and has Mr. Sullivan attempted to do this?

Mr. Sullivan answered that the feasibility study commissioned in Norwich was specifically directed at serving the City of Norwich. He did not know what he was getting himself into by investigating this issue. He soon found out. With an extensive lobbying effort over a three to four month period they were able to add into the statute the requirement that the DPUC require itself to look at the entire franchise area when making a decision on whether or not to allow another franchise from a municipally owned electric system or not.

Mr. McDermott lauded Mr. Sullivan for taking the time out of his daily schedule to go up to Hartford and fight for his town to try to change the laws governing this issue. There was an amendment added that was defeated that would have made it a lot easier for municipalities such as Wallingford to just operate as their own little entity. We have a right to go up to Hartford and petition or to lobby for our cause in our community. He wants to form a committee to follow up on Mr. Sullivan's lead.

Mrs. Duryea asked if the telephone company was involved?

Mr. Sullivan stated that there has been discussion surrounding allowing the telephone companies to get into the business of competing. It is possible that at some point in the future the telephone companies will be able to carry the cable signal through their fiber optic cable that run along all the poles and under ground.

Mr. Parisi commended Mr. Sullivan for traveling to Wallingford and making such a fine presentation. He agreed with Mr. McDermott in that we should get involved in this issue and see how far it can go. He has received a few calls from senior citizens stating that the difference in the cost of cable determines whether or not they have it.

Mr. Killen asked if Mr. Sullivan would be willing to return to Wallingford to help the committee on occasion?

Mr. Sullivan agreed to. He concluded in saying that, in a state that prides itself on "home rule", he was shocked that his legislature was going to shove the "home rule" statute back down his throat. They told him to take it back home and he had no right to fight for his community and that he had to worry about seven others around him. He was very upset with the attitude from Hartford. He thanked the Council for their time.

Debra Wilkinson, 136 S. Whittlesey Ave. asked if anyone contacted the telephone company to ask if this venture is feasible or not?

Mr. Sullivan has been in constant contact with S.N.E.T. but he is not at liberty to discuss it.

Ms. Wilkinson urged that S.N.E.T. be kept informed of, and involved in, the matter.

Mr. Scott Hanley, Manager of Video Productions for the Wallingford Public Library and legislative Chair for a statewide organization called the National Federation of Local Cable Programmers was very familiar with the legislative initiative that Mr. Sullivan was involved in. He is also familiar with the federal cable laws. To his knowledge federal law now makes it easier for municipalities to pursue this. He commended Mr. Sullivan for getting involved and stated that he, personally, would like an opportunity to contribute to this effort if it moves forward.

Mr. McDermott feels that this is an exciting process that we can move through. He made a motion to form an eleven member committee to study the feasibility of a municipally-owned cable television company in the Town of Wallingford, seconded by Mr. Parisi. Each Councilor will submit one name and the Mayor will submit two for the committee.

Mr. Holmes asked that the record note that he thinks this should be a non-subsidized entity in the town.

Mr. Killen asked that it be noted for the record that this committee proceed as far as they can on their own, minus any financing, and then report back to the Council after a period of time with a report. The Council will decide whether or not to go for outside expertise or not.

Mr. Parisi asked if at some point Norwich and Wallingford can work together to approach Hartford? He felt that the two towns should be working very closely together.

Mr. McDermott asked the Councilors to come up with their name for the committee at the November 10, 1992 Town Council Meeting and for the Mayor to submit his two names.

VOTE: All ayes; motion duly carried.

The Chair declared a ten minute recess.

ITEM #9 Remove From the Table Report Out by the Comptroller on the Sale of \$8 Million General Obligation Bonds of the Town

Mr. Doherty made a motion to Remove Item #9 From the Table, seconded by Mr. Parisi.

VOTE: McDermott was absent; all others, aye; motion duly carried.

Mr. Doherty made a motion to Hear the Report, seconded by Mr. Parisi.

Mr. Thomas Myers explained that the issue occurred on August 26, 1992 at competitive public bid. The bonds financed \$7 million worth of expenses for our new Water Treatment Plant which is under construction. Previously we had issued \$12.9 million in bonds on that plant. With this issue of \$7 million, to date we have issued \$19.9 million in bonds to finance the plant. We expect to receive a State of Connecticut grant of \$1 million. There will be an additional bond issue, perhaps one more, to finish the financing of the construction of that facility. \$1 million of the \$8 million finished the financing on the Sewer Treatment Plant. The status of funding on that plant is \$11 million of Wallingford bonds were issued. We received \$21.9 million in state and federal grants. We self-financed \$2.9 million. In order to issue the bonds we had to have our Aa credit rating reaffirmed. Municipal bonds are bid on by syndicates and many parties join that syndicate and then sell off the bonds to investors. The winning bid was comprised of CT. National Bank, Shawmut Bank, Merrill Lynch, Dean Witter Reynolds, Smith Barney, Harris Upman, Lehman Bros., Payne Weber, A.G. Edwards, Inc. Connecticut National Bank led the syndicate, they have been a major purchaser of Wallingford bonds over the past ten year period. There were second, third and fourth syndicates as well. This shows a good interest when we go out to market as well as good competition. We had a very positive result from the sale.

No action taken.

ITEM #11 Consider and Approve Nominating Two (2) Town Council Designees to the Committee on Aging.

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Jack Sheehy, President, Board of Directors, Committee on Aging, Inc. explained that in 1991 the Board failed to send the Council their nominees for three year terms ending in 1994. He listed the five nominees and asked that the Council designate two as their choice for that period. The Council also needed to designate two nominees for the term of 1992-1995.

Motion was made by Mr. Doherty to Designate Madeline Erskine and Louis Hodos as the Town Council Designees to the Committee on Aging, Inc. for the term of 1991-1994, seconded by Mr. Parisi.

VOTE: McDermott passed; all others, aye; motion duly carried.

Mr. Doherty made a motion to Designate Toni Helming and Erna Lovasz as the Town Council Designees to the Committee on Aging, Inc. for the term of 1992-1995, seconded by Mr. Parisi.

VOTE: McDermott passed; all others, aye; motion duly carried.

ITEM #12 Consider and Approve a Lease with the Wallingford Committee on Aging for Copy and Printing Services, Mail Service, Technical Assistance Provided Through the Office of Program Planning and any Additional Services Recommended by the Mayor and Approved by the Town Council for a Five (5) Year Term to Commence September 1, 1992 (Appendix II) - Dept. of Law

Motion was made by Mr. Doherty, seconded by Mr. Holmes.

This lease is the same standard lease approved by the Town Council each year.

VOTE: Parisi was absent; all others, aye; motion duly carried.

ITEM #13 Consider and Approve a Lease with the Wallingford Committee on Aging for the Use of One (1) 24-Passenger Lift-Equipped Transit Vehicle and for the Use of One (1) 18-Passenger Lift-Equipped Transit Vehicle for a Term of Five (5) Years to Commence September 1, 1992 (Appendix III) - Dept. of Law

Motion was made by Mr. Doherty, seconded by Mr. Holmes.

VOTE: Parisi was absent; all others, aye; motion duly carried.

This lease is the same standard lease approved by the Town Council each year.

ITEM #14 Consider and Approve a Lease with the Wallingford Committee on Aging for Premises Known as 284 Washington Street, Wallingford, CT for a Term of Five (5) Years to Commence September 1, 1992 (Appendix IV) - Dept. of Law

Motion was made by Mr. Doherty, seconded by Mr. Holmes.

VOTE: Parisi was absent; all others, aye; motion duly carried.

This is the same standard lease approved by the Town Council each year.

ITEM #15 Endorse Wallingford Center, Inc.'s Action of Making Application to the State Historic Preservation Officer for Enrollment of the Center of Wallingford in the National Register of Historic Places - Wallingford Center Inc.

Motion was made by Mr. Doherty, seconded by Mr. Solinsky.

Mr. Doherty read correspondence into the record (Appendix V).

Mr. Killen moved that the Council wholeheartedly endorse this application, seconded by Mrs. Duryea.

Mr. McDermott asked if this had anything to do with establishing a historic district in the center of town?

Steve Lazarus, Architect responded, no, it is entirely different. If this national district is formed it will become an honorific district. It is a way of acknowledging that there has been a tremendous amount of good preservation work that has gone on in Wallingford and encouraging additional preservation. There is no controlling commission what so ever.

Mr. McDermott wanted to be assured that this will in no way conflict with the wishes of those residents who was opposed to establishing an historic district in the center of town.

Mr. Lazarus reassured Mr. McDermott it did not.

Mayor Dickinson stated that we do not have anything from the State clarifying this issue. The only correspondence is from Mary Anis of the Historical Society dated October 14, 1992. It states, "it is my further understanding that no commission oversees the district, that no vote is taken, the only restriction imposed is on demolition. The opponents must organize and prove over 50% of the property owners are against the program. Are these assumptions correct?" She went on to say that she would "bring the matter up to the next Historical Society Council Meeting". He hesitated to have it on record that we know for certain what the impact of this is when he certainly does not.

Mr. Lazarus admitted that he did not know everything about the national historic program but to the best of his knowledge no commission will oversee the district, no vote is taken as a result of this process, the only restriction imposed is on demolition. In order to stop the district from being formed the burden is upon people who oppose the district. They must organize and demonstrate that more than fifty percent of them don't want the district. Because matters are still gray in this area he would not ask the Council, as a body, to necessarily take any action this evening. Frankly, none is required. He did not want to discourage the Council, however, if they felt that they had enough information and wished to vote to support this matter.

The Council decided not to take any action in this matter.

The motion and second were withdrawn.

ITEM #17 Report Out by the Town Council Subcommittee Charged with Investigating Options to Shorten and Improve Overall Efficiency of the Town Council Meetings

Mr. Holmes read the recommendations from the Town Council subcommittee into the record (Appendix VI). They are as follows:

- no items will be considered by the Council if they are submitted after the Wednesday deadline
- items on the consent agenda will not be considered without the department head or designee of the department head present to answer questions on the topic being considered
- agenda items must include appropriate backup information. Items without backup information will be considered
- the Chairperson can request a time limit be set to discuss items on the agenda which will appear to be lengthy
- meetings should start at 6:30 P.M. and adjourn at 11:00 p.m. If significant business remains after 11:00 p.m. then the meeting will be resumed on the following Tuesday at 6:30 p.m. with no new items added
- council members are encouraged to contact department heads prior to the start of the meeting to ascertain pertinent information relating to the item to be considered
- special awards should be presented prior to the start of the meeting
- discussion is limited to the items listed on the agenda
- we encourage public input during our meetings on each item on the agenda. We do not recommend that this change, however, time limits on each speaker should be considered.

Mr. Holmes stated that he was remiss in including Mr. Parisi's name on the correspondence. His input was valuable to the subcommittee. He pointed out that these are merely guidelines and recommendations from the committee and additional input is welcome.

Mrs. Duryea referred to the first recommendation and observed the fact that there are times that committees and/or commissions meet at times that are very close to the Town Council meetings which means that the backup information occasionally is not ready for the agenda meeting.

Mr. Holmes stated that if the paperwork is in and to the Council prior to the meeting it will be acceptable.

Mr. Parisi added that the purpose for that recommendation was to avoid being confronted with a stack of papers on the Council bench the night of the meeting which does not allow sufficient time for review.

Mr. Holmes added that there will always be some sort of an emergency which is understandable. What the subcommittee is trying to do is eliminate any of the mundane items being submitted on that particular night.

Ms. Papale stated anything that has appeared under Rule V or addendum since she has become the Chairperson, in her mind it has been an emergency otherwise it would not have been added.

Mrs. Duryea then addressed recommendation #4, meetings should start at 3:30 P.M. will be resumed on the following Tuesday at 6:30 P.M. with no new items added. She does participate with and staff other subcommittee on those Tuesdays. If the Council wants to regularly schedule a third meeting in the month she would be receptive to that idea. She also addressed the last recommendation by stating that if the public travels out to the meeting we should let them speak for as long as they want.

Mr. Holmes rebutted that the intent was not to shut anyone off but to avoid the late night meetings by incorporating all the suggestions. He felt that everyone should have the right to speak but can make their point in approximately five minutes. The Chair will have to use discretion on controversial items.

Mr. Killen stated that the first recommendation is already part of our Council rules which would need to be revised since we allow items under the waiver of Rule V scenario. The second recommendation is currently one of our rules as well. The Council has voted many times on the 11:00 rule and to no avail. The real issue is, are we willing to shut ourselves off? We have to make it hard and fast. At 11:00 we would have to pack it up and shut it off. He was willing to take the fine suggestions under advisement but was not willing to carve them in stone.

Mr. Parisi suggested reviewing the recommendations and vote on them at the next meeting.

Ms. Papale urged Councilors to contact department heads with their questions prior to the meetings to help cut down on the length of the meeting. Many times questions are asked at the meeting when the answers could have been obtained prior to the meeting date.

Motion was made by Mr. Doherty to Table This Item Until the Next Agenda, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

ITEM #18 Withdrawn

ITEM #19 Discussion on the Immediate Plans for the Wooding Property as Requested by Councilor Geno J. Zandri, Jr.

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Zandri asked the Mayor what the immediate plans were for the Wooding Property? The intent of the purchase was to help the Police Department

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with their need for additional space. Are there any plans to meet those needs?

Mayor Dickinson stated that the design is in process of being completed or has been completed to utilize the area directly behind the Police Department. There will have to be improvements which will need Planning & Zoning's approval as well as the Council's. Temporary fencing has been installed between town property and Academy Street property. Some of the area is being used for parking by the Police Department.

Mr. Zandri asked if it is the intent of the town to demolish the sheds involved with the Wooding operation?

Mayor Dickinson answered, ultimately those buildings will be torn down. There is no immediate plan.

Mr. Zandri stated that the reason for his submitting this item on the agenda is that he attended a Zoning Board of Appeals meeting of which one of the topics was parking uptown. His thought was, if time permitted, the Public Works Department can start dismantling the sheds. They have stockpiled the chip seal that has been swept off the streets and could potentially use that product for a base of the parking lot.

Mayor Dickinson responded, one difficulty with encouraging traffic there is the access way. He did not want the general public traveling through the Police Department area to get to parking. The post office did have an arrangement with Caplan for some parking there and if the Council is in agreement the Mayor would be willing to contact the post office to see if some sort of lease arrangement can be implemented for their employees to park there.

Mr. Zandri felt that we could start developing the property and, in the meantime have additional property available for parking.

Mayor Dickinson stated for the record that the property is not of great value to the town if the building on the corner of Wallace and Center Streets remains. There is no plan to invest any money into it. A price of \$500,000 was quoted just to bring the building up to code and it has no municipal use.

Mr. Zandri was opposed to leasing the parking space to the post office. He felt that we need to gain access to the property. Whether that mean demolishing the building or buying adjacent property to access it, he was not sure but we need the access.

No action was taken.

ITEM #20 SET A PUBLIC HEARING on an Ordinance Amending an Ordinance Entitled "An Ordinance Appropriating \$1,195,000 for Various Municipal Capital Improvements 1990-91 and Authorizing the Issue of \$1,195,000 Bond of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose

Motion was made by Mr. Doherty to SET A PUBLIC HEARING for November 10, 1992 at 7:45 P.M., seconded by Mr. Parisi.

VOTE: Duryea was absent; all others, aye; motion duly carried.

ITEM #21 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes to Discuss Strategy and Negotiations With Respect to Pending Litigation and in Particular

- a. Barberino v. Inland Wetlands and Watercourses Commission
- b. Pending Tax Appeals, in general, and Specifically the Tax Appeal of American Cyanamid Company

Motion was made by Mr. Doherty to Enter Into Executive Session, seconded by Mr. McDermott.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Doherty to Exit the Executive Session, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Doherty to Settle the American Cyanamid Tax Appeal Case as Discussed in Executive Session, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Doherty to Adjourn the Meeting, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 12:05 A.M.

Meeting recorded and transcribed by:

Kathryn F. Milano
Kathryn F. Milano, Town Council Secretary

Approved by: *Iris F. Papale*
Iris F. Papale, Chairperson

NOV 10 1992

Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

NOV 10 1992

Date

ORDINANCE WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND
SALE OF NOT EXCEEDING \$20,000,000 TOWN OF WALLINGFORD
GENERAL OBLIGATION REFUNDING BONDS.

RESOLVED:

Section 1. \$20,000,000 bonds of the Town, or so much thereof as shall be necessary, are hereby authorized to be issued for the purpose of advance refunding all, or any portion as hereafter determined, of the aggregate principal amount outstanding of any issue of Town of Wallingford General Obligation Bonds, including but not limited to \$7,675,000 of the outstanding principal amount of the Town's issue of 1986, \$2,050,000 of the outstanding principal amount of the Town's issue of 1988, and \$825,000 of the outstanding principal amount of the Town's issue of 1989, Lot B, and for the payment of all fees and expenses incurred in connection therewith, including legal, fiscal advisor, underwriting, accounting and escrow verification, printing, rating agencies and associated costs and expenses.

Section 2. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual 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 a bank or trust company designated by the Mayor, the Comptroller and the Town Treasurer, or any two of them, who shall also designate a registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller and the Town Treasurer, or any two of them, and be approved as to their legality by 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 refunding bonds to be issued, the particular issue or portion thereof they shall refund, the annual installments of principal, redemption provisions, 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, provided that no refunding bonds shall mature later than the final maturity of the refunded bonds, provided that no bonds shall be refunded unless the issuance of bonds authorized herein shall result in positive cumulative savings.

Section 3. Said bonds shall be sold in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the Mayor, the Comptroller and the Town Treasurer, or any two of them are authorized to enter into, execute and deliver a contract of purchase for such bonds on such terms and conditions as they shall determine.

Section 4. The net proceeds of the sale of the refunding bonds, after payment of underwriters' discount and other costs of issuance, shall be deposited in an irrevocable escrow account to redeem the refunded bonds. The Mayor, Comptroller and the Treasurer, or any two of them are authorized to appoint an escrow agent and to execute and deliver any and all escrow and related agreements necessary to provide for the defeasance of the refunded bonds and to issue such refunding bonds as tax exempt obligations.

A G R E E M E N T

THIS AGREEMENT made this _____ day of _____, 1992, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town," and WALLINGFORD COMMITTEE ON AGING, INC., Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafter called "WCA;"

WHEREAS, Connecticut General Statutes Section 7-148(c)(2)(E) provides authority for a municipality to provide services and money to a private organization providing a public service; and

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

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

1. Copy and printing service through Central Services, Department of Purchasing, including paper;
2. Mail service including postage;
3. Technical assistance through the office of Program Planning;

4. Additional services as same may be recommended by the Mayor and approved by the Town Council. The minutes of any vote of the Town Council approving any additional services shall be appended to this Agreement and become a part hereof.

THIS AGREEMENT shall remain in full force and effect for a period of five (5) years from the 1st day of September, 1992, unless sooner terminated or amended by the Town.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

TOWN OF WALLINGFORD

BY: _____

William W. Dickinson, Jr.
Its Mayor
duly authorized

WALLINGFORD COMMITTEE
ON AGING, INC.

BY: _____

MOTOR VEHICLE LEASE

THIS AGREEMENT made this _____ day of _____, 1992, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town," and WALLINGFORD COMMITTEE ON AGING, INC., Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafter called "WCA;"

W I T N E S S E T H :

1. For and in consideration of the mutual agreements contained herein and subject to the terms and conditions hereinafter stated, Town hereby leases to WCA and WCA hereby leases from Town the following vehicles:

One (1) 24-passenger lift-equipped transit vehicle with two wheelchair positions; Vehicle Identification Number 1GBKP32WIJ3316468;

One (1) 18-passenger lift-equipped transit vehicle with two wheelchair positions; Vehicle Identification Number 1GBKP32W3J3316441.

Said lease shall be for a term of FIVE (5) YEARS commencing from the

first day of September, 1992, at a rental of ONE AND 00/100 (\$1.00) DOLLAR per year.

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

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

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

5. Notwithstanding the term set forth in Paragraph 1 hereof, this Agreement may be terminated by either party upon thirty (30) days notice to the other.

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

IN WITNESS WHEREOF, the parties have hereunto set their hands and

seals the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

TOWN OF WALLINGFORD

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

WALLINGFORD COMMITTEE
ON AGING, INC.

BY: _____

REAL ESTATE LEASE

THIS AGREEMENT made this _____ day of _____, 1992, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town," and WALLINGFORD COMMITTEE ON AGING, INC., a Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafter called "WCA;"

W I T N E S S E T H :

1. For and in consideration of the mutual agreements contained herein and subject to the terms and conditions hereinafter stated, Town hereby leases to WCA and WCA hereby leases from Town the premises known as 284 Washington Street, Wallingford, Connecticut, for a term of FIVE (5) YEARS commencing from the 1st day of September, 1992, at a rental of ONE AND 00/100 (\$1.00) DOLLAR per year.

2. WCA shall use said premises to provide services for the elderly residents of Wallingford through the Wallingford Senior Citizen Center, to coordinate other services for the elderly provided by public and private agencies, and to study the conditions and needs of the elderly

in relation to housing, health, economic conditions, employment and other matters.

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

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

b. Janitorial service.

c. Water, sewer, gas and electricity.

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

5. Notwithstanding the term set forth in Paragraph 1 hereof, this Agreement may be terminated by either party upon 180 days written notice to the other.

6. In the event the Town terminates this Agreement for any reason,

the Town agrees to use its best efforts to offer similar premises to the WCA.

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

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of:

TOWN OF WALLINGFORD

BY: William W. Dickinson, Jr.
Its Mayor
duly authorized

WALLINGFORD COMMITTEE
ON AGING, INC.

BY: _____