

TOWN COUNCIL MEETING

FEBRUARY 13, 1996

6:30 P.M.

AGENDA

1. Blessing - Rabbi John Nimon
2. Roll Call and Pledge of Allegiance
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#221-237) Totalling \$2,813.39 - Tax Collector
 - b. Note for the Record Anniversary Increases Approved by the Mayor to Date
 - c. Consider and Approve Six (6) Council Appointments to the Committee on Aging for a Term of Three (3) Years - Two Appointments will Expire 2/97; Two Will Expire 2/98 and Two Are to Expire 2/99 - Committee on Aging
 - d. Consider and Approve the Board of Education's Recommendation to Appoint Valerie Nolan to the Building Committee for the School Expansion Project
 - e. Consider and Approve the Re-Appointment of the Public Celebrations Committee for a Term of Two (2) Years to Expire 2/1/98 - Johanna Fishbein
 - f. Approve and Accept the Minutes of the 1/23/96 Town Council Meeting
 - g. Consider and Approve Authorizing the Use of the Parade Grounds by Wallingford Center Inc. on June 8, 1996 for a Country Craft Show - Wallingford Center Inc.
 - h. Consider and Approve a Tentative Agreement with IBEW Local #457 for the Extension of their Pension Plan for Non-Hazard Employees for a Two Year Period Ending February 4, 1997 - Personnel Dept.
 - i. Consider and Approve a Transfer of Funds in the Amount of \$600 from Regular Salary/Wages Acct. #1600-101-1000 to Professional Services - Employee Exams Acct. #1600-901-9009 - Personnel Dept.

(OVER)

- j. Consider and Approve a Transfer of Funds in the Amount of \$6,750 from Transportation Equipment Acct. #392-096 and \$4,750 from New Meter Acct. #346-096 for a Total of \$11,500 to Dist. Reservoirs and Standpipes Acct. #342-096 - Water Division
- k. Consider and Approve an Appropriation of Funds in the Amount of \$1,200 to Science Kits Grant Acct. in the Special Revenue Fund - Mayor's Office
- l. Consider and Approve an Appropriation of Funds in the Amount of \$5,000 to Watt Watchers Grant of the Special Revenue Fund - Mayor's Office
- 4. Items Removed from the Consent Agenda
- 5. PUBLIC QUESTION AND ANSWER PERIOD
- 6. Consider and Approve a Resolution Re-Naming the West Side Field the Darlene Falconieri Field as Requested by Councilor Richard J. Centner, Jr.
- 7. Consider and Approve the Acceptance of a Donation from the Inaugural Ball Committee to the D.A.R.E. Program
- 8. Consider and Approve Accepting a Gift of a Town Map from Dr. Barry. R. Gillespie to the Town of Wallingford's Planning Department
- 9. Discussion of Correspondence Received by Eric Reichbart Regarding the Placement of a Menorah on the Town Green or Any Public Area - Town Council Office (20 Minute Limit)
- 10. Progress Report on the Community Pool Project as Requested by Councilor David J. Doherty (10 Minute Limit)
- 11. Consider and Approve Three (3) Appointments to the Positions of Constables to Expire 1/25/98
- 12. Consider and Approve a Resolution and Agreement Between the Town of Wallingford and the State of Connecticut for the Construction, Inspection and Maintenance of Cook Hill Road and South Turnpike Road - Mayor's Office
- 13. Consider and Approve a Resolution Allowing for the Extension of the Resident's Disposal Program to February 28, 1997 - Mayor's Office
- 14. Executive Session Pursuant to Section 1-18a(e)(2) Regarding Pending Litigation Involving Tax Appeals
- 15. Executive Session Pursuant to Section 1-18a(e)(4) with Regards to the Purchase of Real Estate

TOWN COUNCIL MEETING

FEBRUARY 13, 1996

6:30 P.M.

SUMMARY

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TOWN COUNCIL MEETING

FEBRUARY 13, 1996

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, February 13, 1996 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:30 P.M. All Councilors answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr. and Comptroller Thomas A. Myers were also present. Corporation Counselor Adam Mantzaris arrived at 6:37 P.M. and left the meeting at 7:30 P.M. at which time Town Attorney Janis M. Small arrived.

Rabbi John Nimon recited a blessing over the Council.

The Pledge of Allegiance was given to the Flag.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#221-237) Totalling \$2,813.39 - Tax Collector

ITEM #3b Note for the Record Anniversary Increases Approved by the Mayor to Date

ITEM #3c Consider and Approve Six (6) Council Appointments to the Committee on Aging for a Term of Three (3) Years

Ellen Philips -	Term Expires February 1997
Mary Ann Lacey -	" " " "
Toni Helming -	Term Expires February 1998
Eileen McMahan -	" " " "
Rev. Ray Cooley -	Term Expires February 1999
Joan Harlow -	" " " "

ITEM #3d Consider and Approve the Board of Education's Recommendation to Appoint Valerie Nolan to the Building Committee for the School Expansion Project

ITEM #3e Consider and Approve the Re-Appointment of the Public Celebrations Committee for a Term of Two (2) Years to Expire 2/1/98 - Johanna Fishbein

Anthony Vechitto
Thomas Dooley
Lucille Devaney
Lucille Trzcinski
Marilyn Massores

Johanna Fishbein
Richard Castello
Anthony Avitable
Ray Bartel
Beverly Poletti

Robert Werchert
Jean Valenti
Albert Killen
Jean Holloway
Rosalie Cross

ITEM #3f Approve and Accept the Minutes of the January 23, 1996 Town Council Meeting

ITEM #3g Consider and Approve Authorizing the Use of the Parade Grounds by Wallingford Center Inc. on June 8, 1996 for a Country Craft Show - Wallingford Center Inc.

ITEM #3h Consider and Approve a Tentative Agreement with IBEW Local #457 for the Extension of their Pension Plan for Non-Hazard Employees for a Two Year Period Ending February 4, 1997 - Personnel Dept. (Appendix I)

ITEM #3i Consider and Approve a Transfer of Funds in the Amount of \$600 from Regular Salary/Wages Acct. #1600-101-1000 to Professional Services - Employee Exams Acct. #1600-901-9009 - Personnel Dept.

ITEM #3j Consider and Approve a Transfer of Funds in the Amount of \$6,750 from Transportation Equipment Acct. #392-096 and \$4,750 from New Meter Acct. #346-096 for a Total of \$11,500 to Dist. Reservoirs and Standpipes Acct. #342-096 - Water Division

ITEM #3k Consider and Approve an Appropriation of Funds in the Amount of \$1,200 to Science Kits Grant Acct. in the Special Revenue Fund - Mayor's Office

ITEM #3l Consider and Approve an Appropriation of Funds in the Amount of \$5,000 to Watt Watchers Grant of the Special Revenue Fund - Mayor's Office

Motion was made by Mr. Zappala to Approve the Consent Agenda as Presented, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

ITEM #4 Items Removed from the Consent Agenda - Withdrawn

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

Mr. Zappala stated that he was concerned with moving the item up earlier on the agenda for several members of the Friends of Community Pool Committee were expecting to attend and had planned to arrive later in the evening since the item was placed towards the end of the agenda. He did understand the intentions behind the action for Tom Dooley, Director of Parks & Recreation, would be unable to contribute to the discussion later due to a schedule conflict. Mr. Zappala did not want to leave anyone out of the conversation but had no objections with addressing the topic at this time.

Karen Foster, member of the pool committee, stated that four representatives of the committee were in attendance and she had no problem with the Council continuing the matter at this time.

VOTE: Zappala and Doherty, no; all others, aye; motion duly carried.

ITEM #10 Progress Report Out on the Community Pool Project as Requested by Councilor David J. Doherty

Motion was made by Mr. Knight to Hear Discussion, seconded by Mr. Rys.

Mr. Dooley stated that he anticipates the project will be out to bid in late February since they are in the final stages of drafting the specifications.

Mr. Doherty asked, how long after that will the bids be awarded?

Tom Myers, Comptroller clarified the process of preparing bid specifications and documents for the Council, stating that it varies tremendously from project to project. It is up to the Purchasing Agent and department head who must work in conjunction with each other in drawing up the specifications and scope of work for each project. Both must be satisfied with the results before being placed out to bid. In this case that portion of the process may be complete by the end of February or it may not, it is not accurate to say that the bid will be out of Purchasing before the end of this month.

Mr. Doherty asked, are the specifications being drafted to follow the joint recommendations of the Park & Recreation Department and Friends of Community Pool Committee approved by the Council last year?

Mr. Dooley responded, yes there have been no significant changes made to those recommendations.

Mr. Doherty asked, when do you anticipate construction starting on this?

Mr. Dooley could not provide an estimate, stating simply, if all goes smoothly it could be in the Fall of 1996.

Mayor Dickinson added, a lot of it depends on how long it will take for an architect to put plans together. If plans can be completed by the beginning of summer and put out to bid by July, we would hope for construction in the Fall.

Mr. Doherty asked, would the construction end before the swimming season begins for 1997?

Mr. Dooley responded, it would be a hope of ours.

Mr. Doherty asked, is any assistance being offered by an architect in drawing up the specifications?

Mr. Dooley responded, yes an architect is helping to author the specifications.

Mr. Doherty asked, have any funds been set aside for architectural services?

Mr. Dooley responded, no, not to his knowledge. He was not sure

if he should consider the original work and funds associated with the project in responding to Mr. Doherty's question. TPA Design group performed preliminary work at the early stages of the project but the work performed by Century Pool in the Spring of 1995 has been the underlying information used in this process.

Mr. Doherty referred to Ordinance #418 entitled, "An Ordinance Appropriating \$58,000 for the Design of Renovations to the Wallingford Community Pool..." which was enacted by the Council in January of 1994 and asked if any of those funds have been expended for architectural services?

Mayor Dickinson responded, yes, he believed some had.

Mr. Myers corrected the Mayor and stated that no funds have been expended to date for the project.

Mr. Doherty asked if the funds remain on account with the Town?

Mayor Dickinson responded, yes they are on account.

Mr. Doherty encouraged all parties involved in this matter to move the project along with all deliberate speed.

Mr. Rys asked if the Park & Recreation Commission meets with Friends of Community Pool Committee?

Mr. Dooley responded, yes, they last met in September of 1995.

Mr. Rys requested that a copy of all Park & Recreation Commission minutes with regards to this issue be forwarded to the Town Council secretary for distribution to the Council.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he wants to see Community Pool stay at its present location, he has heard talk that some officials would like it to be located elsewhere.

Ms. Papale informed Mr. Melillo that the Council voted to keep the pool at its present site.

Mr. Doherty was satisfied with the information obtained at this time.

Chairman Parisi thanked everyone for their input on this matter.

Jack Winkleman, 141 S. Airline Road stated, he is concerned with the safety of the children visiting the pool. Perhaps a traffic light can be placed at the pool site on North Main Street Ext., we should consider looking at the egress of the facility. Maybe we can consider widening the driveway to accommodate the change in traffic patterns that will occur.

PUBLIC QUESTION AND ANSWER PERIOD

Frank Wasilewski, 57 N. Orchard Street stated that recently union negotiations at the Electric Division went to arbitration. It is his belief that the arbitrator voted in favor of the union. Did that arbitration award ever come back to the Council to see if they

wanted to appeal the arbitration award or did they just forget about it and it automatically went into effect?

Mayor Dickinson responded, if it is the award that was received in December, there was never an effort to appeal it.

Mr. Wasilewski asked, shouldn't it come back to the Council for them to decide whether they appeal it or not?

Mayor Dickinson responded, the Council was alerted and no one was interested in appealing it. We would have had to call a special meeting but there was no interest in doing so.

Mr. Wasilewski stated that it should have come before the Council so that the public knows what the Council is thinking as far as appealing this decision.

Mayor Dickinson asked Mr. Wasilewski to keep in mind that if there is interest in dealing with an appeal that is fine and we make an effort to notify the Council but it is not an automatic thing. It should not be expected that each time an arbitrator's award comes in that it should automatically appear on an agenda. Ordinarily something would appear on an agenda where the administration was looking for an appeal or action. In an instance where we are not looking for action, we are not going to suggest that it appear for action. What would happen would be, if the Council wants to discuss it or appeal it they would take that action but it would not be as a result of the administration requesting action.

Mr. Wasilewski next recommended that the Council obtain a copy of the Town Council minutes of March 22, 1988 which has a lot to do with the consent agenda. There are three current members of the Council who were on that Council then and maybe these minutes could refresh their memory as to how this consent agenda operated back in 1988 which Dave Doherty brought up. The first part of those minutes reflect that a Councilor complained that information is hidden, and that same Councilor currently sits on this Council. Everyone will have their own interpretation of that statement and Mr. Wasilewski has his own but that statement does not sound good to the people of Wallingford when you say that information is hidden (in the consent agenda). With the way the Council is operating now, with time limits, a lot of things will be hidden. He stated that the Councilors should read the Declaration of Independence, how this country was founded on it. There were no limits, it was all a town meeting and everyone had the opportunity to get up and speak without anyone saying that after three minutes you are off. All those who signed the Declaration of Independence must be rolling in their graves because democracy has taken three steps backwards.

Mr. Parisi responded, so far there have been eight time limits that have gone over the three minutes allotted and no one has asked anyone to be quiet. There have been four items that had time limits that people spoke longer than the time limit. To the best of his knowledge for the last meeting and this one, he has not enforced the time limit to the degree that Mr. Wasilewski thinks that it has been.

Mr. Wasilewski agreed and stated, it is the point, however, that no one likes to be told that they only have three minutes. It goes against what this country stands for.

Mr. Parisi thanked Mr. Wasilewski for his comments.

Pasquale Melillo, 15 Haller Place, Yalesville stated, on December 23, 1995 the Record Journal reported that a town audit showed a surplus of \$2.7 million at the end of the fiscal year. Mayor Dickinson stated in the article that the year end surplus should be balanced against the fact that Wallingford owes about \$42 million in outstanding bonds. If you have \$42 million in debt, \$2.7 million is not a surplus. He asked the Mayor, do we have a surplus, or not?

Mr. Parisi stated that the question should be addressed to the author of the article.

Mayor Dickinson stated, you cannot look at the Town's financial health and look at the unappropriated balance at the end of one year and say that the Town has what is called a surplus. A surplus means that you have more money than what your obligations are. That is not the case here. An unappropriated balance exists but against that you have to look at the fact that the Town owes much more money than the money that is sitting unappropriated.

Mr. Melillo stated, after factoring in the plus and minuses relative to what you are saying then the bottom line is that we really do not have a surplus, we are in debt.

Mayor Dickinson responded, in accounting terms we have unspent money at the end of a fiscal year, however, all of our obligations for debt are not due all at one time. In one sense, yes, there is money that we can decide upon how we can spend it, on the other hand we cannot pay all of our debts and eliminate the debt at one time, we don't have the money to do that. Do we truly have more money than we know what to do with? No. It is merely an attempt to put it into context so that the accounting information does not confuse people.

Mr. Melillo stated, the bottom line is that we do not have a surplus, we are in debt. He urged the Council to think more carefully in how we spend the taxpayer's money.

Walter Sawallich, 100 Jobs Road stated, he was very disappointed with the way the Council handled the Town Clerk situation. He would like to see a proposal or something done...with no disrespect to the present Town Clerk, but he does not think that the position deserves to be one that the Council plays ball with when parties change. It should be a job no different than a Public Works job where the best qualified person is hired. If the Council insists on it being a political position then the people should elect the person into the job. It should not become a handball game for the Council to play with. He would like to see something done this term to see that situation change. This position should not be played ball with for political favors.

Mario Tolla, 69 Pond Hill Road asked, what is the tenant situation at 6 Fairfield Blvd.? This question was raised at the last meeting and he would like to know what the answer is.

Mayor Dickinson responded, Mr. Wasilewski asked that question and has since been provided an answer. The tenants are on a month to month basis and should be out by the end of February.

Mr. Tolla then asked, what progress has been made on the Wooding property? He was aware of a delay caused by the issue of what type of fence to erect but that was a few months ago, what has happened since? That property is an accident waiting to happen.

Mayor Dickinson answered, nothing has happened. It will probably be before the Council again in the near future. The issue of which type of fence to erect still is a matter of concern. That is where it stands right now.

Mr. Tolla thought the demolition of the buildings went out to bid and a bid was accepted.

Mayor Dickinson replied, that is true but that issue has become intertwined with the fence.

Mr. Tolla asked, what will happen to the demolition bid? Will it have to be bid again after the fence is up?

Mayor Dickinson answered, the bid price was going to be held for a period of time.

Mr. Tolla was concerned with delaying the project any longer for with the seasonal weather, it is the time of the year when people gain entry to empty buildings and set fires. We should go ahead with the demolition as soon as possible.

Mr. Parisi asked the Council Secretary to make a note to follow up on Mr. Tolla's points of concern.

Jack Winkleman, 141 S. Airline Road stated, it is his understanding that the State of Connecticut is offering to take over the responsibility of city welfare within the various towns within the State and Meriden is concerned that city welfare recipients, under a new law that is being considered, may only receive help for two months of a twelve month year. Has there been any planning in Wallingford for such a program?

Mr. Parisi stated, that question would better be directed to the Welfare director.

Mayor Dickinson responded, only certain cities of a given size were offered the opportunity to participate, it was a pilot program. Wallingford was not one of those cities although the State does have a plan to take over the general assistance program by 1997 or 1998. It is a law that is being implemented. It remains to be seen whether it will be altered in this General Assembly.

Mr. Winkleman asked, if that happens will it have some impact on the cost of administration of welfare for this town?

Mayor Dickinson responded, it could, at this point it is difficult to say without detailed information.

Reginald Knight, 21 Audette Drive agreed with Mr. Wasilewski's remarks pertaining to freedom of speech and the three minute rule. He pointed out that a Record Journal article quoted Mr. Parisi as saying that the Planning & Zoning Commission should listen to the people.

Mr. Parisi stated, he is not trying to cut anyone off, he is trying to move business along.

Mr. Reginald Knight stated, recognizing him from the telecast of these meetings, people stop him in the street and ask him why he doesn't make specific comments to the Council on certain matters. He asks them, why don't they attend the meetings and make their own comments? If half of those people attended the meeting to do so the Council would be here until 2:00 a.m.

Mr. Parisi responded that the Council would be happy to stay until such time if those people came to voice their concerns.

Mr. Knight stated, people are disgusted, they are afraid to come forward and talk for they are put down and spoken down to. He stated, perhaps he will give up like the rest of the people have.

ITEM #6 Consider and Approve a Resolution Re-Naming the Westside Field the Darlene Falconeri Field as Requested by Councilor Richard J. Centner, Jr.

Motion was made by Mr. Centner to Approve the Resolution, seconded by Ms. Papale.

Mr. Centner Read the Resolution, in its entirety, into the record (Appendix II) Re-Naming the Westside Field the Darlene Falconeri Westside Softball Field Westside Eagles Park.

The resolution was proposed by friend and former classmate Michael Cannata.

Michael Cannata, 41 Tremper Drive thanked the members of the Council, Mr. Centner and Mayor Dickinson for placing this item on the agenda. Darlene was a very important person in Mr. Cannata's life as well as all the friends who knew her.

Mr. Rys read correspondence from the Fraternal Order of Eagles into the record as follows:

October 1995

Mr. Tom Dooley, Director
Parks & Recreation Department

Mr. Dooley,

The Wallingford Eagles Aerie 1820 will support in re-naming

Westside Softball Field at Westside Eagles Park. The members of our club send their deepest regrets to Ms. Darlene Falconeri's family, our friends and members respected Darlene and commended her spirit with the Wallingford Athletic Division. In her memory we agree to the proposed new name Falconeri Westside Softball Field, Westside Eagles Park.

Sincerely,

Paul J. Cryan
President
Fraternal Order of Eagles
156 Washington Street
Wallingford, Connecticut 06492

VOTE: All ayes; motion duly carried.

At this time Mr. Falconeri entered the auditorium. Mr. Parisi informed him that the Council passed the resolution naming the field in honor of his daughter, Darlene.

Michael Falconeri, 1461 Durham Road thanked everyone beginning with the Mayor's Office down the line. This is a great honor, he is sure that Darlene appreciates it. He thanked Michael Cannata for getting behind this to see that it came to fruition.

Michael Cannata added, there will be a meeting on Thursday, February 15th with Mr. Dooley and other members of the Recreation Department to discuss scheduling the date of dedication for the field.

Mr. Farrell left the meeting to represent the Council at a Special Planning & Zoning Meeting be held at Lyman Hall High School.

ITEM #7 Consider and Approve the Acceptance of a Donation from the Inaugural Ball Committee to the D.A.R.E. Program

Motion was made by Mr. Rys, seconded by Mr. Centner.

Correspondence from Co-Chairmen Joan C. Ives and Barbara Dsupin was read into the record by Mr. Rys (Appendix III).

Joan Ives, Co-Chairman of the Committee made the formal presentation of a check in the amount of \$562.51 to Officer Shalkey for the D.A.R.E. program.

Ms. Papale stated that she served as a member of the Inaugural Committee and wanted to thank the Co-Chairs for doing a wonderful job. She was very pleased to hear that the remaining funds were to be donated to the D.A.R.E. program, a program that she is particularly fond of. As past Chairperson of the Council she had the opportunity to speak at a D.A.R.E. graduation on behalf of the Mayor and explained, unless you take part in this wonderful celebration the public is unaware of what a great program it is. It is befitting that the donation is going to a worthy cause.

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

ITEM #8 Consider and Approve Accepting a Gift of a Town Map From Dr. Barry R. Gillespie to the Town of Wallingford's Planning Department

Correspondence was read by Mr. Rys into the record from the Mayor stating that Dr. Gillespie's father had passed away in June and his son would like to donate a very old map of Wallingford to the Town Planner's Office.

Mr. Parisi informed everyone that Councilor Farrell, resident historian, had placed a value of \$100 on the map. The Town Council secretary will deliver the map to the Town Planner's Office in the morning.

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

ITEM #9 Discussion of Correspondence Received by Eric Reichbart Regarding the Placement of a Menorah on the Town Green or any Public Area

Motion was made by Mr. Rys to Hear Discussion, seconded by Mr. Knight.

Eric Reichbart, 8 Croydon Court stated that he was officially asking the Council to allow him to erect a menorah on the Town Green. A similar request was made to the Town of Orange by one of its residents and at first the resident ran into the same obstacles as Mr. Reichbart is experiencing. After the issue was discussed, however, the Town arrived at a solution. First, it was temporary and then a committee was formed with specific ordinances dealing with requests in years to come. Mr. Reichbart was asking that the same procedure be followed here. He would like a menorah to be placed on the green and he is aware that everyone is worried that other requests may come forth for undesirable displays. If the concerns can be discussed and ordinances drafted to address those concerns, obstacles can be overcome. Other towns across the State have no problem with this same issue.

Jack Winkleman, 141 S. Airline Road, President, Congregation Beth Israel in Wallingford stated that he has discussed this matter with Mr. Reichbart and also with Rabbi Nimon who performed the benediction this evening. Rabbi Nimon would like Mr. Reichbart to discuss the matter with him first and then let it come back to the Town Council. The synagogue has been in town for over one hundred years and the members are involved in the town to many degrees, businessmen, professionals, good citizens who are quiet people and it is preferred that the matter be handled in a very quiet, democratic manner. It should first be discussed with their religious leader and Mr. Reichbart and then it can come before the Council if need be. The congregation has offered Mr. Reichbart use of the front of their synagogue for the erection of a menorah during the Chanukah period.

Mr. Doherty asked Attorney Mantzaris if he was familiar with a case which appeared before the Supreme Court last year called Capital Square Review Board v. Pinette?

Attorney Mantzaris responded, yes, that is a case he referred to

in his correspondence to Mayor Dickinson dated December 7, 1995 on this very issue.

Mr. Doherty interpreted that case decision to mean that in Ohio the Capital Square Review Board which regulated a park in the capital city was told that it could not prevent the KKK from erecting a cross in a public park in Columbus, Ohio. The ruling was based on the right to equal access and protection. If you opened up this particular area (Town green) to various public displays you would have to open it up all the way to any group that would want to display any type of ceremonial symbols in the park. Is that correct?

Atty. Mantzaris responded, that is basically correct. That was his opinion on the matter.

Mr. Reichbart stated, in the case that the menorah is allowed he, personally, will absorb all costs for the display, there will be no cost to the Town.

Mr. Winkleman pointed out that there is at least one member of the synagogue's congregation that has escaped from Auschwitz and symbols of the Nazi party or KKK will be very upsetting to the individual as well as other members of the congregation.

Mr. Parisi thanked everyone for their comments on this issue.

No action taken

ITEM #11 Consider and Approve Three (3) Appointments to the Position of Constables to Expire 1/25/98

Ms. Papale Moved the Names of Mary Elaine Trahan-Kirkland, Alvin Gasser, III and Robert Allard to be Appointed as Constables for a Two Year Term, seconded by Mr. Doherty. Mr. Gasser and Mr. Allard were both seeking re-appointment to the positions. Ms. Papale read their letters requesting said re-appointment into the record (Appendix IV).

All three individuals were unable to attend the meeting this evening due to previous commitments. All have been informed that they must visit the Town Clerk's Office to be sworn in before carrying out any duties associated with their appointed positions.

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

At this time Chairman Parisi took a few moments to make a statement to the public regarding the conduct of the meetings. "I want it made very clear that there should not be anyone in this Town who should have any concern, intrepidation or fear about appearing before this Council. This Council is here as an arm of the public, we are elected by the public, we carry forth the public's business. We are here because the public has told us that they wanted business to move along in a professional manner and we are trying to do what a great majority of the public has asked us to do. Only in that vain are we working. If I can travel through the streets of Wallingford and all of my colleagues, both sides of the aisle will back me on this, if they can go through town and hear that we

are conducting these meetings at an improper or unfair manner then I will be more than happy to subscribe to what ever the majority chooses that we do but I am talking to anyone who really wants to listen to that belief. If there is any problem you are welcome to call any one of us (Councilors). If there are enough people that are so upset with the way we are conducting this business then it will be changed immediately. Thank you.

ITEM #12 Consider and Approve a Resolution and Agreement Between the Town of Wallingford and the State of Connecticut for the Construction, Inspection and Maintenance of Cook Hill Road and South Turnpike Road - Mayor's Office

Mr. Rys read the agreement into the record at this time (Appendix V).

Motion was made by Mr. Rys to Approve the Resolution and Agreement, seconded by Mr. Knight.

Mr. Doherty requested clarification as to what the \$330,000 that the Town has to contribute towards the project would cover? It states on page 2 of the agreement that the improvements include, but are not limited to, turning lanes and signal installation. Does it involve more than that? It is a huge sum of money.

Mayor Dickinson responded, that is primarily it. It is traffic signal installation and widening of the highway in that area.

Frank Wasilewski, 57 N. Orchard Street asked if the work will be performed in conjunction with the new cut offs that will be made on the Merit Parkway for Oakdale?

Mayor Dickinson responded, no, the State is analyzing new exits off of the Merit Parkway but there is no final plan with regard to those exits and entrances as of yet. This (project) is part of what we have referred to as the Quinnipiac Corridor Project and the Town has paid for the engineering work and the State is paying for the construction. It is the intersection of Cook Hill and South Turnpike Road.

Mr. Wasilewski stated that he had concerns with the entire project. When the State visited the area six months ago they had a big discussion over what to do with the Merit Parkway. At that time he suggested that a beltway be put in so that the people coming from the south heading north could get off at Toelles Crossing and come over the Hartford Turnpike. Those heading south from the north could go down to North Haven to the first cut off and then go to Toelles Crossing. The State is suggesting that one cut on be closed on Quinnipiac Street. They are going to make a longer cut off lane from Quinnipiac Street to Hall Avenue. It will still tie up traffic heading to Oakdale. When traffic exits off the parkway further down they still have the bend in the exit which causes the tie up. A beltway would eliminate the entire area. The Town should look into these things before they sign anything. A traffic light at the bottom of Cook Hill will not do much good. Our money will be wasted if we don't do this project properly.

Jack Winkleman, 141 South Airline Road stated, if the State takes

over the road it may save Wallingford money with regards to plowing, etc.

Mayor Dickinson informed Mr. Winkleman that the State is not taking over the road. The State is providing federal money for reconstruction of that intersection that will remain the property of the Town. A traffic light will be installed and turning lanes constructed in an ability to move traffic through the intersection in a more efficient manner.

Pasquale Melillo, 15 Haller Place, Yalesville asked, will the State share in the liability should an accident occur during the construction project?

Mayor Dickinson responded, it is his understanding that the State will be running this project. If something wrong is done during construction he would think that the primary liability would be on the contractor performing the work, after that it would probably be the responsibility of both State and Town that would be added to any lawsuit.

Mr. Rys commented that he travels Cook Hill Road a great deal and he, as well as the residents in that area, will appreciate the traffic light tremendously. That intersection is horrendous without Oakdale operating. This was one of the intersections that Mr. Knight identified four years ago when running for Council seat that needed attention. That light is as important as having a light at Parker Farms Road and South Turnpike Road. You can wait as long as ten or fifteen minutes at times to exit Cook Hill Road in either direction. He welcomes the light in this area.

Frank Wasilewski, 57 N. Orchard Street stated, you can install a light there but if that intersection is blocked no one from Cook Hill will be able to get through on the Hartford Turnpike. That is what you have to consider. When a show is going on and these people want to get to a show and they go across the intersection under a red light and block the intersection, no one will be able to get out of Cook Hill Road onto the turnpike.

Mr. Zappala stated, the State is planning to do something to the Merit Parkway. We will have to wait and see.

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

Motion was made by Mr. Knight to Append a Copy of the Resolution to the Minutes of this Meeting, seconded by Mr. Rys (Appendix VI).

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

ITEM #13 Consider and Approve a Resolution Allowing for the Extension of the Resident's Disposal Program to February 28, 1997 - Mayor's Office

Motion was made by Mr. Rys, seconded by Ms. Papale.

Mr. Rys read correspondence from Mayor Dickinson into the record explaining how the Resident Disposal Program was originally approved by the Council in 1993 with a contract term that will end

on March 31, 1996. The program has been operated by a private contractor for the past three years and has run very well during such time. Residents, other than senior citizens, pay the cost of operation and disposal when they deliver their trash at rates established by contract. The cost for senior citizens - up to two bags per week - is paid by the Town at the contract rate. The Town has also contracted with a private company for the operation of the Recycling Center for approximately four years. That program has also run very well and the contract is due to expire February 28, 1997.

There may be an economic advantage to seeking a single vendor to operate both programs. The Recycling Ad Hoc Committee has reviewed the situation and supports the combining of the bids for the programs to determine whether there is a benefit. Wallingford Resident Disposal, Inc., the Resident Disposal Program operator, has indicated a willingness to extend its contract through February of 1997 at the same rates and terms currently in effect.

Should the Council approve the Resolution this evening it will allow the Town to seek a single vendor to operate both programs.

Mr. Rys read the resolution into the record (Appendix VII).

Walt Sawallich, 100 Jobs Road, Recycling Ad Hoc Committee Member stated that he is in favor of continuing the Resident Disposal Program, however, he is opposed to the senior citizen program - allowing certain senior citizens to bring in a specific amount of bags per week for free. The Town picks up that cost which is now in upwards of over \$100,000 per year. That figure increases each year, by the committee's calculations. As the cost of disposal rises, so does the cost to the Town to subsidize the senior portion of the program. He had raised this issue many times during committee meetings and the consensus was to bring the information to the Council in this forum. It is his opinion that the system has to be changed for it seems unfair. Only those seniors who can drive are allowed to use the system. Someone who cannot drive is discriminated against, in a sense. If each person paid one price per bag for disposal, for instance \$1.75 per bag, the seniors would generate their own discount.

Mr. Parisi could understand Mr. Sawallich's point but felt it was not germane to the issue before the Council tonight.

Mr. Sawallich disagreed stating that this is the appropriate time to discuss this matter, however, no politician will want to address it for he feels that it would mean political suicide for them. Are we going to allow this to continue to happen, let everyone else pick up the tab? If someone has to pay \$1.00 per bag and they only have one bag to get rid of...everyone is missing his point.

Mr. Parisi asked if this issue has been discussed at the Ad Hoc Committee meetings?

Don Roe, Program Planner responded, yes. The committee has not been able to figure out a way to address Mr. Sawallich's concerns and issues. His description of the situation is accurate. The program is beneficial to some (residents) and not to folks who are

without cars. It is also an item that has increased in size as our population demographics change...what has happened is there has been an impact on the private haulers. The facts are as they have been represented. The difficulty is that we have not been able to figure out any easy answers.

Mr. Sawallich responded that he has made two proposals to the committee but no one wants to hear them.

Mr. Parisi asked, is it a majority situation on your committee that keeps presenting resolutions such as is presented tonight?

Mr. Roe explained, the history of the Ad Hoc Committee is that when the Recycling Committee came to the Council and wished to be disbanded there were still some members on that committee that wanted to participate in the deliberations around solid waste management. Our in-house management team which included the Public Works Director, Mr. Hamel, Mr. Roe, himself, a representative of the Council, Mr. Zappala...we basically expanded to include anyone else who wanted to participate. There are not any rules of order that are subscribed to, we basically look to try and arrive at a consensus prior to appearing before the Council with an item.

Mr. Zappala agreed, there have been suggestions made regarding the number of bags the Town could give out to seniors. It is very difficult to come up with one conclusion that makes everyone happy.

Ms. Papale asked, when I am a senior citizen of this town and if I don't drive at that time is there no way for someone to bring my trash to the landfill for me? Is it a driver's license that you must present to gain access to the area?

Mr. Roe responded, you would have to be in the vehicle, not necessarily driving it.

Ms. Papale stated, she is aware of a situation where a senior resident of Wallingford who no longer drives has a son who lives in Meriden who brings her to the landfill to dispose her trash. Is Mr. Sawallich concerned for those seniors who cannot get transportation to the landfill?

Mr. Roe explained, in meeting with the haulers throughout the year the haulers articulated one proposal being that every senior should be able to utilize the coupons, even the hauler's own senior customers. The customer would then be charged for the hauling cost. The haulers would then submit to the Town the coupons and would seek reimbursement from the Town. Any hauler that had senior customers could continue to service them and the senior would supposedly see a reduction in their bill because the coupons would be paying for a part of that cost. The proposal has been looked at but there are concerns on the part of the Town around abuse, our ability to deal with fifteen to eighteen haulers and invoicing from them, it adds a layer of complexity and work. There were a variety of reasons why the committee never came forward with the proposal to the Council as one can see.

Ms. Papale stated that she feels that seventy-five percent of the seniors are covered under the current program. It is hurting the

private haulers and she does not want to see it hurt them financially but she does not have a problem with any senior citizen having free trash disposal. Our senior citizens are worth it.

Mr. Sawallich responded, other towns have similar systems as ours but charge everyone the same amount per bag. If a senior has one or two bags per week it generates their own discount and it eliminates that \$100,000 cost out of the Town budget, the cost of operating.

Mr. Parisi stated, there are many services provided by the Town on many an occasion that benefit one and maybe not someone else to the same degree. The committee has not found a way to deal with this issue yet.

Mr. Sawallich responded, that is correct for we keep going around and around on the issue. The committee suggested that I bring this proposal before the Council tonight so more heads can be put together on it and perhaps a solution can be reached.

Mario Tolla, Ad Hoc Committee Member stated, he is hard-pressed to understand why we have to give two bags per week to the seniors to begin with. It is hard for him to understand how a senior would accumulate two bags of garbage per week. A large majority of them probably recycle and once he began to do so himself, found that he was only generating one bag per week of trash and he has other people at home besides himself.

Mr. Parisi stated that the issue of how much trash one person generates is debatable and philosophical. The issue that it becomes a problem to keep records of the hauler's reimbursements is legitimate.

Mr. Roe stated that the committee has tried to keep the Council well-informed of what the numbers were and have identified that. One of the things currently being researched is a way of running the system with other than two tickets per week for there are peaks and valleys, particularly in the winter time. The concern is that when you have two tickets out there, two tickets are going to get used. We are trying to look at exactly when and how the distribution and usage happens on a month by month basis to see whether or not it gives any indication of a possible....

Mr. Parisi asked, do you show a strong recommendation coming forth in the near future? This resolution is extending the service for one more year.

Mr. Roe responded, you were correct in saying earlier that these are two unrelated topics. What is before you is not the question of whether or not you are going to continue the senior subsidy program.

Mr. Parisi asked, are you going to work toward a solution? Can you do so for six to seven months from now?

Mr. Roe replied, we are already working on it. We are pushing numbers now.

Mr. Parisi asked for a report back to the Council on this issue in four or five months.

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

The Chair declared a five minute recess at this time.

Mr. Farrell rejoined the meeting at 8:10 P.M.

WAIVER OF RULE V

Motion was made by Mr. Rys to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Conducting an Additional Executive Session Pursuant to Section 1-18a(e)(5) and 1-19b(9) of the CT. General Statutes, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Rys to Enter Into Executive Sessions Pursuant to CT. General Statutes Section 1-18a(e)(5) and 1-19b(9) Pertaining to Labor Negotiation Strategies; 1-18a(e)(4) Pertaining to the Purchase of Real Estate and 1-18a(e)(2) Pertaining to Pending Litigation Involving Tax Appeals, seconded by Mr. Centner.

VOTE: Farrell, no; all others, aye; motion duly carried.

Mr. Doherty left the meeting at 9:10 P.M. during executive session.

Present in the Executive Sessions were all Councilors, Attorney Janis Small and Mayor Dickinson. Personnel Director, Terrence Sullivan was present for the Executive Session Pertaining to Labor and Negotiation Strategies.

Motion was made by Mr. Rys to Exit the Executive Sessions, seconded by Mr. Centner.

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

Motion was made by Mr. Rys to Adjourn the Meeting, seconded by Ms. Papale.

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

There being no further business the meeting adjourned at 9:14 P.M.

Meeting recorded and transcribed by:

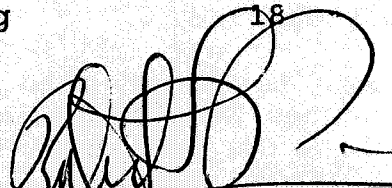

Kathryn F. Milano
Town Council Secretary

Town Council Meeting

18

February 13, 1996

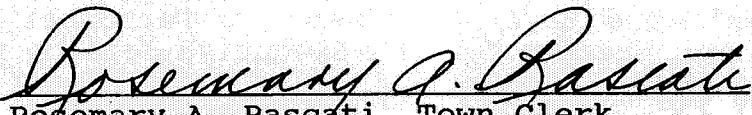
Approved by:



Robert F. Parisi, Chairman

2 - 28 - 96

Date



Rosemary A. Rascati, Town Clerk

2 - 28 - 96

Date

CONSOLIDATED PENSION PLAN

the form of a life pension with a fifty (50) percent spouse/children death benefit, subject to a maximum yearly pension of seventy-five (75) percent of his final average salary. One-twelfth (1/12) of this amount will be paid monthly.

(c) For Employees covered by Social Security:

The Normal Pension shall be a monthly amount equal to one percent (1%) of the Participant's Final Average Salary up to \$7,800 plus one and three-tenths percent (1.3%) of such salary in excess of \$7,800 multiplied by his Credited Service with the Employer payable in the form of a life pension with a fifty percent (50%) spouse/children death benefit, subject to a maximum yearly pension of seventy percent (70%) of his Final Average Salary, including any primary Social Security benefits. One-twelfth (1/12) of this amount will be paid monthly.

(d) The minimum normal pension shall be a monthly benefit of \$100, provided the participant accrued at least fifteen (15) years of credited service.

(e) Effective October 1, 1984, each retired employee or surviving spouse of an employee who, as of October 1, 1984, has been receiving retirement income from the plan for one (1) full year or more, shall receive an across-the-board increase in his/her retirement income of three (3) percent. Every third year thereafter, the Town shall consider an additional increase for retired employees and surviving spouses of employees who have received retirement income from the plan for at least one (1) full year.

SECTION 5.2 Early Retirement Pension:

(a) A Participant may retire on an Early Retirement pension on the first day of the month after he has attained age 55, provided he has accrued at least fifteen (15) years of Credited Service and has filed an application for benefits.

(b) The monthly amount of the Early Retirement Pension payable to a Participant on his Early Retirement commencement date shall be the amount of his Normal Pension reduced by five-tenths of one percent (0.5%) for each month by which the Participant's Early Retirement commencement date precedes his Normal Retirement Date.

CONSOLIDATED PENSION PLAN

SECTION 5.3 Compulsory Retirement:

A Participant will not be permitted to work for the TOWN OF WALLINGFORD after he has attained the seventieth (70th) anniversary of his date of birth.

ARTICLE VI DISABILITY PENSION

SECTION 6.1: A participant shall be deemed to be permanently and totally disabled within the meaning of the plan only if the Administrator shall determine on the basis of medical evidence that the participant is permanently and totally disabled as described in section 2.5 hereof.

SECTION 6.2: Participants applying for disability retirement shall be required to submit to examination at the expense of the Administrator by at least two (2) impartial physicians or psychiatrists selected by the Administrator, and such participant may be required to submit to re-examination no more than once in each 12 month period. If the results of such examination indicate that such participant who retired on account of a disability is no longer disabled, the Administrator shall thereupon order a discontinuance of the disability pension. No participant retired with a disability pension shall be permitted to earn from any form of employment, including self-employment, a sum which added to his disability pension benefit exceeds the current annual rate of pay for the position the participant had at the time of retirement on disability.

SECTION 6.3: Service connected disability - A participant who becomes permanently and totally disabled as a result of the performance of duties pertaining to his employment with the Town of Wallingford shall be eligible to retire and receive a service connected disability pension. The service connected disability pension shall be a monthly amount equal to one-twelfth (1/12) of seventy-five (75) percent of the disabled participant's final average salary, including Social Security disability benefits, if any. For the purpose of determining the final average salary for a service connected disability benefit only, any weekly Workers' Compensation payments that are paid in lieu of wages shall be included. In no event shall payments under this section, together with any regular benefits awarded under the Connecticut Workers' Compensation Act, and Social Security disability benefits, if any, exceed one hundred (100) percent of the participant's salary at the time of his disability.

SECTION 6.4: Non-service connected disability - A participant who has accrued at least five (5) years of credited service and becomes permanently and totally disabled from causes not relating to his

CONSOLIDATED PENSION PLAN

ARTICLE XII AMENDMENT

SECTION 12.1: This plan is established and maintained for the exclusive benefit of participants of the employer and their dependents. Subject to this limitation, any provision of this plan may be amended by the employer at any time if, with respect to payments resulting from retirement benefits provided before the effective date of the amendment, the amendment does not reduce the amount of any payment or the term of monthly payments, or delay the due date of any payment.

SECTION 12.2: Any provision of this plan may be amended in any respect, without regard to the limitation of Section 12.1, if the amendment is required for qualification under income tax law or necessary for this plan to meet the requirements of any other applicable law. Neither the consent of the participant nor that of any other recipient is required for any such amendment to this plan.

ARTICLE XIII GENERAL INFORMATION

SECTION 13.1 An application for a retirement benefit must be made in writing on a form and in a manner prescribed by the Administrator and shall be filed at least two (2) months in advance of the month for which benefits are first payable.

SECTION 13.2: No person entitled to benefits under this plan may sell, assign, discount or pledge as collateral for a loan or as a security for the performance of an obligation or for any other purpose any payment due to him. If the recipient of any payment is a minor or an incompetent person, payment may be made to the person, or persons, caring for or supporting such recipient in full discharge of all obligations, as determined by the Administrator.

SECTION 13.3: Inclusion in this plan shall not be construed as giving any participant the right to be retained in the service of the employer without its consent, nor shall it interfere with the right of the employer to discharge the participant, nor shall it give the participant any right, claim or interest in any benefits herein described, except as provided by the participant contributions with credited interest prior to fulfillment of the provisions and requirements of this plan.

SECTION 13.4: The length of this agreement shall be from January 4, 1990 until February 4, 1995.



Town of Wallingford, Connecticut

R E S O L U T I O N

WHEREAS, Darlene Falconeri was a lifelong resident of the Town of Wallingford, Connecticut, and

WHEREAS, Darlene was a 1981 graduate of Lyman Hall High School. She was an outstanding athlete and was a member of the high school's Softball, Basketball and Field Hockey Teams. Darlene was an unselfish and team oriented athlete and was an inspiration to the athletes who knew her, and

WHEREAS, Darlene was very active in the Wallingford Recreation Department's Adult Slow Pitch League Women's Division and Women's Flag Football League, and


WHEREAS, on August 9, 1995, while performing her duties as a State Department of Transportation employee, Darlene Falconeri lost her life in a tragic traffic accident on I-95.

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

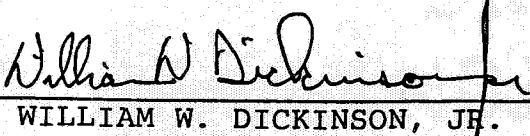
That to honor Darlene Falconeri and her exceptional athletic efforts and contributions to the young people in our community, the Westside Softball Field is hereby dedicated in her memory and is hereby named

**THE DARLENE FALCONERI WESTSIDE SOFTBALL FIELD
WESTSIDE EAGLES PARK**

Enacted by the Town Council in session this 13th day of February, 1996.



ROBERT F. PARISI
Chairman, Town Council



WILLIAM W. DICKINSON, JR.
Mayor

PROPOSED BY FRIEND AND FORMER CLASSMATE MICHAEL CANNATA