

TOWN COUNCIL MEETING

MAY 25, 1993

7:00 P.M.

AGENDA

1. Roll Call and Pledge of Allegiance
2. Presentation of Special Olympics Athlete's Gold Medal Award to the Town of Wallingford for 1993
3. Consent Agenda
 - a. Note for the Record Mayoral Transfers Approved to Date
 - b. Note for the Record Anniversary Increases Approved by the Mayor to Date
 - c. Note for the Record Financial Reports of the Wallingford Public Library; Visiting Nurses' Association and the Senior Citizen Center
 - d. Note for the Record Tax Refunds (#207-215) in the Amount of \$3,053.60 - Tax Collector
 - e. Consider and Approve a Transfer of Funds in the Amount of \$82 from Part Time Wages Acct. #001-5030-100-1350 to Part Time Wages Acct. #001-5031-100-1350 - Dept. of Public Works
 - f. Consider and Approve a Transfer of Funds in the Amount of \$200 from Salt Supplies Acct. #001-5040-400-4550 to Utilities Acct. #001-5220-200-2010 - Dept. of Public Works
 - g. Consider and Approve a Transfer of Funds in the Amount of \$500 from Maint. of HVAC System Acct. #001-5240-500-5202 to Maint. of Building Acct. #001-5140-500-5100 - Dept. of Public Works
 - h. Consider and Approve a Transfer of Funds in the Amount of \$499 from Maint. of HVAC System Acct. #001-5240-500-5202 to Maint. of Building Acct. #001-5200-500-5100 - Dept. of Public Works
 - i. Consider and Approve a Transfer of Funds in the Amount of \$550 from Dog Warden Advertising Acct. #001-2020-400-4100 to Cremation Fees Acct. #001-2020-600-6050 - Animal Control Officer
 - j. Consider and Approve a Transfer of Funds in the Amount of \$439 from Dog Warden Clothing Allowance Acct. #001-2020-400-4800 to Veterinary Fees Acct. #001-2020-600-6000 - Animal Control Officer

(OVER)

- k. Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Liability Insurance Acct. #925-000 to Lien Expense Acct. #426-000 - Water Division
- l. Consider and Approve a Transfer of Funds in the Amount of \$9,000 from Liability Insurance Acct. #925-000 to Sludge & Tipping Fees Act. #645-000 - Sewer Division
- m. Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Administration and General Salaries Acct. #920-000 to Pumping and Labor Expense Acct. #624-000, \$3,000 and to Labor Maintenance of Lines Acct. #673-001, \$3,000 - Sewer Division
- n. Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Property Insurance Acct. #924-000 to Maint. Sewer Treatment Equipment - Sewer Division
- 4. Items Removed From the Consent Agenda
- 5. Consider and Approve a Transfer of Funds in the Amount of \$7,500 from Operation Labor and Expense Acct. #642-000 to Eng. and OSHA Exp. Acct. #665-000, \$2,500; Meter Reading Exp. Acct. #902-000, \$1,000; Customer Records and Collection Exp. Acct. #903-000, \$4,000 - Water Division
- 6. Consider and Approve a Transfer of Funds in the Amount of \$220 from Longevity Acct. #001-2001-100-1750 to Hot Gas Bypass Acct. #001-2001-999-9904 - Dept. of Police Services
- 7. Consider and Approve the Transfer of Food to the Connecticut Food Bank in the Amount of \$6,510 by the Wallingford Board of Education
- 8. Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Wages - Part Time Acct. #001-5030-100-1350 to Maint. of Vehicles Acct. #001-5050-500-5000 - Dept. of Public Works
- 9. Consider and Approve a Transfer of Funds in the Amount of \$700 From Secretarial Services Acct. #001-7010-600-6040 to Advertising Acct. #001-7010-400-4100 - Town Planner
- 10. Approve and Accept Minutes of the 4/13/93; 5/6/93 and 5/11/93 Town Council Meetings
- 11. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
- 12a. Consider and Approve an Agreement with American Construction for Interior Work at 88 S. Main Street
- b. Consider and Approve a Transfer of Funds in the Amount of \$65,500 from Insurance - Property and Casualty - General Government Acct. #001-8040-800-8250 to 88 S. Main Street Interior Renovations Contract Acct. #001-5240-999-9901 - 88 S. Main Street Bldg. Committee

13. Consider and Approve the Following Resolutions:
 - a. Close Tyler Mill Road from Northford Road Southerly to the Bridge Over Muddy River, and Tamarac Swamp Road at the Northford Road Intersection to a Point Westerly One-Half Mile on Tamarac Swamp Road to Vehicular Traffic on Saturday, June 5, 1993 from 9:00 A.M. to 4:00 P.M. for Nation Trails Day
 - b. Close North Elm Street from Christian Street North to High Street to Vehicular Traffic on Sunday, June 6, 1993 from 10:00 A.M. to 12:00 Noon for Graduation Ceremonies at Choate Rosemary Hall
 - c. Close Fair Street from Center Street South to Ward Street on Friday, June 11, 1993 from 5:45 P.M. to 6:45 P.M. for the YMCA Youth Road Race
14. SET A PUBLIC HEARING for June 8, 1993 at 7:45 P.M. on an Ordinance Appropriating \$1,250,000 for the 1993-94 Capital Improvements of the Town of Wallingford
15. Consider and Approve:
 - a. Retaining the Former Yalesville Firehouse for Use as Studio Space for WPL-TV
 - b. The Sale of Town Property Known as the Former Yalesville Firehouse
16. Consider and Approve Authorizing the Town of Wallingford to Release Certain Easements Running to the Wallingford Water Division and Lying Within the Area of Northfield Road East to Pistapaug Pond - Asst. Town Attorney
17. Consider and Approve a Resolution Confirming the Town of Wallingford's Intent to Continue Participation in the Regional Household Hazardous Waste Center (Hazwaste Central) - Mayor's Office
18. Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes for the Purpose of Discussing Open Space Acquisitions - Mayor's Office

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7:00 P.M.

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TOWN COUNCIL MEETING

MAY 25, 1993

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, May 25, 1993 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairperson Iris F. Papale at 7:04 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall with the exception of Mr. Holmes who arrived at 7:17 P.M. Mayor William W. Dickinson, Jr. and Comptroller Thomas A. Myers were also present. Town Attorney Janis M. Small arrived at 7:13 P.M.

The Pledge of Allegiance was given to the Flag.

Ms. Papale thanked the Welfare Department staff for the successful ziti dinner held last Sunday at Sheehan High School. She also recognized the Youth Service Bureau for their recognition of Youths for Volunteerism last week. She extended appreciation to the Senior Citizen's Department for their fifteen anniversary Open House last Saturday. She was proud of the Town and the wonderful programs offered for its residents.

ITEM #2 Presentation of Special Olympics Athlete's Gold Medal Award for the Town of Wallingford for 1993.

Motion was made by Mr. Doherty to Accept the Presentation, seconded by Mr. Parisi.

Mr. Tom Hill, Area Director and Volunteer for Connecticut Special Olympics stated that Wallingford is a very giving community that likes to get involved. The Special Olympics have come to Wallingford for nine years to hold their games. On behalf of the athletes and those who reside in Wallingford as well as the rest of the central area Mr. Hill presented the Council with an award.

Mayor Dickinson reminded everyone that Choate Rosemary Hall should be thanked as well since they have participated by holding the games on their grounds.

Shirley Fritz stated that, although the games have moved to Middletown she hopes that everyone from Wallingford will continue to get involved in the games. She was in charge of the opening ceremonies and had 100% cooperation from Public Works, Recreation Department and the Mayor's Office and thanked them for it. It could not be successful without the Town government.

Mr. Doherty made a motion to Move Agenda Item #7 Up to the Next Order of Business, seconded by Mr. Parisi.

ITEM #7 Consider and Approve the Transfer of Food to the Connecticut Food Bank in the Amount of \$6,510 by the Wallingford Board of Education

Mr. Dale Wilson, Asst. Superintendent of Personnel stated that

there were a number of food products in the freezer as well as the storage area that was brought to their attention that was dated over one year old and some up to as much as three to four years old. At that time the Superintendent asked that the Food Service program be notified not to serve foods that were over one year old. Once an inventory was complete the Sanitarian from the Health Department, George Yasensky, was asked to come in and to inspect all the foods. He did that in liaison with the USDA inspector. It was determined that some foods should be disposed of and some one year or older were deemed fit for use but the Board felt that because of the controversy of the matter and the sensitivity of this issue with parents, that it would be unwise to serve the food. The only way to dispose of the food was to transfer it. The USDA recommended the Connecticut Food Bank.

The disposition of the food products will be as follows:

<u>U.S.D.A. Commodities</u>		<u>Vendor Goods</u>	
\$ 2,553.00	to be discarded	\$ 14,960.00	discarded
676.00	to be transferred	5,834.00	transferred

The commodities are free to the Town. The only thing the Town pays for is transportation costs and administration costs. The market value for the commodities is \$24,780. The U.S.D.A. can penalize the Town \$24,780 if it so desires. The reason being that the food is given to the Town for use in the schools not to be stored beyond its expiration date and disposed of.

Mr. Killen asked if there were any cause for liability?

Mr. Wilson responded, no.

Mr. Edward Bradley, 2 Hampton Trail asked who the new Food Director will be reporting to?

Mr. Wilson responded, to the Business Manager.

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

Waiver of Rule V

Motion was made by Mr. Doherty to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Entertaining a Motion to Override the Mayor's Veto of the Budget, seconded by Mr. Zandri.

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

Motion was made by Mr. Doherty to Override the Mayor's Veto of the Town Council Budget, seconded by Mrs. Duryea.

Mr. Killen stated that he would not vote on it due to the fact that the Mayor has no authority to veto the budget.

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Mr. McDermott read the following statement into the record:

On May 11th the Wallingford Town Council approved a budget with a 0% tax increase. We did this with two-thirds majority vote of this body. A two-thirds vote is what it takes to override a veto in any other town or state in the country. Even the federal government goes by this guideline. Not because two-thirds is some kind of a magical number but because we have a government of checks and balances. You have chosen us to serve as your voice and to represent all of you in Wallingford and I believe that that is exactly what two-thirds of this body did on May 11th. The Mayor had decided last week with the stroke of a pen to veto the budget that was approved by two-thirds of this body. The main reason he gives is because two-thirds of the Town Council evaluated the opinions of so-called experts differently than we did. Let me give you a little bit of history on this...on what our so-called experts have told us. Twelve years ago our experts told us our pension fund was \$12 million unfunded. They recommended that we should bring this number current over a thirty year period. That would mean paying approximately \$400,000 a year for thirty years. As it turns out only after twelve years of a thirty year plan we have only \$3 million left for our obligation to pay over the next seventeen years. That means that we paid three-quarters of our obligation in only one-quarter of the time. Let me say that again, we paid three-quarters of our obligation in one-quarter of the time. That means instead of paying \$400,000 a year as the experts recommended, we are paying \$750,000 or almost double. I have in the past, and I will again tonight, compare this to a home mortgage. Let's say that you or I were to go into a bank and receive a mortgage for \$200,000 for a house with payments of \$2,000 per month for thirty years. If you wanted to you could pay the mortgage off faster in maybe fifteen years. Let's say that you lost your job tomorrow, as many of us have, many of the people in Wallingford are out of work and suffering. Would you be able to go back to the bank and tell them that you want to work out a different arrangement after you have been paying your thirty year mortgage, doubling your payments and keeping current and now you have run into rough times as so many of us have. Right now the Town of Wallingford is \$4 million ahead of its own schedule. A plan that so-called experts have made for us, why? The Mayor said in his statement last week, and I quote, "By failing to pay our pension bill we misrepresent the cost of government. Well I ask, isn't that exactly what we have been doing for twelve years by grossly overcharging the taxpayers of Wallingford to the tune of \$4 million? All we are saying, well at least two-thirds of us are saying, is that it is not fair to overtax Wallingford by approximately \$1.8 million when we already have a \$4 million slush fund in our pension fund. I came here tonight feeling that it would be impossible to overturn the Mayor's veto but I hope I am wrong. It seems a monumental task to be able to get more than a two-thirds majority vote on this body tonight, which I will, unfortunately, never be able to understand. Collectively we have spent over 500 hours going over this budget line by line, department by department bringing every department head before us to scrutinize their budget. All nine of us together every night for four weeks. We have made quite a few cuts and have also found some money to do a lot of important things.

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We have not tried to misrepresent the cost of government by funding a new roof for the Recreation Center which is falling to pieces. We have not tried to misrepresent the cost of government by funding a new fire truck for the public safety of this Town. We have not tried to misrepresent the cost of government by increasing funding to the Economic Development Commission, not when we have lost over 350 jobs recently and many more are coming. We have not tried to misrepresent the cost of government by funding crossing guards so that our children can walk to school safely. We have not tried to misrepresent the cost of government by funding a new traffic light at the corner of Ward St. and Orchard St. to ease congestion. We have not tried to misrepresent the cost of government by telling the taxpayers of Wallingford that we do not have to fund \$1.8 million in pension fund when we already have a \$4 million surplus in a slush fund. How many surplus accounts does this town need? If we fail tonight to overturn the veto all of these things will be gone. Not to mention that you will be paying approximately \$100 more per year in taxes. For all those reasons I am asking my colleagues here, tonight, and in particular my colleagues to my left, on the other side of the aisle, to leave politics at home and do what is right for the Town of Wallingford. I know that it will take a lot of courage but I also know that from working with you we all want to do the right thing tonight. With that I encourage all my colleagues to overturn the Mayor's veto, thank you.

Mr. Holmes asked Mr. McDermott for an explanation on how he arrived at a \$4 million slush fund in the pension.

Mr. McDermott responded that twelve years ago when we started we had \$12 million unfunded balance. We were supposed to pay \$12 million over thirty years to the fund. After twelve years we have \$3 million left to go. If we were keeping up with it current we should only at this point of twelve years into a thirty year plan to pay off \$12 million should be about \$5 million into the obligation. We are now \$9 million into paying off a \$12 million obligation. This means that we have overpaid \$4 million of the unfunded balance. I realize that we will always have to pay towards the pension fund every year to keep up with it but we had a \$12 million unfunded balance twelve years ago that we agreed by our so-called experts to pay over a thirty year period. How are we so far ahead after only twelve years of a thirty year obligation?

Mr. Holmes responded, do we not have a \$3 million unfunded obligation?

Mr. McDermott responded, yes.

Mr. Holmes then asked, then how can we have a \$4 million slush fund if we owe \$3 million?

Mr. McDermott answered that we should, today, have a \$7 million unfunded balance in our thirty year plan. That is why we listen to our experts and they said it would take thirty years to do it.

Mr. Holmes asked Mr. McDermott to detail what makes up the pension

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contribution so that he (Mr. Holmes) could understand what the slush fund is.

Mr. McDermott answered that the Town will always have to pay approximately 9% of our benefits to match the employee salaries to go into the pension fund which comes up to approximately \$1.5 million this year. There was about \$250,000 going to fund our unfunded liability to come up with \$1,767,700.

Mr. Holmes asked, don't you misrepresent the cost of government when you say that we can take \$1.5 million out of a current obligation and just sweep it aside?

Mr. McDermott answered, absolutely not.

Mr. Holmes asked, why?

Mr. McDermott responded that we have \$4 million that we have paid faster in that in the twelve years previously that we have \$4 million there that the \$1.5 million can come out of and it will not hurt the pension fund one bit.

Mr. Holmes asked, says who?

Mr. McDermott answered, when you have an expert come in front of us our job is to evaluate what the experts say. We had two different experts, in my opinion, that came before us to speak. If we are going to believe the experts that were here during our budget workshops then these are the same experts, I presume, that twelve years ago told us that it was going to take thirty years to fund the pension. So if the experts were wrong twelve years ago then what makes them right tonight?

Mr. Holmes responded, if you want to take something out of the pension fund then take the \$250,000 out of the unfunded liability but you will still have to fund the \$1.5 million. That is current liability.

Mr. McDermott reiterated that we are \$4 million ahead no matter how you want to scramble the figures.

Mr. Holmes pointed out that the State of Connecticut has a two-thirds override provision, federal government has two-thirds override provision, now let's take a look at the State of Connecticut. They have a two-thirds override provision and they have been in a fiscal nightmare for years and they continue to be. The federal government has a \$4 trillion deficit and they have two-thirds majority for a veto. I am glad that we are not in that position. We have an unfunded liability of \$234,000 in the pension fund and current liabilities of \$1.5 million. We must look down the road at what is not happening. We have a grand list that is not growing. We are not getting new money in to pay for our services. For the last three years we have been kicking in a couple of millions of dollars to offset the impact of revaluation. Next year that will not be here. That results in a \$2 million gap. Next year we will have to kick in \$2 million into

the pension fund. That means that there will be a \$4 million gap next year right off the bat with not a lot of new money projected to come in. Regarding the example of the mortgage, yes, you can accelerate your payments but you cannot stop paying them. Fund the obligations when they are current, you don't get behind and you don't have to double up your payments. The reason why the pension fund was so messed up was because it was not being funded. It went from a 22 1/2% contribution down to an 11% contribution because we have stayed on schedule and have had good performance on the pension fund.

Mr. McDermott argued the point that we did not stay on schedule for if we had we would not be \$4 million ahead of schedule.

Mr. Holmes added, we only owe 11% this year what is wrong with that? Would you rather have the Town owing 14% or more?

Mr. McDermott would rather have it be fair the entire time for the taxpayers.

Mr. Holmes concluded with the statement that the \$250,000 should be taken out of the contribution and fund only the \$1.5 million current liability.

Mr. Zandri stated that the Town will require \$4 million extra next year regardless of what happens with this year's budget. So it is whether or not you want to give the residents in town a break for a year. But whether or not this veto goes through or not it is not going to effect next year's budget. Next year's budget will have to have the \$4 million in it anyway. As far as budgets are concerned, I don't care whether they are budgets we (the Council) passes or the Mayor passes via veto power, no budget is perfect. You just have to look at the agenda of tonight's meeting as proof in the pudding. There are about twenty-five transfers on the agenda this evening. That happens all the time. We all get together and try to work things out as a team for the good of the Town. I see nothing wrong with the Council's budget. Was I in favor of everything that they voted on? No. Just look at the votes I voted against a lot of items but I think it is a budget that still can be worked on, it is fair for the people in Wallingford and I feel that we can get through the year with it. I don't make many promises but I will promise one thing here tonight. If this veto is not overridden I, for one, will not vote on any transfers from this point on starting this evening and we will see if a budget will work without cooperation. Thank you.

Mr. Killen addressed Mr. Holmes' remarks pertaining to the unfunded liability. There is no doubt about it, it is a liability. If the Mayor is losing sleep walking the floors all night over this liability then he can pay it off with excess funds from the Electric Division or General Fund. He never made that money available to the Council, instead he is taking it out on the taxpayers. We have the assets to cover it.

Mr. Doherty stated that the majority of the Town Council took an action that was aimed at reducing the tax increase this year to

zero. We listened carefully as the Chairman of the Pension Fund, Mr. Fred Valenti, argued that this year's contribution could be skipped without doing harm to the pension fund. We examined line by line the Town budget submitted by the Mayor and could not reduce it sufficiently to achieve a zero tax increase. We waited to hear from the State capital as happened last year when we used extra state funds to cut the mill rate by 3/10ths of a mill. However, the money came late and again, it was too small an amount. We will be receiving \$240,000 extra in revenue from the Mashatucket Pequot Fund. We debated not filling ten or twelve open positions but turned down this option. Layoffs of Town employees were not considered. So tonight we go through the motions of attempting to override the Mayor's veto. I personally wish to apologize to the taxpayers of Wallingford for failing to hold the line on taxes. I, as did the other eight members of the Town Council, gave it our best effort but we failed.

Mr. Parisi read the Mayor's letter dated May 20, 1993 into the record as follows:

Dear Council Members:

We are engaged in financial planning for the citizens of Wallingford. As elected officials we are entrusted with managing the assets of the community. That responsibility requires us to evaluate all relevant information, provide for the cost of current services and plan for the continuity and stability of services into the future.

The adopted budget fails to provide for the cost of pension benefits as recommended by our actuary. This means that a \$1,767,700 bill owed to the pension plan will not be paid. As a general rule the Town of Wallingford as an employer does not make social security payments for employees covered by the pension plan. Town employees must depend entirely upon the pension plan when they retire. As a private employer, it would be illegal to fail to pay social security. The Town as an employer should honor its pension commitment.

The annual pension obligation consists of two parts. First, the Town has an unfunded liability from the past of over \$3,000,000 which is being funded over the next 17 years as part of a 30 year plan. This obligation makes up \$234,650 of the \$1,767,700 recommended pension payment. Second, the Town has a new liability with each year as employees become vested, earn higher salaries, etc. This new or current liability for 1993-1994 requires a payment of \$1,533,050. The current liability payment is not funded over 30 years, but should be paid every year. The two added together constitute the \$1,767,700 payment.

By failing to pay our pension bill we misrepresent the cost of government. We are telling the public that the cost of government is \$1,767,700 less than what it really is. The unpaid bill increases our liability and will cause higher payments in future years. Our actuaries recommend that the payment be made. We should not reject their advice. It is not proper or appropriate to make financial plans that fail to pay a known

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bill which will only increase in amount as a consequence. Plans have not been advanced defining how and when this increased pension bill will be paid in the future. Such increased payments in the future will adversely affect the continuity of public services and burden the community with greater risk of deficits.

The adopted budget also appropriates \$300,000 from the Sewer Division. The Town Attorney's office indicated that such an appropriation conflicts with state law. It is not prudent for us to spend money in a manner which is illegal. In addition, the loss of \$300,000 from the Sewer Division will increase sewer rates.

Pursuant to Chapter III, Section 7 of the Charter of the Town of Wallingford, I hereby disapprove the Budget Ordinance adopted by the Town Council at its meeting on May 11, 1993. For the above stated reasons I believe that the adopted budget contains deficiencies serious enough to negatively affect the fiscal health of our community.

Sincerely,

William W. Dickinson, Jr.
Mayor

Mrs. Duryea asked Mr. Parisi to repeat the opening sentences of the Mayor's letter once again.

Mr. Parisi complied.

Mrs. Duryea then referred to the phrase "financial planning" that the Mayor used in his letter and on that note listed some of the present projects pending as:

- Simpson School which is in deplorable shape, windows are boarded up and the roof is leaking, the heating system is in desperate need of repair
- Community Pool has been pushed aside
- Wooding Property which the Town spent over \$1 million to acquire and it is sitting there idle
- School Expansion Project

She then asked the Mayor, "Where is the financial planning for this Town? When will we fund these projects and how?"

Mayor Dickinson responded that the principle project is the School Expansion Project. Under current planning we would be able to incorporate the borrowing for that in our current debt schedule. Some of the other projects we have not provided for. There are no current plans for the Wooding Property simply because we will be looking for proposals from the private sector to determine if there is an attractive way of having that property improved and

re-utilized as part of the tax structure of the Town of Wallingford.

Mrs. Duryea reminded the Mayor that the property was purchased a couple of years ago under a former Council.

Mayor Dickinson stated that at that time there were no immediate plans for that property, nor does there have to be. It is an investment in the Town's future. Community Pool, there is not money in the budget for it but there is no design that has been approved for reconstruction or renovation of it. This summer it is very unlikely that anything can be done given the time factors involved in drawing up plans and having them approved. It is possible that another budget will have to deal with Community Pool. With regards to Simpson School the Town should not be there any longer than necessary. We need a new recreation center. There is a committee presently reviewing a proposal with regards to that. There is no money in this current budget for the recreation center either.

Mrs. Duryea accepted the explanation simply because that was all she could do. She will not understand why we allow Simpson School to reach the condition that it has. She asked that it be noted for the record that she hoped that there is never a problem over there (Simpson School) with any of the children or tenants or employees in that building. She hoped that nothing ever happens where someone is hurt because of the condition of that building because she will be the first one to come back and call the Mayor on the carpet for it because she believes that Simpson School is a priority.

Mayor Dickinson stated that we all are concerned with the safety and well-being of anyone who uses that building. To his knowledge there is not anything that is threatening anyone's safety. The issue is to renovate that building the price tag is in the neighborhood of \$1 million. To put that kind of money into a structure that will not serve the Town for ten or fifteen years is difficult to justify at this time. He felt that the Town was in need of a new Recreation Center and any money should, ideally, be put towards that rec center ...

Mrs. Duryea interrupted the Mayor to say that we are not doing that either!

Mayor Dickinson continued...To put \$1 million into a building which is not adequate by itself nor adequate with regards to parking I question that as a legitimate expenditure.

Mr. Killen found the statement "We are engaged in financial planning for the Town of Wallingford...." amusing. He was wondering who the "we" is? It was signed only by the Mayor and if it means the Council with him then Mr. Killen stated he must be the only one that does not know what's going on around here. Everything that Mrs. Duryea stated should be in the works the Mayor responds, "no, no, no, but we are planning". Item #14 on this evening's agenda is to adopt the Mayor's proposed six year capital budget. Every year it runs a little over \$1 million. What's in it? Roadway construction,

bridge repair/replacement, culvert repair. None of the other projects are included. This is what we call "in the midst of financial planning". Cheshire borrowed money at 2.2% a few weeks ago. All these particular projects could be in the works right now, we could be borrowing money using our Capital and Non-Recurring Fund which is an excellent vehicle for doing something along this line. The Mayor says, It doesn't get by me and I have my three loyal cohorts so it goes nowhere! You are seeing an excellent example of democracy in action, ladies and gentlemen, enjoy it!

Mayor Dickinson responded that his perception is that we cannot afford everything that we might like to have right now and I can't, in good conscious, say that we have the money to do everything that anyone would like to see happen in the Town. We have to show restraint by curbing spending. We have to do things in a very deliberate, logical and cautious manner. The economy is not going to turn around overnight. It is easy to spend money. It is more difficult to manage assets and be cautious about how far you extend yourselves.

Mr. Parisi added that we have all been raised to pay our bills and the pension plan is nothing more than a yearly bill that we are obligated to pay. His feeling is that the position of the minority is extra-ordinary. The easy way would be to vote the popular way but we consider it to be an ill-advised tax decrease. Our stand is for a solid, financial philosophy that has served this town well over the years and it should be continued into the future.

Mrs. Duryea stated that she will be very happy with the Mayor's explanation and will truly try to understand it only if he will finally sit down and set a plan in motion for the projects she listed earlier.

Mayor Dickinson reminded Mrs. Duryea that one and one-half years ago Community Pool was presented to the Council but there was no agreement on a design. The result was an attempt to get legislation at the State level that may have been passed this year but there has been nothing to move on because there has never been a design approved. Until there is a design you cannot have specifications drawn up, no bidding, ultimately no construction proceeds. Since then the school renovation project has been brought to the table. The price tag on that is approximately \$13.5 million. There will also be salaries and overhead operational costs associated with that project. Community Pool is a resource but it is a recreational resource. I have to place higher priority on the classrooms, whatever number we build.

Mrs. Duryea pointed out that these other projects have been around before the purchase of the Wooding Property. Now we have the property and it is sitting idle.

Mayor Dickinson pointed out that there were no funds allocated in the Council's budget for any of those projects either.

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Mr. McDermott asked, "Am I to assume that because you had mentioned the \$13.5 million on numerous occasions as a top priority for the school project that you are prepared to fund the \$13.5 million?"

Mayor Dickinson responded. "No, I have real doubts that we can afford that amount but at this point I don't know what the dollar amount is. Until the specifications go and we get an indication of what the actual prices are for the various components for what is requested, in addition, receive some kind of indication what the State plan is regarding regional schools and what impact that will have either on reimbursements or other obligations to the Town, it is very difficult to form a firm opinion as to what we can afford. The proposed plan is for \$13.5 million. I don't, at this point, think that we can afford all that. How much we can and at what time table?, my guess is as good as yours right now."

Mr. McDermott stated that we should come up with some kind of a plan to give the committee some idea as to what we plan to spend on this instead of wasting everyone's time and not getting anything done. Why don't we get honest and state what we are planning to spend? That way the building committee can get something done.

Mayor Dickinson said that we would want to find out what the bid prices are before putting any dollar figure down.

Phil Wright Sr., 160 Cedar Street stated that the Council worked very hard to do something to the budget that the Mayor and Tom Myers worked hard on, to do something to that budget that they (the Council) thought was proper, or at least the majority did and it gets turned down. The Mayor sits there and piously preaches poverty now but he approved every increase that has been in any proposal, wage increase, for as long as I have been coming to any one of these meetings. That is not, in my opinion, good financial husbandry. With regards to the Wooding Property, I sat with a group of people three months ago. We had a plan for the Wooding property just about ready to put out to bid. Don Roe, the gentleman who is going to run the Mayor's television station, it was his responsibility to update the information so that it could be put out to bid. We have not seen one single piece of paper since then! If that is managing finances, if that is handling things properly, I'm in a different world. Here is an opportunity to do something! Fred Valenti, Chairman of the Pension Commission, has been in this town all his life. He is very successful at his business. He informed the Council that the pension fund could afford the lack of contribution in the new fiscal year. There are different drummers and I am listening to one that is different than what the Mayor and three Republicans are listening to.

Edward Bradley, 2 Hampton Trail stated that a lot of the discussion has been centered on the two-thirds vote issue. People have control of the budget, both Democrats and Republicans. Unfortunately, we, the people, are not involved in government enough to take it back and shout out when we have had enough. We had twelve years of combination Reagan and Bush. Where did the deficit go? It went

up to almost \$5 trillion. Who is at fault? The people. The people truly at fault are us, all the people because we did not participate in government and say, enough is enough. Something has to be done we cannot keep going on this trend. In the June 30th Financial Report there is an undesignated fund of \$5.9 million. \$2.2 million will be used to reduce the impact of revaluation and \$3.7 million is going towards the Aa credit rating. Wallingford maintains the highest amount on hand to maintain a Aa credit rating. In 1990 the total general fund expenditures and transfer out was \$63.7 million. The undesignated fund balance was \$3.1 million or 5% of that number for a Aa credit rating. The Town of Manchester, similar type budget, \$10 million higher than us, they keep on hand only 2.3% or \$1.7 million. The Town of Norwich which has an Electric Division like we have has a budget of \$53 million. They keep on hand 2.53% or \$1.3 million. It is nice to have a Aa credit rating if you use it. What is it buying for us? On page 56 of the Pension Fund we are overfunded for the year 1992 by \$1.2 million. There is one thing more that is needed in the Charter and that is the power of referendum on the budget. That is the only way we, the people, have a say that enough is enough and it is time to cut the budget not the increase.

Ms. Papale stated that she understood the Mayor's concern with the pension, she had a few concerns about it, herself. As a Council it is our right after sitting here for sixty hours to be able to make our decisions. It is the type of government that it is. The Mayor presents the budget to us and we should be able to make some decisions as to what we would like to increase and decrease. The entire budget, to her, has been a compromise but she feels that she has to vote with the rest of her colleagues on her right for the reasons that Mr. Bradley mentioned. She feels that the Town of Wallingford is in need of a new fire truck and the crossing guards are needed for the children. The Department of Public Works needs to replace equipment on a steady basis. She believes that the roof at Simpson School should be fixed until a final decision is made. The Economic Development Commission's increase in the budget was very important as well as the traffic light. It is a compromise on everyone's part. She would have liked the budget to pass the way the Council presented it.

VOTE: Killen abstained; Holmes, Parisi and Solinsky, no; all others, aye; motion to override failed.

ITEM #3 Consent Agenda

Mr. Zandri stated that he would like all consent items pulled off the consent agenda with the exception of items 3b, 3c & 3d.

Mr. Doherty made a motion to Place the Following Items on the Consent Agenda to be Voted Upon by One Unanimous Vote of the Council, seconded by Mr. Parisi.

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

ITEM #3c Note for the Record Financial Reports of the Wallingford Public Library; Visiting Nurses' Association and the Senior Citizen Center

ITEM #3d Note for the Record Tax Refunds (#207-215) in the Amount of \$3,053.60 - Tax Collector

VOTE: All ayes; motion duly carried.

ITEM #4 Items Removed From the Consent Agenda

ITEM #3a Note for the Record Mayoral Transfers Approved to Date

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

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

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of \$82 from Part Time Wages Acct. #001-5030-100-1350 to Part Time Wages Acct. #001-5031-100-1350 - Public Works

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

VOTE: McDermott was absent; Killen and Zandri, no; all others, aye. Motion duly carried.

ITEM #3f Consider and Approve a Transfer of Funds in the Amount of \$200 from Salt Supplies Acct. #001-5040-400-4550 to Utilities Acct. #001-5220-200-2010 - Dept. of Public Works

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

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

ITEM #3g Consider and Approve a Transfer of Funds in the Amount of \$500 from Maint. of HVAC System Acct. #001-5240-500-5202 to Maint. of Building Acct. #001-5140-500-5100 - Dept. of Public Works

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

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

ITEM #3h Consider and Approve a Transfer of Funds in the Amount of \$499 from Maint. of HVAC System Acct. #001-5240-500-5202 to Maint. of Building Acct. #001-5200-500-5100 - Dept. of Public Works

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

VOTE: McDermott was absent; Killen and Zandri, no; all others, aye. Motion duly carried.

ITEM #8 Motion was made by Mr. Doherty to Move Agenda Item #8 Up to the Next Order of Business, seconded by Mr. Solinsky

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

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Wages - Part Time Acct. #001-5030-100-1350 to Maint. of Vehicles Acct. #001-5050-500-5000 - Dept. of Public Works

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

VOTE: McDermott was absent; Killen and Zandri, no; all others, aye. Motion duly carried.

ITEM #3i Consider and Approve a Transfer of Funds in the Amount of \$550 from Dog Warden Advertising Acct. #001-2020-400-4100 to Cremation Fees Acct. #001-2020-600-6050 - Animal Control Officer

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

VOTE: McDermott was absent; Killen and Zandri, no; all others, aye. Motion duly carried.

ITEM #3j Consider and Approve a Transfer of Funds in the Amount of \$439 from Dog Warden Clothing Allowance Acct. #001-2020-400-4800 to Veterinary Fees Acct. #001-2020-600-6000 - Animal Control Officer

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

VOTE: McDermott was absent; Killen and Zandri, no; all others, aye. Motion duly carried.

ITEM #3k Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Liability Insurance Acct. #925-000 to Lien Expense Acct. #426-000 - Water Division

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

Mr. Killen asked Roger Dann, General Manager of the Water and Sewer Divisions, how he arrived at the figures used in this year's budget for Liability Insurance?

Mr. Dann responded that he relies on both the prior year's history as well as estimates received from the Risk Manager's Office. The bids have come in this year considerably below what those estimates were.

Mr. Killen pointed out that one account alone had an excess of \$46,000 while another had \$32,000. That amounts to over \$75,000 how could the figures be that far off?

Mr. Dann did not have an answer for Mr. Killen.

Mr. Alexander Kovacs, P.U.C. Chairman, stated that their source of information regarding insurance comes from the Risk Manager. He agreed that the figures appear inflated. He stated that he had a long talk with his director this afternoon referencing figures they are obtaining with regards to insurance. He hoped that this can be straightened out in the future but had no idea where the Risk Manager obtains his figures from. He stated that he believed the

figures to be inflated.

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

ITEM #5 Motion was made by Mr. Doherty to Move Agenda Item #5 Up to the Next Order of Business, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

ITEM #5 Consider and Approve a Transfer of Funds in the Amount of \$7,500 from Operation Labor and Expense Acct. #642-000 to Eng. and OSHA Exp. Acct. #665-000, \$2,500; Meter Reading Exp. Acct. #902-000, \$1,000; Customer Records and Collection Exp. Acct. #903-000, \$4,000 - Water Division

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

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

ITEM #31 Consider and Approve a Transfer of Funds in the Amount of \$9,000 from Liability Insurance Acct. #925-000 to Sludge & Tipping Fees Act. #645-000 - Sewer Division

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

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

ITEM #3m Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Administration and General Salaries Acct. #920-000 to Pumping and Labor Expense Acct. #624-000, \$3,000 and to Labor Maintenance of Lines Acct. #673-001, \$3,000 - Sewer Division

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

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

ITEM #3n Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Property Insurance Acct. #924-000 to Maint. Sewer Treatment Equipment Acct. #652-000 - Sewer Division

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

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

ITEM #6 Consider and Approve a Transfer of Funds in the Amount of \$220 from Longevity Acct. #001-2001-100-1750 to Hot Gas Bypass Acct. #001-2001-999-9904 - Dept. of Police Services

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

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

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$700 from Secretarial Services Acct. #001-7010-600-6040 to

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Advertising Acct. #001-7010-400-4100 - Town Planner

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

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

Waiver of Rule V Motion was made by Mr. Doherty to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Considering a Transfer of Funds in the Amount of \$175 for the Fire Marshal, seconded by Mr. Parisi.

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

Motion was made by Mr. Doherty to Approve a Transfer of Funds in the Amount of \$175 from Training - College Acct. #2035-500-5710 to Office Supplies Acct. #2035-400-4000 - Fire Marshal, seconded by Mr. Parisi.

Ms. Papale explained that the reason the Council is being asked to Waive Rule V tonight is due to the fact that Mr. Lamy submitted a transfer request to the Mayor's Office in adequate time to be placed on the agenda of the meeting. There was an oversight with regards to Mr. Lamy's request and it was not included in the information forwarded to the Town Council Office.

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

ITEM #10 Approve and Accept the Minutes of the 4/13/93; 5/6/93 and 5/11/93 Town Council Meetings

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

VOTE: Killen and Parisi passed; all others, aye; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Peter Wasilewski, 164 High Hill Road stated that he wrote a letter to the Mayor on approximately March 18, 1993 asking several different questions. He received a response on April 1, 1993 stating that the questions were under review by Town Attorney Janis M. Small. He has still not received any word or response to the letter. He asked when he can expect a response?

Mayor Dickinson answered that he has not received a response from the Town Attorney.

Town Attorney Janis Small responded that she will give Mr. Wasilewski a written response shortly.

Mr. Wasilewski asked what the charge of the Economic Development Commission is?

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Mayor Dickinson responded that it is to monitor and encourage the growth of an economic development type in the Town of Wallingford. That is generally defined as a commercial, industrial business health in the community.

Mr. Wasilewski informed the Mayor that the Economic Development Commission wrote to the Planning & Zoning Commission the following letter on May 4, 1993 which was received by the commission on May 6th:

Dear Commissioners:

The Economic Development Commission has been following a proposal by Bristol-Meyers Squibb to relocate their landing area for corporate helicopter service. While the commission cannot comment on the technical merits of the relocation, we are concerned that it be understood what the Bristol-Meyers Squibb complex represents to the community and encourage a resolution for the relocation issue. Bristol-Meyers Squibb is one of those industries that at both state and local levels has been identified as key to this area's future. While it is a difficult task to balance the often conflicting needs of all members of the community the Economic Development Commission thinks it is critical to state the importance of Bristol-Meyers Squibb to the community's economic health now and in the future.

Sincerely,

Rosario DiNoia, Chairman

Mr. Wasilewski asked Mr. DiNoia about the letter and he stated that the commission felt that this was the type of letter that they wanted to send. Mr. Wasilewski felt that the commission's time would be better spent writing to the state and federal people looking for ways to keep industry in business in the town and state and not get involved in telling another commission what is important to the community. He felt that the charge of the commission should be better defined.

Mayor Dickinson did not feel that this was beyond what the commission would be concerned about. Their job is to encourage business health in the community. Their credibility has to be weighed like anyone else's.

Mr. Wasilewski stated that he called the Town Clerk's Office to view the minutes of the commission and the files are devoid of the last few meetings records.

Mayor Dickinson stated that he will check into the issue of minutes and felt that the Chairman of the EDC took up this issue for a reason and the Mayor has no reason to doubt his opinion on that.

Mr. Killen felt that the EDC should have stayed out of the issue. It was beyond the scope of the commission to have gotten involved. It was entirely out of line and an insult to the Planning and Zoning

Commission.

Mr. Doherty asked the Town Attorney to draft a letter to all Boards and Commissions alerting them to the fact that they are to keep records of all meetings with the Town Clerk and to record votes of all their meetings.

Ms. Wall, Town Clerk, explained that if the board of commission has an office in the building that is where their records of meetings are kept. They do not have to file with the Town Clerk under those circumstances.

Robert Naccarato, 9 Kovacs Place relayed a chain of effects that took place with the Board of Tax Review regarding his property and then asked questions of the Council.

On December of 1991 he had a meeting at the Town Hall with Cole Layer Trumbull to question the assessment value of the revaluation. Shortly after, in January of 1992 he received a note that his request to lower his taxes was denied. In February of 1992 he brought specific questions, pictures, papers, etc. to the tax appeal and they could not answer his questions. They told him they were very good questions and they would get back to him. In March of 1992 he was denied again. In May of 1992 he mailed a letter to Mr. Reardon which went unanswered. In February of 1993 he went to the appeal board again, bringing papers, plot plans, pictures and the same specific questions. Again, he was told that the questions were good, they would get back to him. In March of 1993 he was denied again. On March 21, 1993 he sent a letter to Mr. Reardon, certified. It went unanswered. April, he copied everything in the appeals record which just consisted of just the deed with "N.C." which he assumed to mean no change. May 18th a call was placed to Mr. Reardon to ask what was happening and Mr. Reardon informed Mr. Naccarato that Mr. Bulmer handled his account, you will have to call him. Mr. Bulmer was called at which time Mr. Bulmer stated that he could not discuss it, all the notes are in the file, take it up with an attorney. It appears as those the Board of Tax Review are not accountable to the taxpayer. Who are they accountable to?

Mr. Solinsky responded that there have been discussions about the Board of Tax Review and there will continue to be discussions. This is pertinent information the Council needs on this issue.

Mr. Naccarato asked if the appeal is denied does it stand for ten years?

Mr. Solinsky responded that it stands for one year and the opportunity arises again to appeal it.

Mr. Naccarato asked, if it was denied the first year and again the second year what are the chances it will pass the third and/or fourth year?

Mr. Killen reminded him that there could be changes of members of

the Board.

Mr. Naccarato then asked, if the appeal is denied is the next step to an attorney?

The Council answered, yes.

Mr. Naccarato felt that the town offers very little assistance to the average taxpayer. First you must try and persuade the tax appeals board, if you fail, you can try again the following year. If that fails you can hire an attorney. With legal fees being what they are today, attorneys are pretty much out of the picture for people like him. He pointed out that the companies in town hire attorneys to appeal their assessment and the Town Attorney defends the Board of Tax Review. Taxpayer's dollars are used to defend the Board of Tax Review. He felt that the Board should be made accountable to the people.

Ms. Papale responded that she was not aware of Mr. Naccarato's situation. The Board cannot grant too many adjustments in favor of the homeowners either. There was no excuse for not answering Mr. Naccarato's letters with an explanation.

Mr. Naccarato asked, where would he find a written record of the reasons for his denial?

Mr. Holmes asked Atty. Small if there were any prohibitions placed on the Board of Tax Review for discussing the issue?

Atty. Small stated that the Board can freely discuss their reasons for denial with Mr. Naccarato.

Mrs. Duryea doubted that Mr. Naccarato will find any record of his case since recent investigation by the Council of the Board failed to produce any records justifying the cuts made to many taxpayers.

Ms. Papale stated that she would be in touch with Mr. Naccarato within one week.

Edward Bradley, 2 Hampton Trail asked what the status of the Boys and Girls Club was?

Mr. Doherty stated that Phyliss Murray, Director of the Boys and Girls Club had informed him that the Board of Directors were attempting to set up a meeting with State Representative Mary Mushinsky to find out where the \$500,000 bond from the State currently stands. They have been unable to do so. When the Council is made aware of progress in this area they will have the necessary individuals in at a Council meeting so that everyone is equally informed.

Mr. Bradley stated that he will introduce language pertaining to the Board of Tax Review to be considered for placement in the Charter at the next Charter Revision Commission Meeting.

It will require the Board of Tax Review to file a report with the Town Council detailing the reasons for adjustments, each individual adjustment figure and any/all other pertinent information on each case.

Mrs. Duryea at this time thanked the North Farms Volunteer Fire Department, Engine I and Ladder I, for their quick response and professionalism when summoned to a 911 emergency call on May 8, 1993. She made that call when her parents were in a serious automobile accident. Members of the Fire Department risked their own safety while aiding in this rescue. Seeing the fire fighters in action made her fully realize the risks they take during emergency situations. They were extremely well organized, acting quickly and efficiently while being very sensitive to the victims still trapped in the car. Her parents are alive and healing well because of the fine people of the North Farms Volunteer Fire Department. She was proud to have these individuals representing the Town of Wallingford. On behalf of her family and herself as well as her parents, Bess and Jack Cannel, thank all of those individuals.

Waiver of Rule V Motion was made by Mr. Doherty to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Taking Up a Transfer for the Charter Revision Commission, seconded by Mr. Parisi.

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

Motion was made by Mr. Doherty to Approve a Transfer of Funds in the Amount of \$460 from Part-Time Secretary Acct. #001-1140-100-1350 to Advertising Acct. #001-1140-400-4100 - Charter Revision Commission, seconded by Mr. Parisi.

In a letter written by Attorney Gee it is stated that the commission has exhausted all of its funding on advertising and is in need of additional funds.

VOTE: Holmes was absent; Killen and Zandri, no; all others, aye. Motion duly carried.

Waiver of Rule V Motion was made by Mr. Doherty to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Approving a Resolution Extending the Due Date for the Draft to the Council by the Charter Revision Commission, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Doherty to Approve a Resolution Extending the Date for the Charter Revision Committee to Submit its Draft Report to the Town Council to on or Before June 22, 1993, seconded by Mr. Parisi.

Mr. Gerry Labriola stated that the final meeting of the commission will be held on Thursday, May 27, 1993 with a tentative public hearing date set for June 3, 1993. The draft report mission date should be June 22, 1993. He asked the Council to approve a resolution changing the original due date for the draft report to June 22.

Mr. Zandri asked if Corporation Counselor Adam Mantzaris has reviewed this date and will it still meet the requirements of the timeline established by him for this process?

Mr. Labriola responded that Atty. Mantzaris attends every meeting of the Charter Revision and he was consulted regarding the change in the timetable. Atty. Mantzaris felt that this change would comfortably fit into that timetable according to Mr. Labriola.

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

The Chair declared a ten minute recess.

ITEM #13 Motion was made by Mr. Doherty to Move Agenda Item #13 Up to the Next Order of Business, seconded by Mr. Parisi.

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

ITEM #13a Consider and Approve a Resolution to Close Tyler Mill Road from Northford Road Southerly to the Bridge Over Muddy River, and Tamarac Swamp Road to the Northford Road Intersection to a Point Westerly one-half Mile on Tamarac Swamp Road to Vehicular Traffic on Saturday, June 5, 1993 from 9:00 A.M. to 4:00 P.M. for the National Trails Day

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

Mr. Solinsky questioned the wording of the resolution which incorrectly states that Tamarac Swamp Road and Northford Road intersect.

Mr. Richard Doll, Traffic Officer stated that it should read, "...Tamarac Swamp Road at the Tyler Mill Road intersection...".

There will be no closure of any part of Northford Road. Access will be made for Tamarac Swamp and Tyler Mill Road residents.

Ms. Papale reminded everyone that they had received an invitation to attend the event and anyone wishing to do so should contact Mr. Edward Makepeace.

VOTE ON RESOLUTION AS AMENDED: All ayes; motion duly carried.

ITEM #13b Consider and Approve a Resolution to Close North Elm Street From Christian Street North to High Street to Vehicular Traffic on Sunday, June 6, 1993 from 10:00 A.M. to 12:00 Noon for Graduation Ceremonies at Choate Rosemary Hall

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

VOTE: All ayes; motion duly carried.

ITEM #13c Consider and Approve a Resolution to Close Fair Street from Center Street South to Ward Street on Friday, June 11, 1993 from 5:45 P.M. to 6:45 P.M. for the YWCA Youth Road Race

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

VOTE: All ayes; motion duly carried.

ITEM #12a Consider and Approve an Agreement with American Construction for Interior Work at 88 S. Main Street

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

Robert Avery, Chairman of the 88 S. Main Street Building Committee and Roger Bruenn, Committee Member were present to field any questions that the Council may have on this issue.

Mr. Avery stated that the project is in limbo due to the fact that nothing can proceed without funding by the Council to hire a contractor for interior work.

Mr. Zandri asked if the contractor has reviewed the agreement drawn up by Corporation Counselor Adam Mantzaris.

Mr. Avery was not sure. He was under the impression that no one has forwarded a copy to the contractor.

Mr. Zandri will not vote on approving funding until the agreement has been accepted by the contractor.

Atty. Small stated that the contractor has trouble with the clause stating that the work must be completed in ninety (90) days or a penalty will be imposed. It must be noted that the paragraph in which that clause appears states that penalties will be imposed if the contractor, through his own default, fails to meet that deadline. She did not feel that the clause was unreasonable.

Mr. Avery defended the contractor's position of being fearful of a delay in delivery of goods or unanticipated strikes, etc. causing the Town to form the opinion that the contractor failed to meet the deadline therefore impose a penalty.

Atty. Small stated that those circumstances are not considered the contractor's fault. The contract was not bid with the condition that an agreement with penalty clause be signed.

The consensus of the Council was that if the contractor did not concur with the terms of the agreement then the building committee can start soliciting prices for the job once again.

After much discussion it was unclear as to whether or not the contractor has been presented with a copy of the agreement. It was decided, therefore, that the Council would vote to approve the agreement with American Construction Company and if the contractor did not agree with the terms then prices will be solicited from other vendors.

VOTE: All ayes; motion duly carried.

ITEM #12b Consider and Approve a Transfer of Funds in the Amount of \$65,500 from Insurance - Property and Casualty - General Government Acct. #001-8040-800-8250 to 88 S. Main Street Interior Renovations Contract Acct. #001-5240-999-9901 - 88 S. Main St. Building Committee

Motion was made by Mr. Doherty to Approve the Transfer Subject to an Approved Agreement by American Construction Company, seconded by Mr. Parisi.

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

ITEM #14 SET A PUBLIC HEARING for June 8, 1993 at 7:45 P.M. on an Ordinance Appropriating \$1,250,000 for the 1993-94 Capital Improvements of the Town

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

Mr. Killen voted in the negative on this issue due to the fact that the Charter states that a public hearing must be held before the adoption of an ordinance. Tonight the Mayor's veto has been upheld because it is an ordinance, therefore it becomes law. He stated that there was never a public hearing held on the Mayor's "ordinance" and if one is not necessary in that case then this one is not necessary either.

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

ITEM #15a Consider and Approve Retaining the Former Yalesville Fire House for Use as Studio Space for WPL-TV

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

Mr. Parisi speaking on behalf of the Mayor, who left the meeting early due to illness, stated, "the Mayor asked that the proposal be presented that the Council consider that if the Recreation Center should go forward that this television station would be made part of that project. He would rather not have another building right now, he would like to see it sold."

Mr. Zandri asked Scott Hanley, Manager of Video Services at the Wallingford Public Library, for his input on this issue since it directly affects him.

Mr. Hanley reminded the Council that the objective is to find a dedicated space for the operation of the television station to

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make it as efficient as possible. Fifteen to eighteen sites have been examined. The former Yalesville Fire House has been deemed excellent for the station, according to both Scott and the consultant's report on the possible location. He did express one reservation with regards to the site and that is location. It is not in close proximity to most Town offices. Scott had expressed the same concern with regards to Sheehan High School. No location is perfect, he admitted but he did anticipate a potential problem with active involvement on the part of the department heads due to the fact that they may lack the enthusiasm of driving across to the other side of town at the end of the day for television obligations. It must be noted that at no time did any department head state that they would not participate.

He went on to suggest the carriage house structure located in the parking lot of the Town Hall. The cost to renovate the building would be more than the former fire house.

Mr. Killen pointed out the fact that the Ice Rink/Recreation Center, should one be built, would not be located on the corner of Main Street and Center Street. It will be located on the outskirts of Town, most assuredly.

Mr. Hanley was concerned with the fact that other potential options were never addressed, i.e., the former Washington Street gymnasium suggested at an earlier time by Scott. He is faced with the dilemma of who to turn to for feedback on this issue since the relocation committee is no longer interested and about to be disbanded by the Council. The option of leasing space was never pursued as well.

Mr. Killen reminded everyone that the issue of providing parking spaces for the carriage house would have to be addressed.

Some Councilors felt that it would not effect the parking issue since there are so few employees of the station and they would be working in the evening hours, after the Town Hall was closed.

Mr. Solinsky reminded the Council that the carriage house would require the installation of an elevator at a cost of \$45,000 to meet with the ADA (American Disabilities Act) guidelines.

Mr. Hanley informed Mr. Solinsky that his (Mr. Hanley's) suggestion for the carriage house was with the stipulation that the studio be confined to the first floor only.

After much discussion the Council decided to table this item until the next meeting so that they can question the Mayor on what his position with regards to the renovation of the carriage house. If the Mayor has no intention of exploring the option and funding it should it prove feasible, then there is no sense in proceeding forward with said option.

Motion was made by Mr. Zandri to Table This Item Until the Next Town Council Meeting, seconded by Mr. Solinsky.

VOTE: Holmes was absent; Doherty and Killen, no; all others, aye; motion duly carried.

(Item #15b remained tabled).

ITEM #16 Consider and Approve Authorizing the Town of Wallingford to Release Certain Easements Running to the Wallingford Water Division and Lying Within the Area of Northford Road East to Pistapaug Pond - Asst. Town Attorney

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

Asst. Town Attorney Gerald Farrell stated that last year the Water Division negotiated and obtained easements through several property owner's land. The easements were new mains running from the reservoir to the Water Treatment Plant. In connection with negotiating these easements the Town had to pay appraisals that included giving back to the property owners land that was held under prior easements that would no longer be needed. Certificates of Title have been obtained from Attorney Richard Gee relative to new easements they are in place. What is being asked of the Council is to approve abandoning what is superfluous easements and they will not be needed in the future in the opinion of the Water Division. He was trying to complete negotiations that were carried on in good faith and follow through with the Town's part of the bargain for the land owners.

The Planning and Zoning Commission as well as the P.U.C. Commission has approved the easements.

The Council was told that maps would be available this evening for their review prior to voting. They were not. The Council, therefore, tabled this item until the next meeting to give ample time to the Asst. Town Atty. to forward maps to them.

Mr. Killen made a motion to Table This Item Until the Next Town Council Meeting, seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

ITEM #17 Consider and Approve a Resolution Confirming the Town of Wallingford's Intent to Continue Participation in the Regional Household Hazardous Waste Center (Hazwaste Central) - Mayor's Office

Motion was made by Mr. Doherty to Approve the Resolution and Append a Copy of it to the Minutes of this Meeting, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

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

VOTE: All ayes; motion duly carried.

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There being no further business, the meeting adjourned at 10:40 P.M.

Meeting recorded and transcribed by:

Kathryn F. Milano

Kathryn F. Milano, Town Council Secretary

Approved by:

Iris F. Papale

Iris F. Papale, Chairperson

AUG 10 1993

Date

Kathryn J. Wall

Kathryn J. Wall, Town Clerk

AUG 10 1993

Date

R E S O L U T I O N

WHEREAS, June 5, 1993 has been declared America's first National Trails Day; and

WHEREAS, TRAIL RIDERS OF THE SHORELINE (TROTS) is organizing, with the help of the Wallingford Parks and Recreation Department, a National Trails Day celebration to be held on Saturday, June 5, 1993 from 9:00 A.M. to 4:00 P.M. at the Tyler Mill Road Open Space area; and

WHEREAS, the National Trails Day celebration will include events such as bike rides, hikes, horseback rides, nature walks, and informative talks to celebrate trails; and

WHEREAS, a large number of people are expected to attend making it necessary to close certain public highways to all vehicular traffic to insure public safety;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD that Tyler Mill Road from Northford Road southerly to the bridge over Muddy River, and Tamarac Swamp Road at the ^{Tyler Mill Rd intersection} ~~Northford Road~~ intersection to a point westerly one-half mile on Tamarac Swamp Road, shall be closed to vehicular traffic on Saturday, June 5, 1993, from approximately 9:00 A.M. to 4:00 P.M.

DATED AT WALLINGFORD, CONNECTICUT THIS _____ DAY OF MAY, 1993.

William W. Dickinson, Jr.
Mayor

Appendix II

R E S O L U T I O N

WHEREAS, Choate Rosemary Hall has scheduled its graduation ceremony for Sunday, June 6, 1993 at 10:00 A.M.; and
WHEREAS, the ceremony is expected to last approximately two (2) hours; and
WHEREAS, the graduation ceremony will take place, weather permitting, on the lawn in front of Archbold (school infirmary) on North Elm Street; or in the event of inclement weather, the ceremony will be held in the Worthington Johnson Athletic Center (winter exercise building); and
WHEREAS, a large number of people are expected to attend making it necessary to close certain public highways to all vehicular traffic in order to insure public safety.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD that North Elm Street shall be closed to vehicular traffic from Christian Street north to High Street while the graduation ceremony is taking place, from approximate 10:00 A.M. to 12:00 Noon on Sunday, June 6, 1993.

DATED AT WALLINGFORD, CONNECTICUT THIS _____ DAY OF MAY, 1993.

William W. Dickinson, Jr.
Mayor

R E S O L U T I O N

WHEREAS, the YMCA of Wallingford is sponsoring a Youth Road Race to be held on Friday, June 11, 1993; and
WHEREAS, the Youth Road Race will be held at 5:45 p.m. and will last approximately one hour; and
WHEREAS, for the safety of the youth entrants and the public it will be necessary to close Fair Street to vehicular traffic during this race.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD That Fair Street shall be closed to vehicular traffic from Center Street south to Ward Street during the annual YMCA Youth Road Race scheduled for Friday, June 11, 1993 from approximately 5:45 P.M. to 6:45 P.M.

DATED AT WALLINGFORD, CONNECTICUT THIS _____ DAY OF MAY, 1993.

William W. Dickinson, Jr.
Mayor

RESOLUTION
TOWN OF WALLINGFORD
CONFIRMING PARTICIPATION IN A REGIONAL
HOUSEHOLD HAZARDOUS WASTE COLLECTION CENTER

- WHEREAS: Many municipalities in the South Central Connecticut region have held one-day collections for the proper disposal of household hazardous waste products, at considerable cost to each municipality; and
- WHEREAS: 50% matching funds from the Department of Environmental Protection once provided to reimburse the cost of these one-day collections are no longer available; and
- WHEREAS: Assistance to the municipalities is needed to help their residents safely dispose of hazardous chemicals routinely used in their households; and
- WHEREAS: The South Central Connecticut Regional Water Authority, as agent for the South Central Regional Council of Governments and participating municipalities, has undertaken the permitting, construction and operation of a regional facility for the collection of household hazardous waste at its headquarters at 90 Sargent Drive in New Haven; and
- WHEREAS: The municipalities participating in the facility will be able to have residents drop off their household hazardous wastes on Saturday mornings (9 a.m.-Noon) from Spring through Fall for proper processing, transportation and disposal; and
- WHEREAS: The facility is owned, managed and operated under the supervision of the South Central Connecticut Regional Water Authority for the benefit of the participating municipalities.
- NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF WALLINGFORD, THAT:

The Town of Wallingford declares its intent to continue participation in the regional household hazardous waste collection center for a three-year period (July 1, 1993 through June 30, 1996), and confirms its intent to contribute financially for the processing, transportation and disposal of household hazardous waste.

The Town of Wallingford agrees to permit the South Central Connecticut Regional Water Authority to act as its agent to maintain the facility, to contract with a vendor for the transportation and disposal of the wastes, to receive financial support from grant sources, to enter into agreements with other municipalities, and to operate the facility.

The annual financial commitment for the Town of Wallingford is estimated to be \$25,000. This commitment is based on the following apportionment of costs:

1. Estimated annual operational costs of \$10,000 based on population.
2. Estimated annual transportation and waste disposal costs of \$15,000, prorated by residents' usage. Billing will be based on actual residents' usage.

This resolution shall be effective July 1, 1993 through June 30, 1996.

I hereby certify that this is a true and correct copy of action taken by the Wallingford Town Council at its meeting held on _____, 1993.

TOWN OF WALLINGFORD

By: Ms. Kathryn J. Wall
Town Clerk

(Date)