

Summary of Town Council Minutes

Rosemary A. Rascati
Town Clerk
(10)

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October 22, 1985

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Approved waiving the Bid for acquisition of Hardware & Software for financial accounting and reporting systems as requested by Mr. Myers with the condition that the comptroller instruct the purchasing department that all future computer purchases complies with the condition of the purchase act that the PC must be IBM PC compatible and be capable off accepting an emulator board that allows communication with the proposed system.	5-8
Approved funds to pay for feasibility study for Judd Drapery.	8-16
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Approved the following transfers: \$63,150 from Council Contingency to A/C 391 \$50,000 from A/C 923-4 to A/C 923-2 \$60,000 from A/C 923-4 to A/C 923-3 \$12,000 from A/C 591 to A/C 925 \$21,000 from A/C 555 to A/C 925 \$88,000 from A/C 555 to A/C 924	23-24
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Approved the following transfers: \$2,000 from A/C 805-323 to A/C 201P-203 \$9,000 from A/C 805-323 to A/C 201P-203 \$9,000 from A/C 805-323 to A/C 201P-201 \$7,414 from A/C 805-323 to A/C 201-613	25-26
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Approved an appropriation of \$1,131 from General Fund Unappropriated fund balance to A/C 201P-143.	26
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Approved the following Anniversary/Merit Increases: Linda Bush, Mary Greaney, Carlos Duran, Gertrude Brady	32
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Approved a transfer of \$300--\$150 from A/C 603-140 and \$150 from A/C 603-415 to A/C 603-135.	34
Noted for the record the Financial Reports of the Town of Wallingford for the month of September, 1985 (as amended).	34
Accepted Town Council Meeting Minutes of September 26, 1985 and October 8, 1985.	34
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Conveyed out to the current owner a 60 x 60 foot piece of property to Joseph and Deborah Borbely.	34-36
Meeting adjourned.	36

TOWN COUNCIL MEETING

October 22, 1985

7:30 p.m.

- (1) Roll call and pledge of allegiance.
- (2) Public Question and Answer Period.
- (2a) Employee Recognition.
- (3) Consider Acceptance of the Fact Finding Report on the Wallingford Educational Secretaries, Local 1303.
- (4) Consider Waiving the bid for renovations to the Yalesville School cafeteria and library in order to conform to the Fire Marshall's regulations.
- (5) Consider Waiving the Bid for acquisition of Hardware and Software for financial accounting and reporting system, requested by Thomas A. Myers, Comptroller and Councilman James A.G. Krupp.
- (6) Request for Funds to pay for feasibility study conducted for Judd Drapery Hardware Plant.
- (7) Consider acceptance of Resolution to authorize application for the Payment-In-Lieu-Of-Taxes (PILOT) Program, requested by Donald W. Roe, State & Federal Program Administrator.
- (8) Consider approval of increases in wages for the Part-Time Secretarial Positions in the Program Planning Office, requested by Donald W. Roe, State & Federal Program Administrator.
- (9) Approve allocation of Funds for Temporary Cash Flow Problem of Department of Human Resource Programs (Meals on Wheels, SCOW and Counseling).
- (10) Consider acceptance of Resolution Authorizing the Mayor to Apply for Federal Financial Assistance Under the Disaster Relief Act. (FEMA)
- (11) Consider Council Authorization to Retain a Professional Firm to Review the Town's Insurance needs, requested by Councilman Steven B. Holmes.
- (12) Discussion to explore the possibilities of a limited extension of the landfill usage hours, requested by Councilman Steven B. Holmes.
- (13) Consider & Approve a transfer of \$1,855.00 from A/C 805-319 to A/C 512-540, requested by Steven L. Deak, Director of Public Works. (TABLED)
- (14) Approve Funding as per Council Decision to Abide by Personnel and Pension Appeals Board, requested by Steven L. Deak, Director of Public Works.

- (15) Consider & Approve the following Anniversary/Merit Increases, requested by Stanley A. Seadale, Director of Personnel:
- (a) Linda Bush
 - (b) Mary Greaney
 - (c) Carlos Duran
 - (d) Gertrude Brady

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- (16) Set a PUBLIC HEARING on "AN ORDINANCE ESTABLISHING AN INSURANCE COMMISSION OF THE TOWN OF WALLINGFORD", requested by Councilman James A.G. Krupp.
- (17) Consider the following items requested by Councilman Edward L. Diana:
- (a) To finalize the formation of a Town Insurance Commission.
 - (b) An updated discussion and approval by the Council pertaining to Self-Insurance and the formation of a Self-Insurance Consortium.
- (18) Explanation of recent actions pertaining to sign regulations from Linda Bush and Mr. Clark, requested by Councilman Edward L. Diana.
- (19) Consider & approve the following requests, requested by Charles F. Walters, Electric Division.
- (a) Establish A/C 446, PASNY Savings.
 - (b) Budget Amendment of \$850,000 to A/C 555.
 - (c) Budget Amendment of \$850,000 to A/C 446.
 - (d) Transfer of \$63,150 from Council Contingency to A/C 391.
 - (e) Transfer of \$50,000 from A/C 923-4 to A/C 923-2.
 - (f) Transfer of \$60,000 from A/C 923-4 to A/C 923-3.
 - (g) Transfer of \$12,000 from A/C 591 to A/C 925.
 - (h) Transfer of \$21,000 from A/C 555 to A/C 925.
 - (i) Transfer of \$88,000 from A/C 555 to A/C 924
- (20) Consider & approve the following requests, requested by Deputy Chief John P. Reynolds & Joseph J. Bevan:
- (a) Establish A/C 201P-651
 - (b) Transfer of \$1,720 from A/C 805-323 to A/C 201P-651.
 - (c) Establish A/C 201P-427.
 - (d) Transfer of \$2,000 from A/C 805-323 to A/C 201P-427.
 - (e) Establish A/C 201P-203.
 - (f) Transfer of \$2,000 from A/C 805-323 to A/C 201P-203.
 - (g) Establish A/C 201P-202.
 - (h) Transfer of \$9,000 from A/C 805-323 to A/C 201P-202.
 - (i) Establish A/C 201P-201.
 - (j) Transfer of \$9,000 from A/C 805-323 to A/C 201P-201.
 - (k) Establish A/c 201-613.
 - (l) Transfer of \$7,414 from A/C 805-323 to A/C 201-613
 - (m) Transfer of \$500 from A/C 201P-131 to A/C 201P-410.
 - (n) Transfer of \$300 from A/C 201P-405 to A/C 201P-143.
 - (o) Consider changing the wording under CAPITAL REQUESTS, POLICE PATROL from ".357 Magnums" to ".357 Magnums, appropriate model speed loaders and appropriate size holsters
 - (p) Appropriation of \$1,093 from A/C(See Attached) to A/C 201P-14
- (21) Consider & approve the following budget Amendment, requested by Mayor William W. Dickinson, Jr.:
- Appropriate - A Revenue Budget A/C 704 - \$400
 - Appropriate - B Expenditure Budget A/C 209-476 - \$400.
- (22) Consider & approve a transfer of \$300--\$150 from A/C 603-140 and \$150 from A/C 603-415 to A/C 603-135.
- (23) Note for the Record the Financial reports of the Town of Wallingford for the month of September, 1985.
- (24) Accept Town Council Meeting Minutes of September 26, 1985.
- (25) Accept Town Council Meeting Minutes of October 8, 1985.

Town Council Meeting

October 22, 1985

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:36 p.m. by Chairman Gessert. Answering present to the roll called by Town Clerk Rascati were Council Members Bergamini, Gessert, Holmes, Killen, Krupp, Papale, Polanski and Rys. Councilman Diana arrived after

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 - (e) Establish A/C 201P-203.
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 - (g) Establish A/C 201P-202.
 - (h) Transfer of \$9,000 from A/C 805-323 to A/C 201P-202.
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the roll was called. Also present for the meeting were Mayor William W. Dickinson, Jr., Town Attorney Vincent T. McManus, Jr. and Comptroller Thomas A. Myers. The pledge of allegiance was given to the flag. 639

Public Question and Answer Period

Loretta Mack, 12 Circle Drive, states in 1984 they had new storm drains put in on Circle Drive and at the same time they were suppose to get a new road. They didn't get it and they were promised the new road for this year. She states she had gotten a letter from Mr. Costello saying they would not have the road this year because of a shortfall of funds and the pressure of other projects. She is very concerned and would like to know when they will have the new road. Chairman Gessert then informs her that in this year's budget \$75,000 was put aside for that road. He then explains when she was told this year, it probably means this fiscal year which runs from July 1st to June 30th. These funds will not and cannot be expended on any other project. They were budgeted and they intend to do it. Mr. Costello may be correct in saying it will not be done by the calendar year of 1985. It may be scheduled for the spring. Ms. Mack then states it was her understanding it would be done by this fall. Now Mr. Costello is saying there is a shortfall and they will put it out to bid again in the spring which means they could face the prospect of again not having their road this year. Mayor Dickinson states it is in the capital budget and it cannot be spent for any other purchase. She then lets Mayor Dickinson read the letter from Mr. Costello. He states the pressure of other projects he can understand. He feels they will get the work done soon after it goes out again in the spring. The year indicated would mean fiscal year. He suspects they did not have the design work or specs out on Circle Drive for the work to be done for this summer or late fall. In terms of money, it is definitely in the capital budget. Mr. Costello then explains that it isn't the shortfall of funds but the pressure of other work this year. It will be done in the spring. There are several jobs they didn't get to this year. This is referring to this fiscal year and it will definitely happen this fiscal year. Once the plants open, he would assume this will be done sometime in April. Mayor Dickinson does assure her that the money is in the capital budget and the work will be done. There is \$75,000 for Circle Drive. She can contact the Mayor directly if she has any further problems.

Chairman Gessert then moves on to Item 2(a). This is employee recognition. He would like to recognize some of the employees who pulled the Town through Hurricane Gloria.

He then calls Ray Smith up. He then states that they had 16,000 customers out of service out of 18,000. Ray worked around the clock and his crews worked very hard, did a fantastic job in trying to bring everyone back in service. On behalf of the Town Council and the Town of Wallingford he thanks them and presents him with a plaque. (applause) He then calls up Michael Cassella. He then states he worked about a 20 hour day and he was very pleased with the cooperation between the Electric Division and Public Works and all the other departments. The Electric Division said they had complete cooperation with Public Works and before the Electric Division got there Public Works was there cleaning up. They worked around the clock and did a fantastic effort. On behalf of the Town Council he presented Mr. Cassella with the plaque and thanked Mr. Cassella and all his employees for a job well done. (applause) Mr. Cassella then says he has two employees in the audience and they stood up and also were applauded. Chief McElfish is then called up. Chairman Gessert then says emergency plans in the Fire Department were put into effect, the Fire Department not only aided the Town but also took a tremendous amount of phone calls and provided water to those who had wells and provided around the clock lighting to the Electric Division to help them restore power. There was good cooperation and a fine job on the part of the regular and the volunteer departments. He then again thanks Chief McElfish. (applause) Chief Bevan is then called up. Chairman Gessert says the Wallingford Police Department was also extremely busy. During the crisis they not only assisted line crews with traffic duties, but also helped many citizens and also provided security at the Electric Division and it was a tremendous effort on the part of our Police Department. (applause) Chief Bevan then says this plaque belongs to his patrol department. Ernest Frattini is then called up. His troops were out during the entire storm. The auxillary police put

in a tremendous amount of time and they did a fine job. All their time was volunteered and we owe them a debt of gratitude. He is then presented a plaque. (applause). Mr. Harold Robles from the Red Cross is then called up. Chairman Gessert states the Red Cross is always a forefront for any disaster. They were here for Wallingford. They provided shelters, fed the hungry and did this for an awful lot of people who needed it. They were well prepared and ready to serve the people of Wallingford who needed it and did an excellent job. He then presents the plaque. (applause) Chairman Gessert then says he has one more plaque. He wants to single out an individual who spent an enormous amount of time from marking off roads to coordinating the massive efforts that it took on the part of all departments. He has mentioned the cooperation between the Fire Department, the Police Department, the Electric Division and Public Works. Sometimes it takes someone to pull all those strings and make sure all the horses are going in the right direction and for one member of our local community who put in a 20 hour day for 7 days straight and took cold showers for at least the first 4 he then thanks Mayor Dickinson for coordinating those efforts. (applause) Mayor Dickinson is very surprised and thanks the Council. Mr. Krupp then states that although we do not have a plaque for them let's not overlook the effort of the Explorer Scouts. Chairman Gessert then says he would be happy to have a plaque made for them. He then thanks all who helped out during the storm. He then states they will move on to Item 3. 640

Mr. Holmes then moved to reject the Fact Finder's Report on the Wallingford Educational Secretaries, Local 1303; seconded by Mr. Krupp.

Chairman Gessert then explains the motion is to reject because they cannot make a motion to accept. If they make a motion to reject and vote that motion down, they are voting to accept the contract. This is State Statute.

Mr. Holmes comments that the economic package that was put together for this contract is an acceptable one. They are trying to keep the costs of these contracts at the 7% range. It is a reasonable contract and he would like to see all reject.

VOTE: All Council members voted no with the exception of Mrs. Bergamini who passed as she has a relative working in the Secretaries Union; motion duly failed.

Item 4 is then up for discussion.

Mr. Krupp then moves to authorize the waiver of bid for Yalesville School as requested in Mr. Soldan's letter of October 22, 1985; seconded by Mr. Polanski.

Mr. Annis then offers the Council a chance to come and visit them once in a while.

Al Cei then states that they sent out quotations for P & Z on this project. They wanted it done as soon as possible and also because it was an emergency situation dealing with the children. They sent quotations out to 7 General contractors, and the quotations were mailed back to the Superintendent's office. They got 3 bidders on the General contracting that ranged from \$18,100, \$11,810 and the low one was \$8,000.

Mr. Krupp then says one of the issues raised by the consultant who submitted his report earlier this year, the key questions he raised was the inadequacy of our media centers in the school. Here we are not dealing with inadequacy but total denial of access for students to the library.

Mr. Polanski then states this contract is destined for changes that were designed by the Fire Marshall. The original complaints in your letter there are 5 or 6 of them. What about the other items?

Mr. Cei says they will all be taken care of. Mr. Polanski then says will the other items come out of their own budget and is told yes they will. Mr. Polanski then asks what time frame are we looking at here? Mr. Polanski then refers to the 2nd page where it says electrical wiring, exit doors, etc. Mr. Cei says those have been done already. It will be in compliance with the Fire Marshall.

Mrs. Bergamini then refers to Page 3 of the letter and says is all of this work going to be done by the Gerelco bid for \$4,800? She is then told on page 5 this is what they are going to do. All this work will be done. Mrs. Bergamini then says on this bid for electrical work, all she found is 7 smoke detectors, 2 magnetic door holders, and main control panel. \$4,800 is a lot of money. 64

Mr. Cei explains it is more than just smoke detectors. They are installing and running their wiring back to the panel. They are installing them on door magnetic door closing if the fire alarm should go off. This would close the door. Mrs. Bergamini then says in other words each smoke detector will be connected to a main panel? She is told yes. They are putting in something with magnetic door holders that isn't there at the present time. Mrs. Bergamini then says she assumes they are going to get more specifications in for the \$4,800 than what is in this letter. Mr. Cei says that is exactly what the Fire Marshall wanted and exactly what he approved.

Mrs. Papale then asks what is the price an electrician gets per hour? She is told \$35 to \$40 an hour by outside contract. This may be why the price is so high.

Mr. Killen then asks if they got a time frame from the purchasing agent if they had put this out to bid how long it would take?

Mr. Cei says no. They were going to move ahead with this at the time they met with this situation but they decided since they pulled the kids out of the classroom they had a couple weeks and they could do it themselves and did not go through the purchasing department. They handled this as an emergency situation.

Mr. Killen then says an emergency situation is fine but you don't know whether he can move any faster in an emergency situation either. He doesn't like waiving the bid unless it is absolutely necessary to waive the bid. If there is a big time constraint between what he said and when you can do it in this manner he would say fine and waive the bid. He doesn't want everyone and his brother coming up here and saying they have to have it done by sometime next year so we are going to waive the bid and it is going to take a year anyhow and we don't gain anything by it. The prices seem to be in line with what he expected but the prices are only part of it. The actual part we are looking at is waiving the bid. This is very important to know you are saving time and at this point he doesn't know that.

Mr. Soldan then says the only insurance he can give is that you very rarely see the Board of Education come for a waiver of bid. If you measure compared to other departments you will see this is true. They believe in the bid process. In this particular case, they felt there was an emergency mandate under the law. They took emergency measures quickly to remove the children from that dangerous situation. In the process of doing that, they then created a substandard situation in terms of educational opportunities for both the library and cafeteria. They are making due and not complaining but the urgency was to restore the educational program as fast as possible. They believed going this route would be faster. They did lose time because of the storm.

Mr. Killen says he is not questioning that but as he says you can never go too far by coming forth with facts. If you are able to save 20 days this way and 10 this way he knows there is a 10 day savings. He would appreciate it in the future if they had these things.

Mr. Rys then comments that under the construction people there are 2 or 3 he doesn't even know. When you ask these people to submit their bid, did you ask for any references? Do you know who Brady Construction is?

Mr. Annis says Brady Construction did the roof on the historical society. Mr. Cei doesn't know the firms personally but they are reputable and they have been around.

Mr. Rys then says if purchasing had done this they would have probably asked for references and checked them out.

VOTE: Unanimous ayes; motion duly carried.

Item 5 is then up for discussion.

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Mr. Krupp then moves to waive the bid for acquisition of Hardware and Software for financial accounting and reporting systems as requested by Mr. Myers with the condition that such waiver, the comptroller should also instruct the purchasing department, that all future personal computer purchases complies with the condition of the purchase act that the PC must be IBM PC compatible and be capable of accepting an emulator board that allows communication with the proposed system; seconded by Mrs. Papale.

Mr. Myers then states as you know his office is outdated and has obsolete accounting equipment. It is not really a computer, it is more an electronic accounting machine system. He has been looking at computers over the last 3 years. During the last 8 months Glenn has done an extensive study. The approach was to interview software vendors and people who write the program and make a selection on which programs would be acceptable. They have a unique environment in that they are a lot more advanced in financial reporting and accounting than most municipalities. In order to determine what was out there, they had to seek which software vendors had municipal programs and give them at least what they currently had and what about enhancements. What more information could they provide in the accounting environment. Glenn looked at many software vendors who he eliminated and several who they asked to come back with hard proposals on their system. After the second interview they were asked to come back for a third interview with price. The actual computer system is a byproduct of the software. They get the program in first and then find the hardware that will run the program. We feel very positive about this, he is not a computer expert, he is the financial manager and the comptroller. He feels confident because he feels he has the proper staff and the excellent expertise with Glenn in order to accomplish what is a major transition into a computer system. You don't look at it lightly. It will be a lot of work. Mr. Krupp came in and reviewed it and he felt very positive. He had a couple of excellent recommendations which they incorporated into the overall package and they selected a software system designed for Connecticut municipalities designed by Rugen and Johnson and IBM. They are licensed representatives of IBM. The hardware would be the IBM systems 36. They did visit North Branford and saw it in an environment and found it to be an excellent system. They will have to modify it and intend to. He sees no reason why this cannot work very nicely for Wallingford.

Mr. Krupp then states that as Tom mentioned he did meet with them. In looking at the process they went through, he has to concenter right down the line. They went after it from the standpoint that said let's look at the software first, then look at the hardware that is compatible. The fact that the software happens to tie into the hardware is strictly a plus. Waiving the bid, which he usually doesn't do, in the case of software acquisition is critical. There are certain environment considerations that have to be taken into account. The system can't be speced from scratch. It is a question of what techniques suit the needs of the user. He also likes the idea of the proposal they have which will ultimately involve the interfacing of personal computers to the main frame. The hardware involved can be expanded for future growth of the Town and by tying to emulator boards the PC's can be hooked directly into the main frame and used as terminals. This is why it was incorporated in the motion. From a strategic standpoint, as the Town of Wallingford expands, by insuring that all the software is compatible, we can cross reference our various systems and by insuring they can be used as a terminal as well as PC's, in the long run meet (a) the much needed strategic consideration of the Town and (b) reduce our investment in terminals as we can convert over PC's rather than buying a new terminal for \$2,000. He commends Glenn and Tom for the job they did simply because they took an intelligent approach and said lets not start with the hardware but with software and what we need. They did a thorough job and a thorough investigation and their request to waive the bid on this item is well warranted.

Mr. Holmes again says he appreciates this type of investigation. As far as putting a computer application into the department he feels it is crucial. He feels it is high time they adopted something like this for their office. He does support this.

Mrs. Papale then asks if we budgeted this.

Mr. Myers says we budgeted it and what he is proposing, the final numbers to be worked out with IBM, is they will purchase everything direct except for the CPU which is the computer itself and the 2 printers. They will lease these at a cost of approximately \$700 a month. There will be a lease line but he does see some offset in next years budget. They have more than enough. He will be turning some funds back at the end of the year to the General Fund. Glenn also comments that it just so happens they are taking advantage of a good discount time with IBM. The industry itself has been hurting and they are taking advantage of a 20-30% discount. They are hitting it at a very good time. This is not only IBM but the whole industry itself. 643

Chairman Gessert then asks what is an emulator board. Mr. Krupp says it is a board which plugs into the back of the PC & allows you to run a cable to the PC and by inserting a disc which has a preprogram on it, converts it into a terminal that interfaces the main frame.

Glenn then states that this is very advantageous. Many times they will be using other software including Lotus, Symphony etc. They will hit the switch and they will be in the PC mode strictly and not working in the main frame itself.

Mr. Polanski then asks if and when the Electric Company's monstrosity blows up and a new one is requested by them, this motion by Jim means that any further computer purchased through the Town of Wallingford will be compatible. He is told PC. He then says he is looking at it a little further to see if there is a need for interfacing the Electric Divison with the Comptroller's office.

Glenn replies he feels it would be wise to keep it at a PC level. Since the Electric Divison and the Board of Education and other have such a different variety of financial presentations, it would not help them. Mr. Polanski then says could they have a computer in the finance office that would serve other departments of the Town. Glenn says this program has the capability of expanding upward. However, to encompass surrounding agencies and town departments would be a little bit too much. That is his personal view.

Chairman Gessert then says the only thing to be gained from that would be if they had the same vendor that provided both pieces of equipment even if you didn't connect the two together, the service contract might be a little lower. Mr. Krupp then states that both systems operate in COBOL.

Mr. Killen says about 15 years ago they started out with this computer business and everything was going to be centralized. At budget time it is always said this one has one and that one has one, there seems to be no order coming from this. Everyone is buying in whichever way they can. Again on this agenda they have an item for the insurance pro which just hit us. They have had this problem for 15 years and they still haven't got anyone doing it properly. We are getting so that we just waive the bid at a drop of the hat. This disturbs him. It says in the Charter if it is in the best interest of the Town, he can't tell if it is in the best interest of the Town. They have a figure here but he can't tell if they would do better or worse by going somewhere else. Who can he rely on.

Chairman Gessert then says if they had only gone to one individual and said it sounds good to us and this is what we are going to buy, and didn't consider any others, he would be very adverse to it. On the other hand, they have checked with a variety of vendors to meet the specifications they are looking for and interviewed those vendors to insure they had the qualification, there is always someone who can do it cheaper, but by checking the qualifications as well as the price, it is a wise way to go. When you talk about software and programming, there are guys operating out of their basement that will give you a low price. Glenn then says that is true and they have tried to eliminate this. They have attempted to do their homework. His prior experience from where he came from shows that they had a committee of non-experts and they didn't do their homework and they got into a deal that cornered them. Here they have looked at reputable companies. Today he got many phone calls about this. Where were they a month ago. These representatives never got in touch with him or they came and their presentations were just not good.

Mr. Killen then says this is one of the reasons we do go out to bid.

It is only under extenuating circumstances that we are suppose to do what we are doing here now. If they know they are going to do this type of thing, at budget time we ought to say look, this is an item that we think we can do better this way. He is not questioning price. It is the set of rules. 644

Mr. Myers says in effect they did bid this. It was a bid not like a sealed bid. It consisted of an interview, a written proposal and a reinterview because of the uniqueness of what they are looking for, it is not just based on price. This was just a different type of bidding. They looked at a lot of vendors. Some they eliminated immediately. Some were so elementary that they would not want to go back into that environment. Glenn then says they talked to 10-12. They attempted to do their homework and cover their bases. This is unique to Wallingford. It is not many town's that produce their own financial statements. They can get software from a very strong company but it is only accounts payable, receivable and payroll. We are looking for further financial packages. When they stressed this many turned away.

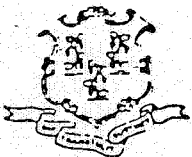
Mr. Krupp says he can understand Mr. Killen's concern. This is a whole different area. It is not just sitting down and determining what you want. For nonexperts to do this is impossible. The alternatives are (a) hiring a consultant to determine your requirements and needs and draft a specification before you go out to bid. The alternative is to analyze what is available in the marketplace versus what you visualize your needs to be. The advantage of this is that you may discover options available that you didn't know would be of benefit. He has been through this and feels they have to find the system that meets the need.

Mr. Killen then says there is an old statement that beauty is in the eye of the beholder. In his years he has seen everything from a \$750 walkie talkie to a piece of machinery that costs over \$100,000. Every department head has their reasons of why we should do it this way and not go out to bid. There is something wrong with our bidding process.

VOTE: Unanimous ayes with the exception of Mr. Killen who voted no; motion duly carried.

Mr. Myers explains the forecast for this would be to have payroll up and running in January 1986, begin conversion of all budget files, run budget files parallel from a target date of March or April, 1986 drop the old system June 30th.

Chairman Gessert then says item 6 is a request for funds to pay for the feasibility study conducted for Judd Drapery Hardware Plant. He then reads the letter from the Steering Committee of Judd Employees Association requesting the funds to help pay for this feasibility study. He then says he talked to a representative from the Economic Development Commission who indicated at 5:30 this evening that it looked very positive but he was told the commissioner hadn't signed it and couldn't guarantee it. However, they received a letter a few minutes ago from John J. Carson. The letter reads as follows:



STATE OF CONNECTICUT
DEPARTMENT OF ECONOMIC DEVELOPMENT



Town Council Meeting

-9-

October 22, 1985

October 22, 1985

The Honorable William W. Dickinson, Jr.
Mayor - Town of Wallingford
Municipal Building
350 Center Street
Wallingford, CT 06492

Dear Mayor Dickinson:

645

As you may be aware, this Agency's Job Protection Unit has responded to a request from the employees group of Judd Drapery Hardware to assist them in determining whether an attempt to effect an Employee Buyout from the Newell Co. would be feasible or advisable. This Unit, established by Governor O'Neill's Job Protection Act of 1983, was formed to assist companies who are undergoing difficulties. Since its existence, this Unit has worked with over 200 Connecticut companies and has recently effected the employee buyout of Bridgeport Brass in Seymour, now known as Seymour Specialty Wire. Work is ongoing on similar buyouts at the Torin Machine Div. in Torrington and Century Brass in Waterbury.

It is our policy in affecting feasibility studies to involve both the local municipality and the workers in financing the actual study hopefully on a matching fund basis. Due to the relatively few employees involved at Judd, a matching fund by them could not be expected, however, some type of good faith participation monetarily would be in order. We would propose a Two-Phase Study, the first to be of a preliminary nature and a second only if the initial one indicates that a full study is warranted. Cost estimates for the preliminary study or Phase One would be \$7,230, half of which, \$3,615, would be contributed each by the State and the Town of Wallingford.

The State's funds would be made available to the Town in the form of a grant and bills for the study would then be paid by the Town as they occur. This system has worked well in other towns where similar studies are and have been carried out.

Should the results of the Phase One Study be promising, then it may be necessary to proceed to a Second Phase and a completion of all research necessary to making a decision as to whether or not to present a proposal for the purchase of the company. It is estimated that a Phase Two could possibly cost another \$7,000, or \$3,500 each from the State and the Town. If the Phase One indicates it impractical to further consider a buyout, then work will have been completed on the feasibility study.


Mayor William Dickinson
Town of Wallingford

October 22, 1985
Page 2

We would request, therefore, that this matter be brought before your Town Council for its consideration and hopefully such a decision would be positive. Should this be the case then a copy of the Council's resolution should be sent to Graham Waldron, Director of Technical Services at this address who will then process the Grant for payment through the Comptroller's Office.

We thank you for your consideration and should there be any questions, please contact Mr. Waldron at 566-7035.

Very truly yours,


John J. Carson
Commissioner

Mayor Dickinson then says what they want to deal with this evening is (1) Voting a transfer of funds and he is going to have to get it drawn up which will have to be a transfer from 319 for \$3,615, set up an account for this feasibility study. He has met with representatives from Judd and overall he feels it is a positive thing. It is a State program dealing with concern to keep a business alive in the downtown area which is important. However, they will also have to waive the bidding for a consulting firm that does the feasibility study. The State of Connecticut runs this as a Grant program but the Town of Wallingford has to exercise supervision. In order to proceed, they would be going with the firm that has already been chosen for the study. If they have to run it, they have to waive the bid and continue with that firm. Also realizing there may be other commitments down the road. It is a positive venture. They may want to hear from the representatives from the Judd firm.

Naomi Saunders, 72 Northford Road, Chairman of the Steering Committee for Judd Employees Association, states the association was formed of former Judd Employees. They feel they should not give up any possible avenue of the plant not staying in Wallingford. It has been in the State for 168 years, 110 in Wallingford. They have two people there tonight, Dave Duke, who works for Seymour Specialty where they did conduct a successful buyout and Ken Galdston who can tell you more about the project itself. (ALG)

Mr. Galdston then says the Naugatuck Valley Project is a nonprofit group. It is almost 3 years old. This was set up to help white and blue collar employees anticipate plant closing, and to work in the situations where the company is for sale to see the best outcome possible. They were requested by the Employees Union originally in August to come and meet with the members here to discuss with them the possibility of a buyout. We have been involved with all the buyout studies that have been done in the State over the past couple of years. Notably the Seymour Specialty Wire Company and right now Century Brass in Waterbury. They are involved in overseeing and working with the groups that are being asked to work on this study as well. Their main feeling as a group concerned about job loss is the studying of buyouts is a crucial way of saving skilled jobs especially held by people in their 40's and 50's who is otherwise going to be without a job.

Chairman Gessert states this is a very positive approach. Nobody likes to see a plant close, especially one that has been around as long as Judd and employed so many people from Wallingford for so many years. He is supportive.

Mr. Allen Bulmer, 53 Saw Mill Drive, then states he has been in the Judd Plant and there is nothing there. What are they going to buy. The business is out of town. This is why Newell bought Judd out.

Mr. Diana then asks the Chairman to have the Town Attorney sit in on this as he is going to have some legal questions.

Mr. Galdston then replies to Mr. Bulmer that this company is being sold as a result as a result of action taken by the Justice Department, that took Newell to court on the basis that their purchase of this company from the Stanley Works was in violation of the Clayton Anti-Trust Act. The activity of buying it and putting it out of business was done to lessen competition and create monopoly conditions. It is a sale that is unusual because it is being overseen by the federal court. As part of the judgement, the court ruled that a buyer of the company would have the right to receive back from Newell at Newell's expense, all the equipment, all the internal workings to make this a viable company again. Therefore, if the study goes well and they do have the sale, Newell is required to return the equipment.

Mr. Ramos says that labor has taken a beating over the last few years and some of the labor laws coming across now have hurt the working person. These people ought to be commended for taking every opportunity to save their jobs and keep it not here in Wallingford but in the United States.

Mary Mushinsky then reads the following statement:

Statement of Mary Mushinsky
on proposed Town match of Judd employee
buyout feasibility study

Town Council 7:30 pm
October 22, 1985

I'm involved because the Judd employees asked me for assistance.

I'll give a little back-up information on the program and its funding.

The feasibility study, Phase I, would be done by a study team set up by the 1983 Job Protection Plan, which was passed by the legislature in response to fears of plant closings and layoffs.

Part of the plan involves exploration of employee buy-out. That is what we are pursuing tonight. If that route is shown to be impossible or unadvisable, the State Department of Economic Development moves on to other options, such as attempting to create a smaller version of the company, or retraining and placing the workers in new work.

The feasibility study discussed tonight is Phase I of a possible two-phase project. Phase I will research the market opportunities for Judd's products and assess management needs. WAT

If a market for Judd's drapery hardware is evident, a Phase II study will compare operating costs of Judd to similar industry and estimate the cost-competitiveness of Judd as an independent, employee-owned company.

The study team will consist of *Naugatuck Valley Project, coordinator* Industrial Cooperative Association, a nonprofit group with experience on similar projects, Service Employees International Union (SEIU), accounting firm Deloitte, Haskins, and Sells, and law firm Day, Berry, and Howard. Much of the team's expertise is donated by the business community.

In all four previous buyout projects in Connecticut, towns and employees were expected to share the cost of the study.

For example, Waterbury contributed \$10,000 towards the Century Brass study, Torrington contributed \$10,000 to look at the Torin Corporation, and New Milford appropriated \$3,500 to explore salvage of another branch of Century Brass.

Employees also contribute to these studies.

It is customary in competitive grant programs funded by the legislature that towns are asked to put up a match. This weeds out the sincere projects from the insincere ones.

The consultants also feel a town match will show Newell and the court the town's determination not to let Judd go under. It will help the employees' case.

Should the Town contribute the match, and I hope you will, you might consider placing representatives on the study committee board to best protect the Town's interests and investment.

Let me know if you need further information.

Lou Zamenski, 98 Cheshire Road, says he takes exception to a comment made that there was nothing left in the plant. That is not true. Most of the machinery is still there. It is just a matter of getting the people in and getting the operation going. Any equipment taken by Newell is required by Court Order to be brought back.

Mr. Krupp states that he worked for Stanley Works when Judd was a proud and strong member of the Stanley family. He sees that while Judd may not be strong, the people here are damn sure still proud. There are two factors we are looking at. We are talking about an expenditure of approximately \$7,000. We don't know what the probability of success is but there are a couple of considerations we should keep in mind as we look at this. First off, in return for the \$7,000 what is the potential loss of revenue to the Town in taxes if that building sits idle. Secondly, perhaps it is time for minimal expenditure since we are a government of the people and for the people and we have citizens of the community coming and asking us for assistance in return for the taxes they have been paying to us through the years. For what they have contributed to this community, what they are asking in return is a very small percentage back. He feels they should proceed with this.

Mr. Holmes states this comes under the Economic Development Commission. While they don't have this money funded in the budget, he feels it is something they can look at for the next budget and put a small amount of money in a particular account that would perhaps help future companies like this out. This may be something to look at. Mr. Ramos said he wanted to commend us. It is not us who should be commended but the people out there who want to save their jobs. Hopefully, things will work out for them.

Mr. Polanski comments that he is prejudice as he probably wouldn't have eaten for 20 years if his father had not worked for Judd.

Mrs. Bergamini then asks how successful the other buyouts have been. Did they succeed in getting the plant or a smaller phase of it running and are the people working?

Mr. Galdston says studies tend to take a while. The ones mentioned here are ongoing. The few studies they completed have led to some definite final results. Bridgeport Brass led to employee buyout. The white and blue collar buyout. It took 9 months of work for the study, negotiations etc. However, they has been very successful. They saved 220 jobs and the company is running better than it has in decades. One of the other studies was in Milford and they came back and told the employees not to buyout. The Torin buyout in Torrington has gone to the phase of recommendation

of purchase, successful negotiations and at this point they are working out financing. They have definitely had some success. 649 They don't try and pretend that the study will lead to the buyout. That is far from the case. They do the study and see how it comes out. This study has its own particular aspects. One is looking at reviving a business that has been systematically taken down. Doing the study gives the people the opportunity to see what can be brought back and if it can, white and blue collar worker ownership is one of the best ways to bring it back.

Mr. Diana then thanks Mr. Holmes for mentioning the Economic Development commission. If they are all here next year, he hopes they don't forget Economic Development at next year's budget. He does have some questions on legality to what is going on here. As past Economic Development Chairman he is sympathetic to their plight. He is very much in favor with what they are trying to do. He agrees with trying to get the building back on the tax rolls and certainly more than anything, keeping them employed so they have some dollars. As they represent the Town on the Council, they have to ask questions. The one question he has to ask is if they are in any way in violation (1) of spending municipality funds on private industry. He knows this is a State endorsed project but he just wants to know because we are spending money on private industry and are we in violation of the Protection Act because this is a new purchase versus so called existing business.

Attorney McManus says he doesn't think you can say the funds are being used for private industry. You don't know if this will ever amount to anything. What they are trying to do is maintain the economic climate of the Town at this point. He doesn't think you can say you are specifically spending it and stop and think of the millions of dollars New Haven spent on redevelopment. Mr. Diana then says we are not in violation of spending town dollars on a private enterprise.

Chairman Gessert then says if \$3,500 is in violation of any law helping a business within the community, then we are all going to go to the electric chair for the \$14 million tax break somebody gave Bristol Myers.

Mr. Diana then says he is not negative about this. He is certainly in favor of voting for it. He then again says to Attorney McManus we are not in violation as far as he can see and Attorney McManus replies no. His other question is the job Protection Act asks specifically that this is for businesses undergoing difficulty. This is a business ended and now being rejuvenated. The employees then respond it is not ended, they are still working.

Mr. Krupp then moved to establish A/C 703-650, Feasibility Study Judd Drapery Hardware,; and transfer the sum of \$1,000 from A/C 703-602 and \$2,615 from A/C 805-319 for a total of \$3,615 to A/C 703-650; seconded by Mr. Diana

Mr. Krupp then says waiving the bid will follow that motion.

Mr. Killen then asks if they have a mix of employees. He then says they can have all the workers they want but without the financial men and the salesman they can't go anywhere.

Ms. Saunders replies that the committee is made up of both white collar and blue collar workers. As far as future management of the plant, that is the second part of the Phase I study. Both white collar and blue collar workers would be the owners in a buyout like this. There are also a good variety of the management people at the plant who are available.

Mr. Killen then says he will not go along with the 805-319 account. It is not the plan itself but he will just not go along for anything with 805-319. Chairman Gessert then explains to the workers that Mr. Killen would not vote for motherhood if you took it out of 805-319. Mrs. Bergamini then asks Mr. Killen where we could get it from. He replies from the General Fund Surplus. He then says we had an emergency with Hurricane Gloria all of a sudden funds came out of nowhere and we didn't have to take it out of 805-319.

Mayor Dickinson states that a couple things have to be clear. (1) What organization are now retained so we can waive the bid properly for that service and also what are all the organizations that could possibly receive funds from the Town of Wallingford. Will they receive them directly? Do we pay them directly for their services?

Mr. Galdston states that is the way it was done in the past. They would submit a bill. They would be paid for the specific hours as specific tasks were accomplished. 649

Mayor Dickinson states he would ask that this be administered through the EDC who he does credit with looking to help fund this, showing their concern about the jobs that exist in Wallingford along with those they would like to bring in. Mr. Krupp then says we don't have a motion to waive the bid yet. Mayor Dickinson says he realizes that but he feels they should have a record of who is going to be paid in case that creates any problems and secondly is it true that in no way will the Town of Wallingford by participating in this project, become in any way, part owners of any business that would develop out of it. Mr. Galdston says that is true. Mayor Dickinson states it is important to have that on record. They are not buying a business, they are doing a feasibility study.

Chairman Gessert then says one of the things mentioned earlier was employee contribution. What type of response have you had? This is as far as present and former Judd employees willing to commit funds.

Mrs. Saunders says they asked for \$25/person contribution. So far they have 45 people who contributed that and most of them are unemployed.

Mrs. Papale asks if past employees are allowed also to contribute? Mrs. Saunders says for the feasibility study, anyone can contribute. Mrs. Papale says anyone who has worked there. She then says what if everything works out for Judd, do you have to be an employee of Judd or past employee to invest in this company. How will this be worked for investment. Is there profit sharing?

Mr. Galdston says that at Seymour, each employee has 10% taken out of wages to buy stock. It accumulates over the year. Each person has one vote regardless of the number of shares. One is a share for their vote and the other is a stock in their name that accumulates in their name and profits are signed for this type of stock. If you want to set up a way that other people can invest in the company, you can establish a type of preferred stock. They would recommend if this happens, in order to keep it employee owned, the voting power remain with the white and blue collar employees. Mrs. Papale then says her bottom line is are there enough employees at Judd to swing it if it goes through? Mr. Galdston says this is the reason for the study. If it can go ahead, this is how you determine what happens.

VOTE: Unanimous ayes with the exception of Mr. Killen who voted no; motion duly carried.

Mayor Dickinson says they will need a resolution for this that he is trying to draft now and this will have to go to the State of Connecticut.

Mr. Krupp then moved to waive the bid and direct that the expenditures in this account be administered by the Economic Development Commission; seconded by Mr. Rys.

Chairman Gessert then says if they would please provide a list of the people doing this study they would appreciate it. Do they have a list now? Chairman Gessert then reads the names off of Mary Mushinsky's letter, dated October 22, 1985.

Chairman Gessert then says that Mary's letter says she would like to have representation from the Council. Ed Diana, Jim Krupp and Steve Holmes then volunteer their services for this. Chairman Gessert also adds that if he can be of any assistance, please let him know.

VOTE: Unanimous ayes; motion duly carried.

Chairman Gessert then calls a 5 minute recess.

Item 7 is then up for discussion and Mr. Holmes reads the following Resolution:

RESOLUTION CONCERNING STATE PAYMENT-IN-LIEU-OF-TAXES

WHEREAS, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, the Commissioner of Housing is authorized to extend financial assistance to local housing authorities, municipalities and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the Town of Wallingford make application to the State for financial assistance under Section 8-216b of the General Statutes in order to undertake a program of Payment-in-Lieu-of-Taxes and to execute an Assistance Agreement therefore;

NOW, THEREFORE BE IT RESOLVED BY THE Town Council of the Town of Wallingford:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 128, 129, 130 and 133 of the Connecticut General Statutes.
2. That the filing of an application by the Town of Wallingford in an amount not to exceed \$80,000.00 is hereby approved and that the Mayor of the Town of Wallingford is hereby authorized and directed to execute and file such application with the Commissioner of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the Town of Wallingford.
3. That in consideration of said Assistance Agreement applicant does hereby waive any payments-in-lieu-of-taxes by the Housing Authority to the municipality under the provisions of Section 8-71 of the Connecticut General Statutes.
4. It is also resolved that any prior action take by the Mayor of the Town of Wallingford with respect to this Agreement is also approved.

Mrs. Bergamini then moved the resolution; seconded by Mr. Holmes.

Mr. Killen then asks Mr. Roe if anyone has an idea of what taxes would be if we were taxing the situation.

Mr. Roe states somewhere around \$50,000 to \$60,000 and they got about \$57,000 back last year from the State and he would expect to get about that much this year. They waive \$20,000 and they get \$50,000.

VOTE: Unanimous ayes with the exception of Mr. Polanski who was not present for the vote; motion duly carried.

Item 8 is then up for discussion and Chairman Gessert reads Mr. Roe's letter explaining why he would like to increase the wages for the Part-Time Secretarial positions in the Program Planning Office.

Mrs. Papale then moved to increase the pay rates for the Part-Time Secretarial positions in the Program Planning Office; seconded by Mr. Rys.

Mr. Krupp then asks how many hours this position requires. Mr. Roe says 19½.

Mr. Killen then asks what the other person is getting who they want to up to \$6.00. Mr. Roe says approximately \$5.50. Mr. Killen then says he can understand raising it for the lower rate but the other person is getting a raise simply because they are raising the starting rate of the other. Mr. Roe says that is one way to look at it. On the other hand, they have been getting a hell of a good deal for many years. If they were to have a full time position, the starting wage for a secretary is considerably higher than what they are offering part time. They have really gotten a good deal

and he doesn't want to lose it. They cover more hours with two people at 19¹/₂ than they would with 1 full time employee and budget \$9,300 a year.

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VOTE: Unanimous ayes with the exception of Mr. Krupp who voted no; motion duly carried.

Mr. Krupp then moved to Waive rule V to consider the resolution; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Bergamini then reads the resolution that was drafted by the Mayor and pertains to the Judd Drapery Hardware Plant.

The resolution was then moved by Mrs. Bergamini; seconded by Mr. Krupp.

Chairman Gessert points out that this item was discussed earlier.

VOTE: Unanimous ayes; motion duly carried.

The resolution reads as follows:

RESOLUTION

WHEREAS, The Town of Wallingford is concerned about the economic health of the community; and

WHEREAS, Judd Drapery Hardware once employed over 300 people and was an asset to the economic vitality of the Town of Wallingford; and

WHEREAS, Judd Drapery Hardware employees are now unemployed and seek assistance under the State of Connecticut Job Protection Act of 1983,

NOW, THEREFORE BE IT RESOLVED BY THE Town Council of the Town of Wallingford:

1. That the Town Of Wallingford agrees to assist the employee group of Judd Drapery Hardware and the State of Connecticut in a feasibility study to determine the advisability of an employee buyout from the Newell Company.
2. That the Mayor or his designee is hereby authorized and directed to execute such documents and take such action as may be required to effect this resolution.

CERTIFIED RESOLUTION

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

Date

Town Clerk

(SEAL)

Item 9 is then up for discussion. Mr. Roe first states he apologizes for no cover letter. They got it Thursday and immediately shuffled it out to the Council. Basically, because of a delay in the Federal level, there will be a delay in the award from the Department of Human Resources. Mr. Roe says his concern is he really wants them to be able to provide for program continuity prior to receipt of grant funds. Due to the fact that the next meeting is not scheduled until November 12th, he would request that the Town Council authorize this office to borrow funds. He says he has to refer to Mr. Myers for this but this is something that happens year in and year out. Generally it happens in the summer. His request would be that they borrow an amount not to exceed \$2,500

which is 1/12th of the SCOW budget for this year. Mr. Roe says right now this effects SCOW. It could effect SSBG. Meals on wheels could also be effected. Right now he feels they have sufficient local cash to carry them on this. His primary concern is the SCOW program. Mr. Myers then says we just want this for SCOW and Mr. Roe replies that is correct.

Mr. Myers then asks if we have an approved budget for SCOW for 1985/86. Mr. Roe then asks as of November 1st, he doesn't know. They have submitted a grant application and whether or not the application will be returned by November 1st he doesn't know. 652

Mr. Myers then says he prepared a resolution for the Council to enact to advance General Fund cash to the SCOW program provided that there is an approved grant funded contract with the State of Connecticut and with the proviso that when the State grant funds are received, the General Fund will be reimbursed immediately. Mr. Myers says they do this with day care centers. His only concern would be that they don't advance any more than the grant and that we do have an approved grant contract from the State before we advance any funds. Otherwise, we could be in a position of advancing funds and the State denies the grant and we would have to refund the General Fund.

Mr. Roe says his concern and the reason he suggested the 1/12th is that he was not certain whether they will have from the Commissioner of DHR a grant approval by November 1st. They did not forward it to us yet and today he was unsuccessful in finding out where it is.

Mr. Myers then says do we want to advance cash if they don't have an approved grant budget.

Mr. Killen says they were better when they were short of funds.

Mayor Dickinson says condition the resolution upon the grant being approved.

Mr. Roe then says what if we get to November 1, 1985 and we don't have an approved grant? Mrs. Papale then asks if this has ever happened before and Mr. Roe says not to his knowledge.

Mr. Krupp then says because of the discussion they learned from the last meeting that they learned of SCOW's activities and since the organization does not represent its intended purposes in the services that it's rendering, he cannot support anything that involves funding for SCOW.

Mayor Dickinson then says the President of SCOW is here, Gabriel Ramos. He is interested in making a presentation for the Council at another time but he is here if you have questions for him.

Mr. Ramos then explains that they are prepared to present the Council with a formal presentation of the organization of SCOW, involving history, direction, growth etc.

Mr. Krupp then explains to Mr. Ramos that SCOW operates under the name of Spanish Community of Wallingford and he recognizes its large portion of services to that. However, he also sees that SCOW mandated or chartered, generated this system to also carry out other public service programs. His objection is that the name of the organization as it stands, does not represent the true function of the organization and this has a detrimental impact on the community image of what SCOW is and the fact that many people won't even approach SCOW for problems that do not involve Spanish speaking citizens.

Mr. Krupp continues and says in the breakdown given of the people serviced by the organization indicates that while those other services are available, the community at large is not aware of that fact, and is deterred by the name Spanish Community of Wallingford. This is because of the failure of the authority in charge of this organization, to adopt some other designation to let the people know of what services are available.

Mr. Ramos says the name has been from the beginning. Chairman Gessert then suggests this is all because of what SCOW's name implies. Mr. Ramos says the only way he could make that type of contact to the other people would be through the different organizations in Town. The different clubs like the Italian Club, the Portugese Club etc.

CERTIFICATION

654

I, _____, duly appointed and _____ of _____ (Title)

_____ do hereby certify that the above is a true and correct copy of a

resolution passed and approved by the _____ of _____ (Governing Body) (Public Entity)

_____ day of _____, 19____.

(Official Position)

(Signature)

of incumbent need not be provided in those cases where the governing body of the public entity desires to authorize any agent of the designated official position to represent it.

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Mr. Krupp then moved the resolution; seconded by Mr. Holmes.

Chairman Gessert then says we spent the money and if we can get it back from the Federal Government, we should.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale then moved to move up all items involving Department Heads; seconded by Mr. Diana.

VOTE: Unanimous ayes; motion duly carried.

Item 13 was then up for discussion.

Mrs. Bergamini then moved to remove Item 13 from the Table; seconded by Mr. Rys.

VOTE: Unanimous ayes with the exception of Mr. Krupp who was not present for the vote; motion duly carried.

Mrs. Bergamini then moved to transfer \$1,855 from A/C 805-319 to A/C 512-540; seconded by Mr. Polanski.

Chairman Gessert then says basically he asked for \$3,500 and they shot him down and now we are at \$1,855.

Mr. Deak explains this \$1,855 is to replace the furnace. It was the low bid.

Mr. Killen then says when they rejected this item they made a recommendation 'to evacuate over there and so forth.

Mrs. Bergamini then says she made the motion for this item when it was tabled and she spoke to the Mayor's office about it and there were a couple of problems. One is that they cannot locate a lease for the people who have been there. There is no way they can evict in a 30 day period. Secondly, she was hoping the Police Department would be ready to move earlier than they are. She thought if they got P & Z out of there they could find a place for the older people. It is just not that easy. You can't blame them for staying. However, she feels they agree and she asks the Mayor that they are going to give them notice.

Mayor Dickinson says they are going to have to give them enough notice. He is told they are both in their 70's.

Chairman Gessert then asks Mr. Deak if he would look around and find out where this boiler could be reused once the building is vacated. It should be able to be used somewhere else.

Mr. Deak sees no problem with this, the problem is if they are going to sell the building with the boiler or not.

Mrs. Bergamini then says \$1,855 compared to the \$3,500 is not bad. It seemed crazy to put \$3,500 into a building that is going to be raised and knocked down. 655

Mrs. Papale then says is the problem we can't evict them. She is then told it is the time involved.

Mrs. Bergamini also tells Mr. Deak to collect the space heaters.

VOTE: Council Members Bergamini, Diana, Gessert, Papale, Polanski and Rys voted aye; Council members Holmes and Krupp were not present for the vote and Mr. Killen voted no; motion duly carried.

Item 14 is then up for discussion.

Mr. Polanski then moved the transfer of \$1,177 from A/C 503-130 to A/C 503-120; seconded by Mr. Diana.

Chairman Gessert says we did talk about this the last meeting. Mrs. Bergamini then says to the Mayor she thought they were going to have Mr. Seadale for this. Mayor Dickinson replies he was here the last time. Mrs. Bergamini then replies we didn't know it.

Mr. Killen then asks Mr. Myers if we put any money aside in contingency for this.

Mr. Myers states they had a foreman position in there but then eliminated it in the workshops.

VOTE: Council members Diana, Gessert, Killen, Polanski and Rys voted yes; Council members Krupp and Papale voted no; Mrs. Bergamini passed and Mr. Holmes was not present for the vote; motion duly carried.

Item 19 is then up for discussion.

Mr. Krupp then moved to establish A/C 446, Pansy Savings; seconded by Mr. Diana.

VOTE: Unanimous ayes; motion duly carried.

Mr. Krupp then moved a Budget Amendment of \$850,000 credit to A/C 555 and a budget amendment of \$850,000 credit to A/C 446; seconded by Mr. Rys.

Mr. Killen then asks if everyone read the letter which states the increase in demand charges from \$7.89 to \$15.15 to \$28.71. This is one hell of an increase.

VOTE: Unanimous ayes; motion duly carried.

Mr. Krupp moved the following transfers:

- \$63,150 from Council Contingency to A/C 391
- \$50,000 from A/C 923-4 to A/C 923-2
- \$60,000 from A/C 923-4 to A/C 923-3
- \$12,000 from A/C 591 to A/C 925
- \$21,000 from A/C 555 to A/C 925
- \$88,000 from A/C 555 to A/C 924

This was seconded by Mr. Rys.

Mrs. Papale then asks how many times the John Street Office been brought back to us. She then says she has a problem dealing with this all as one item. She maybe feels the need for the data processing but doesn't for the office equipment.

Mrs. Bergamini then questions at the John Street office, Item D, where is says memorywriter, what are they buying. Is there an item in mind.

Mr. Walters replies that this is actually to be identical with Item C that they now have. It is a Xerox model and allows memorandums such as this to be kept in memory so it can correct typing errors, etc. This would be backup for the one they have. Now that they have become dependent on the one, if it dies they are in big trouble. He then says he believes this is a 600 series. It is very similar to what purchasing has. It is not a personal computer.

Mr. Killen then says the dates on these go back to early September,

what prolonged this? Mr. Lee says this was passed through the PUC at the August meeting. If there was any delay it was at the PUC meeting. Mrs. Papale then says the Council asked for a more exact description. 656

Mr. Myers then says we had it. We were trying to put together a finance meeting with the respective people from the PUC to make sure everything was up before it came on the Council agenda.

Marge Toth then says the Registrar's office is very interested in the Bursting Machine because of the ways they get their coding. With time limited and deadlines the way they are, they are very busy. She states they are very interested in this machine.

VOTE: Unanimous ayes; motion duly carried.

Item 20 is the next item to be discussed.

Mr. Krupp moved to establish the following account numbers; 201P-651, 201P-427, 201P-203, 201P-202, 201P-201, 201-613; seconded by Mr. Diana.

Mayor Dickinson then says they might have Bill Fischer come up on this item. Chairman Gessert then asks if those people who missed the first tour will they be having another one. Mr. Fischer replies there will be a grand finale.

VOTE: Unanimous ayes with the exception of Mr. Holmes who was not present for the vote; motion duly carried.

Mr. Krupp then moved a transfer of \$1,720 from A/C 805-323 to A/C 201P-651; seconded by Mr. Holmes.

Mrs. Bergamini says when will they be moving? She is told they are shooting for the 15th of November. Chief Bevan says they haven't decided on the communications yet. Hopefully, a new tower bid will be going out tomorrow from the Purchasing Department.

Mayor Dickinson says the communications area has opened his eyes to a vast swampland that is uncharted. We put out a bid to repair the old tower. The hurricane came along and damaged the old tower to the extent that it would require \$3,000 + to fix. That is \$10,000 for the move plus \$3,000 to fix. We had one bid on the move of the old tower and one company, Motorola, responded saying they didn't bid because the old tower isn't designed for 4 antennas. We want to put 4 antennas on the new site, so it raised the question of whether the old tower was capable of doing the job. The question hadn't been brought up by the State Emergency Communications Office. When he talked to George Davis up there he said he is aware of that but... It now looks like we have to go out to bid for a new tower. It is going to be going tomorrow. Specs have been written. Doug Fairchild wrote them up they were reviewed and they will go out tomorrow. Don Dunleavy was there today and he should have them out by Saturday and we should have them back by November 7th. They do expect this to be done immediately. The tower is necessary for the police to operate. Mrs. Bergamini then asks about the overall communications system. Mayor Dickinson says we have the spec on that and it will be revised. The new packet came in today and if that is complete that will be going out. Chief Bevan says we should review that one more time. The Chief will be signing the lease for tomorrow for the telephone.

Mrs. Bergamini then says the Police station needs the telephone. Why hasn't this been done earlier. Even with the tower. What were we waiting for.

Mayor Dickinson says the State Emergency Communications office was drawing up generic specs. The original specs were not generic. They were drawn up by one company and he wasn't satisfied. He felt it was necessary that more than one company bid. The State has been dealing with this all summer.

Bill Fischer then says they will be turning the building itself over to the Police Department on October 30th.

VOTE: Unanimous ayes; motion duly carried.

Mr. Krupp then moved a transfer of \$2,000 from A/C 805-323 to A/C 201P-427; seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Mr. Krupp then moved a transfer of \$2,000 from A/C 805-323 to A/C 201P-203, a transfer of \$9,000 from A/C 805-323 to A/C 201P-202, a transfer of \$9,000 from A/C 805-323 to A/C 201P-201, a transfer of \$7,414 from A/C 805-323 to A/C 201-613; seconded by Mr. Holmes. 65'

Mr. Killen then says we are transferring the entire \$7,414 to A/C 201-613. He knows there is a breakdown there within the department, is it all going to be billed to one account.

Chief Bevan says they broke it down into sections. Mr. Killen then asks if at budget time next year will that be broken down separately or one account. Chief Bevan says it will be broken down.

Mr. Myers says it was broken down. See where they have 201-613, underneath they have A administration. Mr. Killen then says they are establishing those accounts and Mr. Myers says yes.

VOTE: Unanimous ayes; motion duly carried.

Chief Bevan is then asked about the symbol on the letterhead and replies that is the International symbol.

Mr. Krupp then moved the transfer of \$500 from A/C 201P-131 to A/C 201P-410 and a transfer of \$300 from A/C 201P-405 to A/C 201P-143; seconded by Mrs. Bergamini.

Mr. Polanski says he will vote against this because he doesn't like taking money out of wages.

Mr. Killen says there is an overdraft. There is an outstanding invoice and they have a deficit.

VOTE: Unanimous ayes with the exception of Mr. Polanski who voted no; motion duly carried.

Mr. Krupp moved to approve the change in the wording of the, Capital Requests Police Patrol from ".357 Magnums" to ".357 Magnums, appropriate model speed loaders and appropriate size holsters."; seconded by Mr. Holmes.

Mr. Myers says Bert brought up a good point. He noted on the last transfer that the Town does have an obligation. From time to time, and he doesn't see any real abuse of it, the departmental account can go over by \$100 or \$25. Unless he knows of an abusive situation, he really doesn't take any action on it. When the transfer comes before the Council it will be transacted. He would just like them to know that if there were any abuses, he would let them know.

Mr. Krupp then asks the model number. Chief Bevan says 581. Mr. Krupp then comments that Ernie says he is having a problem with these. Chief Bevan says it is probably a learning process and how to handle it. Ernie then says it is with the timing in the cylinders. Chief Bevan assures them they will check these out before they are used.

VOTE: Unanimous ayes with the exception of Mrs. Bergamini who passed; motion duly carried.

Mr. Krupp then moved an appropriation of \$1,131 from General Fund Unappropriated fund balance to A/C201P-143; seconded by Mr. Holmes.

Mr. Myers did change the amount of this transfer from \$1,093 to \$1,131.

VOTE: Unanimous ayes; motion duly carried.

Mr. Krupp then moved to appropriate A Revenue Budget A/C 704, \$400 and Appropriate B Expenditure Budget A/C 209-476 \$400; seconded by Mr. Holmes.

VOTE: Unanimous ayes with the exception of Mr. Rys who passed; motion duly carried.

Mr. Killen then says he realizes their services have been expended but could we send them a letter of thanks as it was a nice gesture on their part and the Meriden Police ought to be thanked. Mr. Frattini says he already sent them a letter thanking them.

Chairman Gessert then asks the Mayor if he would also send a letter to the Meriden Police Union for their generosity.

Mr. Diana then says he would like to move item 11 ahead or move up Items 16 and 17 so they can all be discussed together. Since they are all related.

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Mr. Polanski then moved to consider Items 16 & 17 after Item 11; seconded by Mr. Diana.

VOTE: Unanimous ayes; motion duly carried.

Mr. Holmes starts off by saying we are all aware of the costs of insurance for municipalities throughout the State. What he would like to see is to waive the bid and authorize the Mayor to seek RFP's. His understanding is that there are a number of firms who do review insurance specifications. Their normal MO is to go through this process rather than a formal bidding process. He feels the money we expend for a study of this nature will be minimal when you look at the return on the dollar. The cost of this study would be approximately \$3,500. This is what it cost New Haven. Their insurance went up 29%. This will be impactful on the next budget and he feels this would be the way to go. He has a letter from Charlotte Collins addressed to Mayor Dickinson that concerns an insurance pool from municipalities. In her letter she feels the pool will not get off the ground for fiscal year 1987. CCM does not have anything for insurers until approximately April. She feels they should pursue their own course no later than January. If the picture at CCM appears more favorable, she will let them know. Mr. Holmes says for this reason he feels it is important to get an insurance consultant.

Mr. Holmes then moves to waive the bid and authorize the Mayor to seek RFP's for an insurance consultant; seconded by Mr. Rys.

Mr. Krupp then comments that he did not receive that letter.

Mrs. Bergamini then states that both she and Mrs. Papale went to that conference and that was not the impression she got. They seemed to be far ahead and they were ready to roll on something. They were going to come back and discuss having the Council rejoin CCM.

Charlotte Collins then asks when they went and Mrs. Bergamini says October 1st. She says the reason the Mayor sent them was they each attended municipality liability seminars. One was how to protect yourself from exposure and what was being offered. She was very outspoken because they didn't have any answers and they said yes they intended to have the answers in place as soon as possible because Wallingford is not alone. She has put April in her letter.

Charlotte Collins says this is what she got from Nancy Glass. She is one of the few people who is in charge of this. It is her under-
Mr. Diana says he doesn't see a problem getting 5 people to serve on this commission.

Chairman Gessert then says a committee does seem to work a lot slower than those on a paid basis. Information that looks simple to analyze and collect, sometimes gets complex. When dealing with volunteers you have to get them all together and on what night etc. It is a little more time consuming process. He is not against the commission however.

Charlotte Collins says she is in strong favor of the consultant. The Town of Wallingford has to go into a level of self-insurance. We are spending an awful lot of money on insurance policies, our losses are not that bad and we can afford to accept a level on our own self-insurance. However, this will take someone from the field to tell us what our experience indicate and someone who can service our needs. The idea of a consultant is absolutely the best way to go. She suggests they take action as soon as possible. They have to start negotiations as soon as January 1st, to get insurance coverage for July. The other Towns that have used them have been very successful.

Mr. Diana says before the tabling motion is introduced to this Council he respects the position that this administration is playing because of the time and so forth, but also respect his opinion in criticizing their inaction after this is finished.

Mr. Killen says we have to find out if we are working in cross purposes here. If you have a commission and a consultant he doesn't see the

sense in hiring a consultant to report to the commission when he can report directly to us. It is hard enough to get people together is true but you have to admit the people who represented us in the insurance business, they weren't even able to get information and they represented different companies. If we are going to do something, he can see appointing a commission but if they want a consultant to work with them fine but he can't see getting someone in and then appointing a commission. 659

Mrs. Bergamini states when they asked Jim to put this together she was in favor of it at the time. However, in thinking about it July 1st is not that far off. Then when she saw the agenda and if she had to chose between setting a public hearing, waiting until the next meeting etc. the motions are going too slow. The insurance consultant has to be the faster and better route.

VOTE: Unanimous ayes with the exception of Mr. Krupp and Mr. Killen who voted no; motion duly carried.

The motion was to waive the bid and authorize the Mayor to seek RFP's for an insurance consultant.

Item 16 is then up.

Mrs. Papale then moved to set a Public Hearing for November 12, 1985 at 8:00p.m.; seconded by Mr. Krupp.

Mr. Polanski says we just authorized the consultant. Do we want a report from the consultant before we have this ordinance hearing or wait and have the hearing after the consultant gives the report.

Mrs. Papale says if we wait we won't have the pubic hearing until 5 weeks.

Mr. Killen says in reading Mr. Krupp's ordinance, some of the duties given to the commission are really the duties of the gentleman you hire. No sense in drafting an ordinance with an idea in mind and then hire someone else to go out and do the work for them.

Mrs. Papale says she feels the consultant would have more expertise than the commission. However, she does feel they can do it with both.

Mrs. Bergamini says she got a letter from a consultant they met at CCM and says he would like to meet with her and sit down etc. She then asks Charlotte Collins how do we get a consultant. What is the fastest way to do this.

Charlotte Collins says the fastest way would be to put out a proposal for bid. How do we seek RFP's Mrs. Bergamini asks. Charlotte Collins says she knows of at least five in the State and the Mayor knows of some also.

Mayor Dickinson says there are insurance firms that do consultant work. If you have the purchasing department send out RFP's to a list of these firms and they return with what they will do and what it will cost and you choose the one you want and they come in and review the town's needs. There is a liability attached to it. Whoever it is is advising the Town of Wallingford on what insurance needs we have. If they don't do a proper job, potentially you could turn around and sue them. He doesn't have any problem with a commission but a commisiion is limited. Nobody wants to accept liability. They don't want to say this is what you have to do without someone professional behind them. The professional is being paid and he is being paid because he is accepting that liability. He is saying this is what you ought to do. You have to get it out to those people and choose the one you want. There are people who do that for a living.

Mr. Polanski says if they do have the public Hearing on November 12th do you think there will be 5 individuals who might express a desire to be on this commission. That would give us an indication if people are interested. It will be in the press that we are having this hearing. We should know that night if people are interested. Why vote again if nobody is interested.

Mr. Diana says first of all it is a Mayor's appointment. Politics will enter into it in the form that the Town Committee suggesting to the Mayor that he appoint the people. This is the way it is suppose to go.

Mr. Polanski says let's have this hearing November 12th. If between now and November 12th people are informed of this hearing, why vote on it if nobody wants to serve on it. This will give three weeks to go and approach people who might want to be on this commission. If there is an interest from the people it will happen between now and November 12th. 660

Mayor Dickinson then says why don't they set a date and see what kind of interest is there. Set a date and see what happens that night.

The motion was then that they set a public hearing for November 12, 1985 at 8:00 p.m. as previously mentioned.

VOTE: Unanimous ayes with the exception of Mr. Killen who voted no; motion duly carried.

It was then noted that Item 17 was withdrawn.

Item 12 was then up for discussion.

Mr. Holmes then says that it has come to his attention over the past couple of weeks that many people who work in the factories surrounding the landfill, previous to the resolution on the landfill hours, use to bring their garbage to work perhaps in a pickup truck or whatever. Now because of the limited hours, these people have the opportunity of only once a week to dispose of refuse. Some have left employment early to dispose of the refuse or left it for a week's time. He feels it would be a good gesture to extend landfill hours perhaps one day a week. He would prefer Wednesday.

Mrs. Papale then asks Mr. Holmes if he contacted Public Works to see how they feel. Mr. Holmes says he spoke to the Mayor and he was going to get in touch with Mr. Deak on his feelings about this. If this is inacted, this would necessitate a change in the resolution that was enacted by this Council.

Mrs. Papale then asks the Mayor if there would be any financial problem in opening the landfill until 4:00p.m. on Wednesdays.

Mayor Dickinson says at this point he sees no problem in keeping a man on for another hour.

Mr. Holmes says he does not see this time being opened to the regular haulers but just for the purpose of the average worker. You can't limit it to that but usually by 2:00 in the afternoon the haulers are usually gone.

Mr. Holmes then says this would give the people on Wednesday to 4:00 p.m. and then on Saturday, the normal hours, until 2:00p.m.

Mr. Holmes then moves that we change the resolution and authorize the closure of the landfill on Wednesdays, make the closing at 4:00 p.m.; seconded by Mr. Rys.

VOTE: Council members Gessert, Holmes, Killen, Papale, Polanski and Rys voted yes; Councilwoman Bergamini passed and Mr. Diana and Mr. Krupp were not present for the vote; motion duly carried.

Item 15 is then up for discussion.

Mr. Holmes then moved to consider & approve the Anniversary/Merit increase for Linda Bush; seconded by Mrs. Bergamini.

Chairman Gessert then says he was on the merit review committee and she got her rating on the effort that she put in, the hours she put in, her knowledge of zoning regulations and her professionalism as a planner. However, everyone who rated her pointed out that diplomacy (public relations) is not her stronger suit. It was suggested that she make some corrections in this.

Mrs. Bergamini then says if he is going to discuss this it should be in executive session.

Mrs. Bergamini then comments that before Linda you couldn't even go into that office and look at a map. At least Linda takes the time to show you the maps and what you are looking for. She does her job better than we have seen in a long time.

VOTE: Council members Bergamini, Gessert, Holmes, Killen, Papale, Polanski and Rys voted yes; Council members Diana and Krupp voted no; motion duly carried. 66

Mr. Holmes then moved to approve the anniversary/merit increases of Mary Greaney, Carlos Duran, and Gertrude Brady; seconded by Mr. Rys.

VOTE: Unanimous ayes; motion duly carried.

Item 18 is then up for discussion.

Chairman Gessert then asks Mr. Diana if he got the letter from Linda Bush. It said she was on vacation. Mr. Diana then says where is Mr. Clark.

Mrs. Bergamini then says Mr. Clark works under Spiteri, and if you want him you have to go through Mr. Spiteri.

Mayor Dickinson says Linda Bush's letter indicated that he wouldn't be able to make it tonight.

Mr. Diana says they are conveniently absent until after the election. Mr. Diana doesn't even have the letter.

Chairman Gessert then says that in her letter Mr. Diana is welcome to come to her office and speak to her or if he wants to have an evening meeting or Saturday.

Mr. Diana then says the reason it is on the agenda is because of harassment of a local businessman. Enough is enough and it has to stop with this sign ordinance. On the other side of Town over by Tollgate plaza we have Simpson Pharmacy. During the hurricane, when we lost power, he had just got a new Lotto machine. Once the power went on, he said the power was back on and the Lotto tickets were available. Mr. Clark came by and said your sandwich board is illegal, kindly remove it. Not knowing the ordinance, the man said show me the regulation that tells me I am out of order for having the sandwich sign. Mr. Clark said, and he is getting everything 3rd hand, if I have to go to the truck to show you the regulation he is going to come back with his summons. Mr. Diana says he considers that intimidation and harassment. Nevertheless, the sandwich sign went down.

Mr. Diana then says this man was John Sullivan, one of the nicest men you ever want to meet.

Mayor Dickinson says he would like to get to the bottom of it.

Mr. Diana says there is a tag to this. They took down the sign on Hartford Turnpike and moved it down 500 feet off the highway to where the Tollgate Plaza is and everyone knows it is down in a hole and no interference whatsoever. He put the sandwich sign under the overhang of the building and Mr. Clark came by the next day and said if you don't remove the sign I'm going to give you a summons. At that point, Mr. Sullivan went crazy and said don't you have anything better to do than come and harass me. He sat in the parking lot until Mr. Sullivan took the sign in or he was going to give Mr. Sullivan a summons. This was underneath the Tollgate Plaza roof. It wasn't in anybody's way.

Mrs. Papale says Mr. Clark may be under Mr. Spiteri but he is taking his orders from Linda Bush.

Mr. Diana and Mr. Krupp then say Mr. Sullivan was eventually summonsed. He is pretty upset over this. He doesn't need this kind of harassment. There has got to be better things to do than look for signs under overhangs. He is not against the directional sign ordinance but lets loosen it up from around the necks of these people. His name is John Sullivan and it is Stimpson. Mr. Krupp says he also received the same story. Mr. Diana says businesses pay taxes and as far as he is concerned this directional sign thing has to come to a crossroad. This is a Monday thru Friday 9:00 to 5:00 thing. On weekends you see tag sale signs up and he is in favor of tag sales. But you see these all over and there is nobody out on Saturday and Sunday enforcing these rules. Those people don't even pay taxes. Our businesses in the Town pay taxes and there is no reason for harassment. If you go down to the railroad station you would see

the Shaharazod sign that is ripped to shreds and nobody has said anything about that. That is an eyesore. The guy's sandwich sign (do) is underneath his overhang saying he has a Lotto machine is not an eyesore. This is a clear case of harassment. He then asks the Mayor to end this. Even if it means the Council would have an ordinance to supercede anything that P & Z has done. It is annoying to have this man harassed. Mrs. Bergamini then asks for the size of the sign and Mr. Diana gives her an idea but then says that is not the point, it is the point of harassment. Mr. Krupp then says the sign is 2ft x 3ft.

Mr. Diana says there was no reason to do this. In fact, he found an Ed Diana sign on Route 68 the other day that was clearly in violation of blocking traffic. He got out of his car and moved it.

Mayor Dickinson says he will follow up on this. The Shaharazod sign was put up by the Electric Division. We still don't have the street lights back from the storm and he didn't want to have them take one of their crews take this down when there are more important things to do.

Mr. Diana again comments enough is enough. Something has to be done.

Mrs. Bergamini then says as far as the ordinance goes that Mr. Diana mentioned, she thinks he should ask for a legal opinion on that.

Mrs. Bergamini then moved a transfer of \$300, \$150 from A/C 603-140 and \$150 from A/C 603-415 to A/C 603-135; seconded by Mr. Polanski.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Bergamini then moved to note for the record the financial reports of the Town of Wallingford for the month of September, 1985; seconded by Mr. Polanski. (as amended; see below).

Mr. Myers then says if they would qualify that with the fact that A/C 512-540, Maintenance of Heating of the office where Linda Bush is, through a fault of the comptroller, he informed his office that the \$3,500 transfer had been tabled was approved and they put it on the books so that account is overstated by \$3,500.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Bergamini then moved to accept Town Council Meeting Minutes of September 26, 1985 and October 8, 1985; seconded by Mr. Diana.

VOTE: Unanimous ayes with the exception of Mr. Killen who passed; motion duly carried.

Mrs. Bergamini then states that they will recall they had problems with former secretaries and a temporary agency. She then says Ruth Kenny and herself got together and fought a case and she has a letter from Capital Temporaries saying they are issuing them a credit for all of the unpaid invoices to clear the account. She then says they saved the Town of Wallingford \$643.50, \$94.50 & \$234.00 and that is without an attorney.

Chairman Gessert then says he has an item to Waive Rule V and take up an item which is abandonment of a hammerhead on Fox Run Drive.

Attorney McManus says it is the craziest thing he ever saw. Rather than maintain a right of way at the end of a road where a subdivision was going to be continued, they took an actual fee of a 60 x 60 square piece of land and now the guy who bought the land has a hammerhead on it and wants to build a house. The building department wants him to put a 60ft. setback back from the hammerhead which is clearly in violation. The crazy thing is we should have never taken anything more than a temporary easement for the right of way but for some reason Ed Loughlin's office when they did it, gave the Town the fee. What the Town has to do is convey back a vote to convey out to the current owner, that 60 x 60 piece of property because the road has not been extended and the guy who bought the lot wants to build a house on it and he is going to end up building the house 120 ft. back from the road.

Mrs. Bergamini then asks how big is the lot.

Chairman Gessert says 315 x 120 x 375. It is a huge lot.

Attorney McManus says we are going to make him have a 110ft driveway if we don't give it back. 66?

Mr. Polanski says there is no reason to keep it and Attorney McManus says no.

Chairman Gessert says it would do no good to hold him up for three more weeks. He was going to start building a few weeks ago and then they determined the Town owned the piece in the front lawn.

Mr. Polanski moved to Waive Rule V; seconded by Mrs. Bergamini.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mr. Holmes who were not present for the vote; motion duly carried.

Mr. Krupp and Mr. Killen say they don't feel they should do something like this under Rule V.

Chairman Gessert said he just didn't want to hold the guy up.

Mr. Polanski says again that if we don't need this let's just give it back to the guy.

Mr. Killen says the problem is we don't know how many property owners it effects either mentally or physically. That is the name of the game. Because of ZBA or P & Z there are people constantly coming up and everything effects them one way or another. They find out too late it should have been done another way.

Mr. Polanski then says if there are other hammerheads that are not necessary then they should be released.

Mr. Krupp then asks if the deed to the property indicated this hammerhead existed when they purchased the property?

Attorney McManus says his best guess is that somebody misread the thing as a temporary installation and then found out it wasn't. Normally all they take as a Town is a temporary easement until such time as the road goes. We don't want to be responsible for this piece of property.

Mr. Krupp says isn't that what title searches are for? Attorney McManus says if he wants to hear that some lawyer screwed this up yes, some lawyer did screw this up. It was discovered when the builder went out to get his permit, Carmen told him they have to build the house way back. He said he didn't want a 110 foot driveway.

Mr. Holmes said he happened to be on the campaign trail and saw Mr. Borbely and he explained the situation. From his explanation, it seems like there was definitely an injustice done by his lawyer.

Mrs. Papale then moved to convey out to the current owner the 60 x 60 foot piece of property to Joseph and Deborah Borbely; seconded by Mr. Polanski.

VOTE: Unanimous ayes with the exceptions of Mr. Diana and Mr. Killen who voted no; motion duly carried.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 11:37 p.m.

Lisa M. Bousquet
Council Secretary

Approved

David A. Gessert
David A. Gessert, Council Chairman

Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

Date