

Summary - Town Council Meeting

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September 9, 1986

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Meeting Adjourned.	32

TOWN COUNCIL MEETING

SEPTEMBER 9, 1986

7:30 p.m.

- (1) Roll call and pledge of allegiance to flag.
- (2) Public question and answer period.
- (3) Consider confirmation of Mayor Dickinson's appointment of Mr. Robert C. Fleming to Personnel & Pensions Appeals Board.
- (4) Consider appointment of Deputy Fire Marshal.
- (5) Discussion on Fair Street sidewalks, requested by Councilman Edward G. Polanski.
- (6) Consider & approve transfer of \$1,000 from 805-319 to 1-130-603-00 Lyman Hall High School SHS Championship Award, requested by Mayor William W. Dickinson, Jr.
- (7) PUBLIC HEARING 8:00 p.m. ON AN ORDINANCE AMENDING ORDINANCE NO. 343 BY INCREASING THE APPROPRIATION THEREIN FROM TWO HUNDRED FIVE THOUSAND AND (\$205,000) DOLLARS TO FIVE HUNDRED EIGHTY-FIVE THOUSAND (\$585,000) DOLLARS FOR ARCHITECTURAL AND CONSTRUCTION MANAGEMENT FEES FOR THE DESIGN AND CONSTRUCTION OVERSIGHT OF THE RENOVATION FOR REUSE OF PARK FARMS SCHOOL AND THE CONSTRUCTION COSTS ASSOCIATED THEREWITH AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.
- (8) CONSIDER VARIOUS EASEMENTS AND DEEDS as requested by Linda A. Bush.
- (9) Consider Budget Amendment requested by Linda A. Bush, Town Planner.
- (10) Consider RESOLUTION FOR A SOCIAL SERVICES BLOCK GRANT PROGRAM (SSBG), requested by Donald W. Roe, State & Federal Program Administrator.
- (11) Consider accepting fixed cost of \$9,000 for annual actuarial study ~~WITHDRAWN~~ proposed by MARTIN E. SEGAL CO. and appointment of this firm as Town Actuary, requested by Stanley A. Seadale, Director of Personnel.

(12) Discussion and possible action on municipal projects (backup forthcoming).
TABLED ITEM (12) UNTIL SEPTEMBER 23, 1986 MEETING.

(13) Consider & approve two transfers requested by Steven L. Deak: 530
RESCINDED (a) \$1,100 from C503-902-01 (1986-1987) to 503-512-01 and
" " (b) \$1,200 from C503-903-01 (1986-1987) to 503-512-01.

ADDENDUM-Authorize waiver of bid & award contract for grading NORTH ELM STREET.

(14) Consider & approve a transfer of \$350 from 203-903-52 to 203-907-52,
requested by Fire Chief Jack K. McElfish.

(15) Consider & approve a transfer of \$5,000 from 203-576 and \$5,000 from
805-319, a total of \$10,000 to 203R-163, requested by Jack K. McElfish.
AMENDED TO REMOVE \$10,000 from 203-576 AND DELETE \$5,000 FROM 805-319.

(16) Consider & approve two transfers requested by Jack K. McElfish and
Victor J. Scionti:
(a) \$700 from 203FM-900 to 203FM-Capital and
(b) \$ 95 from 203EC-900 to 203EC-Capital
MOTION TO ESTABLISH A/C 203FM-CAPITAL DID NOT CARRY AND TRANSFER
WAS NOT MADE.

(17) Consider & approve 11 transfers requested by Charles F. Walters:

- (a) \$ 10 from 366 to 394 BUDGET 1985-1986
- (b) \$ 59,000 from 366 to 364 BUDGET 1985-1986
- (c) \$ 120 from 366 to 315 BUDGET 1985-1986
- (d) \$ 800 from 426 to 431 BUDGET 1985-1986
- (e) \$ 66,000 from 408-1 to 403 BUDGET 1985-1986
- (f) \$ 3,200 from 908 to 921 BUDGET 1985-1986
- (g) \$ 36,000 from 592 to 593 BUDGET 1985-1986
- (h) \$ 3,000 from 583 to 587 BUDGET 1985-1986
- (i) \$ 1,000 from 583 to 585 BUDGET 1985-1986
- (j) \$381,700 from PASNY Savings to 555 BUDGET 1985-1986
- (k) \$245,542 to Budget Summary & \$634,458 Contribution to Town
(NOTE: ITEM (k) IS A BUDGET AMENDMENT.)

(18) Consider & approve 2 Budget Amendments F.Y. 1985/86 requested by
Raymond A. Denison:

- (a) \$45,450 Increase INTEREST EARNED A/C 419-000
\$45,450 Increase NET INCOME A/C N/A
- (b) \$45,450 From Net Income to \$1,520 to 641-000, \$90 to 920-003,
\$19,575 to 925-001, \$65 to 926-000 & \$24,200 to 403-000.

(19) Consider & approve 2 Budget Amendments F.Y. 1985/86 requested by
Raymond A. Denison:

- (a) \$57,350 Increase INTEREST ON STP III BONDS (Revenue) 419-039
\$57,350 Increase NET INCOME A/C N/A
- (b) \$27,075 from Net Income to \$26,250 to A/C 427-039 & \$825 to 427-040

(20) Consider & approve transfer F.Y. 1985/86 requested by Raymond A. Deni-
son:

\$16,645 from A/C 403-000 to various accounts in Water Division.

(21) Consider & approve Budget Amendment F.Y. 1986/87 requested by
Raymond A. Denison: \$35,000 from Estimated Unappropriated Balance
to A/C 396-087, Water Division.

(22) Consider & approve Budget Amendment F.Y. 1986/87 requested by
Raymond A. Denison: \$3,000 from Estimated Unappropriated Balance
to A/C 394-087, Water Division.

(23) NOTE FOR RECORD Financial Statements of Utilities Divisions/July, 1986.

(24) Consider request of Wallingford Public Library Association to finance
WITHDRAWN project for additional library parking.

(25) NOTE FOR RECORD Enterprise Funds pre-audit financial statements 6/30/86

(26) ACCEPT Town Council Meeting Minutes dated August 7, 1986.

(27) ACCEPT Town Council Meeting Minutes dated August 12, 1986.

(28) ACCEPT Town Council Meeting Minutes dated August 20, 1986.

(29) NOTE FOR RECORD Town of Wallingford financial statements dated 7/31/86.

(30) NOTE FOR RECORD 8/26/86 TOWN COUNCIL INFORMATION SESSION.

(31) NOTE FOR RECORD Town of Wallingford Revenue Report dated 7/31/86.

(32) EXECUTIVE SESSION, requested by Town Attorney Vincent T. McManus, Jr.,
for the purpose of discussing pending litigation.

Town Council MeetingSeptember 9, 19867:30 P. M.

A regular meeting of the Wallingford Town Council was held in Council Chambers on September 9, 1986, called to order by Chairman David A. Gessert at 7:40 p.m. Answering present to the roll called by Town Clerk Rosemary A. Rascati were Council Members Gessert, Bergamini, Diana, Gouveia, Holmes, Killen, Papale, Polanski, Rys and Mayor William W. Dickinson, Jr. was also present. Mr. Thomas A. Myers, Comptroller also attended the meeting.

The pledge of allegiance was given to the flag.

ITEM 2. Public Question and Answer Period.

Chairman Gessert addressed Mr. James Krupp.

Mr. Krupp passed a bag of Chip Seal (rocks) to the Council Members and stated "This is the municipal infrastructure program being used in the upper Ridgeland . " Mr. Krupp continued, The initial phase of chip sealing is to lay down a coat of oil on the road and to convert paved streets into gravel driveways. As cars go through, they have a tendency to do two things, one - is to pick up gravel chunks that tend to chip the paint on the rear section of the automobile. There is also a possibility of chipping the windshield. The surface while it is not compacted, gives very poor traction, and this creates a hazard especially for the children who walk back and forth to school. On my way over here, I was following a car in this area, and my visibility was beginning to become affected. Once the material begins to compact and settle, there are additional problems that occur. Also what is beginning to happen is the rocks are beginning to form mounds in the center of the intersections . If you happen to break while traveling through these mounds, the car will continue to go straight through. When the trucks came through, they set up harmonics in the road which created a rippling affect, so now driving on that surface is like driving on a washboard. The other problem that occurs with it is that one would think that by using this process this would improve the road and it does not. The rocks are following all the imperfections of the road. To me, there is no improvement in road itself. I would like to know why they did this because, once they fixed the potholes, it was not bad driving. I understand that Mr. Diana may ask to waive rule 5 on this issue tonight. But I would like to ask the Council if it would consider possibly, two courses of action at this point. The first is to work with the Mayor to obtain a cease and assist instruction to the Department of Public Works asking them to immediately stop the use of Chip Seal until the Council can obtain additional data. The second item would be to obtain an independent Consultant using the upper Ridgeland as a case study and identify the pros and cons for the Council so they can make a decision as to whether or not this is a worthwhile program.

Mayor Dickinson replied: I think you know, there is nothing new about it, we used it in 1984, we used it in 1985, we used it in 1986, we used it on roads throughout the town, it's used in Fairfield County and the State of Connecticut and as you know, Fairfield County is known as the Gold Coast of Conn. This process is used all through Fairfield County, they use it in all the shore towns. It's a well accepted means of not repaving a road but preserving the surface as to it's effectiveness during winter, we've had experience since 1984

and we've had very good experience with plows. I don't know that there is any evidence to date of adverse impact in the state. It is used throughout the state and I understand we can get a Professor from UCONN who would be willing to come down and talk about it and why it's used and how it was designed and the works. It's a replacement for the sand and tar they use to use. If you can remember, sand was unpleasant to drive on. This is better, it's more substantial, it lasts longer than the sand and tar and it does fill in the bad surface deformities and provide some maintenance for roads. I don't think anything has been done for the past 25 years, so you have to do something to the surface of the road, and if we wait to pave everything it will never get done. You know what the cost is.

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Chairman Gessert: One of the things that has to be done following the Chip Seal is to have a sweeper come in after one or two weeks and sweep up the loose stones from the edges and intersections and I believe that is suppose to start at the end of this week or the early part of next week.

Mayor Dickinson: It may have already been swept. In some towns such as Durham, you will find all the loose stone along the edges of the road. They do not sweep it up. Wallingford does sweep it up.

Chairwoman Bergamini stated that her road was one of the first roads to be done and she did not experience any of this trouble.

Mr. Krupp then suggested to the Council Members that they take a ride to this area so that they may see the problem first hand. Mr. Krupp is only asking that a professional come out to the Highland area and evaluate the problem.

Mayor Dickinson: It would be good to take a look at what the particular problems are. If things were not done properly, we should know about it. But as to the process in general, we have used it since 1984 and we have not received consistent complaints. Yes, people get disturbed when it is first down, but it is the same thing as North Elm. People complained about that. I travel that every day and travel at 25 mph, which happens to about the speed limit on there, you have no trouble. If you travel 40 mph, which is well above the speed limit, then you will have problems. North Elm is an example where we are going to pay. As sure as I am sitting here, as soon as that is paved, we are going to have complaints about speeding that you could put end to end in this room. No matter what you do to a highway, someone is always going to feel that something should have been done differently. The key is, we have to do something to the roads, they are all falling apart and this is a well accepted treatment statewide and until there is evidence that it isn't accepted that it doesn't effectively provide a means of filling in cracks.

Councilman Diana: You are right Mr. Mayor, I am just wondering if this is being used on more rural roadways where paving is almost prohibited, as far as the expense of it vs. putting this down in a residential area such as Ridgeland which gets a tremendous amount of traffic in any one given day. The other thing, if I am not mistaken and maybe John Costello can help us with that one, this was the result of the accident on Cook Hill which resulted because the gravel was not picked up on time. If you remember, we had a Suit against the town.

Chairman Gessert: Was that the young man who was traveling 60 mph?

Councilman Diana: We all know where the fault lies.

Mayor Dickinson: I don't believe it was chip seal.

Councilwoman Papale: Do you think it is the chip seal or do you think it was the way it was put down? Is this what you would like to have checked out?

Mr. Krupp: I have no personal experience with chip seal, I am just suggesting that you take a ride up there and take a look

Another problem brought up by Councilman Diana was a rippling effect which plays havoc with the front end of your car.

Mr. Krupp stated this problem of rippling is all over, and believes it was caused by the trucks. He compared it to driving over the Housatonic Bridge

Councilman Diana decided not to waive Rule 5 on this matter and also suggested he would like to have a second discussion about this problem and give everyone a chance to check out the roads.

Mayor Dickinson: If they applied it incorrectly, they will have to come out and do it again.

Chairman Gesert addressed Mr. Bradley who had a question for the Council Members.

Mr. Bradley: About 4 weeks ago, Councilman Gouveia made a motion to pass an Ordinance on the Department of Chemical Companies and I would like to know the status on this.

Councilman Killen: There are a few loose ends and we are working with the Town Attorney on that. It will be taken care of, I assure you, Ed.

Chairman Gessert: The Ordinance Committee will be looking at it.

Chairman Gessert then addressed George Soltesz.

Mr. Soltesz: Speaking of roads, when is something going to be done about East Main Street. That street has been in the works for 5 years. Mr. Soltesz stated that he talked to a Council Person, not stating whether it was a man or woman, and stated he or she told him it would be done shortly.

Chairman Gessert responded: Several months ago, we had budgeted approximately \$230,000 to do the northern phase of East Main Street. We had a bid of \$330,000 to do it. We appropriated the additional funds so we could go ahead and get it going as soon as the weather improved. The weather improved and one of the residents promptly slapped us with a lawsuit preventing us from going any further. The Contract was awarded, the engineering has been done and the contractor was ready to go. When the Suit is settled between the resident on East Main Street and the Town of Wallingford, then we can proceed. If it wasn't for the lawsuit, that northern section would probably be well along in construction or close to completion now.

Mr. Soltesz asked the Council about the 10% surcharge on the Electric Bills put on our bills back in January, which will expire in November. The bills will remain the same after the 10% is taken off. Mr. Soltesz asked to have this explained to him.

Mayor William Dickinson responded: The 10% increase would have been an increase except there is a fuel adjustment due to the decrease in oil prices. That result can actually lower bills. Oil prices have been so low that even with the 10% increase, you pay at the same level or a little less, so it's the Fuel Adjustment rate that causes the variation.

Councilman Holmes explained he accepted a promotion at Pratt & Whitney where he is employed and was put on the second shift. He apologized for missing meetings, and stated he is back to stay.

ITEM 3. Mrs. Bergamini moved confirmation of Mayor Dickinson's appointment of Mr. Robert C. Fleming to Personnel & Pensions Appeals Board, seconded by Mr. Rys.

Councilman Killen commented he met with Mr. Fleming on Monday morning. He stated he never, from the first, doubted his

abilities. A lot more than abilities go with a particular job, one is his philosophy towards a particular position he's going to hold. It's nice for him to hold this job and we should show some interest in the people we are appointing or even confirming. This is, I believe, the purpose of having interviews. He added, Mr. Fleming wanted to know what the duties were and what was expected of them. Mr. Fleming is also available if anyone else would like to meet with him.

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VOTE: Unanimous ayes (Rys not present during vote)
motion duly carried.

ITEM 4 Consider appointment of Deputy Fire Marshal.

Chairman Gessert withdrew Item 4 because not all Council Members were present for the interviews.

ITEM 5. Mr. Polanski moved discussion on Fair Street sidewalks, seconded by Mr. Rys.

Councilman Polanski: I received a phone call regarding the Fair Street sidewalks and I went down to take a look at them and they do infringe on Town Property. I also think the safety of the residents walking on those sidewalks is of prime importance.

Linda Bush - Town Planner: They are on Town property by 2 feet. The people pouring the stairs assumed the monument in the sidewalk was the corner of the town property, which it isn't, it's 2 feet in. They poured it in the wrong place. The builder and the owner of the property wrote requesting a variance, because the stairs had to be moved. I told them we had no authority, and they would have to approach the Town Council.

Virginia Isakson, 55 Fair Street: I've lived here for 41 years and am a property owner.

Mrs. Isakson went on to say that this is a safety hazard. She stated the steps should be taken down because there are a lot of children in the area and she then produced pictures for the Council Members to view. She also noted parking is also a problem and added it has been allowed to go on too long.

Linda Bush - No, there is going to be a curbing which means a sidewalk in the parking lot, in the rear.

Ginger Bello, who also lives on Fair Street, stated in the 9 years she has lived there, parking has always been in this condition. She added, for young children and women with carriages, it is almost impossible to walk up there. It's very unsafe. This is not very new because of the construction.

David Ferguson - (previous owner of the building) stated Mrs. Isakson never came to see him and if she had they would have tried to help her.

Jack McGuire - (Ferguson McGuire Insurance): One of the present owners of the property - I would like to apologize to the Council for all the phone calls and to my neighbors on Fair Street, who experience this problem. We have two problems. The first is the parking and we have not been able to control all the cars that come into our own lot on Fair Street. We plan on putting a curb in to differentiate between the sidewalk and the parking lot. Having cars towed did not help, so all I can promise you is that I will personally try to get all the cars parking on the street and sidewalk that do not belong there at all. The next problem, the stairs, The plans were submitted to the town, the town saw them, the problem is with the Architect, the Engineer and the Town Engineers Office, with whom I asked them to look and determine if the steps were going to be put in the right spot. There is a pin down on the corner of Fair Street and Center. It was assumed by everyone that, that pin was the line. After poured, they were butting up against the line which is what they assumed was correct. After 1 week, Linda Bush came and told me that the stairs were on Town Property, that there is a 2 foot setback from that pin going into the center of town. That was the first I had heard about it. The only other problem

I see is the ramp itself. It would probably create the best bicycle ramp in town. We already had one incident where a child was almost killed driving up the bank between Gallagher Travel and our property. What we need is to put stairs of a ramp parallel to our building. Would the Town consider to leave the stairs where they are? The stairs are not infringing on the sidewalk.

Councilwoman Bergamini stated she had quite a few calls and she in turn called Jerry Farrel and then measured the steps herself. She believes this is very hazzardous, between children, winter weather and she even had a phone call from a woman in a walker who has to cross the street. The other thing I want to tell you is, if our Engineer did make a mistake, the people doing renovations, have they ever built before in Wallingford?

Jack McGuire answered yes.

Councilwoman Bergamini stated she saw the forms and thought they were wrong and should have said something.

Jack McGuire: I was out there a week before it was poured and when this all came out, I was as shocked as anybody. The only thing I can say to the Council is that: one- the Town Engineer was out there and he didn't make any more mistakes than the people working for me as my contractors and Architects. They were standing right there with them and no one picked it up. I can only add that the sidewalks are not on the town property anymore than they were before. I'd be very happy to answer any questions.

Councilman Gouveia to Linda Bush - Would you say that this addition was not built in conformity with the plans submitted.

Linda Bush: The building was built in conformance to the plan that was submitted. The stairs show up correctly on the plans, but there was a question. The Architect waid they were going to be too steep. The only thing not in conformance are the stairs.

Councilman Gouveia. The stairs are part of the building.

Linda Bush: Yes, 2 feet of the stairs are not in conformance with the plans by my office.

Councilman Gouveia: Why does it take Town residents a month or a month 1/2 to solve this problem? They then go to the police?

Linda Bush: Mrs. Isakson went to the police about the parking lot.

Jack McGuire: In answer to your comment Peter, Linda's office responded the next week and we poured the stairs. The Town Engineers Office came out and made the same mistake. Linda's office then came out the following week and stated we had made a mistake and put me on notice immediately and followed up with a letter. I asked what I could do and she stated her office had no authority, I would have to go to the Town Council.

Linda Bush. Mr. McGuire has been much more receptive in correcting the problem than many zoning violators in Wallingford.

Councilman Gouveia referred to the pictures and stated the cars are parked on the sidewalks and are in violation.

Mrs. Isakson: My only request to the police was to draw a white line so we would know where to walk and park.

Councilman Rys: Mrs. Isakson, from my observation, I see cars going right up to the curb. People who drive in don't even know that theres parking, so depending on how long it's going to take to put this curb in, it might be a good idea by the Town Council or the Mayor to have a white line painted up that area and have police take notice of any violators that go over that line. As for the stairs, I cannot make conclusions on Architects drawings, but I can see where it would be a problem for Mr. Fergusson's office. If the stairs were removed, the existing ramp would still be there and if you put a rod iron fence behind it, you wouldn't have any children try to go over that fence. That may be a solution.

Mr. McGuire then asked Mrs. Isakson if she found the stairs offensive. Mrs. Isakson replied that she did find them offensive and they should be taken down and put to the side of the building. 530

Councilwoman Papale; I feel that the stairs should be taken down and when the curb is put up there, the problems won't be as heavy as they are now. This is something Mr. McGuire will have to work out with the town.

Councilwoman Bergamini made a motion for the stairs to be removed and the motion was seconded by Councilwoman Papale.

Chairman Gessert added a motion cannot be made for the stairs to come down. A motion may be made not to have the stairs on town property.

VOTE: Unanomous ayes, motion duly carried.

ITEM 6. Mr. Rys moved a transfer of \$1,000 from 805-319 to 1-130-603-00 Lyman Hall High School SHS Championship Award, requested by Mayor William William W. Dickinson, Jr.

Mrs. Papale seconded the motion.

Chairman Gessert stated that it was consistant with the Football Teams that won State Championships las year and also the girls Basketball Team. I'm very proud of their success, but it's getting dammed expensive. I don't think we can do for one without doing for others.

VOTE: Unanomous ayes with the exception of Councilwoman Bergamini and Councilman Killen, motion duly carried.

ITEM 7

Councilwoman Bergamini read and moved adoption of the following Ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 343 BY INCREASING THE APPROPRIATION THEREIN FROM TWO HUNDRED FIVE THOUSAND (\$205,000) DOLLARS TO FIVE HUNDRED EIGHTY-FIVE THOUSAND (\$585,000) DOLLARS FOR ARCHITECTURAL AND CONSTRUCTION MANAGEMENT FEES FOR THE DESIGN AND CONSTRUCTION OVERSIGHT OF THE RENOVATION FOR REUSE OF PARKER FARMS SCHOOL AND THE CONSTRUCTION COSTS ASSOCIATED THEREWITH AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

AN ORDINANCE AMENDING ORDINANCE NO. 343 BY INCREASING THE APPROPRIATION THEREIN FROM TWO HUNDRED FIVE THOUSAND (\$205,000) DOLLARS to FIVE HUNDRED EIGHTY-FIVE THOUSAND (\$585,000) DOLLARS FOR ARCHITECTURAL AND CONSTRUCTION MANAGEMENT FEES FOR THE DESIGN AND CONSTRUCTION OVERSIGHT OF THE RENOVATION FOR REUSE OF PARKER FARMS SCHOOL AND THE CONSTRUCTION COSTS ASSOCIATED THEREWITH AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

Be it Enacted by the Town Council in Session:

I.

Ordinance No. 343 appropriating the sum of Two Hundred Five Thousand (\$205,000) Dollars for the design and construction oversight of the renovation for reuse of Parker Farms School, is hereby amended by increasing the appropriation from Two Hundred Five Thousand (\$205,000) Dollars to Five Hundred Eighty-Five Thousand (\$585,000) Dollars, by including in the authorized expenditures of the aforesaid increased appropriation the construction costs of said renovation, including reroofing, asbestos removal and costs associated therewith, and by authorizing the issuance of bonds and notes of the Town to defray said appropriation.

To meet said appropriation, not more than Five Hundred Eighty-Five Thousand (\$585,000) Dollars of bonds of the Town of Wallingford may be issued pursuant to Chapter XV of the Town Charter, as amended, and Section 7-369 of the General Statutes of the State of Connecticut, Revision of 1958, as amended. 537

III.

The Mayor, the Comptroller, and the Treasurer, or any two of them, are hereby authorized to sell the bonds, either all at one time, or from time to time, in series, at public sale, either as a separate issue or combined with other authorized but unissued bonds of the Town of Wallingford, at not less than par and accrued interest, an advertisement of which shall be published before the date of sale in The Bond Buyer or other publication or media specializing in municipal finance. They shall determine the rate of interest of such bonds, and shall determine the amount of each issue of such bonds, their form, their date, the dates of principal and interest payments, the manner of issuing such bonds, and by whom and how such bonds shall be signed or countersigned, and all other particulars thereof. The Town Treasurer shall deliver the bonds and receive the proceeds thereof. The Connecticut Bank and Trust Company, N.A., of Hartford, Connecticut, shall be the certifying and paying agent. Adinolfi, O'Brien & Hayes, P.C., Attorneys-at-Law, of Hartford, Connecticut, shall render an opinion approving the legality of such particular issue. Such bonds shall be general obligations of the Town of Wallingford and the full faith and credit of the Town shall be pledged to the punctual payment of principal and interest of the bonds in accordance with their terms.

AN ORDINANCE AMENDING ORDINANCE NO. 343 BY INCREASING THE APPROPRIATION THEREIN FROM TWO HUNDRED FIVE THOUSAND (\$205,000) DOLLARS to FIVE HUNDRED EIGHTY-FIVE THOUSAND (\$585,000) DOLLARS FOR ARCHITECTURAL AND CONSTRUCTION MANAGEMENT FEES FOR THE DESIGN AND CONSTRUCTION OVERSIGHT OF THE RENOVATION FOR REUSE OF PARKER FARMS SCHOOL AND THE CONSTRUCTION COSTS ASSOCIATED THEREWITH AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

IV.

The Mayor, the Comptroller, and the Treasurer, or any two of them, are hereby authorized to sell temporary notes of the Town, from time to time, in an amount not to exceed Five Hundred Eighty-Five Thousand (\$585,000) Dollars, under and pursuant to the provisions of Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, in anticipation of the receipt of the proceeds from the sale of bonds hereby authorized, and are authorized to comply with the provisions of Section 7-378a, as amended, and any other legislation regarding the extension of temporary periods whether presently in effect or enacted subsequent to the passage of this ordinance, if the maturity of such notes shall extend beyond the time permitted by Section 7-378; the Mayor, the Comptroller, and the Treasurer, or any two of them, are hereby authorized to determine the rate of interest of such notes, determine the amount of each issue of notes, their form, their date, the dates of principal and interest payments, the manner of issuing such notes, and by whom and how such notes shall be signed or countersigned, and all other particulars thereof. Such notes shall be general obligations of the Town of Wallingford and the full faith and credit of the Town shall be pledged to the punctual payment of principal and interest of the notes in accordance with their terms.

V.

The Town of Wallingford covenants to the holders of the obligations herein authorized that the Town will perform all acts necessary to refund to the United States such sums as may be required by law in order to ensure the interest on its obligations remains exempt from federal income taxation. The Comptroller is hereby authorized to establish separate reserve accounts within which to deposit and hold such yield sums obtained from the issuance of obligations authorized herein and as are defined in H.R. 3838 §701, subpart B, §147(e), entitled "Required Rebate to the United States," or such other federal legislation requiring such rebate as may be enacted, to timely rebate such sums to the United States, to expend sums from the appropriation herein for such rebate and to perform all acts necessary and appropriate to ensure that the interest on the obligations authorized herein remains exempt from Federal income taxation.

Nothing herein shall prohibit the advancement of expenses by the Comptroller from the general fund for the purposes authorized by this ordinance and the reimbursement of the general fund for such advancement of expenses from the proceeds received from the issuance of bonds or notes authorized by this ordinance. 538

Councilman Polanski seconded adoption of the Ordinance.

Mr. Edward Musso, Dibble Edge Road asked if the Ordinance included asbestos removal.

Councilwoman Bergamini answered: Yes, it includes reroofing, asbestos removal and costs associated therewith.

Mr. Musso added he was against the opening of Parker Farms School because there is an over abundance of schools in Wallingford already. As far as population, it is not going to increase very much.

Chairman Gessert thanked Mr. Musso and then on Mr. Bradley. Mr. Bradley asked what the \$380,000 oversight was.

Mr. Bradley was answered by Chairman Gessert who stated oversight means to oversee.

Councilman Polanski: What is the projected total cost for this project now. We heard figures way back of \$1,200,000.

Mr. Devine: \$1,200,000 was a figure that was developed almost 2 years ago.

Mayor Dickinson: What the committee wanted to do tonight was to put on a presentation of the entire package. Mayor Dickinson also added that because of the long Agenda, this could possibly be discussed at another meeting.

Chairman Gessert suggested another meeting be set up concerning the State Funding, what the entire project details and what the entire costs are. I think we have to go ahead with the roof and asbestos.

Mr. Ferguson added, it was imperative that this Council have this meeting to appropriate the dollars we need. We can't go out to bid because we don't have any money.

Chairman Gessert: We have the funds for the asbestos and the roof.

Councilman Holmes: You must know what the latest estimate is on the total package without going into detail.

Mr. Devine answered that based on the estimates the have, \$2.2 million.



Town of Wallingford, Connecticut

September 2, 1986

LINDA A. BUSH
TOWN PLANNER

MUNICIPAL BUILDING ANNEX
370 CENTER STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 265 - 0413

Honorable William Dickinson
Mayor of Wallingford
Wallingford, CT 06492

Dear Mayor Dickinson,

Would you please place the following items on the Town Council's September 9, 1986 agenda:

1. Electric easements from Paul Rebesch on Quigley Road.

2. Electric easement from the Marshalls on South Elm Street.
3. Deed for highway purposes from Stephen Hazelwood on High Hill Road. Property is about 6,000 S.F.
4. Deed for highway purposes from Robert O. Philippi on New Cheshire Road. Property is about 3,750 S.F.
5. Deed for highway purposes from the Estate of Flora Huelstede on High Hill Road. Two parcels have a total of 2,680 S.F.
6. Deed for highway purposes from Joseph & Rita Stankwitz on Durham Road. Property is about 1,000 S.F.
7. Deed for highway purposes from Timothy & Eleanor Sullivan on Tamarac Swamp Road. Property is about 1,920 S.F.
8. Deed for highway purposes from Jules & Laure Perreault on Durham Road. Property is about 1,000 S.F.
9. Easement from Bellemeade Development Corporation to provide a non-access line along their property abutting Grieb Road.
10. Easement from Meadowview, Inc. to allow a utility easement to also be used as access for emergency vehicles to lots 80 and 88 of Meadowview Section 4, Harrison Road.
11. Deed for highway purposes from Phoebe Mesite on Yale Avenue. Property is approximately 2,000 S.F.

Sincerely,

Linda A. Bush
 Linda A. Bush
 Town Planner

Mr. Andy Bravo - Board of Education replied: Two years ago, an estimate was put together by the Montano Engineering Company, so we can meet dates before the cut off date.

Chairman Gessert asked the Council Secretary to post a notice regarding a Special Meeting to meet with the Building Committee on the Parker Farms School to be held on Thursday, September 18, 1986 at 8:00 p.m.

Councilman Killen noted that Article VI: Nothing herein shall prohibit the advancement of expenses by the Comptroller from the general fund for the purposes authorized by this ordinance and the reimbursement of the general fund for such advancement of expenses from the proceeds received from the issuance of bonds or notes authorized by this ordinance, is a catchall.

Councilman Killen stated: I often wonder where do these funds come from that we're not aware of. You have to assume that if you needed \$100,000 tomorrow, it would come from the general fund in which all our funds are suppose to be invested at that particular time, drawing dollars. What happened to the interum before you bond and get your money back again. We loose the interest on it. There's no sense in banging our heads if the money is readily available.

VOTE: Unanimous ayes; motion duly carried.

ITEM 8. Mrs. Bergamini moved for discussion various easements and deeds as requested by Linda A. Bush (page 12a), seconded by Mr. Rys.

Chairman Gessert proceeded to read a letter from Linda A. Bush which is attached.

Linda Bush: Item 1 and 2 are just electric easements requested by the Electric Commission to provide Electric service to properties.

Councilman Diana: Have either one of these been contested?

Linda Bush: No, when we approve a sub-division, we send the plans to all the deaprtments and they can't provide electric service until they have an easement.

Linda Bush continues: Items 3, 4, 5, 6, 7, 8, and 11 are Deeds for Highway purposes. Whenever we approve a subdivision along a

Town or state road where we don't own the width of right of way that under our regulations we should own, we require that they deed to us the extra land so that we will own the 50 feet or 60 feet, etc. It's just so that when we want to rebuild a road, we won't run into a problem like on East Main Street. When we don't own the whole 60 ft. right of way and we have to condemn it or purchase it, we require that they deed it to us, so when we come to improving the roads, we'll own it.

Linda Bush continues with Item 9. When the commission approved the zone change of the Gurke property for Bellemeade, it had to be almost a year ago. There was a question about Greib Road and it was decided it was not an appropriate driveway access from a commercial zone onto a residential area. We felt they should exit onto Regis Road and Rt. 68. We feel it's inappropriate to put conditions on zone changes which has been done in the past. We are giving up the non-access line on State roads stating that only emergency access can go through here. It's the only solution we could come up with to hopefully permanently prevent traffic from exiting onto Greib Road.

Linda Bush continues : Item 10 - We have a utility easement on Harrison Road which have very steep driveways. An emergency exit is to the rear on Saw Mill Drive.

Councilman Killen: Have these all been approved through the Town Attorney's Office?

Linda Bush answered that they have.

VOTE: Unanimous ayes, motion duly carried.

ITEM 9 Consider Budget Amendment requested by Linda A. Bush, Town Planner.

Chairman Gessert: I think we should hire somebody for emergency repairs for drainage problems.

Councilwoman Bergamini then read and moved the following Budget Amendment:

BE IT RESOLVED, The 1986-1987 General Fund Budget is amended as follows:

REVENUES,	Account 216 Erosion Control Fees	\$10,000
EXPENDITURES,	Account 701-650 Erosion Control Contract	\$10,000
APPROVED:	Mayor William Dickinson, Jr.	
CERTIFIED:	Mr. Thomas Myers, Comptroller	

Mr. Rys. seconded the above motion.

Chairman Gessert: The bottom line is the watch item, if we have to spend the money, whatever funds we have to spend can be paid for erosion problems and billed back to the developer.

Mayor Dickinson: If work had to be done in June of a fiscal year and you couldn't get the money back within that month, as Tom informs me, that money could not be credited to that year. That's one area where you could run a deficit and not get a return. It is a risk well worth taking, because we need to be able to act quickly.

Linda Bush: Purchasing sent out documents to a number of firms. Why only one person responded, I don't understand.

Councilman Polanski: I've seen other bids where they listed the people who did not respond. That would have been nice on this one.

Linda Bush: The cost is not as important as the reliability, and I think the firm that responded is very reliable. They even have a street sweeper which we didn't even have in our original document.

Councilman Rys agreed with Councilman Polanski regarding the fact they only have one bid.

Councilman Rys also commented on the bad erosion problem and stated he wanted to have that taken care of as soon as possible.

Linda Bush responded that that's why the price is not high for some of the time.

Councilman Rys: But you are talking an additional 50% in the prices, for a 12 hour period and an additional 25% for a 24 hour period. The actual cost of \$283.25 per hour, that's what I calculated and then you have to take care of the union. 541

Linda Bush: I had threatened to call the developers bonds because he was not complying. We finally forced him to do something. When he heard that we had done this and had a contractor who was willing to work for the Town, he asked who they were and what their prices were. He stated it would be cheaper for me to hire his regular sanitation and erosion control than it is for him to assign his own crews to do it. Whether that is an accurate statement or not, I don't know. I don't pay contractors, but from that comment it seems that the prices are in line.

Chairman Gessert: Why they did not respond is not our problem right now.

VOTE: Unanimous ayes with the exception of Rys; motion duly carried

ITEM 10 Consider RESOLUTION FOR A SOCIAL SERVICES BLOCK GRANT PROGRAM (SSBG), requested by Donald W. Roe, State & Federal Program Administrator.

Councilwoman Bergamini moved adoption of the following resolution:

WHEREAS, The State of Connecticut is expected to offer the Town of Wallingford program grants under the Social Services Block Grant Program; and

WHEREAS, It is desirable and in the public interest that the Town of Wallingford implement programs under the Social Services Block Grant Program.

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

1. That it recognized the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
2. That the filing of an application by the Town in an amount not to exceed \$15,000.00 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 Human Resources, to provide such additional information, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the TOWN OF WALLINGFORD.

Mrs. Papale seconded the motion.

Councilwoman Papale: The state has reduced the amount of money we have gotten in other years, how much did we use to get?

Mr. Donald W. Roe, State and Federal Program Administrator: About \$17,000, we have not gotten anything from the state even though their deadline will be October 1st. However, the phone calls from the Commissioners Office said that our Meals on Wheels eligibility would be at about the \$6,000 level and our counseling would be at about the \$5,000 or \$6,000 level. There has been a considerable reduction in the Meals on Wheels program, however, back in budgetary deliberation time, the Council authorized an additional \$3,000 in local funds for Meals on Wheels. That will not cover the entire shortfall however, I think it premature to talk about any additional funds until, it is our intent to try to negotiate for additional funding or to utilize funding that is unspent on the counseling side of things

Councilwoman Papale asked Mr. Roe that if there wasn't enough money for everyone, what would happen?

Mr. Roe: People would have to be put on a waiting list, but we try to avoid that.

Councilman Killen: On the letter it states "The shift in priorities

at the state level" that's the present time. We started this program with many other programs with x number of dollars being provided, and therefore we go along with them. As they shift their priorities and keep cutting the town has to bring up the short fall all the time. How far do we have to go before we find out we are picking up the brunt for the whole thing.

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Mr. Roe stated he did not have a good answer. Changes at the Federal level just participate changes at the state level.

Councilman Killen noted they are having the same problem with the Teachers and we would love to take all the money they want to give us but not if they have a string on the end saying we are going to take it back from you at any given moment.

Councilman Polanski asked if more funds are going to be needed next year anticipating cuts.

Mr. Roe: We had anticipated last year and requested additional appropriation of \$6,000, but then I requested at the Budget Council Meeting to reduce it to \$3,000 because, at that time it did not look as though Social Services Block Grant Fund were going sufficient. Whatever funds we end up with in terms of state funds we work with those throughout the year and I will keep you advised as to how it looks at the end of this fiscal year.

VOTE: Unanimous ayes; motion duly carried

ITEM 11 Consider accepting fixed cost of \$9,000 for annual actuarial study proposed by MARTIN E. SEGAL CO. and appointment of this firm as Town Actuary, requested by Stanley A. Seadale, Director of Personnel.

ITEM 11 was withdrawn by Chairman Gessert.

ITEM 12. Mr. Rys moved for discussion and possible action municipal projects, seconded by Mr. Polanski.

Councilman Gouveia stated he would not engage in any discussion involving the proposals, I will abstain from voting on these two proposals because his brother is involved with one of the buildings to be discussed and this could be a conflict of interest.

Chairman Gessert welcomed Mr. Caplan of 37 North Main Street.

Mr. Caplan introduced Mr. Geupel, the consultant to the developmental proposals which we submitted and Mr. Harold Roth, Architect.

Mr. Caplan: Our proposal is very similar to the one we submitted several years ago, minus the Robert Earley project. It calls for a mixed use center and the possibility of retail and residential and office. We called for a new structure on this site, taking down the Town Hall, we talked to renovating the old bank building on North Main Street. The proposal as stands, calls for buildings and structures on the current Town Hall sites, taking down the Annex, renovating the bank building on North Main Street, hollowing out the structure next to the bank building. On the site plan, we are proposing to utilize the first floor, 21 North Main Street as a walkway bridging Simpson Court and a new court, we are proposing to build for the interior of this minor mall. Currently, in the center of that is a Gazebo, in concert with the one that is being proposed at the railroad station. We hope to make it an activity area, but our major goal was to bridge this commercial area with the commercial area which is already in place on the center of North Main Street. The way we view Wallingford, these 5, 8, 10 block area up and down Center and North Main is actually the only pedestrian area Wallingford has. A problem at hand that we face is keeping the integrity of 310-15 year old town and developing a rather small site. The problem being, to construct or renovate enough square footage to call for all of the site improvements that we are calling for. We thought it would be in the best interest of Wallingford to make the structures only a few stories high. Other ingredients in the proposal call for several pieces of property, one on the corner of Wallace Avenue and Center Street and one in the interior back section off of Wallace Avenue adjacent to some property of ours, which is outlined in our proposal. One you will see is necessary for street improvements, the other is necessary for parking.

Councilwoman Papale asked if there was another way to do this besides condemning these two buildings and finding parking somewhere else.

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Mr. Caplan: One is for an exit and the other is for additional parking. You need a lot of land for parking to maintain this project.

Councilwoman Bergamini asked how many townhouses there would be.

Mr. Caplan stated that question has to be answered in square footage. You are talking about approximately 25,000 new retail space and a little bit more than that for office space or residential.

Councilwoman Bergamini: What did you plan to do with the Capitol Building, per say, what is going to front the Capitol Building now?

Mr. Caplan: As we hoped, our first phase would be renovating 33-37 North Main Street, and probably a market on the first floor and above it either offices or residences. We will give the building an interior and exterior facelift.

Councilman Polanski stated he had the same problem as Councilwoman Papale in condemning land. Did you buy the land?

Mr. Geupel: We tried to address that on an arrangement that we proposed that by offering the town as well as taxes, an 8% participation in our project. It will take a combined effort of a developer and a municipality to make this work. They should both share.

Councilman Polanski: Has any of the property you condemned been approached?

Mr. Geupel answered by stating that one of them had been and we could not come to any resolution on it and the other had not been.

Mr. Diana asked Mr. Geupel: Are we going to vote on this not knowing whether it is residential or business?

Mr. Geupel: The way the proposal states, you were going to be picking a developer and then there was a 90 day grace period to return to the Council and show you a plan.

Mayor Dickinson: It is mainly to look at overall plans and then to choose someone in more detailed discussions following after that. It proves something in concept, who do you think would head in the direction that best suits what we want for Wallingford.

Mr. Geupel: This plan adds a lot of new uses to Wallingford it puts a lot of unused parking lots into valuable property. The taxes will be around \$90,000 a year.

Councilman Diana added he is certainly in favor of a project downtown. He would like to see it a little more concrete. Also he is not thrilled about the condemnation of someone's property. He's going to fight a little harder on this issue. He added that he is not saying it isn't necessary and that eventually it won't be a compromise, but it is going to have to be a very good convincing job by the developer.

Mr. Caplan: You advertised this, and you got two proposals. The simple economic fact is that this site is a small site and it doesn't offer a lot of economic opportunity and because it is a small site and because Uncle Sam has radically changed tax laws these past 3 or 4 years, the opportunity shrinks even more. This is what we are prepared to offer. At this point in time, I need to know very desperate facts. One- whether you people are going to commit to move to Robert Earley and whether this is worth my while being that this is my 5th year working on this, and two if you will in fact choose a preferred developer.

Chairman Gessert noted that there is a significant difference between those two proposals. One proposal specifically addresses

the situation of existing town buildings and the other proposal is obviously more encompassing because Mr. Caplan is involved in and owns much of the adjacent property.

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Councilman Holmes: Has anyone investigated the impact that any traffic generated by this normally congested area at this particular area and all of Center Street

Mr. Geupel: Once a day there is significant traffic at 4 to 5, but for the merchants and for the people who are committed to the center of town the entire other 23 hours of the day

Mr. Roth added: As far as the architectural aspect, not only were we thinking of the interior courtyard in providing a life of the interior lot other than a parking lot, but we have considered North Main Street by renovating the existing buildings, restoring the bank building to a more intensified use. Center Street will have a new building that has been carefully scaled to be compatible with the center of Wallingford. Then, in addition with that to comply with Simpson Court and North Main Street, by having a walkway will be landscaped and a pleasant place to walk into a center courtyard and hopefully there will be a nice cafe. An outdoor cafe would be a real attraction. This is merely the beginning of a set of ideas that could be developed and would be developed over the next 90 days.

Councilman Killen: Is Mr. Wooding no longer interested?

Mr. Caplan: I believe Mr. Wooding is interested, if there were a direction to the town how they would envision what will happen here.

Councilman Killen: It seems to me that we are now faced with the decision, do we want to go with the other proposal that was before us that entailed the town owned buildings, or go for broke and take in most of the block. As you are well aware, if we go along Main Street, the only thing in between, because you own the property, would be the Church, the Telephone Company, the Fire House, the Police Station, regardless, most of North Main Street would be combined with this thing. We have a Fire House that is outdated, should be replaced, now is the time for a planning to try to encompass the whole thing.

Mr. Geupel: If this project starts and is successful and sets downtown as the new place to be, it's going to spread. It also has to be done in phases because it is an unproven market. Once you begin to establish, you will have more phases.

Town Council Members reviewed the blueprints presented by Mr. Geupel.

Mr. Roth: Mr. Wooding would like to participate, if he could see a direction.

Chairman Gessert agreed with Mr. Killen stating he would like to know the direction in which they would be going. Mr. Diana felt that people's rights are in fact being infringed upon here. Carl Geupel felt there should be a master plan and unfortunately, sometimes everybody doesn't own all the property all at once. Mrs. Papale realizes the street is needed to get back to the courtyard and there is talk of condemning the property on the left and she asked about the property on the right between the road and the Shell Station and Mr. Caplan said that would be 390 Center Street, a 3 story brick building which is being proposed for renovation, owned by Mr. Caplan. Mrs. Papale felt that there has to be a compromise and Mr. Caplan said the bank says you have to show the numbers and there isn't a lot of economic integrity in this scheme because to keep the integrity of a Yankee town means not to build up and if you are going to be constructing very little square footage, you obviously have very little square footage to lease. Mr. Gessert said the Planning & Zoning Building would make an ideal driveway.

Mrs. Papale thinks the money should be discussed at this point.

Mr. Gessert said the initial investment is one thing to look at but also what type of revenue will be generated in tax dollars. Mr. Cooke said his proposal's total dollars is much different than Mr. Caplan's so obviously the tax generated from the property being talked about will be less than Mr. Caplan's proposal.

Mr. DiNatale said he is Mr. Cooke's partner in this and as far as the return on income on taxes, the use of the land and the buildings is maximized at this point but he did not calculate the figure. Ms. Bush

said she has looked at both proposals and they both must go before the Planning & Zoning Commission for approval and she has serious concerns about the Caplan proposal only because there is not anywhere near enough parking provided for the uses and the square footages proposed. There are 112 parking spaces shown and under regulations, they would continue to need 50 for their existing building and she doubts with just Mr. Caplan's property they will be able to build all the square footage shown on the conceptual plan. Ms. Bush said that parking is a very serious concern of hers personally and also of Planning and Zoning Commission and parking must be provided close to the facility. Mr. Caplan said there are possibilities and one of them is the residential which has a much lower parking load and another is the nature of downtown shopping and it is hoped that the same parking spaces could be used at night for the restaurants as would be used during the day for shopping.

Ms. Bush said it sounds very nice conceptually but people use other people's parking areas rather than walk one block and that is just a downtown mentality. Ms. Bush's concern with the proposal is the magnitude of the structure on the very small land area.

Mr. Gessert asked about the additional taxes generated and Mr. Geupel said that based on the total, it might be \$90,000 a year and there is a participation proposal of 8% of net revenues and if this project really takes off, the town can play a role in the long run and the value of that 8% is tough to estimate but the 8% participation won't be worth something in the first 3 years but in the long run it could be much bigger than the taxes or the base price.

Mrs. Bergamini mentioned that when Mr. Cooke made his proposal in August, he included in his count for parking the parking that abuts the sidewalk, curbside. Ms. Bush said that the parking available is used for an office building and Mr. Cooke could also use that parking for an office building--it is existing non-confirming and it doesn't matter--the only change is the conversion of the second floor of the bank building or the other building as apartments and this will not increase the need for parking where the other proposal is increasing the parking need.

Mr. Killen asked the Chairman what sort of action he is looking for this evening and Mr. Gessert said the Council has an option to take as much action as they like. Mr. Killen mentioned that someone will have to do some work regarding the tax list, etc. and the dollars can only be downplayed to a certain extent and if either plan is taken, it must be determined what will stay, what will be added, what will be torn down and taken off the tax list and work must be done on these matters. Mr. Gessert said (a) does the Council want to endorse the concept or (b) does the Council want to accept the proposal or (c) does the Council want to absorb the information at the table and continue to do research and bring the matter up again? Mr. Killen is bothered by the fact that someone must do all this work this evening if this matter is tabled and there is a lengthy agenda tonight and the Council has no professionals to calculate all the figures. Mr. Gessert felt that the Council could ask the Mayor to have department heads to address any matters and Mr. Killen could give the Mayor any questions he needed answers to.

Mr. Caplan asked if the Council could make a commitment whether or not to move to Robert Earley tonight and Mr. Gessert said if they were not prepared to make that commitment, this matter would not be here tonight. Mr. Lendler said it seems to him if we all are playing by the same zoning rules, there is a maximum allowable space and they can't get any more in than there are and if tax revenue is one of the measures, they can't produce any more than we can because they can't get anymore parking. Mr. Lendler asked where the money would come from to make this condemnation, who will put it up, who will bring the action and how will that be money be gotten back? Mr. Gessert said that if the Town of Wallingford endorses the proposal with condemnation as a part of it, the Town of Wallingford would have to compensate someone for their property. Mr. Gessert asked how the Town of Wallingford would get their return from this proposal?

Mr. Geupel suggested that through the 8% participation plus the new taxes and the development would purchase the land used for parking from the town--it is only the parcel on the corner of Wallace Avenue and Center Street which the development wouldn't purchase from the town because that in fact would become a public street.

Mr. Gessert asked if the town had to pay for a condemned property, how would the town be reimbursed for that expenditure? Mr. Geupel said the

parking parcel would be reimbursed by the development but the parcel on the corner of Wallace Avenue and Center wouldn't. Mr. Roth said that with a larger site assembled here, it is indeed possible to have higher tax revenues because you can permit development of the back of the block using underutilized space now. 544

Mr. Holmes does not want to see this project stalling and he said a deadline should be set for getting information back to the Council and plan for definitive action so the deal can be closed and a move made to Robert Earley School.

Mr. Polanski said that under Mr. Cooke's proposal, it will cost \$400,000 to develop the property and Mr. Caplan's company's cost is roughly \$3.4 million and that would raise the value of that property considerably as far as taxes are concerned. Mr. Gessert said you have to balance and he isn't sure how much would be generated in tax dollars.

Mr. Killen asked Mr. Caplan what the tie-in is with the Earley building and Mr. Caplan said his plan won't go through if the town doesn't commit to move to Robert Earley. Mr. Killen said one of the first things is the money that is up front which would be received for 350 Center Street in which case Mr. Cooke's offer of \$851,111.39 for 350 Center, 370 Center, 9 North Main and 21 North Main is a lot better than Mr. Caplan's offer of \$200,000 for the same properties and it is not yet determined what will be coming back in taxes and he would like these things clarified before going any further.

Mr. Caplan said that in view of what has been said tonight and the inability to decide, he would withdraw his plan, and he feels as though he has presented alternatives for the past several years and he will just leave it at that and you can proceed. Mr. Gessert said he is sorry to hear Mr. Caplan take that position and he can sympathize with the frustration. Mr. Caplan said he let his own properties go because he has been afraid to do the correct work that should be done because this development was on the horizon and he is at a point in time where he has to pay attention to his own properties. Mr. Gessert thinks Mr. Caplan's proposal is well done and it shows a positive impact on the Town of Wallingford.

Mrs. Papale asked Mr. Caplan why he is withdrawing and Mr. Caplan said the Council has not yet decided to move out of this building and he fears that new studies will have to be undertaken to determine costs of renovating Robert Earley and that number will be frightening and this proposal tries to talk to the concept of downtown Wallingford and it doesn't try to talk to little tiny bits and pieces and frankly, it has been 4 or 5 years that he has been at it. Mrs. Papale thinks Mr. Caplan's concept is wonderful and she wonders if it really could ever happen and she hopes a move will be made in 1½ years to Robert Earley but how can the Council make a decision tonight without checking through the Assessor's Office and she feels that Mr. Caplan is not giving the Council a chance because this is the first time they have had a discussion with Mr. Caplan.

Mrs. Papale wished that Mr. Caplan would have given the Council another couple of weeks to consider this matter.

Mr. Diana said he does appreciate Mr. Caplan's proposal but the wheel of municipalities is slow and this proposal has nothing to do with Robert Earley but the Town of Wallingford wants to sell a piece of property and it should have no relationship with Robert Earley whatsoever. Mr. Caplan said that because there was not a commitment by the Council to in fact move is the reason so few proposals were made since nobody wanted to gamble. Mr. Killen said that neither of these offers will do Robert Earley.

Mr. Diana referred to the condemnation of property and the fact that the town will have to absorb the cost and, more importantly, what is the building worth compared to the proposal of \$200,000 and it is a responsibility on the part of the Town Council to make sure they are doing the right thing and he doesn't want another item such as the trash plant again.

Mayor Dickinson thinks everyone should keep in mind what the past several months have brought. There was an initial proposal several months ago that Mr. Caplan and Mr. Wooding brought in with private developers doing the work and for a number of reasons, that was not approved and for a number of reasons, it was decided to go with this approach and look to sell these properties before being in a position of already financing Robert Earley because the town would be in a worse position as far as getting the value back from these properties. The Mayor thinks the approval of this approach, the solicitation of proposals

indicates that the town is prepared to do something and he feels that at the next meeting, a decision should be made--where the town is going with these properties. The Mayor continued, if a proposal is chosen, at that point, the town is committed to Robert Earley and at least \$5,000,000 for the rehabilitation of Robert Earley. Mayor Dickinson is trying to indicate that if a point is reached at the next meeting where the Council does not want to go with these proposals, then it should be decided to sell Robert Earley and look to fix up the buildings the town has but the time is definitely here for a decision, one way or another and that is the way this whole process has been designed--that we come to a point and make a commitment and that commitment should be at the next meeting. Mrs. Bergamini said her suggestion is to take all the properties the town owns and put them in the hands of a real estate agent and have them sold and demand our price and get bids on renovating Robert Earley. Mrs. Bergamini could never, never vote for condemnation and she thinks it's illegal to vote for condemnation for a private person. She feels that the map are what dreams are made of and she wishes it could happen. 547

Mr. McGuire is excited about this project and he thinks the Council all recognizes the opportunity to create a unique uptown area that will be something special and he doesn't see the obstacles as unsurmountable and he certainly hopes that the town goes forward and encompasses and grasps this program and he thinks the Woodings are waiting for some indication and they will get into this project 100% and the town buildings, the Caplan and Wooding property gives the town a unique opportunity and he hopes that Mr. Caplan will reconsider and stay with this program for a little while longer.

Mr. Musso, 56 Dibble Edge Road feels that everything should be known about the project and figures are necessary and you can wait and do what is best for the town.

Mr. Diana felt that the Council would be shirking their responsibilities by giving this to a real estate agent because the Council can keep a hold on redevelopment, helping downtown merchants and once it is turned over to real estate agents, whatever happens, happens. Mrs. Bergamini said the reason she said that is because she doesn't think there is enough money involved in both bids, according to today's real estate market. Mr. Diana agrees with the Mayor that it is time to do something.

Mr. Cooke asked what Mr. Caplan's figures were and Mr. Gessert said \$200,000.

Mr. Polanski said a quick decision cannot be made because of the \$5,000,000 figure to move to Robert Earley. Mr. Cooke said the Robert Earley could be renovated for less than \$5 million, very pragmatically, including airconditioning, insulated windows and not changing the aesthetic appeal of the property. Mr. Cooke said that specs should be put together and let people in the community have the opportunity to bid and you will be surprised at the numbers that come in from contractors in the community.

Mr. Holmes thinks that the time for action is now and he feels that 2 weeks or 30 days is ample time to obtain all necessary information. Mrs. Papale said it is up to the Mayor and Mr. Killen said the Council has to have some kind of figures to work with and for the Council to make a decision on behalf of 38,000 people with nothing but a concept and no figures, he does not want that. Mr. Killen said Mr. Caplan approached it the right way from his angle and the Council should approach it the right way from their angle which can be agreed upon.

Mr. Roth felt that the two proposals are very similar are very similar and they produce similar income in terms of taxation and similar problems and it seems that the Council has two radically different proposals before you--one is a straight real estate transaction merely selling an existing building and the other proposal amounts to revitalization and development of the central downtown for long-range good of the town if you are going to progress and it seems to Mr. Roth that that is where the decision should be made--what approach are you going to take--are you merely going to sell a piece of town property or are you going to revitalize downtown--that's the simple matter. Mr. Roth further stated that to select a preferred developer, you then go into a negotiation period of 90 days or longer in which you hammer out all of the specifics and study the figures and work them out and it is much to premature to sign off on a deal as has been said since this is the first time the parties have been discussing the matters together and the whole idea that the town advertised for is to enter into a period of negotiation

in which all of these matters are discussed--time frame, money, how the move will be paid for, what the income is, what is the tax revenue, etc. over long range and you don't have the information to sign off on the matter now. 548

Mr. Gessert felt this matter should be tabled to the next regular Town Council Meeting. Mrs. Papale is interested in information from the Assessor's Office and Mayor Dickinson asked what information is being requested and Mr. Killen wanted to know how much the town owned building on Center Street is assessed for and Mayor Dickinson said the appraisals came in at \$600,000.

Mr. Killen said that property will be demolished which will be removed from the tax list and he wants exact figures to work with. The Mayor has an idea of what the Council is looking for.

Mr. Lendler said if you take a \$200,000 offer and subtract the cost of condemnation for which the town will pay, you have a minus offer. Mr. Gessert felt the Council is capable of evaluating that.

Mr. Killen asked Mr. Caplan if he has officially withdrawn his offer or if he will be willing to roll one more time with the Town Council and Mr. Caplan would be willing to wait until September 23, 1986.

Mr. Killen moved to table action on the proposals presented by Mr. Caplan and Mr. Cooke regarding redevelopment and reuse of municipal properties at Center and North Main Streets, seconded by Mr. Diana.

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

ITEM 13 - PUBLIC WORKS TRANSFERS.

Mr. Holmes moved a transfer of \$1,100 (1986-1987) from C503-902-01 to 503-512-01, Public Works, and a transfer of \$1,200 (1986-1987) from C503-903-01 to 503-512-01, Public Works, seconded by Mr. Polanski.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen moved to rescind the action appropriating \$1,200 from A/C C503-006 to A/C 503-512-01 and also \$1,100 from A/C C503-002 to A/C 503-512-01 taken at the Town Council Meeting of August 12, 1986. Mr. Diana seconded the motion.

Vote: Unanimous ayes; motion duly carried.

ADDENDUM - Authorize waiver of bid and awarding of contract for grading on North Elm Street.

Mr. Holmes moved to consider the above addendum at this time, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini read Mr. Deak's 9/8/86 letter pertaining to final grading on North Elm Street and awarding the job to Tilcon/Tomasso at the rate of \$2,375.00 per day.

Mrs. Bergamini moved to waive the bidding procedure and award the contract for final grading on North Elm Street to Tilcon-Tomasso at the rate of \$2,375 per day, seconded by Mr. Rys.

Mr. Deak explained that the town is just changing contractors and the paving will start this Friday and will be completed next week. Mr. Killen asked why the bid had to be waived and Mr. Deak said he did not have a bid with Tomasso and Costello Industries does not have a grader available immediately and this job could not be completed last year because of the problem with the water lines but a commitment had been made with Costello Industries.

Vote: Unanimous ayes; motion duly carried.

ITEM 14 - FIRE DEPARTMENT TRANSFER.

Mr. Rys moved a transfer of \$350 from 203 903 52 to 203 907 52, Fire Department, seconded by Mr. Polanski.

Vote: Unanimous ayes; motion duly carried.

ITEM 15 - FIRE DEPARTMENT TRANSFER.

Mrs. Bergamini moved a transfer of \$5,000 from 203-576 and \$5,000 from 805-319, a total of \$10,000 to 203R-163, Fire Department, seconded by Mr. Rys. AMENDED TO MOVE \$10,000 from 203-576 AND DELETE 805-319. 549

Mr. Gessert mentioned that the town has been without a Deputy Fire Marshal for a while and asked if funds could be taken from this account rather than 805-319 and Chief McElfish said that is not his department budget but the Fire Marshal's. Chief McElfish said the money could be taken from the WELLNESS PROGRAM if it is a problem but he does not have any fat in his budget. Mr. Gessert said 805-319 is slim this year. Chief McElfish agreed to take \$10,000 from 203-576.

Mrs. Bergamini amended the above motion to transfer \$10,000 from 203-576 and place it in 203R-163, Fire Department, seconded by Mrs. Papale.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen noted that the certification should be changed from \$15,000.00 to \$10,000.00.

ITEM 16 - FIRE DEPARTMENT TRANSFERS.

Mrs. Bergamini moved a transfer of \$700 from 203FM-900 to 203FM-Capital and a transfer of \$95 from 203EC-900 to 203EC-Capital, seconded by Mrs. Papale. MOTION TO ESTABLISH 203FM-CAPITAL FAILED/NO TRANSFER MADE.

Mrs. Bergamini read Mr. McElfish's and Mr. Scionti's 8/12/86 letter requesting item 16.

Mr. Scionti said this is a unit that fits in so that if something happens to the hard disc, the program won't be lost. Mr. Rys asked if 203FM-Capital account has been established and Mr. Myers said there is no capital under Fire Marshal and the account must be established. Mr. Diana asked if this would amend the budget and Mr. Rys said he was confused about this being a capital item. Mr. Myers explained that a supply account is being spent to purchase a capital item and if it is over \$300, it can't be purchased out of a supply account. Mr. Killen said you are being asked to transfer to an account that does not exist and there is a difference between a transfer and an appropriation and by giving now, you are appropriating now what you did not appropriate at budget time, an appropriation in every sense of the word. Mr. Myers felt that the purpose of establishing any account or labeling any expenditure is really to define the purchase and in Mr. Myers' opinion, these things are defined by very fine lines.

Mrs. Bergamini moved to establish account 203FM-Capital, Fire Department, seconded by Mr. Polanski.

Mr. Killen voiced his objections to this and asked where the money was coming from and he felt this account would be shorted and Chief McElfish hoped that would not happen with this account because of the system.

Mr. Scionti said this unit is a quick type of recovery and Mr. Killen said the Council had a shot at this and turned it down and now he is saying you can be turned down at budget time and given at any time later. Mr. McElfish said that this is a new item and Mr. Killen said it was presented at budget time.

Vote: Council Members Bergamini, Diana, Holmes and Polanski voted aye; Council Members Gessert, Gouveia, Killen, Papale and Rys voted no; MOTION DID NOT CARRY.

ITEM 17 - ELECTRIC DIVISION TRANSFERS.

Mrs. Bergamini moved a transfer of \$10 Budget 1985-86 from 366 to 394, \$59,000 Budget 1985-86 from 366 to 364 and \$120 Budget 1985-86 from 366 to 315, Electric Division, items 17(a), 17(b) and 17(c). Mr. Rys seconded the motion.

Mr. Gessert asked why these transfers are being made and Mr. Walters said these are all the previous year's budget as is noted on the agenda and they are as a result of unaudited figures at this point, to legitimize the budget, in most cases, for the month of June when figures were not available until after closeout of the fiscal year. Mr. Gessert could understand \$10 or so dollars but \$59,000? Mr. Gessert said the amount for poles was overspent by \$59,000 and Mr. Myers said that was correct. Mr. Walters said there is a great deal of activity in the last several months of the year and the accounting does not always

get done until the final whistle to get it in for the fiscal year. Mr. Holmes asked if there were any contacts between Electric Division and P & Z to see what will be happening during the year to get a feel of what will be happening with construction permits, etc. Mr. Walters said the budget is put together long before that feel and there are approvals given for much more work than actually is accomplished and the one thing that is not guaranteed is the pace at which the work will be completed and the knowledge of when the Electric Division's facilities will have to be installed. 550

Mr. Killen asked what would happen if Items 17(a) through 17(k) were turned down and Mr. Myers said that at this point, if these items are not approved by the Town Council, the final statement for the Electric Utility will show these line items as overexpended as of June 30, 1986 and that is the only effect this will have and if they are approved, the bottom line will not be changed but the net income is correct as it is stated prior to the auditors looking at it. Mr. Killen asked if there is no penalty for being overdrawn since he understands from the Charter that we are all liable for our actions and money should not be spent that is not appropriated and that is the reason people ask for transfers. Mr. Gessert has read page 37 of the Charter recently and if you spend money that has not been appropriated, you are personally liable for it. Mr. Myers addressed what would happen accounting-wise, not whether it was correct procedure within the framework of the Charter. Mr. Gessert has a problem with \$59,000 over budget for poles and he does not know how this can be done.

Mrs. Bergamini asked if this occurred every year to this degree and Mr. Walters said each year, there is anywhere from 10 to 20 transfers but he feels they have not been quite so large but the town has not had this activity level before either. Mrs. Bergamini does attend P & Z meetings and realizes what is going on in town and she understands how the Electric Division might run short of poles in stock. Mr. Gouveia said this account was overexpended 29% and Mr. Walters said it all happened in the month of June.

Mr. Holmes asked how soon after the budget was put together was it known that Bristol-Myers would be doing their own cable work and Mr. Smith said it wasn't decided until fall.

Mayor Dickinson asked if Walt Lee alerted the PUC as to where the accounts are as things are going along so that when amounts start getting low, it is known that a transfer is necessary and Mr. Walters said absolutely--there are monthly reports and weekly reports that tell what is going into these accounts and the information Mr. Lee had in mid-June was based on incomplete work orders and there were several substantial outstanding bills from the telephone company for their share of poles that were not available until the end of June or even July that get kicked back into the proper accounting period.

Mayor Dickinson asked if the budget item for poles was just poles or did it contain labor too and Mr. Walters said it is the complete cost of installation--the poles, the labor, the truck charges for getting them in, more than just the pole--the anchors, cross-arms. Mayor Dickinson asked if the Electric Division knew that five poles were going out the last week in June, would they have any ability to estimate how much money would be necessary for the labor for the five poles and Mr. Walters said it could be estimated and they would probably have to still come to the Council but probably not for \$59,000 but \$5,000 since an estimate will not come out to the actual dollars but the Electric Division chose to wait until final figures were available to come before the Council.

Mr. Polanski asked how many installations \$59,000 covered and Mr. Walters felt it covered 70 to 75.

Vote: Unanimous ayes with the exception of Gessert, Gouveia, Holmes, Killen and Papale who voted no; MOTION DID NOT CARRY.

Mrs. Bergamini moved a transfer of \$800 Budget 1985-1986 Electric Division from 426 to 431, seconded by Mr. Rys.

Vote: Unanimous ayes with the exception of Gouveia, Killen and Papale who voted no; motion duly carried.

Mrs. Bergamini moved a transfer of \$66,000 Budget 1985-1986 Electric Division from 408-1 to 403, seconded by Mr. Rys.

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

Mrs. Bergamini moved a transfer of \$3,200 Budget 1985-1986 Electric Division from 908 to 921, seconded by Mr. Rys.

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Vote: Unanimous ayes with the exception of Gessert, Gouveia, Holmes, Killen, Papale and Rys who voted no; MOTION DID NOT CARRY.

Mr. Rys moved a transfer of \$36,000 Budget 1985-1986 Electric Division from 592 to 593, seconded by Mr. Polanski.

Vote: Unanimous ayes with the exception of Diana, Gessert, Gouveia, Holmes, Killen and Papale who voted no; MOTION DID NOT CARRY.

Mr. Rys moved a transfer of \$3,000 Budget 1985-1986 from 583 to 587 and \$1,000 Budget 1985-1986 from 583 to 585, Electric Division, seconded by Mr. Polanski.

Vote: Unanimous ayes with the exception of Diana, Gouveia, Holmes, Killen and Papale who voted no; MOTION DID NOT CARRY.

Mr. Rys moved a transfer of \$381,700 Budget 1985-1986 from PASNY Savings to 555, Electric Division, seconded by Mr. Polanski.

Mr. Raymond Smith felt that this probably could have been anticipated and it appeared that they were going to be able to squeak through but there was a 16% increase in energy in the month of June and this bill was received at the end of July or early August.

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

Mr. Rys moved Budget Amendments-Budget 1985-1986 Electric Division \$245,542 Contribution to Town - Budget Summary and \$634,458 Contribution to Town from Unexpended Capital, seconded by Mr. Polanski.

Mr. Gouveia asked how much money was in Unexpended Capital and Mr. Smith said the Unexpended Capital falls back into Retained Earnings. Mr. Gouveia asked what prevents the Electric Division from taking \$1,000,000 from Unexpended Capital if it's there and Mr. Walters said "financial solvency." Mr. Gouveia asked if Retained Earnings was the same as Unappropriated Equity and Mr. Smith said they were not the same. Mr. Myers explained that the Unappropriated Equity account is a combination of the plant, system, the worth of the system that is on the books and the working cash capital that is available. Mr. Myers said this \$634,458 is available from prior years' Unexpended Capital, 45% that the Electric Division retained out of their net income over the years and all of it wasn't spent. Mr. Myers further stated that as an example, 1985-86, their target was \$1.4 million for net income and they actually made a net income of \$400,000 and if you look at their capital budget, they spent \$1.4 in capital and they drew on those funds from prior years that were not expended to finance their own capital budget in 1985-86.

Mr. Killen said that the town has to put up the money to operate the plant and why should the Electric Division be holding it in abeyance? Mr. Myers explained that the numbers are not going to change the bottom line and it is merely to meet compliance at this point. Mr. Gouveia noted that the Unappropriated Equity is \$12,157,000 and what Mr. Myers is talking about as far as the plant is concerned is current assets. Mr. Myers explained that this is on the asset side of the ledger and the offset under the equity is the \$12,000,000. Mr. Myers explained that the hardest concepts to grasp in management is equity and fund balance and he would be glad to have a workshop with Levitsky & Berney to present this technical issue to the Council.

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

Mr. Rys moved a budget amendment-Budget 1985-1986 Sewer Division, \$45,450 Increase Interest Earned A/C 419-000 and \$45,450 Increase Net Income, seconded by Mrs. Bergamini.

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

Mr. Denison explained the reason for the budget amendments and commented that because these were booked, the auditors had no adjustments on the Water and Sewer Operating Statements for this year and had they not been booked, they would be adjusted and it leaves the Water and Sewer Division in a position that it would have to be done either way or, if not, the auditors would do it for them.

ITEM 18(D):

Mr. Rys moved a budget amendment F.Y. 1985/86 Sewer Division of \$45,450 from Net Income as follows:

- \$ 1,520 to 641-000 Chemical Expense
- \$ 90 to 920-003 Clerk of the Works Expense
- \$19,575 to 925-001 Workmen's Compensation
- \$ 65 to 926-000 Pension & Benefits
- \$24,200 to 403-000 Depreciation

Mrs. Bergamini seconded the motion.

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

ITEM 19(a)

Mrs. Bergamini moved a budget amendment F.Y. 1985/86 Sewer Division of \$57,350 increase to A/C 419-039 and \$57,350 increase to Net Income, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

ITEM 19(b)

Mrs. Bergamini moved a budget amendment F.Y. 1985/86 Sewer Division of \$27,075 from Net Income as follows: \$26,250 to A/C 427-039 and \$825 to A/C 427-040, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini moved a transfer Fiscal Year 1985/86 Water Division of \$16,645 from 403-000 as follows:

- \$ 5 to 617-000
- \$ 400 to 631-000
- \$ 905 to 652-000
- \$ 20 to 665-000
- \$ 590 to 902-000
- \$ 1,825 to 923-001
- \$ 550 to 923-002
- \$12,350 to 925-001

Mr. Rys seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini moved a budget amendment F.Y. 1986/87 Water Division of \$35,000 from Estimated Unappropriated Balance to A/C 396-087, seconded by Mr. Rys. Mrs. Bergamini moved to establish A/C 396-087, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mr. Denison pointed out that in connection with agenda item (19, accounts 419-039, 427-039 and 427-040 would need to be established.

Mrs. Bergamini moved to establish A/C 419-039, A/C 427-039, A/C 427-040, Sewer Division, seconded by Mr. Rys. (SEE PAGE 29)

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini moved a budget amendment F.Y. 1986/87 Water Division in the amount of \$3,000 from Estimated Unappropriated Balance to A/C 394-087 Tools & Small Equipment, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mr. Gessert asked that the Electric Division and Water & Sewer Division be placed earlier on the agenda in the future.

Mrs. Bergamini moved to NOTE FOR THE RECORD the Director of Utilities Report for the month of July, 1986 which did not include Financial Statements. Mr. Killen seconded the motion.

Vote: Unanimous ayes; motion duly carried.

ITEM 24 WITHDRAWN Consider request of Wallingford Public Library Association to finance project for additional library parking.

Mrs. Bergamini moved to NOTE FOR THE RECORD the Enterprise Funds pre-audit financial statements of 6/30/86, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini moved to accept the Town Council Meeting Minutes dated August 7, 1986, seconded by Mr. Rys.

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

Mrs. Bergamini moved acceptance of the Town Council Meeting Minutes dated August 12, 1986, seconded by Mr. Rys.

Mr. Gouveia said he had a correction on page 19 and the word "shouldn't" should be should divest.

Mrs. Bergamini moved acceptance of the Town Council Meeting Minutes dated August 12, 1986, as amended, seconded by Mr. Rys.

Vote: Unanimous ayes with the exception of Messrs. Holmes, Killen and Mrs. Papale who passed; motion duly carried.

Mrs. Bergamini moved acceptance of the Town Council Meeting Minutes dated August 20, 1986, seconded by Mr. Rys.

Vote: Unanimous ayes with the exception of Messrs. Diana, Gouveia and Killen and Mrs. Papale who passed; motion duly carried.

Mrs. Bergamini moved to NOTE FOR THE RECORD the Financial Statements of the Town of Wallingford for the month ended July 31, 1986, seconded by Mr. Rys.

Mr. Gouveia asked about A/C 553-000 on page 3 P.A. 792 with zero across the board and he asked about payment in lieu of taxes which was discussed during budget deliberations and right now, some of the houses belong to the Housing Authority and this item was questioned during budget workshops.

Vote: Unanimous ayes; motion duly carried.

Mr. Killen moved to NOTE FOR THE RECORD the Town Council Information Session held on August 26, 1986, seconded by Mr. Rys.

Mr. Gessert said there was a correction and Cider Hill Road should be spelled Seiter Hill Road.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini moved to NOTE FOR THE RECORD the Wallingford Revenue Report dated July 31, 1986. Mr. Rys seconded the motion.

Vote: Unanimous ayes; motion duly carried.

Mrs. Bergamini mentioned to Mr. Gouveia that before he went on vacation, the day after voting on the Taber House, he made a statement to the press that, "back room deal was made." Mrs. Bergamini stated emphatically that she does not and has never made a "back room deal" and she did not make one on the Taber House and she felt that Mr. Gouveia owed her an apology. Mr. Gouveia said he asked the gentleman if he had met with any town officials and the gentleman said no and Mr. Gouveia felt the gentleman lied to him and he said if that is not a deal, he doesn't know what a deal is.

Mrs. Bergamini asked Mr. Gouveia what back room deal he thought went on and Mr. Gouveia replied he did not know but he knows for a fact that there was a meeting before this took place, something that went on behind the scenes.

Item 32.

Attorney McManus: Butts vs. the Town of Wallingford tried last month: lowest demand \$38,000, judgment to the defendant, payment NONE.

Michael's Way, Danny's Way, judgment against the Town of Wallingford for \$3,500, Attorney McManus worked out so that the Town of Wallingford pays nothing.

A total of \$41,500 for the two cases above. Attorney McManus said that Attorney McManus is handling a case where a WALK/DON'T RUN sign cost \$1,077.71 to fix it and an insurance company only wants to pay \$750 and he does not way to try the case for the difference.

Mr. Killen moved to settle the case of the Town of Wallingford vs. Philip T. Williams, Philip H. Williams, Mary Catherine Carnuth and Lee Ann Morakian and accept the sum of \$750 in the way of compromise. Mrs. Papale seconded the motion.

554

Vote: Unanimous ayes; motion duly carried.

Mrs. Papale mentioned that a special meeting must be set up to interview and appoint a Deputy Fire Marshal because this is very important.

After discussion, it was decided to hold a Special Town Council Meeting on September 18, 1986, to interview and appoint a Deputy Fire Marshal and discuss Parker Farms School subject.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 12:43 a.m.

Meeting recorded by:
Susan M. Baron, Council Secretary

Meeting transcribed by:
Susan M. Baron and Delores B. Fetta

Approved David A. Gessert
David A. Gessert, Council Chairman

9 - 23 - 86
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

9 - 23 - 86
Date