

Wallingford Town Council

March 3, 1986

The Town Council held a meeting on Monday, March 3, 1986 in Council Chambers. Present were Chairman Gessert, Councilman Polanski, Holmes, Rys, Gouveia, and Councilwoman Bergamini and Papale.

Mrs. Bergamini made a motion to waive rule 5 to put Jack Byrne on the agenda for his presentation on the water treatment plant. Mr. Rys seconded. A unanimous positive vote of the Council was taken.

Mr. Byrne then presented his slide presentation explaining what he wanted to do and what he did not want to do as far as the water treatment plant is concerned.

1. Consider request to waive bid procedure on engineering services for the water system improvements - Mrs. Bergamini made a motion to waive this bid procedure. Mr. Rys seconded. A unanimous positive vote of the council was taken.

2. Consider transfer of \$94,000. to a/c 332-086, Filter Plant Pilot Study from a/c 313-086, Reservoir Intake Screens (40,000) and a/c 349-086, Rock Hill/North Elm Water lines - Mr. Rys made a motion to accept this transfer. Mrs. Bergamini seconded. A unanimous positive vote of the council was taken.

3. Set a public hearing date on ordinance appropriating the sum of five hundred ninety thousand dollars (\$590,000) for costs to be incurred in connection with the closing of the Wallingford landfill, 1986-1987 and authorizing the issuance of bonds and notes to defray said appropriation. Mrs. Bergamini made a motion to set the public hearing for March 11, at 7:45. Mr. Rys seconded. A unanimous positive vote of the council was taken.

4. Consider transfer of \$15,000 to cover cost of cover material for the landfill. Mr. Deak stated that he would like to change the request from \$25,000. to \$15,000. Mr. Myers stated this could come from unappropriated funds. Mr. Polanski moved the transfer of funds. Mr. Holmes seconded. A unanimous positive vote of the council was taken.

Mrs. Bergamini made a motion to waive the bid to cover cost of cover material for the landfill. Mr. Rys seconded. A unanimous positive vote of the council was taken

5. Awarding of contract to hire insurance consultant to review present coverage and drafting of insurance specifications. Mr. Holmes made a motion to have Tilinghas, Inc be awarded this contract. Mr. Rys seconded. Mr. Holmes noted that 10 firms were solicited on request for proposals for this insurance consultant. Mr. Holmes stated that in talking with Charlotte and the Mayor, it was decided that the best deal they could be given was from Tilinghas at \$15,900. He stated that at the present time, the Town of Wallingford does not own its own insurance specification. The specifications were prepared by

the Wallingford Board of Insurance agents. Anyone who advises the Town on insurance needs can no longer bid on the business. Mr. Holmes stated that they really do not have the capability in house to a detailed study such as this so they thought it best to go outside. He noted that there was a good chance for savings in the long run and in the short run by investing in this kind of money. A unanimous positive vote of the council was taken.

Mr. Holmes made a motion to waive rule 5 to fund the action they took. Mrs. Bergamini seconded. A unanimous positive vote of the council was taken.

Mr. Holmes made a motion to establish the new account 804-824 insurance consultant, and transfer the funds amounting to \$15,900. from unappropriated cash balance. Mrs. Bergamini seconded. A unanimous positive vote of the council was taken

Mrs. Bergamini made a motion to adjourn at 10:00 P.M. Mr. Rys seconded. A unanimous positive vote of the council was taken.

Town Clerk's Office (10)

SUMMARY - TOWN COUNCIL MEETING

MARCH 11, 1986

Public Question and Answer Period.	1
SET PUBLIC HEARING 8:00 p.m. on March 25, 1986 on AN ORDINANCE APPROPRIATING THE SUM OF FIVE HUNDRED NINETY THOUSAND DOLLARS (\$590,000) FOR COSTS TO BE INCURRED IN CONNECTION WITH THE CLOSING OF THE WALLINGFORD LANDFILL, 1986-87, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.	2-3
AWARDED THE SALE of \$5,875,000 Bond Anticipation Notes.	3-7
APPROVED WAIVING THE BID to direct Mayor Dickinson to seek development proposals for municipal properties on Center and Main Streets.	7-10
WAIVED RULE V and moved that all proposals received in connection with development for proposals for municipal properties be reviewed and acted upon by the Town Council in a duly convened meeting.	10
ADOPTED RESOLUTION approving waiver of PILOT/Elderly Projects.	10-12
ADOPTED RESOLUTION approving the following budget amendments for Special Grant Funds, Public Works Department:	
Amended Special Revenue Account 1082 Maintenance of Improved Roads FROM \$193,858 TO \$194,132, INCREASE OF \$274	12
Amended Special Fund Expenditure A/C 900-782 Maintenance of Improved Roads FROM \$193,858 to \$194,132, INCREASE OF \$274	12
Amended Special Fund Revenue A/C 1083 Maintenance of Unimproved Roads FROM \$3,190 to \$3,766, INCREASE OF \$576	12
Amended Special Fund Expenditure A/C 900-783 Maintenance of Unimproved Roads FROM \$3,190 to \$3,766, INCREASE OF \$576	12
APPROVED transfer of \$1,000 from A/C 503-300 to A/C 506-201, Public Works Department.	12
APPROVED WAIVING THE BID to authorize seeking proposals for Route 68 Traffic Analysis, Planning & Zoning Department.	12-15
APPROVED transfer of \$55 from A/C 201D-162 to 201P-580, Police Department.	15
APPROVED BUDGET AMENDMENT of \$20,000 from A/C 602 to A/C 201P-180, Police Department.	16
APPROVED transfer of \$1,110 from A/C 201P-130 to A/C 201P-652, Deputy Chief, Police Department.	16-17
APPROVED transfer of \$140 from A/C 301-135 to A/C 301-200, moving telephone for the Health Department.	17

APPROVED transfer of \$700 from A/C 145-520 to A/C 145-200, moving telephone for Purchasing Department.	160	17
APPROVED transfer of \$138,400 from Electric Division Contingency to A/C 391, Computer Equipment, Electric Division.		17-18
APPROVED WAIVING THE BID for purchase of computer items for Electric Division and awarding bid to BURROUGHS CORPORATION.		18
APPROVED BUDGET TRANSFERS for the Electric Division:		
\$10,000 from A/C 555 to A/C 501		18-19
\$ 4,500 from A/C 555 to A/C 502-1		19
\$60,000 from A/C 367 to A/C 368		19
WAIVED BIDDING to interview qualified engineering firms to prepare plans and specifications for Oak Street Bridge, Engineering Dept.		19-20
APPROVED transfer of \$1,800 from A/C 143-130 to A/C 143-418, Assessor's Office.		20
ADOPTED RESOLUTION authorizing the Mayor to apply for Municipal Infrastructure Trust Fund Certification for sidewalk repair in the amount of \$135,000.000 for various locations as per application: repair of damaged sidewalks in pedestrian areas.		20-21
ADOPTED RESOLUTION authorizing the Mayor to apply for Municipal Infrastructure Trust Fund Certification for trench repair in the amount of \$66,623.00 for various locations as per application: repair of defective trench work on public roads.		22
ADOPTED RESOLUTION establishing The Town of Wallingford Infrastructure Trust Fund and appropriate 1985-86 appropriations.		23-24
APPROVED BUDGET TRANSFERS for funding Town matched Infrastructure funds: Established new line item A/C 502-801		24
\$10,000 from A/C 805-326 to A/C 502-801		24
\$ 9,403 from A/C 503-443 to A/C 502-801		24
\$ 3,000 from A/C C503-004 to A/C 502-801		24
WAIVED BIDDING and authorized the Parker Farms School Renovation Committee to seek proposals for a construction manager and report back to the Town Council with recommendations.		24
APPROVED transfer of \$300 from 603-415 to 603-612, Town Clerk.		25
APPROVED transfer of \$500 from 140-130 to 140-520, Comptroller.		25
APPROVED transfer of \$2,500 from 140-130 to 140-418, Comptroller.		25
APPROVED transfer of \$330 from 130-606-01 to 130-603, Mayor.		25
WITHDREW ITEM 22.		25
NOTED FOR THE RECORD financial reports of Library, Visiting Nurse Association and Senior Citizens Center for 12/31/85 quarter.		25
NOTED FOR THE RECORD financial statements of Electric, Water & Sewer Divisions for the month of January, 1986.		25
NOTED FOR THE RECORD financial reports of the Town of Wallingford for the month of January, 1986.		25
NOTED FOR THE RECORD Town Council Minutes dated 2/10/86.		25
ACCEPTED, AS AMENDED, Town Council Minutes dated 2/11/86.		25

SUMMARY - TOWN COUNCIL MEETING

MARCH 11, 1986

ACCEPTED Town Council Meeting Minutes of 2/25/86 and noted for the record that portion of the minutes pertaining to Resource Recovery.		26
EXECUTIVE SESSION 11:10 p.m.		26
EXECUTIVE SESSION ENDED 11:18 p.m.		26

APPROVED granting 22 additional days of sick leave	26
Statement by Councilman Diana	26
MEETING ADJOURNED	26

TOWN COUNCIL MEETING

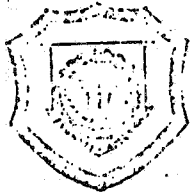
March 11, 1986

7:30 p.m.

- (1) Roll call and pledge of allegiance to the flag.
- (2) Public Question and Answer Period.
- (3) PUBLIC HEARING, 7:45 p.m., on AN ORDINANCE APPROPRIATING THE SUM OF FIVE HUNDRED NINETY THOUSAND DOLLARS (\$590,000) FOR COSTS TO BE INCURRED IN CONNECTION WITH THE CLOSING OF THE WALLINGFORD LANDFILL, 1986-1987, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.
- (4) Report on Sale of \$5,875,000 Bond Anticipation Notes.
- (5) Consider waiving the bidding procedure in order to direct the Mayor to seek development proposals for municipal properties on Center and Main Streets, as requested by Mayor William W. Dickinson, Jr.
- (6) Consider and approve Waiver of PILOT for Elderly Projects E-18, 34, and 70 as requested by Stephen P. Nere, Executive Director of the Wallingford Housing Authority.
- (7) Consider and approve the following amendments to the budget amounts for Special Grant Funds as requested by Steven L. Deak, Director of Public Works:

	<u>FROM</u>	<u>TO</u>
(a) Amend Special Revenue Account 1082 Maintenance of Improved Roads	\$193,358	\$194,132
(b) Amend Special Fund Expenditure A/C 900-782, Maint. of Improved Roads.	\$193,358	\$194,132
(c) Amend Special Fund Revenue A/C 1083 Maintenance of Unimproved Roads	\$ 3,190	\$ 3,766
(d) Amend Special Fund Expenditure Account 900-783, Maintenance of Unimproved Roads	\$ 3,190	\$ 3,766
- (8) Consider and approve a transfer of \$1,000 from A/C 503-300 to A/C 506-201 as requested by Steven L. Deak, Director of Public Works.
- (9) Consider Waiving bid and authorize seeking proposals for Route 68 Traffic analysis as requested by Linda A. Bush, Town Planner.
- (10) Consider and approve the following transfer & Budget amendment as requested by Joseph J. Bevan, Chief of Police:
 - (a) \$55 from A/C 201D-162 to A/C 201P-580. (Transfer)
 - (b) \$20,000 from A/C 602 to A/C 201P-180. (Budget Amendment)
- (11) Consider and approve a transfer of \$1,110 from A/C 805-319 to A/C 201P-652 as requested by John P. Reynolds, Deputy Chief.
- (12) Consider and approve the following transfers as requested by Mayor William W. Dickinson, Jr.:
 - (a) \$140 from A/C 805-319 to A/C 301-200.
 - (b) \$700 from A/C 805-319 to A/C 145-200.
- (13) Consider and approve the following items as requested by Charles F. Walters, Electric Division:
 - (a) Consider waiving the bidding procedure for purchase of computer items.
 - (b) Consider & approve a transfer of \$138,400 from Council Contingency to A/C 391.
- (14) Consider and approve the following budget transfers as requested by Charles F. Walters, Electric Division:
 - (a) \$10,000 from A/C 555 to A/C 501.
 - (b) \$4,500 from A/C 555 to A/C 502-1.
 - (c) \$60,000 from A/C 367 to A/C 368.
- (15) Consider waiving the bidding requirements to interview qualified engineering firms to prepare plans and specs. for a new bridge on Oak Street, as requested by John J. Costello, Town Engineer.

- (16) Consider and approve a transfer of \$1,800 from A/C 143-130 to A/C 143-418 as requested by Francis J. Barta, Assessor. 162
- (17) Consider and approve the Municipal Infrastructure Trust Fund Program as requested by Mayor William W. Dickinson, Jr. as follows:
- (a) Consider acceptance of resolutions authorizing the Mayor to apply for MITF Funds for sidewalk repair and trench repair projects.
 - (b) Consider & Approve resolution establishing the Town of Wallingford Municipal Infrastructure Trust Fund.
 - (c) Approval of the following budget transfers for funding for Town matched Infrastructure funds:
 - (1) \$10,000 from A/C 805-326 to A/C 502-801.
 - (2) \$9,403 from A/C 503-443 to A/C 502-801.
 - (3) \$3,000 from A/C C503-02 to A/C 502-301.
- (18) Consider and approve a transfer of \$300 from A/C 603-415 to A/C 603-612, as requested by Rosemary A. Rascati, Town Clerk.
- (19) Consider and approve a transfer of \$500 from A/C 140-130 to A/C 140-520 as requested by Thomas A. Myers, Comptroller.
- (20) Consider and approve a transfer of \$2,500 from A/C 140-130 to A/C 140-418 as requested by Thomas A. Myers, Comptroller.
- (21) Consider and approve a transfer of \$330 from A/C 130-606-01 to A/C 130-603 as requested by Mayor William W. Dickinson, Jr.
- (22) Consider and approve a appropriation of \$6,430 from Unappropriated Cash Balance to A/C 307-635 as requested by Mayor William W. Dickinson
- (23) Note for the Record the following financial reports:
- (a) Wallinford Public Library
 - (b) Visiting Nurse Association
 - (c) Senior Citizens Center
- (24) Note for the Record the financial statements and accompanying narratives of the Electric, Water & Sewer Divisions of the Town for the month of January, 1986.
- (25) Note for the record the monthly financial reports of the Town of Wallingford for the month of January, 1986.
- (26) Accept the following Town Council Meeting Minutes:
- (a) 2/10/86 (b) 2/11/86 (c) 2/25/86
- (27) EXECUTIVE SESSION as requested by Stanley Seadale, Director of Personnel.
- (28) Parker Farms Building Committee requests for bid waiver for construction manager. (Information to follow)



TOWN COUNCIL

Town of Wallingford, Connecticut

MUNICIPAL BUILDING WALLINGFORD, CONNECTICUT 06432

DAVID A. GIBERTY, CHAIRMAN
 MARCO B. ... VICE CHAIRMAN
 EDWARD ...
 EDWARD ...
 ALBERT ...
 EDWARD ...
 EDWARD ...
 EDWARD ...
 EDWARD ...
 TELEPHONE (203) 245-4001

March 6, 1986

ADDENDUMS TO THE TOWN COUNCIL AGENDA OF TUESDAY, MARCH 11, 1986

Item (3) Should Read: SET PUBLIC HEARING on AN ORDINANCE APPROPRIATING THE SUM OF FIVE HUNDRED NINETY THOUSAND DOLLARS (\$590,000) FOR COSTS TO BE INCURRED IN CONNECTION WITH THE CLOSING OF THE WALLINGFORD LANDFILL, 1986-1987, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

Item 8 (a)-Consider and approve a transfer of \$9,500 from Unappropriated Cash Balance to Maintenance of Building, A/C 509-510. (Paperwork will follow)

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Town Council Meeting

March 11, 1986

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, Gouveia, Holmes, Killen, Papale Polanski and Rys. Mr. Diana arrived shortly after the roll was called. Also present were Mayor William W. Dickinson, Comptroller Thomas A. Myers and Attorney Gerald E. Farrell. The pledge of allegiance was given to the flag.

PUBLIC QUESTION & ANSWER PERIOD

Geno Zandri, 358 South Cherry Street asks if it is not true that the Wallingford taxpayers are responsible for payment of the debt of private haulers if they do not pay their tipping fees?

Chairman Gessert says he is not going to answer questions on the contract as it is 150 pages long and he doesn't have it in front of him. He then says if Mr. Zandri would contact them in the daytime Mr. Gessert will have someone review the contract and answer the questions. Mayor Dickinson also comments that Mr. Zandri may contact his office.

Mr. Zandri then comments that at two weeks ago he had several questions that weren't fully answered on that Monday evening. Chairman Gessert then says Mr. Hamel has those questions and he will get back to him with written answers.

Vincent Avallone, 1 Ashford Court, wants to know who is responsible for giving the written answers to the written questions answered at the public library. Chairman Gessert then says as far as he knows, Phil Hamel and Don Roe. Mayor Dickinson agrees with this. Mr. Avallone then comments that Mr. Zandri had just asked this question, and obviously the answer wasn't clear enough and they are asking for a better explanation. Chairman Gessert then comments that Mr. Hamel answered that question and he isn't present at this meeting.

Gloria Pocobello, 913 Clintonville Road then says she is compelled to address the Mayor and the Council on the trash plant. She says personalities and politics aside, there are no winners in this debate. It is a question of our health and our lives. We are all pioneers with different views in a new environmental field with so many unanswered questions that we can't afford to condemn anyone who doesn't share our view. The only difference is that the Mayor and the Council have the power to overrule those of us who are afraid of the hazards involved. She hopes they made the right decision.

Chairman Gessert then comments that power brings with it responsibility. Part of that is solving problems that are laid upon you by other authorities. An example is they are going to have to come up with \$880,000 that the government isn't going to give them anymore. They will have the power to take that away from local taxpayers.

He then says it is a question of raising the money to fund those additional programs or cancel the programs altogether. It is not a question of power but of responsibility. They have the power but when they get told to correct the problem, the power is pretty meaningless because if you don't correct it, someone else is going to correct it for you. He then says they too hope they made the right choice.

Ronald Gregory, 59 Hill Avenue, Yalesville then comments about People's Choice Awards. He then says he would like to make a People's Choice Award to a couple of people. He then starts to speak about Mr. Polanski's comment about chicken little mentalities and Chairman Gessert then says if Mr. Gregory is going to engage in personal attacks, he will be ruled out of order. If he wants to talk about a subject, fine. If he wants to engage in personal attacks he will be ruled out of order. Mr. Gregory then feels they have a right to respond to a comment made about them and

Chairman Gessert says he will not get involved in personalities. Mr. Gregory then says he had an award for Chairman Gessert and says they will have to handle it another way and then sits down. 164

Item 3 is then up for discussion and Mrs. Papale comments that at a previous meeting they had set a date for tonight. She is then told that the newspaper has to have 5 days notice and they did not have that and this is why they are setting a new date.

Mrs. Bergamini then moved to Set a Public Hearing for 8:00p.m. on March 25, 1986 on AN ORDINANCE APPROPRIATING THE SUM OF FIVE HUNDRED NINETY THOUSAND DOLLARS (\$590,000) FOR COSTS TO BE INCURRED IN CONNECTION WITH THE CLOSING OF THE WALLINGFORD LANDFILL, 1986-1987, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION; seconded by Mr. Polanski.

Sal Falconeri, 281 Grieb Road then comments they are setting a public hearing in connection with closing the Wallingford Landfill yet in the contract with CRRA, they were given 50 acres of land to open the landfill for the disposal of garbage. Mayor Dickinson then comments that this is the closure of the existing municipal area, the working area. In order to meet State regulations for 6" of cover and other requirements, that is what this addresses. It closes the working face of what the town is using. Whatever is there has to be covered in a way to meet state guidelines. It is not closing our landfill. It is the closure of the working areas we are currently working. Regulations change and this costs a lot of money. You have to bring in 6" of cover over an acre of land. We are talking about sealing or covering the work area in order to terminate an operation in a given spot. Mr. Falconeri then says the ordinance says closing so he assumes that portion will be closed forever. Mayor Dickinson says that portion that will be covered will be closed and not used anymore. Mr. Falconeri then says no part of that will then be leased to CRRA? Mayor Dickinson says they are getting the whole of the landfill under the 10 acres that we have reserved to the town. Chairman Gessert comments they aren't going to be using the areas we closed and Mr. Falconeri says they could use them any time they want.

VOTE: Unanimous ayes; motion duly carried.

Item 4 is then up for discussion and this is the Report on the sale of \$5,875,000 Bond Anticipation Notes.

Mrs. Bergamini then reads the following resolution:

RESOLVED, That the following bids to purchase \$5,875,000 Various Purpose Bond Anticipation Notes, all dated March 19, 1986, LOT A due June 20, 1986; and LOT B due June 25, 1986, at par plus a premium, interest rate and principal amount set opposite each bid and accrued interest from March 19, 1986, be accepted:

NAME	PRINCIPAL AMOUNT	RATE %	PREMIUM
<u>Lot A</u>			
Connecticut National Bank	\$2,000,000	4.34%	\$ 0.00
The Connecticut Bank and Trust Company, N.A.	2,000,000 775,000	4.28 4.38	8.00 2.23
<u>Lot B</u>			
The Connecticut Bank and Trust Company, N.A.	\$1,100,000	4.21	3.00

and all other bids be rejected; such notes shall be in approximately the form previously used for such purpose, and the Mayor, Treasurer and Comptroller are authorized to deliver such notes on behalf of the Town upon receipt of payment therefor and to renew the same within the time limits prescribed by law.

Mrs. Bergamini then moves the above resolution; seconded by Mr. Holmes.

Mr. Myers then introduces Attorney Adinolfi and says there is a lot of things happening in the market. Interest rates haven't been so low since the mid 70's. This is the positive side. On the negative side is House Bill 38-38 which is changing the way municipalities conduct business in the credit market, market and financial community. It is going to increase our costs not only to issue the applications but the work entailed in getting them acceptable to the market. On 38-38, he now has to certify to compliance of a proposed law in order to issue these securities. He and Attorney Fazzi spent some 9 hours going over this prior to even putting this sale together and then he spent an additional 30 working hours getting our financials into condition to meet the requirements of the proposed law. He has to certify they will comply with 38-38. If they don't comply they will be out of the tax exempt market and into the taxable market. The items sold tonight consist of Lot A & Lot B. They are: 165

Lot A--\$325,000 of MacKenzie Dam notes; \$2,100,000 for the Police Station. There is a significant paydown of \$300,000 on this. That project was authorized at \$2.4 million and they have paid it down now to \$2.1 million. This is the aggressive approach taken to repayment of the towns debt. Also, \$600,000 represents 1983-84 Capital Improvements from the Capital & Non-Recurring Budget and \$375,000 represents 1984-85 Capital Improvements. Both of those are below the amounts authorized but because the projects had not been completed and funds expended, he had to reduce the borrowing. If at a future time those projects become active, they can still borrow that money. Mr. Killen then asks if they were given reasons why these projects were not started and Mr. Myers says yes. Mr. Killen says they should have been a part of this whole game and Mr. Myers says they will have to look at that during budget time. Mr. Myers then says also included in Lot A is \$1,375,000 for the new Sewer Treatment Plant. This will hold construction on that plant through May, 1986. In June we will be looking for another issuance for expenditures for June-November which right now looks about \$4 million. With this new law, we are going to have to certify we will spend the proceeds of issuing debt within 6 months of the date of issuance. We are going to be going to market more frequently and it will cost us more dollars. Lot B is \$1,100,000 for the MedWay Road. The significance here is the \$100,000 which we are paying down which we will never bond and that is through the budget process. And because the project still hasn't been completed, \$250,000 we are not borrowing but might borrow at a future date

Attorney Adinolfi then says the days of making money with the proceeds of bond issues are over. If House Bill 38-38 becomes law in its present form, any arbitrage profits that we make have to be rebated to the U.S. Treasury. It has to be rebated within 30 days of the maturity date of the instrument. If notes, 30 days of the maturity date of the notes. Long-term bonds, 90% of the arbitrage profit must be paid within 5 years of the date of issuance and the balance of 10% 30 days after the final maturity of the bonds. In addition, Federal Government also requires us to pay interest on the arbitrage profit that we made during the time we made it so the only way to avoid the rebate provision is to expend all of the proceeds of the issue within 6 months of the date of issuance, and that takes planning and frequency of entry into the market on issue by issue basis. They have mandated under 38-38 that you must expend 5% of the proceeds within 30 days and if you don't your issue automatically becomes a taxable issue and is no longer tax exempt. Under the present conditions, if you were to make an error and an issue was contrary to the arbitrage regulations contrary to the present statutes, the Treasury would blackball the municipality and we could not issue another bond issue without prior clearance from the Treasury before entering into the market. This act says if you make a mistake or do anything contrary to 38-38, the penalty is you now have a taxing issue rather than a tax exempt issue. He feels this should be written out of the law because the price for a mistake is much too harsh. He feels our Congressmen and Senators should amend this. He hopes the Senators will not go along with this act and the effective date is January 1, 1986 and the reason we have to comply with this is because the syndicates will not bid on anyone's paper unless you certify in a compliance certificate and in the bonding opinion that you will comply and that this paper does comply with HR 38-38 otherwise they will not buy it.

Mr. Myers says a part of this is aimed at the Federal Deficit as a method to reduce it by extracting the income from municipalities.

Mr. Polanski then asks if we don't comply, do we lose tax exemption on the bond issue or just the interest? Attorney Adinolfi explains it is on the bond issue but if they don't comply, the interest is also going to become part of it. Attorney Adinolfi then says the problem with this is that the bond holder, if he doesn't comply, is going to join with other bond holders, hire a lawyer and sue bond council, the issuer and the bank saying he bought tax exempt paper and now he is paying taxes on the bond interest and someone is going to make him hold. A lawsuit would be forthcoming assuming bond council, financial advisor and the municipality are violating 38-38. 166

Mr. Diana then comments that he finds it hard to believe with the increase of liability to the purchaser, we wind up with rates like this. Attorney Adinolfi says there is a lowering in the discount rate by the Fed., the price of oil dropping and many other factors going on other than this small segment. Moreover, there is a question of supply and demand. In January, 1985 \$12.8 billion worth of municipal bonds were issued. In January, 1986, only \$4 billion were issued.

Mayor Dickinson then comments that these projects are completed projects. They do not fall within the doubtful area within this legislation. They have been completed and the money is spent. That is a very important distinction. There is nothing pending. Mr. Myers then says that is why they can give a clean opinion on 38-38. In all of these projects, they are in the position of borrowing less than they expended. An example they expended \$2.4 million on the Police Station and refinancing \$2.1. He then says he has told them of the value of financial flexibility that the Town of Wallingford enjoys because of our strong financial position. With strong financial flexibility you can make very strategic moves when something like 38-38 comes up on the table and you can put yourself in a position to comply beyond any questionable doubt. This is one of the reasons we did get the rates we did. Mr. Myers then says these rates, the difference between the high rate of 5.35 and the low rate of 4.21 saved the Town \$16,000 on interest in this borrowing.

Mayor Dickinson then says this legislation will cost this town and every town in the State money. He hopes Congress wakes up and recognizes what they are doing. The requirements could still end up with low interest rates but the responsibilities are put back on the town. If you have to have 5% of the proceeds of the money you borrowed spent within 30 days and have to have your project completed in 6 months, it is a never never land. The result will be the borrowing instead of once, you will borrow 6, 10, 12 times with all the costs associated. It costs us money as a result. Attorney Adinolfi says you have a temporary 3 year period in which to construct the only problem is if you earn arbitrage profits, you have to rebate it, if you complete it within 6 months, any profits you can keep, as long as all of the proceeds are spent within 6 months.

Mr. Holmes comments that we have shown good foresight and good judgement and we have had an orderly growth in this town. When you start banging around the issue of high or low taxes and not showing good financial strategy, that is when you get banged over the head with high interest rates. He then thanks Mr. Myers and his staff and Attorney Adinolfi for their good work.

Mrs. Bergamini then asks how sure it is that 38-38 will pass. Attorney Adinolfi then says it doesn't look at though the U.S. Senate is very receptive to any changes. Senator Dole has indicated that he would be in favor of changing the effective date from 1/1/86 to 1/1/87. There has been a move by one Senator to rewrite the tax exempt portion. How successful and what reception there will be, nobody knows. There is no clear indication as to where this thing is going. Some municipalities have contact Senator Dodd and Weicker about this.

Mr. Killen then says our Capital and Non-Recurring fund was predicated on arbitrage being built into it what will happen now? Mr. Myers says this is the most valuable fund we have to improve our infrastructure. It is in good position. He is not really worried with meeting compliance on the law or about a slight reduction in the financial position of the capital & non-recurring fund. They may have to increase the tax dollars to pour into it but he does feel they will be able to maintain that as an important infrastructure improvement fund. We should get it down to the minimum number of projects a year that we are going to undertake and have a definite plan in motion at budget time so we can set the borrowing scheme to the construction schedule.

Mr. Killen then says why is the borrowing broken down to Lot A & Lot B. Attorney Adinolfi says under HR 38-38, Subsection B of Section 703 permits an issuance under the transitional rule for qualified issue. This midway was begun prior to Sept. 26, 1985 and there is a grandfathering in the act if it complies to creation and the expenditure of not less of the project cost prior to Sept. 26, 1985, it falls under Subsection B of 703. And under Section 703C one of the requirements is that all of the proceeds must be expended on that part and in order to guarantee to the respected purchasers that all of these proceeds would be spent on that part, we broke it out as a separate issue and we read requirement 3 under 703C as requiring a separate issue for an Industrial Park. Mr. Killen then comments about George Post not being here and he is told he couldn't make it. Also, Joe Fazzi has the flu. 167

Mayor Dickinson then says he would ask the Council to think about what has been raised concerning HR 38-38 and be willing to entertain a resolution at the next meeting urging our congressional delegation to consider the impact upon the municipal taxpayer. Everything is done by local government and we are the ones who do the work we at least should get the tax exemption to do it at the lowest cost.

Mr. Holmes comments he agrees with the Mayor but he sees the Federal Government in trouble and he doesn't feel they will be too receptive for the concerns of Wallingford. However, he does agree it is worth a try.

Chairman Gessert then says he doesn't feel they need to make a motion as the Mayor knows the sentiment of the Council and they would be willing to put that resolution on the next agenda.

VOTE: (on the resolution) Unanimous ayes; motion duly carried.

Item 5 is then up for discussion and Chairman Gessert reads the letter from Mayor Dickinson regarding them to consider waiving the bidding procedure in order to direct the mayor to seek development proposals for municipal properties.

Mrs. Bergamini then moved to waive the bidding procedure in order to direct the Mayor to seek development proposals for municipal properties mentioned in his letter; seconded by Mr. Polanski.

Mr. Gouveia then comments he applauds Mayor Dickinson's decision to follow up on Robert Earley Committee's recommendation concerning the municipal buildings and the Robert Earley School. These should be independent from each other and although there have been other proposals in the past, it is his belief that they follow this present recommendation. He then comments that there are about 3 or 4 items in which they are asked to waive the bidding procedure. It seems if they have a bidding procedure in effect, it is there because the forefathers saw fit that these bidding procedures would be in the best interest of the town. He then says he did call Mr. Dunleavy who assured him that this would be the proper procedure to follow for this type of service.

Chairman Gessert then says although they do have the bidding procedure, there are some items that become impractical for this such as professional service, lawyers, architects etc. and this proposal calls for professional developers and if you have to develop specifications and ask them to bid on this then you have to do all the creative work. This rule is there for protection for equipment and buying the things easily defined.

Mr. Holmes then comments that there is still the opportunity for competition because there will be a number of solicitations going out.

Mr. Diana then says he is not clear about what this is all about. Are you looking to get bids back for conversion of Robert Earley to a Town Hall? Mayor Dickinson says no. This RFP for municipal properties does not include the Robert Earley Project. It includes 350 Center Street, the Annex, 9 & 21 North Main Street. The issue being, originally there was an offer from Caplan & Wooding to convert Robert Earley and they would use these properties and it appeared they needed more of a solicitation as to what others might do with these municipal properties. He doesn't want to go to Robert Earley and be sitting with these properties and have to give them away at the lowest possible price or the least possible gain overall. Not only financial but architectural, commercial-- what the type of use could be placed in these areas. The purpose is to get as many proposals as possible on municipal property, not Robert

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Earley, see what can be done and make a decision. Are we going to go with that developer and these properties are sold and we go to Robert Earley or is that not feasible and we look to fix up these properties and sell Robert Earley. What we need to know is what can be done with these municipal properties. Something has to be done. He then explains to Mr. Diana that we have a specific document that sets out exactly what we want as far as a proposal. It describes the site, it requires a suggested development plan, proposal review etc. It is a thorough review of what someone would do with all of these. North Main and Center Street.

Mr. Killen then says what part are we going to play in this? Mayor Dickinson then says they will have to come back before the Council. If any of them would like to review the proposals, they are more than welcome. Any choice as far as awarding or signing a contract has to be done by the Council. Mr. Killen then comments that in his letter it says, "they must return to the Council with a proposal" That seems that they would come back with a choice but they would not be a part of the process.

Chairman Gessert then says he would like to see all of the proposals. Mayor Dickinson then comments it can become an awkward process because if all of them are there they have a full Council meeting and this can be discussed in public as far as contractual involvements. Chairman Gessert then says maybe in public session they won't talk dollar figures but they can talk concept. It then is decided that the Mayor come back and the Council does see all the proposals.

Edward Musso, 56 Dibble Edge Road feels that maybe the Chamber of Commerce of whoever it is that looks over the development of the town, have them contact different contractors and developers and ask them for suggestions. Option that they fix the Town Hall and lease it to them for so many dollars. Get the whole ball of wax. In Meriden, somebody bought a building a year ago and sold it the other day and made \$100,000. Let the Town gain from this also.

Chairman Gessert explains that the whole purpose of this plan was to get proposals from a lot of different developers and find out what the pieces are and see how they all go together. Then see what would be most beneficial to the whole area.

Mr. Musso feels we need to use Robert Earley for the new Town Hall. Chairman Gessert then says if they do that these building would not be occupied and they won't get much for them. While they are being occupied, before they are vandalized, they would like to find out what they're worth, and what can be done with them and how much income they can expect from them. Mr. Musso comments again they should get someone interested perhaps even Carabetta.

Mr. Gouveia says he hopes the Mayor does not use the term that he would like to sell Robert Earley. He hopes that will never happen and hopes it will be the new Town Hall. His proposal is the right idea to try and get as much as they can from these buildings but once we have generated the funds from these buildings, we go full speed to convert Robert Earley to the Town Hall.

Mayor Dickinson then says the reason he presented that alternative is because he feels it is important that we make a decision. We either do one thing or the other. We can't sit around and wait.

Mr. Killen then comments that right now they don't necessarily have to waive the bidding. The best proposals may be the lowest bidder. He is then told these are requests for proposals and if we go by the bid process we have to tell them what they are going to do with the building and ask for a price.

Mayor Dickinson then says if you go the straight bidding route you will have to design a specification to give us an adequate review of what someone plans to do. That bid document becomes in the form of an offer. You can't vary from those specs. We are asking for more than what they will pay us for this property. They want to know tangibles. To pin us down to the language of the public bid and all the legal requirements, we hamstring ourselves in analyzing the information. We are not limiting the numbers. We hope to get as many proposals as if it went out to public bid. Instead of using the technical bid process, use a process that allows a little more flexibility and analyzing the returns. Mr. Killen then says he has seen projects in the past that look nothing like the bid whatsoever. We have never had to adhere to the low

bidder. We are trying to have it both ways. They give us top dollar for the building and we tell them what they are going to do with it. You are restricting the number of bidders in that sense. What they do with the building is their business. Mayor Dickinson then says he feels the town should play a bigger role than that. We have an opportunity to have these buildings used in a responsible sense. Mr. Killen says he doesn't want to waive the bid and have anybody coming in with any proposition. Mayor Dickinson then says they have to meet the specs of the proposal they have all received. 169

Mrs. Papale then comments on the Mayor's letter where it says they will come back with a proposal. This was said before he knew they would like to help. Mayor Dickinson says this would be a typical situation with those responsible to review proposals would come back and say this is their recommendation. Mrs. Papale then says now they will see all the proposals and the Mayor says yes. Mrs. Papale then says she feels they should have the right to tell somebody what they can do with these buildings. If they sit in on these proposals we can give them our ideas. This all goes along with the beautification of Wallingford.

Mr. Killen then says he is very much afraid what they are trying to do will not work. Mayor Dickinson then comments that they will not be a partner. A partner is someone who participates financially and receives a return. We are looking to sell the municipal properties based upon certain representations of the other party. We are a seller but we want to know what the person will do with the property. Mr. Killen says your partnership is in where you tell him what to do with the property.

Chairman Gessert then says we may get less income because we have restrictions but in the end, we will be more satisfied.

Mr. Gouveia then says we are not really locking ourselves into anything. We have the right to reject all proposals. Mayor Dickinson then says this is correct.

Mr. Diana then says in going through a formal bidding procedure, we are not obligating the town. If we send out specific specifications and they respond to that, they will come back with proposals that they spent time and money on, are we obligating the town in any way to have to accept one of the proposals. Mayor Dickinson says it has to come back for final approval and this is just solicitation.

Mr. Polanski then comments that he has not seen in the Charter any place for requests for proposals. It is not in the Charter and we therefore have to conform to the bidding process and waive the bid.

Mr. Holmes says we are trying to develop a concept. We have these buildings and this is what we would like to see done with them. It would be difficult to nail down the bidding specifications which would give the flexibility to all parties involved.

Mr. Musso then comments they do not have to waive the bidding procedure. They just have to order the Mayor to seek proposals. The bidding procedure is confusing and just scares people.

Sal Falconeri, 281 Grieb Road then says isn't it customary for the purchasing agent to do the bidding for the town. He doesn't feel the Mayor has to come to the Council to ask their permission. The purchasing agent should just do this as a routine town function. It is not costing us anything for the Mayor to send these out.

Mayor Dickinson then says the Charter requires a bidding procedure and what we are asking for is them not to follow the Charter Procedure of public bid and go with proposals. If you have a series of quotes, then you have the feel for what the best price was. In this instance we have time and he is not comfortable in taking a step that does not meet charter provisions without the approval of the Council.

Geno Zandri, 358 South Cherry Street, then says in going out for bid, isn't then normally when you go out for a price on a contract. Aren't we going out for a price on selling something. We are not going out for bid on prices for something we are going to be buying. He is confused about this.

Chairman Gessert says if we decided to sell our 1978 Diamond Rio the purchasing agent could not go to the nearest dealer and say how much

will you give me for it. He is selling but he would still have to solicit bids on how much or put to public auction on a price to sell it. The bidding procedure is for selling and for purchasing. He then explains that they have to waive the bidding procedure. 170

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

Mr. Gouveia then wants to make a motion on the item they just talked about but to do so they have to waive Rule V.

Mr. Gouveia then moved to waive Rule V; seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Mr. Gouveia then moved that all proposals received in connection with the municipal buildings in question, be reviewed and acted upon by the Council in a duly convened meeting; seconded by Mr. Polanski.

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

Mr. Roe then asks if the Council will be willing to commit itself to a turn around time. We are going to be asking people to put up money and are they talking about making a decision over a six-month interval, 8 month, 12 month etc. Mrs. Papale says as long as it takes. Mr. Roe comments that what that does to some developers is say they will not be able to enter into a proposal because you will not tell us how long you are going to tie up our money while you make a decision. They are requiring that they make a good faith deposit with the Town so that they stick to it and stay at the table.

Chairman Gessert then says knowing the interest of the Council, unless you want to entertain all the proposals during the budget process, certainly you will have the majority of the Council willing to participate in how ever much time it takes to get it done.

Item 6 is then up for discussion and Chairman Gessert reads Mr. Nere's letter. Mrs. Bergamini then reads the following resolution:

**CERTIFIED RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
WALLINGFORD TO WAIVE PILOT ON STATE ELDERLY HOUSING PROJECTS**

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)

WHEREAS, many Wallingford residents living in elderly housing units of the Wallingford Housing Authority have fixed incomes, and

WHEREAS, payments in lieu of taxes to the Town of Wallingford must be paid for in the rental fee, and

WHEREAS, it is desirable and in the best interest of the Town of Wallingford that rental fees be kept as low as possible in our elderly housing units, and

WHEREAS, since 1974, the Town Council of the Town of Wallingford has waived payment in lieu of taxes on elderly housing and requested that the Housing Authority come before the Council each year to request the waiving of payment in lieu of taxes, and

WHEREAS, there is no revenue anticipated from this source in the Town budget,

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

That payment in lieu of taxes for fiscal year 1985 by the Wallingford Housing Authority on elderly housing is hereby waived in order that rents for residents of said units may be kept at the lowest rate possible. 171

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

Mr. Gouveia comments that this does not include McKenna Court. That is federal.

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

Item 7 is then up for discussion and Chairman Gessert reads Mr. Deak's letter.

Mrs. Bergamini then reads the following resolution:

RESOLVED, WHEREAS, the Town of Wallingford has been notified by the State of Connecticut, Department of Transportation, of the amount of Grant Funds it will receive during the fiscal year 1985-86 for Town Aid Road Funds, we find it necessary to amend the budget amounts for these Special Grant Funds as they appear on Page 12 of the Budget Book:

- (1) Amend Special Fund Revenue Account 1082, Maintenance of Improved Roads from \$193,858 to \$194,132, an increase of \$274.
- (2) Amend Special Fund Expenditure Account 900-782, Maintenance of Improved Roads from \$193,858 to \$194,132 an increase of \$274.
- (3) Amend Special Fund Revenue Account 1083, Maintenance of Unimproved Roads from \$3,190 to \$3,766 an increase of \$576.
- (4) Amend Special Fund Expenditure Account 900-783, Maintenance of Unimproved Roads from \$3,190 to \$3,766 an increase of \$576.

Mrs. Bergamini then moved the above resolution; seconded by Mr. Polanski.

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

Item 8 is then up for discussion and Mr. Holmes moved to transfer \$1,000 from A/C 503-300 to A/C 506-201; seconded by Mrs. Bergamini.

Chairman Gessert then explains Mr. Deak is away and Mr. Costello and Mr. Sullivan are out ill.

VOTE: Unanimous ayes; motion duly carried.

It is then noted that Item 8a has been withdrawn.

Item 9 is then up for discussion and Mrs. Bergamini then moved to waive the bidding and authorize seeking proposals for Route 68 traffic analysis; seconded by Mr. Rys.

Linda Bush then says the reason she put this together is because they have had a great deal of development going on and a great deal impacting Route 68. The bigger projects do hire a traffic consultant who does a study for them and between the consultant and the State, they come up with roadway improvement for the State road and the town roads adjacent to that to handle the traffic from that particular development. The Bristol-Myers project has received two certificates from the State and they have to do roadway widening improvements. Centract Business Park has received certificates from the State, Medway Park etc. The State looks at each development individually. Last year they tried to get legislation through the state to have them look at an area comprehensively, in our case the I91/Route 68 interchange. The state doesn't work that way and the legislation went nowhere. She felt we needed something comprehensive. Even though it is a state road they don't have the mechanism to look

at it comprehensively. She wants to make sure we don't have a major problem 10 years from now because we didn't look at it when the traffic started. The only way to find out is this. The intent is not who is going to pay for the improvements it is to find out how much traffic Route 68 can actually handle. Nobody envisioned a Bristol-Myers. There are 900 parking spaces in the first 2 phases approved. This is a lot of parking spaces in a short period of time. All the traffic from Saab plant in Meriden will be directed through Wallingford because the roads in Meriden can't handle it. This is why they picked that site because of I91. We should look at it now and see what improvements are necessary and if the roadway can handle it. 172

Mrs. Papale then asks if there wasn't a traffic study already done before Bristol-Myers was approved to come in. Ms. Bush says yes and the roadway improvements they are going to do are going to handle the increased traffic on the road from their construction. The traffic study Del-Meade is doing now will propose improvements to Route 68, Leigus Road and the roads right around them. They will upgrade the roads enough to handle the traffic from their development. Unfortunately only the larger developments do these traffic studies and are required to do road improvements. (200 or more parking spaces or 100,000 sq. ft.) Just as much traffic cumulative comes from small projects as it does the large ones.

Mrs. Papale then asks if it was ever written how the road would be straightened out for Bristol-Myers. Ms. Bush says they tried last year and again this year to get the bill to the legislature. Mrs. Papale says she thought it was just a matter of time. She says she travels that way and she doesn't see how that traffic is going around that curve. Ms. Bush says that is not their main entrance. The main entrance is Research Parkway. They have a driveway and bridge and gatehouse. That is their main entrance and the curve is not included in their traffic survey as it is not the main entrance. It is for truck traffic. Ms. Bush says the route is I91 to Route 68 and Bristol Myers is putting another lane on Route 68 and MedWay to get their certificate has to dig that up and rebuild it. That is the problem with the state system. They can look at one piece at a time and not the whole area. She feels before they have drastic problems in the future they should look at the whole area. If the town had a report we would have our own independent information.

Mrs. Papale says she is not asking for money now she is just asking for their approval to seek proposals. Ms. Bush says this is correct. They are not looking for the lowest price but the best proposals. Once they have this, she will come back and ask the Council to hire the firm.

Mr. Gouveia then asks if Ms. Bush knows how much this will cost and she says she would prefer not to say because she doesn't want it to be assumed they will hire someone in this price range and everyone comes in at that. All bids could be rejected if they are too high. Mr. Gouveia then comments that she mentioned the development boom that has an effect on our neighborhoods, our road and our lives, and although he does agree with this request, he cannot help but think why didn't we do something like this before we went ahead with the trash plant. Ms. Bush says there was a traffic study done by a consultant hired by the applicant and reviewed by herself and Mr. Costello. They don't hire consultants individually. She feels the consultants provide them with very valuable information because the State goes through them with a fine tooth comb. Mr. Gouveia then says he would like to have a more in depth study on the impact this plant would have on this town.

Mr. Holmes then comments about the number of accidents on that S curve. He thinks over a 5 year period it is about 65 accidents. Mayor Dickinson comments he thinks 1200 feet of road and some 68 accidents and 2 fatalities. Mr. Holmes says they have to go to the state and show them this before they are going to do any kind of improvements. Linda Bush says they have put this out to design. They do know where it is.

Mrs. Bergamini then says she was given a tour about how that road was going to be straightened. They had a state map and this is how it was going to be marked and done the following spring.

Ms. Bush says she has the map which shows the proposed location and everything. This was done as part of the Travelers traffic study and done by their consultant when Travelers was going to

come in because of the traffic they would generate. (3200 cars)
The state was going to do it and when Travelers pulled out the
road straightening went on the back burner.

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Chairman Gessert then comments that at the meeting at Dag not the commissioner but the next best person stood up and said yes they are going to take care of it. Mrs. Bergamini says this was one of the biggest problems the Council had at the time in voting for Bristol-Myers. They wanted to be sure the road would be straightened out. She lives there and she knows how bad it is.

Mr. Polanski says they had something from the Regional Authority he believes, that said they were going to spend some \$2 million on Route 68.

Mayor Dickinson says he met with the DOT commissioner last week and last year and we testified at two legislative hearings. One this year and one last year. At this time, 68 is not on the states 10 year plan. They are just now negotiating a contract for the design work. This is not a hot item with the State.

He then says they did talk with the Commissioner and his thoughts on whether the department up there had any recommendations on the study and they said this approach had not been used anywhere else and it would provide very useful information. They don't want to have a situation where all the traffic comes to a grinding halt and then you try and get yourself out of it. This will give us some information now and hopefully prevent a problem later on.

Mr. Killen says the issue says can the Route 68 corridor from Cheshire to Durham be upgraded efficiently and cost effectively to handle the projected traffic impact from development of that corridor? He then says what it gives us might appear great to us but we are not the State of CT. Can it be done efficiently, cost effectively.

Ms. Bush then says a lot of the work will not be done to just Rt. 68. Town roads intersect all along and they are just as important. Signal changes along with another turning lane on North Main Street or Highland Avenue also. This is not just Route 68. She then says they had to say what is the area they want them to study on and they could not identify it not being traffic experts and they decided that will be the job of the consultant to come up with the area that impacts Route 68.

Mr. Killen then says Route 68 is the weakest link. It is a State highway traveled by people going over to Route 9 and no matter what we do Route 68 will be the weak link.

Ms. Bush says as part of the STC process they must do improvements on State and local roads. She hopes one of the outcomes of the study is they will have more of a bargaining chip with the State when they issue a certificate to a larger corporation. Then they will say this resignalization will make it so the traffic will flow more smoothly and we can say no. Our study indicates we need another turning lane in that area. This study will give us that information.

Mr. Killen then comments about a bus tour on the old Rt. 68 and when you had a bus it meant nobody could come from the opposite direction and they were not impressed. It was not until 4-5 years later that they changed that over. What you have to have is political muscle up in Hartford. He is hopeful you will get this done but don't think that just facts and figures will get them it is the dollars also. Ms. Bush says we have to start somewhere.

Chairman Gessert then says they are not venting their frustrations on her but on things told to them in the past that never matured.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Papale then moved a transfer of \$55 from A/C 201D-162 to A/C 201P-580; seconded by Mr. Polanski.

Mr. Myers then corrects his error on the bottom of the transfer where it says \$55,000.

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

Mr. Rys then moved a budget amendment of \$20,000 to A/C 602 and to A/C 201P-180; seconded by Mr. Gouveia.

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Mr. Rys then asks how they came up with the figure of \$20,000. Is this for the rest of the year. Chief Bevan says yes it is for the rest of the year and it is based on the work load right now. He then explains this and says they did their figuring on the work load as it is now and assuming it would keep the same pace.

Mr. Polanski then comments that they have paid for outside contracted work \$54,771 and therefore Tom Myers must have someplace \$54,771 income from these contractors. He is told that is correct. He then asks if anyone has defaulted on their payments to the Town of Wallingford for these services. Mr. Myers says in the 15 years here he has never seen a contractor that has defaulted on a contract with the Police Department.

Mr. Killen says Chief Bevan said the ruling on time and a half was revoked. Did they pay time and one half at a particular time during this year. Chief Bevan says yes they did and that was what helped inflate this account. How many months we paid time and a half is asked by Mr. Killen and Chief Bevan says it wasn't very long and the day after the ruling they stopped. Mr. Killen then says on the last financial report of January you only had \$6,000 over and above what you had anticipated coming in and you want to transfer \$20,000. Unless February shows another \$14,000 somewhere. Chief Bevan says they bill at the end of the month and the checks come in around the 1st of the month. Mr. Myers says then that we aren't really transferring. We are increasing the expenditures and the revenues so we really don't have to have the money.

Mrs. Bergamini then questions about the overtime being revoked. Chief Bevan explains the Garcia issue vs. the City of Houston Texas and for a short time they had to pay time and one half until Congress passed the law freeing up the cities and towns. When that happened we stopped paying it. When it was in effect they had to pay it but then they turned around and billed the contractor time and one half.

Mr. Killen then asks if they had to pay an officer time and one half even if he did not finish a shift or just if they did extra work in the same day. Chief Bevan says anything over 8 hours a day or 40 hours a week would be time and one half. By contract they have a certain amount of money they charge. When the Garcia decision came down, that rate had to be paid at time and one-half until Congress freed up municipalities. Mr. Killen then comments that a man on vacation could do outside work if he chose to. Chief Bevan says absolutely not.

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

Item 11 is then up for discussion and Mr. Polanski then moves the transfer of \$1,110 from A/C 305-319 to A/C 201P-652; seconded by Mr. Diana.

Mr. Polanski then questions why this money isn't coming from the building of the police station fund. Chief Bevan says he doesn't feel the funds are there.

Mr. Rys then wonders if this couldn't be taken from another account. Chief Bevan says as far as the new police station fund a lot of the bills are still coming in. Mr. Killen then comments that 3 months ago they were already encumbering items in that particular thing he finds very little encumbered. The Building Fund, the other \$187,000. Most was unencumbered as of the end of January. Mr. Myers says when we appropriated the money he didn't see a need to encumber it because the funds were appropriated exactly in the amount of the bid. He will draw a check from the General Fund to the Police Station fund for those monies to pay the vendors once he gets the bills. He hasn't done this yet. Mr. Killen then says in the letter it states money was set aside in a Contingency Fund for this and Mr. Myers said we used this all up.

Mr. Rys then comments the money could come from A/C 201-130P. They have been down a dispatcher a month or so and it could come from here.

Mr. Polanski then comments we should put a cap and say the Police Station is finished. Mr. Polanski then agrees to amend his motion for the money to come from A/C 201-130P.

VOTE: Unanimous ayes; motion duly carried.

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Item 12 is then up for discussion and Mr. Rys moved a transfer of \$140 from A/C 805-319 to A/C 301-200; seconded by Mr. Holmes.

Mr. Killen then says he would like to see it come from thier own account. He then says A/C 301-135 has it.

Mr. Rys then amends his motion to take the \$140 from A/C 301-135.

Mr. Polanski then comments these people knew when they moved out of this building that they were going to move the phones. If we ever move to Robert Earley they better plan for moving the phones and not come from Contingency.

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

Mr. Rys then moved to transfer \$700 from A/C 145-520 to A/C 145-200; seconded by Mr. Killen.

Mr. Myers comments to Mr. Diana the figure on 805-319 is about \$15,000.

VOTE: Unanimous ayes; motion duly carried.

Item 13 is then up for discussion and Mr. Walters comes up and introduces Trudy Brady, the Electric Division programmer and Mr. Bill Glover, the Burroughs representative who looks after their account as far as service.

Chairman Gessert then asks if this is a Contingency Account and Mr. Myers explains it is a Contingency within the Electric Division Budget whereby when we adopted the budget for the Electric Enterprise fund last year we put a hold on the purchase of computer equipment.

Item 13b. Mrs. Bergamini moved the transfer of \$138,400 from Electric Division Contingency Account to A/C 391 Office Furniture and Equipment, seconded by Mr. Killen.

Mr. Gessert wanted the equipment designated properly as COMPUTER EQUIPMENT.

Trudy Brady explained that all information will be saved on a backup disc at the end of each day.

Mr. Killen asked if Mr. Krupp's recommendations have been acted upon as documented in his letter dated 12/6/85. Mr. Gessert said he had a letter from the Fire Chief re recommendation 3.

Mr. Killen referred to item 4 in Mr. Krupp's letter and Mrs. Rascati said that Mr. DeRoy had not been to her office to make any recommendations.

Mr. Polanski asked if the Burroughs system was capable of being compatible with other systems and Mr. Glover said there is software to allow compatibility. Ms. Brady said that the support and service has been good.

Vote: Unaminous ayes; motion duly carried.

Item 13a. Mrs. Bergamini moved to waive the bidding procedure for the purchase of computer items for the Electric Division and award the bid to the Burroughs Corporation, seconded by Mr. Holmes.

Mr. Gessert asked Mr. Walters to follow up with Mr. DeRoy's replacement regarding the application in the Town Clerk's Office. Mr. Killen asked to have Mr. Krupp's letter and Mr. Applegate's letter regarding recommendations given to the Electric Division.

Mrs. Papale asked if anybody is being considered to replace Mr. DeRoy and Mr. Walters said 3 interviews are scheduled for Thursday of this week. Mr. Gessert said a transition process was discussed with Mr. Smith and others and he was told it would not be a major catastrophe by adding this additional equipment.

Vote: Unanimous ayes; motion duly carried.

Item 14a. Mr. Holmes moved a transfer of \$10,000 from A/C 555 Purchase Power to A/C 501 Fuel Expense, Electric Division, seconded by Mr. Rys. 176

Mr. Killen pointed out that he didn't expect the Electric Division to come before the Council with transfers amounting to \$75,000 since a request was recently made to take \$150,000 from Retained Earnings because there was no other place to take the money from. Mr. Walters explained that they are looking at different areas now.

Mr. Rys pointed out that he felt that repairs to tubes should be done in the spring rather than the fall. Mr. Gessert said that he asked Commissioner Beaumont to have Ray Smith prepare a report for the Council regarding tube repairs and where they stand now.

Mr. Holmes asked if staff was looking at ways to fund that project and Mr. Walters said that was why the original request was made to come from Earnings than to defer the maintenance. Mr. Walters was chagrined that after a good performance in January, the recent performance died. Mr. Walters said that all recommendations will be worked into the report for the Council.

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

Item 14a. Mrs. Bergamini moved a transfer of \$4,500 from A/C 555 Purchased Power to A/C 502-1 Boiler Labor, Electric Division, seconded by Mr. Rys.

Mr. Walters explained that the plant was run longer hours than he had anticipated.

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

Item 14c. Mrs. Bergamini moved a transfer of \$60,000 from A/C 367 Underground Conductors to A/C 368 Transformers, seconded by Mr. Rys.

Mr. Holmes asked when it was decided that Bristol-Myers would install a dedicated underground service feeder at their own expense and Mr. Walters replied that it was about 3 months ago.

Vote: Unanimous ayes; motion duly carried.

Item 15. Mrs. Bergamini moved to waive the bidding procedure to interview qualified engineering firms to prepare plans and specifications for a new bridge on Oak Street, Yalesville, CT. Mrs. Papale seconded the motion.

Mr. Gessert said that Oak Street Bridge first showed up in the budget in 1973, for several years, and then disappeared. He felt it was time to deal with this bridge due to increasing traffic.

Mayor Dickinson indicated that the town is looking to use the State Bridge Program, a combination grant/loan program. This is to get a design and once it goes out to bid, funding will be considered.

Mr. Gouveia has a concern about waiving the bidding requirements and Mr. Costello feels that according to the Town Charter, a sealed bid process must be used and professional engineering firms do not like to take that route. A half dozen firms will be selected and a price proposal will be requested to be submitted to the Council for approved.

Mrs. Papale asked how much will be covered by the grant and how much the town will have to pay. Mr. Costello stated the grant is about 31% and we can get a 6% loan for about 10 years to cover 50% of the cost, including construction, engineering fees, utility relocation and land acquisitions, although he doesn't anticipate land acquisitions. Mr. Gessert said the state was the low bidder for the design of the Mianus Bridge. Mr. Gessert felt that Mr. Costello's point regarding bids is a valid one. Mayor Dickinson felt that we'd probably end up with a price tag of anywhere from \$200,000 to \$400,000, conservatively.

Vote: Unanimous ayes; motion duly carried.

Mayor Dickinson pointed out that this has been identified as a potential million dollar project. Mr. Myers pointed out that because you are purchasing a service, such as RFP's for professional services, because you are purchasing a service from a "qualified professional" the way it should be gone about in all cases is to obtain a list of qualifications and credentials and weigh that separately with the price, in separately sealed envelopes so you receive two different documents--qualifications and price. After all qualifications have been reviewed and the firms ranked, based on their qualifications, 1, 2, 3, 4, 5 and 6, you put the qualifications next to the price because the price should not be the determinant factor in hiring a profession but it should be a blend, weighed against those qualifications. Mr. Gouveia's concern is that if waivers become more a rule than an exception, then perhaps something should be done about it. Mr. Myers felt that when the Charter was originally designed, it was not foreseen that many professional services would be "unbiddable." Mayor Dickinson pointed out that the substance is still competitive.

Item 16. Mr. Rys moved a transfer of \$1,800 from A/C 143-130 Clerk's wages to A/C 143-418 Printing, Assessor's Office. Mrs. Papale seconded the motion.

Mr. Killen commended Mr. Barta on the second paragraph in his letter, admitting his oversight.

Vote: Unanimous ayes; motion duly carried.

Item 17.

Mrs. Bergamini read and moved read and moved two resolutions:

- (a) RESOLUTION authorizing the Mayor to apply for Municipal Infrastructure Trust Fund Certification for sidewalk repair in the amount of \$135,000.00 for various locations as per application: repair of damaged sidewalks in pedestrian areas and
- (b) RESOLUTION authorizing the Mayor to apply for Municipal Infrastructure Trust Fund Certification for trench repair in the amount of \$66,623.00 for various locations as per application: repair of defective trench work on public roads.

SEE PAGES 21 AND 22 OF THESE MINUTES FOR APPROPRIATE RESOLUTIONS.

Mr. Rys seconded adoption of the above two resolutions.

Municipal Infrastructure Trust Fund Certification

RESOLUTION

BE IT RESOLVED BY THE TOWN COUNCIL OF WALLINGFORD
(Legislative Body) (Public Entity)

THAT WILLIAM W. DICKINSON, JR., MAYOR
(Name of Incumbent) (Official Position)

is hereby authorized to execute for and in behalf of the Town of Wallingford, a public entity established under the laws of the State of Connecticut, this application and to file it with the Office of Policy and Management for the purpose of obtaining financial assistance under the Municipal Infrastructure Act.

THAT (1) the project listed below for which grant assistance is requested is an infrastructure project; (2) the project was authorized by the Town/City of Wallingford on March 11, 1986. The project is:

(Name of Infrastructure Project)	(State grant requested)
Sidewalk Repair	\$135,000.00
(Location a Description of Project)	
Various locations as per application: repair of damaged sidewalks in pedestrian areas	

THAT the proceeds from the state grant are not to be used as the match for another state grant or loan;

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THAT the Town/~~City~~ of Wallingford is appropriating, from the town's/city's own funds, a percentage of the total costs of the project which is equal to or more than the town's/city's matching percentage in the amount of \$15,000.00; and the local match is not from federal or state grant proceeds.

THAT each grantee will be required to maintain detailed accounting record of the project listed above and ensure that clear and concise audit trails are maintained at all times. It is not necessary that a separate bank account be maintained for each project but if the grant is pooled with other funds for investment purposes, investment earnings, including pro rata distribution computations, be maintained as part of the accounting procedures.

Passed and approved this 11th day of March, 1986.

CERTIFICATION

I, _____, duly appointed and Town/City Clerk of _____, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the _____ of _____ (Legislative Body) _____ (Public Entity)

(26210)

(Signature)

Municipal Infrastructure Trust Fund Certification

RESOLUTION

BE IT RESOLVED BY THE TOWN COUNCIL OF WALLINGFORD
(Legislative Body) (Public Entity)

THAT WILLIAM W. DICKINSON, JR. MAYOR
(Name of Incumbent) (Official Position)

is hereby authorized to execute for and in behalf of the Town of Wallingford, a public entity established under the laws of the State of Connecticut, this application and to file it with the Office of Policy and Management for the purpose of obtaining financial assistance under the Municipal Infrastructure Act.

THAT (1) the project listed below for which grant assistance is requested is an infrastructure project; (2) the project was authorized by the Town/City of Wallingford on March 11, 1986. The project is:

(Name of Infrastructure Project) Trench Repair	(State grant requested) \$66,623.00
(Location a Description of Project) Various locations as per application: repair of defective trench work on public roads	

THAT the proceeds from the state grant are not to be used as the match for another state grant or loan;

THAT the Town/~~City~~ of Wallingford is appropriating, from the town's/~~city's~~ own funds, a percentage of the total costs of the project which is equal to or more than the town's/~~city's~~ matching percentage in the amount of \$7,403.00; and the local match is not from federal or state grant proceeds.

THAT each grantee will be required to maintain detailed accounting record of the project listed above and ensure that clear and concise audit trails are maintained at all times. It is not necessary that a separate bank account be maintained for each project but if the grant is pooled with other funds for investment purposes, investment earnings, including pro rata distribution computations, be maintained as part of the accounting procedures.

Passed and approved this 11th day of March, 1986.

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CERTIFICATION

I, _____, duly appointed and Town/City Clerk
of _____, do hereby certify that the above is a
true and correct copy of a resolution passed and approved by

the _____ of _____
(Legislative Body) (Public Entity)

(26210)

(Signature)

Mayor Dickinson wanted to make clear that the repairs we are talking about will be repairs to town owned sidewalks. Many of the sidewalks that require repairs are not the town's responsibility and the ordinance places responsibility for repair of sidewalks that are proximate to privately owned property on the owner of the private property and if the town is going to do, we should change the ordinance to read that the town has the responsibility to go and repair it and forget the problems of going back and forth with private owners. Mayor Dickinson wanted it made clear that this will not address an area that is next to private property until the ordinance is changed. If a tree root has caused damage, the town repairs it but if it isn't then it is the private property owner's responsibility.

Mr. Gessert asked how soon the funds will be received after the application and the Mayor responded the funds will be in in 30 days. Mr. Costello said that in 1983, a town wide survey was made of all sidewalks and 700 letters were sent out to abutting property owners and 200 locations to Public Works Department for damage caused by tree roots--these are the ones which will be taken care of by this money. Mayor Dickinson said that by changing the ordinance to place the responsibility with the town, we will be looking at an on-going program. Mr. Costello stated that the private property owner is still responsible for snow and ice removal, etc. The present ordinance is not working.

Mr. Killen asked if the Community Lake Dam would be repaired under a program such as this. Mr. Costello said that dams are eligible under this program.

Vote: Unanimous ayes; motion duly carried.

Mrs. Papale read and moved the following resolution, seconded by Mr. Rys.

Resolved:

The Town of Wallingford Municipal Infrastructure Trust Fund be established and the 1985-86 budget is approved as indicated herewith:

1985-86 Appropriations

Revenues:

550	State of Connecticut 1985-86 Entitlement	\$201,623
551	Town Match	<u>22,403</u>
	Total Revenues	<u>\$224,026</u>

Expenditures:

501-650	Sidewalk Repairs	\$150,000
501-651	Repair Depressed Sanitary Sewer Trenches	<u>74,026</u>
	Total Expenditures	<u>\$224,026</u>

Mr. Polanski asked how accurate the Wallingford street maps are, such as breaking something which we must fix because we don't know

it's there. Mr. Costello agreed that sometimes happens if things are not accurately marked with underground utilities.

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Mr. Killen asked if the budget would have to be amended to introduce the state dollars. Mr. Myers stated he would handle this as he does Revenue Sharing with separate books and accounts which is what this resolution accomplishes and the Council will get a print out on this every month.

Vote: Unanimous ayes; motion duly carried.

Item 17c. Mr. Holmes moved to establish a new line item, A/C 502-801, seconded by Mrs. Bergamini. Mr. Holmes moved a transfer of \$10,000 from A/C 805-326 to A/C 502-801 Town Match Municipal Infrastructure Fund and a transfer of \$9,403 from A/C 503-443 Sidewalk Repairs to A/C 502-801 Town Match Municipal Infrastructure Fund and a transfer of \$3,000 from A/C C503-004 to A/C 502-801. Mrs. Papale seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Holmes moved to place item 28 in this position, seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert read a 3/5/86 letter from Mr. Robert E. Devine, Chairman, Parker Farms School Renovation Committee requesting authorization to begin search process for construction manager and a request for a waiver of the normal bidding procedure.

Mr. Diana moved to waive the bidding procedure and authorize the Parker Farms School Renovation Committee to seek proposals for a construction manager and come back to the Town Council with proposals. Mr. Holmes seconded the motion.

Mr. Killen indicated that he would vote in the negative on this matter and until he is sure of the Board of Education's stand on the school, he will vote everything in the negative pertaining to this matter.

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

Mr. Gessert said that the Parker Farms Committee has requested that more clean up be done and he has passed this request along to the Mayor and Public Works Department to improve the areas with limited access. Mayor Dickinson will discuss this matter with Mr. Deak.

Mr. Devine stated that he has a letter dated 3/10/86 from Mr. Inglese reaffirming that there is nothing in the Parker Farms School that they are interested in. Mr. Devine stated that he is not implying to dispose of these items but only wants them stored. Mr. Diana feels that many items left have some use. Mr. Diana suggested placing the items in the hallways for the present time.

Item 18. Mr. Rys moved a transfer of \$300 from A/C 603-415 to A/C 603-612, seconded by Mr. Holmes.

Vote: Unanimous ayes; motion duly carried.

Item 19.

Mr. Rys moved a transfer of \$500 from A/C 140-130 to A/C 140-520, seconded by Mr. Holmes.

Vote: Unanimous ayes; motion duly carried.

Item 20. Mr. Rys moved a transfer of \$2,500 from A/C 140-130 to A/C 140-418, seconded by Mr. Holmes.

Vote: Unanimous ayes; motion duly carried.

Item 21. Mr. Rys moved a transfer of \$330 from A/C 130-606-01 to A/C 130-603, seconded by Mrs. Bergamini.

Mr. Diana commented that Steve Hoag did an excellent job of videotaping the football ceremony for Lyman Hall and Sheehan High Schools.

Vote: Unanimous ayes; motion duly carried.

Item 22 is withdrawn because Wayne LeClaire is ill and there is nobody to answer questions.

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Item 23. Mr. Killen moved to note for the record the financial reports of the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center for the quarter ending 12/31/85. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Item 24. Mr. Rys moved to note for the record the financial statements of the Electric, Water and Sewer Divisions for the month of January, 1986, seconded by Mrs. Bergamini.

Vote: Unanimous ayes; motion duly carried.

Item 25. Mr. Killen moved to note for the record the financial statements of the Town of Wallingford for the month of January, 1986, seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried.

Item 26. Mr. Killen moved to note for the record the Town Council Meeting Minutes of 2/10/86, seconded by Mr. Holmes.

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

Mr. Killen moved acceptance of the minutes of 2/11/86 with the following amendment requested by Mr. Rys: second paragraph from bottom should read Mr. Rys (not Mr. Gessert) did not know. . . Mr. Rys seconded the motion.

Vote: Unanimous ayes with the exception of Mrs. Bergamini and Mr. Diana who passed; motion duly carried.

Mr. Rys moved acceptance of the Town Council Meeting Minutes of 2/25/86, seconded by Mrs. Papale.

Mr. Gessert had a couple of corrections:

Page 22, second paragraph, 4th line, Mr. Hamel indicated that "tests" should say "plant" and these changes were given to the Town Council Secretary for correction.

Mrs. Papale moved to note for the record that portion of the minutes of 2/25/86 pertaining to Resource Recovery and acceptance of the rest of the minutes, seconded by Mr. Rys.

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

Mr. Holmes moved that the meeting go into Executive Session for the purpose of discussion of personnel matters, seconded by Mr. Killen.

Vote: Unanimous ayes; motion duly carried and the meeting moved into Executive Session at 11:10 p.m.

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

Vote: Unanimous ayes; motion duly carried and the meeting moved out of Executive Session at 11:18 p.m.

Mr. Killen moved approval of granting 22 additional days of sick leave, to be paid back from normal sick day accumulation. Mr. Rys seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mr. Diana wanted to clarify the record and agreed that Attorney McManus was right that Mr. Diana was accusing Vinnie of something which was not the case. Mr. Diana did in fact go to the Record-Journal and called the New Haven Register and told the newspapers what happened, just for the record.

Mr. Killen moved to adjourn the meeting, seconded by Mr. Holmes at 11:20 p.m.

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VOTE: Unanimous ayes; motion duly carried.

Lisa M. Bousquet
Secretary

Approved David A. Gessert
David A. Gessert, Chairman

March 25, 1986

Rosemary A. Roscati
Rosemary A. Roscati, Town Clerk

March 25, 1986