

TOWN COUNCIL MEETING

NOVEMBER 14, 1995

6:30 P.M.

AGENDA

1. Roll Call and Pledge of Allegiance
- 2a. Consider and Approve Accepting Three (3) New Roads to be Accepted by the Planning & Zoning Commission at their November 13, 1995 Meeting
 - An Extension of Celestial Lane
 - Pauline Court (off of Airline Road)
 - Saddlebrook Lane (off of North Farms Road)
- b. Consider and Approve Accepting Three (3) Expanded Right-of-Ways to be Accepted by the Planning & Zoning Commission at their November 13, 1995 Meeting
 - 5,526 sq. ft. on N. Main St. Extension
 - Title to cul-de-sac at Grieb Court
 - 250'X 75' (1.05 acre) area off of Thurston Drive
- 3a. Consider and Approve the Acceptance of a Donation of \$2,500 from Bristol Myers to the Fire Department for the Acquisition of Equipment
- b. Consider and Approve an Appropriation of Funds in the Amount of \$2,500 to Miscellaneous Revenue Acct. of which \$1,800 is Appropriated to Expenditure: Heavy Duty Command Vehicle Acct. and \$700 is Appropriated to Expenditure: Hydraulic Diverter Block Acct. - Fire Department
4. Consider and Approve a Transfer of Funds in the Amount of \$3,500 from Contingency Reserve for Emergency to Wallingford Center Acct. - Mayor's Office
5. Consider and Approve an Appropriation of Funds in the Amount of \$5,000 to SNET Telecommunications Incentive Grant Acct. within the Special Revenue Fund - Board of Education
6. Consider and Approve a Waiver of Bid to Allow for the Hiring of Applied Data Services as a Consultant to Assist the Board of Education in Redistricting of the School System - Board of Education

(OVER)

7. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
8. Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Chimney Hill Acct. to Quinnipiac Corridor Acct. - Town Engineer
9. Consider and Approve a Transfer of Funds in the Amount of \$43,250. from Contingency Reserve for Emergency to Maintenance of Building Acct. - Public Works Department
10. Consider and Approve Authorizing the Mayor to Establish a Waste Furniture Disposal Program for Wallingford Companies at the Landfill - Mayor's Office
11. Consider and Approve Joint Recommendations of the Recreation Department, Recreation Commission and Friends of Community Pool Committee to Fix and Renovate Community Pool
12. Consider and Approve a Waiver of Design Bid for Century Pools, Inc. to Provide Architectural and Design Work for the Renovation of Community Pool
13. SET A PUBLIC HEARING for November 28, 1995 at 7:45 P.M. On an Ordinance Amending an Ordinance Appropriating \$58,000 for the Design of Renovations to the Wallingford Community Pool and Authorizing the Issue of \$58,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose

(The purpose of the amendment is to increase the appropriation by \$37,000 from \$58,000 to \$95,000)
14. Consider and Approve Tax Refunds (#64-148) Totalling \$10,410.97 - Tax Collector
15. Consider and Approve Mayoral Transfers Approved to Date
16. Note for the Record Anniversary Increases Approved by the Mayor to Date
17. Approve and Accept the Minutes of the October 24, 1995 Town Council Meeting
18. Executive Session Pursuant to Section 1-18a(e)(4) of the CT General Statutes With Regards to the Acquisition of Property
19. Executive Session Pursuant to Section 1-18a(e)(2) of the CT General Statutes with Respect to Pending Litigation in the Matter of CFL, Inc. v. Town of Wallingford
20. Consider and Approve Waiving the Bid to Hire an Expert for a Pending Litigation Matter - Town Attorney

TOWN COUNCIL MEETING

NOVEMBER 14, 1995

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2a. Approve Accepting an Extension of Celestial Lane Pauline Court Unconditionally and Saddlebrook Lane Contingent Upon the Receipt of the Deed and Certificate of Title	1
2b. Table Accepting N. Main St. Ext. and Grieb Court Right-of-Ways and Accept the Right-of-way off of Thurston Drive Contingent Upon Receipt of a Warranty Deed and Certificate of Title Acceptable to the Department Law	2
Remove from the Table and Approve Accepting N. Main St. Ext. and Grieb Court Right-of-Ways and Accept the Right-of-Way off of Thurston Drive Contingent Upon Receipt of a Warranty Deed and Certificate of Title Acceptable to the Department of Law	5-8
3a. Approve the Acceptance of a Donation of \$2,500 from Bristol Myers to the Fire Department for the Acquisition of Equipment	5
3b. Approve An Appropriation of \$1,800 to Expenditure: Heavy Duty Command Vehicle Acct. and \$700 to Expenditure: Hydraulic Diverter Block Acct. - Fire Dept.	5
4. Approve a Transfer of \$3,500 from Contingency to Wallingford Center Acct. - Tree Lighting	3-5
5. Approve an Appropriation of \$5,000 to SNET Tele-Communications Incentive Grant Acct. within the Special Revenue Fund - Board of Education	8-9
6. Approve a Waiver of Bid to Allow for the Hiring of Applied Data Services as a Consultant to Assist the Board of Education in Redistricting of the School System - Board of Education	11-15
7. PUBLIC QUESTION AND ANSWER PERIOD	9-11
8. Approve a Transfer of \$25,000 to Quinnipiac Corridor Acct. - Town Engineer	15-17

<u>Agenda Item</u>	<u>Page No.</u>
9. Table Approving a Transfer of \$43,250 to Maintenance of Buildings Acct. - Demolition of Wooding/Caplan Property Buildings - Public Works	17-20
10. Approve Authorizing the Mayor to Establish a Waste Furniture Disposal Program for Wallingford Companies at the Landfill - Mayor's Office	20-21
11. Approve Joint Recommendations of the Recreation Department, Recreation Commission and Friends of Community Pool Committee to Fix and Renovate Community Pool	21-31
12. Fail to Approve a Waiver of Design Bid for Century Pools, Inc. to Provide Architectural and Design Work for the Renovation of Community Pool	31-34
13. Withdrawn	
14. Approve Tax Refunds (#64-148) Totalling \$10,410.97 - Tax Collector	34
15. Approve Mayoral Transfers Approved to Date	34
16. Note for the Record Anniversary Increases Approved by the Mayor to Date	34
17. Withdrawn	
18. Executive Session - 1-18a(e)(4) of the CT. General Statutes - Acquisition of Property	34-35
19. Executive Session - 1-18a(e)(2) of the CT. General Statutes - Pending Litigation - CLF, Inc. v. Town of Wallingford	34-35
20. Approve Waiving the Bid to Hire an Expert for a Pending Litigation Matter - Town Attorney	35

TOWN COUNCIL MEETING

NOVEMBER 14, 1995

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, November 14, 1995 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Thomas D. Solinsky at 6:35 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall. Mayor William W. Dickinson, Jr. and Comptroller Thomas A. Myers were also present. Town Attorney Janis M. Small arrived at 6:42 P.M.

The Pledge of Allegiance was given to the Flag.

Chairman Solinsky took a moment to congratulate the Council-elect, Board of Education-elect and Mayor Dickinson on their victories in the recent election of November 7th. He presented Mayor Dickinson with a token gift of a tee-shirt with the Mayor's picture on it - apparently a historical campaign item of the Mayor's from a past election.

ITEM #2a Consider and Approve Accepting Three (3) New Roads to be Accepted by the Planning and Zoning Commission at their November 13, 1995 Meeting

- An extension of Celestial Lane
- Pauline Court (off of Airline Road)
- Saddlebrook Lane (off of North Farms Rd.)

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Linda Bush, Town Planner, explained that Celestial Lane had been accepted by the PZ&C back in October, Pauline Court was accepted by the commission last evening, November 13th, and Saddlebrook Lane was accepted contingent upon receipt of a deed and certificate of title for the road. She asked that the Council accept all three roads along with Saddlebrook's contingency.

Motion was amended by Mrs. Duryea to Accept Celestial Lane and Pauline Court unconditionally and to Accept Saddlebrook Lane Contingent Upon the Receipt of the Deed and Certificate of Title, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

ITEM #2b Consider and Approve Accepting Three (3) Expanded Right-of-Ways to be Accepted by the Planning and Zoning Commission at Their November 13, 1995 Meeting

November 14, 1995

- 5,526 sq. ft. on N. Main St. Extension
- Title to Cul-de-sac at Grieb Court
- 250' X 75' (1.05 acre) area off of Thurston Drive

Ms. Bush explained, with regards to the right-of-way off of Thurston Drive, the Town will require a warranty deed and certificate of title acceptable to the Department of Law as opposed to the quit claim deed that was given the Town.

Mrs. Duryea amended the motion to Accept the N. Main Street Ext. and Grieb Court Right-of-ways unconditionally and to Accept the Right-of-way off of Thurston Drive Contingent Upon Receipt of a Warranty Deed and Certificate of Title Acceptable to the Department of Law, seconded by Ms. Papale.

The 5,526 sq. ft. on N. Main Street Extension is a strip of land that was required to be deeded to the Town for road widening purposes. All of the pavement is on the existing right-of-way, this additional strip is beyond the paved area. Upon approving the Super KMart the Town required the developer to give the Town the additional ten feet that the Town normally owns beyond the curb line for sidewalk, utilities, etc. It will not be used for road purposes.

With regards to the cul-de-sac at Grieb Court, a developer requested subdivision approval in order to have three lots approved at the end of the cul-de-sac. For the Water & Sewer Division to extend utilities to those three lots the Town had to own it in fee in the cul-de-sac. Condition of that approval was that the developer provide the fee so that the Town will now own the land which has existed as a road for twenty years. For ten years it was thought to be a Town road and for a few years the Town did not maintain it, an easement was then obtained and now, in addition to the easement, the Town owns the fee in the cul-de-sac.

The last parcel is a strip of land off of Thurston Drive, there is nothing on it as of now. Jim Vitale who owns one of the properties which is somehow connected to this strip, wants the Town to accept land for a future road on the parcel. The PZ&C accepted the strip of land at their October meeting. There are no public improvements on it.

Mr. Killen asked, who will put in the road when the time comes?

Ms. Bush responded, she assumed that Mr. Vitale will. He was supposed to have been in attendance this evening to answer questions on this matter.

Mr. Zandri asked, why would the Town accept this parcel of land now? Why wouldn't it be part of a subdivision development and be accepted after the road is put in?

Ms. Bush responded, that is normally how things have been done in the past but for some reason Mr. Vitale wants it to be done this way. The Planning and Zoning Commission accepted it. Mr. Vitale and his engineer were supposed to be here this evening to address the issues.

Mr. Zandri stated, we should not treat this any different than any other situation. It is premature to accept this piece of land. Wouldn't this land then be removed from the tax rolls?

Ms. Bush responded, yes, it would come off of the tax roll.

Mr. Solinsky suggested tabling the item until Mr. Vitale arrives.

Mr. Killen made a motion to Table This Item Until Mr. Vitale Arrives to Address Unanswered Questions of the Council, seconded by Mr. Knight.

VOTE: All ayes; motion duly carried.

ITEM #4 Consider and Approve a Transfer of Funds in the Amount of \$3,500 from Contingency Reserve for Emergency to Wallingford Center Acct. - Mayor's Office

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Mrs. Duryea read correspondence from Beverly Belliveau, Executive Director of Wallingford Center Inc. into the record.

Creative Illuminating has started wrapping the trees with lights on North and South Main Streets. During the next few weeks they will be continuing with the decorations in Town and WCI (Wallingford Center Inc.) is requesting additional monies of \$3,500 to light ten trees on the Town Green.

During their budget hearing WCI requested \$4,500 in additional funding that would have allowed for the completion of the holiday decorations on the Green, however those funds were eliminated from the budget. They have been successful in soliciting \$1,000 from the private sector, however there still remains a shortfall of \$3,500 for the ten outside trees on the Town Green.

Many negatives comments have been received by WCI regarding the lack of decorations on the Town Green. Residents have expressed

November 14, 1995

disappointment over the fact that the trees surrounding the gazebo were absent of lights, hence the request this evening.

Mr. Zandri stated, he was not elected to take the stand that will win popularity votes at election time, he was elected to represent the taxpayers of Wallingford. He is not against appropriating the dollars for the decorations in fact, he is in favor of it. What concerns him about this particular budget, however, is that he does not feel that tax dollars should subsidize a private organization. This has been a concern with him for quite some time. He hopes that the incoming Council will look at this budget and take the funding associated with the decorations and Celebrate Wallingford that the Town contributes and place them in a separate account within the Town budget to maintain control over those funds. WCI can then remain as a private organization.

Mr. Gouveia asked if the cost of Creative Illuminating's services increased from last year?

Mrs. Belliveau responded, no, but the trees on the green have grown larger. The plan is to also decorate trees that were not decorated last year due to a lack of funding.

Mr. Gouveia stated that he, too, shares Mr. Zandri's concerns but nonetheless he appreciates the fact that WCI is not only doing the work but has raised \$1,000 on their own for the benefit of the public.

Ms. Papale stated, she is elected by the taxpayers to do what she thinks favors the Wallingford taxpayers. She is of the impression that the majority of the taxpayers that she has contact with are very happy to see Wallingford decorated the way it is during the holiday season. The people don't seem to mind that some of their tax dollars are allocated to beautifying the Town by decorating it during the winter months. People did miss the lights on the Green last year. It is an important part of keeping the community together.

Mr. Zandri reiterated that he is not against funding all the lights that Wallingford needs for decorations. He is not against any tax dollars going to subsidize the entire Celebrate Wallingford festivities. He is against tax dollars subsidizing a private organization. He wanted to make sure that was clear.

Mr. Knight asked, do we receive a break on price if we allow Creative Illuminating to put the decorations up in October?

Mrs. Belliveau responded, she was out of state when she received a call from her office informing her that the contractor was in town installing the lights. It will not occur again so early in the year.

Mr. Knight asked, how much does it cost to provide the music?

Mrs. Belliveau informed Mr. Knight that the music is provided by the Public Celebrations Committee.

Mr. Knight was hoping to trade the music for additional lighting.

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

ITEM #3a Consider and Approve the Acceptance of a Donation of \$2,500 from Bristol Myers to the Fire Department for the Acquisition of Equipment

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Chief Wayne Lefebvre explained that the intended use of the donation is to apply \$700 towards the purchase of a hydraulic diverter block for use with the Hurst Tool during extrication, \$1,289 will be used for the purchase of a new command vehicle which was approved for purchase in this year's budget at \$20,000. and the \$511 balance will be used for the purchase of materials to build a command console in the rear of the department's new command car.

Mr. Solinsky asked, how did the department come by this donation?

Chief Lefebvre responded, it came in the mail, unsolicited.

Mr. Knight asked if there were any conversations held with Bristol Myers previous to the donation at which time the firm expressed their desire for how the money should be spent? Was there a wish for how the money should be used?

Chief Lefebvre responded, no. This is the second year in a row in which a check in the amount of \$2,500 has been sent to the Fire Department for the acquisition of equipment. That is the only stipulation - buy equipment.

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

ITEM #3b Consider and Approve an Appropriation of Funds in the Amount of \$2,500 to Miscellaneous Revenue Acct. of which \$1,800 is Appropriated to Expenditure: Heavy Duty Command Vehicle Acct. and \$700 is Appropriated to Expenditure: Hydraulic Diverter Block Acct. - Fire Department

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

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

ITEM #2b Motion was made by Mrs. Duryea to Remove Item #2b from the Table, seconded by Mr. Killen.

November 14, 1995

VOTE: All ayes; motion duly carried.

ITEM #2b Consider and Approve Accepting Three (3) Expanded Right-of-Ways to be Accepted by the Planning and Zoning Commission at Their November 13, 1995 Meeting

- 5,526 sq. ft. on N. Main St. Extension
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James Vitale, North Elm Street introduced George Cotter from O.C.C. of Cheshire to the Council.

Mr. Zandri asked, why is this land being transferred to the Town now and why not as part of a subdivision in the future?

Mr. Vitale explained, the history on this issue stems back to 1976 with an abandonment with Tankwood Road that ran through the Barnes Park area. This property had 100% frontage on Tankwood Road. When the abandonment was carried forth the property lost all of its frontage. It then had a zone change in 1985 to industrial. The condemnation of the Thurston Road took place in 1985 which played a part in this matter. Thurston Road was to be his access to his property. His twelve acres of land did not have access to a Town road again. He lost it in 1976, thought he would gain access in 1985 but it never happened, and now he has the opportunity to give this twelve acres of land access to a Town road. We have the ability to do this. It is not ready for a subdivision. If he knows that the twelve or thirteen acres has access to a Town road he does not have to sell it. He is not forced to make a decision to sell this property at any time. If he does not gain access then he will have to take whatever comes along which is unfair.

Mr. Cotter stated, the zoning regulations of the town allow for the creation of rights-of-ways for future highway purposes for land that can be subdivided. The only access for this property, the IX portion, the eleven acres, would be back through Alexander Drive which is where it should go once it is developed. Providing the access to the property creates...if the whole parcel is ever subdivided this would become a non-conforming lot. This rectifies a situation whereby you have created a zone and a parcel and we are going to provide access to that parcel at some time in the future. This right-of-way clears up a lot of actions taken by the Town so that this parcel can become a developed piece of property in the future.

Mr. Zandri asked, if this can be done now, why not five or ten years from now?

Mr. Vitale responded, he has taken that approach before and each time he thought he had an opportunity, it never got done. When

that piece of property was condemned to grant access to Thurston's property he, personally, felt that there was no reason why that road should not service his property as well.

It was for the betterment of the Town, not just one person. He did not gain access, however, to that road. The property does not abut Thurston Drive.

Mr. Zandri pointed out that the right-of-way does go out to Thurston Drive. It is Mr. Vitale's property.

Mr. Vitale responded, it is not his property, alone. There are two parcels of land, one that he, himself, has owned for twenty-five years and the other has been purchased by him in a partnership one year ago. He has access to get through the parcel that was purchased from F.I.P. one year ago.

Mr. Cotter explained, if the partnership lot is sold in the future then there is no access to the other parcel. If the other piece of property on North Farms Road is ever developed, this parcel will become a non-conforming piece of property. We wish to give it the ability to be developed in the future by providing the right-of-way at this time at no cost to the town.

Mr. Killen asked, did the Town cause your property to become land-locked?

Mr. Vitale believed that to be so.

Mr. Cotter explained, when the Town abandoned Tankwood Road Mr. Vitale lost his public rights to a highway. He maintained his private rights that he, himself, has.

Mr. Killen asked, what are the obligations of the Town to private public rights as opposed to private rights?

Mr. Cotter responded, it makes the development of the parcel so that it does not meet regulations. He was not asking the Town to develop anything nor spend any money, just provide proper development in the area.

Mr. Killen stated, you are asking us to accept the right-of-way and take it off of the grand list and to accept a road that has not been improved which means that the Town has no control over it. Unless roads have been cleared by the Engineering Department, the Town does not accept them.

Mr. Vitale stated that he is not asking the Town to accept a road, just the land for future highway purposes.

Mr. Cotter pointed out that a lot of subdivisions which the Town accepts roads in, part of what the Town accepts are pieces of

November 14, 1995

property that are left for future highway purposes to be developed in the future. Ms. Bush agreed that the practice is very common.

Mr. Gouveia asked, by deeding this land over to the Town, you are not saying that the Town would be obligated in some way to build this road in the future at the Town's expense?

Mr. Vitale responded, I don't feel that the Town should be obligated to build a road. All I am asking for is to allow his property to have access to the IX road.

Mr. Gouveia asked if that is the understanding of all parties involved? That the Town is not obligated to build this road?

Ms. Bush responded, no, the Town is not obligated to build a road.

Mr. Gouveia asked, if a road is built is the Town obligated to pay for it?

Ms. Bush responded, that is a legal question but she did not think that the Planning & Zoning Commission accepted the right-of-way assuming that the Town would have to pay to build the road. The Town Attorney was present at the PZ&C meeting.

Mr. Zandri asked, is there some way that the parties involved in the partnership could deed the parcel to Mr. Vitale? If the parties involved are willing to deed it to the Town, why wouldn't they be willing to deed it to Mr. Vitale so he would have access to your land?

Mr. Vitale responded that there seems to be a feeling of being "gun shy" about following through completely with this simply because he took a beating in 1976 and again in 1985. He feels strongly that this request tonight is the only way to guarantee access to this piece of property.

Pasquale Melillo, 15 Haller Place, Yalesville suggested tabling the item until additional information can be obtained.

Mr. Solinsky stated, the Town should accommodate Mr. Vitale since it is the Town that changed the zone. He should be entitled to use his land.

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

ITEM #5 Consider and Approve an Appropriation of Funds in the Amount of \$5,000 to SNET Telecommunications Incentive Grant Acct. Within the Special Revenue Fund - Board of Education

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Joseph Cirasuolo, Superintendent of Schools stated that he was

November 14, 1995

standing in for Paul Picard, the teacher who has been working on this program. He is a Social Studies teacher at Sheehan High School who, for the last couple of years and with assistance from similar grants in the past, has developed technology for instructional use in his classroom. His classroom is now linked with schools and other resources around the state and country. This grant will enable him to continue to develop that program.

Mr. Knight asked Dr. Cirasuolo to explain the program a little more in detail.

Dr. Cirasuolo responded, the grant is put together by SNET to assist school districts who wish to bring technology into the district for instructional purposes. Modems and lines are set up to link up computers from one school system to several others and/or other resources.

Mr. Gouveia asked that Dr. Cirasuolo commend Mr. Picard on behalf of the Council for both submitting and receiving the grant. Most of the grants received were much less than \$5,000. making his one of the highest grants awarded.

Dr. Cirasuolo suggested that Mr. Picard and a few students join in on a Board of Education/Council Liaison meeting to give a presentation on what is taking place in the grant programs. It is fascinating.

Mr. Gouveia stated, although he has never met Mr. Picard he has heard a lot about him through C.E.A. (CT. Education Association), the bargaining agent for teachers in this state. There are not many teachers who work 180 days out of the year.

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

PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville stated that during the recent campaign one of the candidates seeking municipal office stated that we have many crumbling municipal buildings. Mr. Melillo wanted to know where they were for he has no knowledge of any.

Mayor Dickinson responded all municipalities have buildings in various stages of repair and maintenance as Wallingford has. He is not aware of any that are crumbling. It is a matter of what type of description an individual chooses in describing the condition of a building. If Mr. Melillo has one particular building in mind perhaps those concerns can be addressed.

Mr. Zappala stated that the town has an Advisory Maintenance Committee of which Mario Tolla is Chairman, Mr. Melillo should contact Mr. Tolla for that information.

- 10 - November 14, 1995

Mr. Melillo asked Mr. Zappala, who was very involved in the operation of the homeless shelter in the past, how does the situation look for the homeless people in Wallingford?

Mr. Zappala answered that the shelter is operating fine, they are always in need of volunteers, Mr. Melillo's assistance would be appreciated.

Mr. Melillo stated that there is a tremendous amount of miscommunication between the Planning and Zoning Commission and the Town's Planning & Zoning Department relative to Route 5.

Mr. Killen responded that if the situation exists it is an in-house problem that needs to be cleared up in that area. The Council has no jurisdiction in that area.

Mr. Melillo then asked, is the Town taking proper steps to make sure that the large retailers such as Super Kmart and Wal-Mart are not going to put the small businesses out of work? Predatory pricing by the large retailers doom many small businesses.

On another matter, Mr. Melillo pointed out that a new principal has been hired for Moses Y. Beach school. He was dismayed that the position was given to an applicant who does not reside in town.

Dr. Cirasuolo responded, the Board of Education has always utilized the method of hiring the best qualified applicant for the job.

Philip Wright, Sr., 160 Cedar Street questioned Mayor Dickinson on the status of Mr. Wright's request for the resignation of David Gessert, Chairman of the Public Utilities Commission, formally made to the Mayor via correspondence from Mr. Wright during the first few days of November. When can Mr. Wright expect an answer?

Mayor Dickinson responded, fairly soon...if not this week, then by next week.

Reginald Knight, 22 Audette Drive approached the witness bench to pour out a jar of chip seal material. He complained that there are large cracks in Audette Drive which "erupt" due to the lack of drainage in the road. Several children have fallen from their bicycles or skates injuring themselves, one requiring 218 stitches. To date, four children have been injured. The road exhibits no curbs nor catch basins. The underwash that occurs each season causes the roadway to "erupt". When will something be done about this? When was the last time the road was chip-sealed?

Henry McCully, Director of Public Works stated that Phase I of a three year paving program has recently been completed in that area. Audette Drive is part of Phase II which will begin in the Spring.

Audette Drive was chip-sealed eight years ago.

Mr. Knight next presented a large piece of insulated wiring to the Council stating that utility work is being conducted in the area and the linemen are littering the neighborhood with various sizes of scrap wiring. Pieces of the material fall to the ground during the work and are simply left there. Who is responsible for cleaning it up?

Mayor Dickinson will look into the situation.

Frank Wasilewski, 57 N. Orchard Street took a moment to extend his appreciation to those Councilors who will not be returning to serve in the next term. Many people do not appreciate the hard work and long hours invested by the Councilors. He thanked them and extended best wishes (applause).

ITEM #6 Consider and Approve a Waiver of Bid to Allow for Hiring of Applied Data Services as a Consultant to Assist the Board of Education in Redistricting of the School System - Board of Education

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Dr. Cirasuolo explained, with the Council's approval Yalesville School will be in service September of 1996. That will require a redistricting of the school system. It is anticipated that Yalesville School will have approximately 530 students attending in September which means that students from other attendance districts will be moved to Yalesville and still more students from other districts will be moved throughout the town. The general rule will then be North and West and we can have as many as 2,000 children attending a school next September that they are not attending this year. It is a massive project. It is almost the same at the elementary level as if we were given a brand new school district. Minor redistricting will also occur at the Middle School and High School levels. We need to balance out those attendance districts as well.

Dr. Cirasuolo made it very clear that at no time did the school administration ever suggest to the Board of Education that they hire someone to perform the redistricting, send them off to do it and then leave the Board to deal with it. The administration felt that they owed it to the Board, as a staff, to be intricately involved in the process, what ever it may be. There is no agency, frankly, that would do that. Anyone who has dealt with redistricting knows that it is as much art as science in the sense that the plan has to be acceptable to the community.

There are two ways to accomplish the task, one is to use computer technology and the other is, not to. Only recently in the history of education have computers been used for redistricting. For years

it has been done in a different manner.

Dr. Cirasuolo then began to literally describe the redistricting process according to the current or common method used. The three largest maps of Wallingford available would be obtained and placed on the three largest walls that could be found. For every student that is presently in the school system, a pin would be placed on that map. The pin would be a different color depending on the grade level of each of the elementary schools. In addition, pins would also be placed for each of the middle and high schools. A piece of yarn would then be secured to the map around the walking perimeter to each school. Next, the redistricting team would then stand as far back from the wall as possible to see the patterns emerge in the hope of establishing districts that would make sense.

Next you begin moving the yarn, counting pins, etc., to make sure that your attendance districts are balanced by grade level. That is basically how you come up with that plan. One major drawback of that method is that there is absolutely no way that you can do any predicting as to whether those districts that were put together in year one will be any good in year two, three, four or five. The reason is that you are basing everything on the present population of the school district and you are making an assumption that each following year the distribution will more or less be the same.

If you utilize computer technology you can either purchase the software and/or the hardware, if need be. The software vendor takes all of your geographic data and tailors the software for your use. The vendor returns the data to you with some training for you to create your districts. That method gives you the ability to predict the staying power of the attendance districts.

Another way to utilize computer technology is to hire an agency as consultants. They use their technology, they do that part of the work for you and they come up with the same plan. Again, you can predict the staying power of the attendance districts.

Dr. Cirasuolo recommended to the Board the hiring of a consultant because it seemed to be not only the least expensive way to acquire the technology but when the redistricting was done there would be no need to own the software. He recommended an appropriation of \$10,000 and to that the Board appropriated \$6,000. In the late Spring a bid request was compiled and tailored on the procedure that the Town has for acquiring professional services. No vendor responded to the bid request. At the suggestion of the Purchasing Agent, Dr. Cirasuolo contacted the vendors who were on the list of those to whom the bid requests were specifically sent. Only Applied Data Services indicated in response to his contact that it was willing to assist the school district with redistricting. They had not submitted a bid because when they received the proposal they were involved in a fairly large project in New Jersey and simply did not have the time to put a proposal

together. That project has since been finished and they are willing to at least be considered for retention by the Board of Education. A redistricting team has been comprised consisting of Dr. Cirasuolo, Dale Wilson, Superintendent of Personnel and Judy Walsh, Transportation Coordinator and Administrative Assistant. The three individuals began discussions with Applied Data Services and got an initial proposal from them in the amount of \$23,000. The team indicated to them that the figure was not acceptable and asked that a second proposal be submitted that was significantly less expensive. In that effort the team also expanded some of the tasks that they would be willing to do as opposed to having Applied Data Services do them. This resulted in a second proposal of \$14,625.

Dr. Cirasuolo then obtained quotes from four or five vendors who could sell the software to him. Only one of those vendors had software that was compatible with the administration's present hardware. That vendor was the least expensive and priced at approximately \$20,000. The program must be customized for the user which proves costly.

The \$14,625. figure quoted by Applied Data Services is it. There are no additional expenses for anything. Dr. Cirasuolo personally checked all the references on the firm which indicate that their services are excellent. This agency is willing to sell the Board the software once the task is completed, if the Board so chooses to purchase it. At this point there is no interest on the part of the school system to acquire the software.

The Board is seeking a bid waiver due to the fact that should they place this out to bid Applied Data Services would most likely be the only local vendor who will reply. The one other firm that may submit a proposal is located in Montana and upon contacting them by telephone have stated that they intend to charge for air fare and hotel accommodations over and above the cost of the service fee which they estimated to be in the neighborhood of \$20,000.

Mr. Rys stated, in talking with many residents of the town on this matter, the question that continued to come up was, why can't the administration and staff perform the redistricting?

Dr. Cirasuolo responded, we can't. We can put the map on the wall and the pins in it. We would be doing it in a way that is obsolete because there can be no predictions made with regards to the staying power of those districts. Without those predictions we run the risk of having to redistrict in the near future again.

Mr. Rys stated, he has confidence in the school administration and staff that they could perform this task, they do not need to hire a consultant for the job. Many taxpayers he has talked to feel the same as he does. He is not in favor of the bid waiver. In the past several former superintendents of Wallingford schools have

- 14 - November 14, 1995

made enrollment projections, reports filed on projected student populations, etc., and they have never come to fruition.

Dr. Cirasuolo responded, if people use computer technology and arrive at projections that are inaccurate, when they don't use the technology the probability of being inaccurate becomes much greater.

Mr. Killen asked, what type of guarantee does this firm give?

Dr. Cirasuolo answered, there are no guarantees with anything. We cannot perform projections without computers. We will have to use some type of software or hardware. The vendor that the Board would be retaining has a very good track record and the probability is very good that the attendance districts that would be drawn up in this way would not have to be revisited in the near future.

Mr. Killen asked, how many firms were solicited to bid?

Dr. Cirasuolo responded, nine vendors received specific invitations and then it was advertised, in general, as well.

Mr. Killen asked, were all nine contacted to ask them why they did not bid?

Dr. Cirasuolo responded, yes and they all responded that the project was too big for any of them. This is the only company on the east coast that is capable of performing the job. The only other firm is in Montana.

Mr. Knight was also interested in why the bid system failed in this case. Is it that we are not aware of companies who are qualified for this type of service?

Dr. Cirasuolo stated, he has asked around to obtain the names of firms who are currently or have recently performed redistricting services. He presented that list to the Purchasing Agent. A number of surrounding communities have utilized the services of Applied Data Services for many of their references are in Connecticut. They are the most used vendor Dr. Cirasuolo could find.

Mr. Knight asked, what are the estimated man hours for this job if done in-house?

Dr. Cirasuolo responded, he informed the Board that he could probably deliver them a product sometime around the beginning of March. The man hours have not been estimated. With the vendor the Board could receive a product at the beginning of February. If they were to pursue the option of purchasing the software and await the loading of it onto the administration's system, the product would not be complete until the middle of April.

Mr. Knight asked, will the information be used to determine bus scheduling as well?

Dr. Cirasuolo responded, no. That part of the project will be dealt with separate from the consultant. We may have to purchase software to build the routes but that will be performed by our Transportation Department. That will have to be a budget consideration for 1996-97 and not right now.

Mr. Gouveia stated, redistricting can be, and often is, a very emotionally-charged endeavor. Although it is \$14,000 he would prefer to see an outside firm dealing with this rather than having a lot of people calling school officials and wasting their valuable time to plead that their school nor neighborhood be redistricted. It is important that no one involved in this issue have a vested interest of any kind on the redistricting.

Mr. Zappala stated that he is glad that the redistricting team will have some input in the process. He was originally against the idea of hiring the consultant but has since changed his mind. He will vote in favor of the request.

Philip Wrights, Sr., 160 Cedar Street stated, the Council just recently approved funding the entire building project and now you are nit picking the issue that can make it all a "go". We need to make the best use of the technology that is available to us. Allow for the waiver of the bid.

Pasquale Melillo, 15 Haller Place, Yalesville was opposed to hiring a consultant. He was of the opinion that the work can be performed in-house.

Mr. Zandri stated that the Board of Education has decided that this is the route they wish to take; Dr. Cirasuolo is before the Council because there was no one who bid on the job to start off with; if it was decided that this work is to be placed out to bid tomorrow and Applied Data Services responded to the bid request we could award the contract to them; we should give the Board what they want.

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

The Chair declared a five minute recess at this point in time.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$25,000 from Chimney Hill Acct. #002-9394-501-2160 to Quinnpiac Corridor Acct. #002-9394-501-2170 - Town Engineer

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

John Costello, Town Engineer explained that the Town is responsible

for all engineering costs associated with this project. The State of Connecticut, using federal ISTEA funds will pay for all construction costs which are estimated at \$1.2 million. The bulk of additional funds needed tonight are to pay for the additional work that the consultant was required to do to meet the State's requirements for railroad pre-emption and what safety requirements had to be built into the signal system at the railroad station and the three intersections around the station, Center Street and Route 5, Hall Avenue and Cherry and Quinnipiac and Cherry. There are two other smaller items that the consultant will need to address. One is for additional sidewalks at a cost of \$3,000 and the other is to prepare a separate set of contract documents (bidding documents) for the Cook Hill/Hartford Turnpike intersection improvements. It is hoped that by breaking it out into a separate project, it will expedite the work.

The State Department of Transportation has required Amtrak to provide additional signal equipment to increase the pre-emption time. One of Amtrak's conditions requires that the Town enter into a Force Account Agreement with Amtrak to cover their preliminary engineering services associated with the adjacent signal equipment. Amtrak has estimated their preliminary engineering costs at \$5,000.

The \$25,000 being requested this evening will cover the \$17,500 for the consultant, \$5,000 for Amtrak and will also include a 10% contingency factor.

Mr. Solinsky asked Richard Doll, Traffic Maintenance Officer if he was involved in the negotiations and signalling specifications and is he satisfied with it?

Officer Doll responded, yes, it has been a long drawn out process involving hundreds of man hours and hopefully we are now seeing the light at the end of the tunnel.

Mr. Killen asked, what is the length of the Quinnipiac Street project?

Mr. Costello responded, the actual improvements on the road run along Quinnipiac Street from Washington Street to Bull Ave. There are intersections such as Hall and Washington where the signals will be upgraded. It begins at Quinnipiac St. and Route 5 and runs to the Quinnipiac Street bridge and then it jumps over to Cook Hill Road and S. Turnpike. It is an isolated intersection.

Mr. Knight asked that the pre-emption requirement be explained.

Officer Doll stated, when the train hits a certain spot on the track it then triggers the overhead railroad gates and flashing lights which in turn triggers the traffic signalization equipment on the street. The idea was to upgrade our pre-emption operations out there now. Currently we do not have any clearance phasing either on Route 5, Hall and Cherry and Quinnipiac and Cherry St.

November 14, 1995

It will allow for a certain amount of "green" time so there is a much less possibility for catching any vehicles on the tracks, such as what happened last week in Illinois.

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

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$43,250 from Contingency Reserve for Emergency Acct. #001-8050-800-3190 to Maintenance of Building Acct. # 001-5015-501-5100 - Public Works Department

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

Henry McCully, Director of Public Works informed the Council that the funds are being requested to award the bid to demolish and remove the buildings at the Wooding Property. Bristol Crane Service, Inc. was the lowest responsible bidder selected for the work.

There are a total of eleven buildings on the property. The only building that will not be touched is the main office building which the Board of Education is currently utilizing for its alternate school program.

Mr. Knight asked, why such a spread between the lowest bidder, \$43,250 and the highest being \$109,000.?

Mr. McCully responded, the bid request specified a \$6 million insurance policy for the job. There is a small amount of asbestos being removed as well, labor costs, disposal of waste, etc. all plays a part in the pricing of the job. The \$43,250 is right in the ballpark. These structures are not solid structures. The wood can be cut up and disposed of easily.

Mr. Myers stated, at any given time a prospective bidder's pricing will be set by the amount of work that he has on hand. On many cases a bidder will use certain pricing just to keep his staff employed. When references are examined it gives a pretty good indication of the quality of work that the Town can expect. It is difficult to determine how many bidders arrive at their prices but we have come to appreciate one of the factors used which is the amount of work they have "in the hopper". Many vendors also enjoy doing business with Wallingford because we pay promptly so some of the bids are minus "carrying costs".

Mrs. Duryea asked if a privacy fence will be installed once the buildings are torn down? These buildings act as natural buffers for homes on N. Elm Street many of which have pools and children's play yards in them. Have arrangements been made for a fence?

Mr. McCully responded, that is not part of this bid. It is something that he had not thought of.

November 14, 1995

Mrs. Duryea asked, are we going to be putting up a fence?

Mayor Dickinson responded, we would look to fence in our properties and in the past we have used the chain-link fence with the privacy slats. It is the same type of structure used on the Academy Street side of the property.

Mrs. Duryea viewed that fence today and feels it is definitely not a privacy fence. Can we do more for the homeowners? Can we install an eight foot stockade fence?

Mr. McCully stated, the chain-link fence is cheaper than the stockade fence. He recommended against installing a pine stockade fence. In three to four years it will be rotted out. A #1 cedar fence installed costs \$115 per eight foot section. He measured quickly on a map before leaving work today and came up with roughly over 500 feet.

Mrs. Duryea stated, the Town can afford a better fence for the residents of both Academy and N. Elm Streets than the chain-link fence with slats that can still be seen through.

Mayor Dickinson was not sure that we should depart from the recognized standard, the chain-link fence stands up well, it is meant to prevent people from going through it and will take much less abuse. Where there is more privacy desired, the planting of shrubs is very possible.

Mrs. Duryea stated, with all the thousands of dollars continuously spent by the Town, the thousands of dollars spent on committees, consultants, reports that are never used, etc., how can you sit there, Mayor, and say that we cannot afford a wooden fence over a chain-link fence? We can afford it.

Mr. McCully stated that many residents were perfectly satisfied with the type of fence we installed.

Mr. Gouveia pointed out that the #1 cedar fence should cost approximately \$8,000 for a 551' area.

Mr. Zandri asked, how much does a chain-link fence cost?

Mr. McCully responded, \$8.75 linear foot installed. Both prices do not include the line posts.

Mr. Gouveia stated that the chain link fence would cost approximately \$4,500.

Mr. Gouveia stated that he would like to increase the transfer from \$43,250 to \$51,500 for the purpose of installing a privacy fence

(#1 cedar fence, 6 feet high).

Mr. McCully stated, these are rough estimates, he would like to get solid numbers regarding measurements and costs before we go further.

Ms. Papale stated that the Council can vote on this transfer tonight and have Mr. McCully report out in two weeks on the price to install a privacy fence.

Richard Krombel, 38 N. Elm Street stated, in speaking on behalf of himself, his wife and two neighbors, the three of their properties abut the Town's property, formerly known as the Wooding Caplan Property. They are not opposed to seeing the buildings torn down but they have concerns since their yards will be left open. He, himself, has an above-ground swimming pool, a dog and children. If the building is razed he immediately has a liability issue in terms of people accessing the yard. The buildings have acted as a barrier all this time since they sit directly on the property line. His neighbors will share the same problems as he will. He requested that a privacy fence be installed to not only eliminate the liability issue and ensure privacy but to also preserve the property value of their homes. A fence similar to what was installed at Doolittle Park would be ideal.

Walt Sawallich, Jr., 100 Jobs Road stated that the issue before the Council is to tear down the buildings. That should be voted on. He is not opposed to installing a fence but that is not the item tonight, it does not appear on the agenda. That should be voted on separately. He seems to recall that a fence exists on a portion of the property currently. It is a much older, less fashionable fence and the stockade style fence that the Mayor is suggesting would be an improvement over what exists now. He was disappointed with Mrs. Duryea's attack on the Mayor's philosophy for a resolution to this issue.

Mrs. Duryea responded that some Councilors experience a deep passion for issues that come before them at different times. She has a deep passion for preserving the privacy of the abutting homeowners.

Philip Wright, Sr., 160 Cedar Street stated that he recently visited the portion of the Wooding property that the Chief of Police requested be set aside as a "compound area". It is a disgrace to the Town and Department of Police Services. In viewing the Wooding property he noticed that the C.F. Wooding sign remains on the building now owned by the Town. He stated that it should be taken down, the business has been defunct for years.

Pasquale Melillo, 15 Haller Place, Yalesville stated that the buildings need to be demolished immediately, they are dangerous.

November 14, 1995

Ms. Papale stated that the buildings should come down because of safety issues. One vote should be taken on the demolition. The fence issue can come back in two weeks when Mr. McCully has figures on the costs of the fencing.

Mr. Gouveia stated, under normal circumstances the thing to do would be to vote on the demolition of the buildings, however, given the Town's track record, the buildings will come down and three years from now the fence will still not be up. He does not believe that the Council should address one problem and create another. By demolishing the building we will be addressing one problem but creating another with the lack of privacy issue, leaving the backyards of the residents open, creating liabilities for them and the Town.

Mr. Killen pointed out that the buildings were just as much an eyesore two years ago that they are today and no one was in a hurry to get rid of them then. The Town did not owe the residents a fence on South Elm Street with the construction of the playscape, however when it was installed the Town created a nuisance for those neighboring families. The Town owed it to them to solve their problem. The issue was brought to light at that time by Mrs. Duryea. He does not regret spending the money to correct that situation.

Mr. McCully stated, anyone who is familiar with the Wooding property knows that it borders the Shell Gas Station. In calculating the 551' he did not take into consideration the buffers around the buildings, he only considered the buildings. There exists a head wall and additional footings on the property. He was concerned that we may be opening a can of worms if the Town were to install fencing and other people who did not have a buffer before then felt that we deserving of privacy fencing as well. If we were to run a fence all the way out to East Center Street, it would take a great deal of fence. The footage he measured only included those areas where people had buildings abutting their property.

Mr. Gouveia made a motion to Table this Item Until Additional Facts and Figures can be Obtained Regarding the Installation of a Fence, seconded by Mr. Killen.

VOTE: Knight, Papale, Rys and Zappala, no; all others, aye; motion duly carried.

ITEM #10 Consider and Approve Authorizing the Mayor to Establish a Waste Furniture Disposal Program for Wallingford Companies at the Landfill - Mayor's Office

Motion was made by Mrs. Duryea, seconded by Mr. Killen.

On October 31, 1995 CRRA stopped accepting waste at the solid

waste area of the landfill. As a result, the Town and companies serving Wallingford residents have no local place to take worn-out couches, mattresses and other similar items too large to be processed at the waste-to-energy plant. During the last fiscal year about 300 tons of such material were delivered to the landfill by the Public Works Department, rubbish haulers and furniture stores.

R.L. Rogers and Sons, the operator of the Resident Disposal Program, has offered to install a container at the landfill to accept for disposal the waste furniture generated in Wallingford. CRRA has agreed to the program.

The delivery area will be separate from the area used by the Resident Disposal Program. Haulers and furniture companies delivering furniture will be weighed and pay the current weight fee (now \$98.00 per ton) at the time of delivery. The service offered by the haulers and companies will be available only to their Wallingford customers. A certification form will be required for each load delivered. All users must have valid CRRA and Town permits to ensure that they have the proper insurance coverage when on site.

All disposal fees will be paid by R.L. Rogers and Sons. There will be no charge to the Town other than the tip fee paid by the Public Works Department for material it delivers.

The Council, as a whole, agreed with the concept of the program.

VOTE: All ayes; motion duly carried.

ITEM #11 Consider and Approve Joint Recommendations of the Recreation Department, Recreation Commission and Friends of Community Pool Committee to Fix and Renovate Community Pool

Motion was made by Mrs. Duryea, seconded by Mr. Knight.

Thomas Dooley, Director of Parks and Recreation, came forward dressed in a pin-striped baseball uniform and reciting the first few lines of "Casey at the Bat" by Ernest Lawrence Thayer, drawing a parallel to the task of the Community Pool Renovation Committee. The project was first started back in 1990 with no direction. The committee knew it would be a long and difficult road for it would take a lot of money and work. He went on to say that the Town's "Casey" appeared in the hope of people sitting before the Council tonight, Stephen Knight, Susan Duryea, Bert Killen, Iris Papale, all of them had tremendous input and effect on trying to save the pool. As the time drew closer for the vote to be taken at a Town Council Meeting, it was approached with a tremendous amount of confidence and hope by the supporters of the pool along with a lot of sweat and disagreeing words. That night, some two years ago, everyone was confident that the Town would have a new pool. That

November 14, 1995

night happened so fast that it reminded him of the fast ball that Casey swung at. In a matter of moments the pool was gone. Everyone sat shocked at the outcome. Two years later we are back again. A lot of work has been done and again, the committee started out in disarray, chaos and somewhat dejected. Again, people who sit on the Council tonight, along with others in the audience, have risen to the occasion in the form of our "Casey". Ms. Foster representing Friends of Community Pool, Susan Duryea, Bert Killen, Iris Papale, again have come together with a plan that cannot be rejected. This group (Friends of Community Pool) is presenting a draft which is sound. It is a pool design which is a compromise of sorts with a budget by all accounts and purposes is agreed upon. It consists of a brand new pool surface, new circulation system, new filtration system...all for an amount that we can afford.

Mr. Dooley stated, he is standing before the Council in what he believes to be the ninth inning, there are two men on base and he needs a base hit. Community Pool is a viable recreation facility with a tie to the past and most certainly and hopefully a legacy to our future. There is tremendous passion about this pool. It is a major issue in this Town. Symbolically, it helps to maintain the small town flavor Wallingford is trying so hard to hold on to as it grows to the size of a small city in number. What better symbolism than the old swimming hole? People gather to socialize, bring their children and recreate. We are in the bottom of the ninth, two men on base....let's play ball.

Mr. Gouveia stated, the pool that you may get today has only been possible because some of the Council fought the idea of a four walled, olympic-sized pool from the beginning. They always felt the current design is what they wanted, it is the new design that communities are currently building (zero depth, water park-type facilities). In that sense he is glad that he is here today to vote on this issue but, again, it is only because of that kind of work. We are here today because someone like Ms. Foster has become involved. Had not this Council forced the issue of not allocating funds for the operation of Community Pool, the pool would not have been open the past two seasons. While there were funds in the budget to operate the pool, there were absolutely no funds in the budget to fix the pool, maintain it when all of us knew that something drastic had to be done to open the pool. Sometimes the Council looks bad when it takes certain actions, however, he does not mind looking bad when the bottom line is, you get some results. He is glad that the issue continues and the pool is not dead. He is happier that perhaps the Town will finally get a pool like the one that many of the Councilors fought for originally.

Mr. Knight wished to rectify a few comments made earlier with regards to a four-walled, square pool. The original pool committee was established to renovate Community Pool. They proceeded in that fashion, with that idea and after a few months of dealing with some

of the foremost people in the industry in the Northeast, one by one the members of the committee came to the conclusion that it was not feasible. One of the reasons it was not feasible was because the size of the renovation was going to grate against the Connecticut Public Swimming Pool Design Guide...State law. The committee chose to obey that law and not ignore it. The first design that was presented to the Council was a pool that conformed to every State law. He gave credit to Bert Killen and whomever else deserved it for having the gumption to approach the State and ask for an exemption from those State laws for it was not long after that the State passed a law exempting Community Pool from most of the standards the design guide had. The committee came back to the Council with two more designs, both of them incorporating what the committee understood to be the primary wishes of the users of the facility. The committee came up with one large design with a price tag of \$2.2 million. Upon holding discussions with the Mayor and others, there was a concern voiced that \$2.2 million was more money than the Town was in a position to spend. The committee then scaled back their design, added forty additional parking spaces which were considered absolutely necessary to any sensible reconfiguration of the area, and came back with yet another design. That alternate design carried a price tag of \$1.7 million. The alternate design exhibited a zero depth feature and although it lacked the separation between the wading area and the main area, some changes were made so that it would be easy to keep the children out of the main area. In every bit of work that the committee performed, the health and the safety of everyone who would be using the pool was uppermost in their minds. Both designs were presented to the Council. Mr. Knight made a motion that the \$1.7 million pool design be approved by the Council. Although cheaper, it remained enormous in size exhibiting almost as much zero depth as what currently exists. It contained a six lane lap pool and included a few other amenities which all the studies proved would have easily doubled the utilization of the pool. With regards to this pool he approached the matter from a cost-effectiveness standpoint. Presently we are attracting 3,500 pool tag purchasers a year to the grand old swimming hole. This committee attempted to attract today's users of aquatic facilities. If you spend 10% more on the facility and attract 20,000 users, have you not made a more cost-effective decision? It is economics, not politics. The committee approached their work from that standpoint. The committee did not have the support that night from the Council for the \$1.7 million design which, ironically, contained at least 75% to 80% of what is now being proposed. What is unfortunate is that we are so close to doing it right but we won't spend the money to do it right. We will end up with a clean facility with a clean surface for probably no more than 10% to 20% more than the 3,500 people who are already buying tags. It is not a facility that today's family wants. It is not different enough from their backyard pool to get them to come over. You have to make it something special. We can do that for very little more money. That is what the now defunct Community Pool Renovation

November 14, 1995

Building Committee was attempting to do. He applauded the efforts of the Friends of Community Pool Group. The two committees differ not so much in what they want in the way of an actual physical pool but as to what they want the community to have. He wants a community center, a place where hundreds of people will go to, not one hundred. He wants something that fifteen year olds will go to as well as five year olds. He thinks that we have not gone far enough in attracting enough people to Community Pool to make this a viable cost-effective investment. We are talking about a budget of \$1.3 million to \$1.4 million (for the design proposed this evening) which is not very far from another forty-five parking spaces and the amenities that will make this pool a success. We in government have to approach things now in that way...what is going to be successful in serving as many people and making it as economically viable as possible. This point of view was developed over hundreds of hours of time spent by the previous committee.

Mr. Zandri stated that the Council voted on whether to spend the \$2.2 million or the \$1.7 million on the pool. He was in favor of spending the \$2.2 million because the Town would be spending dollars on a facility that will probably be around for forty or fifty more years counting on how long the existing pool has been in use. His philosophy was, do the job right, even if it costs a few more dollars, for the facility will be enjoyed by a lot more people. His feelings have not changed on that matter. We can spend \$1.4 million (estimated) and you will have nothing more than what we have there today. For a few more dollars, which the Town can afford, we can have something that would be very special. The residents of Wallingford deserve that.

Mr. Zappala stated, with due respect to the former Community Pool Committee for their hard work in bringing forth the two designs for the Council to vote on, the citizens of Wallingford want to preserve what they have now. This committee will be preserving it. They were able to find a company which will give the Town back the pool which has existed for the past forty-five years. We are not in the business to attract out-of-towners to enjoy our pool. We are looking to give the community what they have had for many years but in a safer and more enjoyable fashion. The Friends of Community Pool Group have performed a fantastic job in trying to reach a solution to our problem. It would be a mistake not to accept their proposal at this point.

Ms. Papale stated, she loved the pool as it existed forty years ago and for sentimental reasons she would like it to stay that way. We do not need a Taj Mahal of a swimming pool. Yes, people would come to visit it but that would wear off after a while. To spend a large sum of money and have the attendance drop off year after year would not be good. We need a facility where people can come to relax, they don't have to have all the amenities. Friends of Community Pool, the Parks and Recreation Department and the Recreation Commission have come up with a proposal that she feels

November 14, 1995

the everyday person in Wallingford will want. She does not want a "fund raising" facility, simply one that will break even for operational cost purposes. She does not want a facility with masses of people coming to it, simply one that attracts those people who live in Wallingford and love it for sentimental reasons. To have a larger facility with all the amenities would be fine for a different community. We, in Wallingford, wish to keep it in a small town aspect. That is why she will vote in favor of this proposal. It will solve the problem with parking and if we went to a larger facility then we would have a larger situation regarding parking. She hoped that issue can be worked out now without having to go much further. She does not envision the pool as a community center. Soon the new recreation facility will be on line and she envisions that as the community center. She thanked everyone for their involvement on this matter.

Philip Wright, Sr., 160 Cedar Street commended Mr. Knight for his presentation on the history of the past committee's work on the pool. His recollection of why the pool failed last time was because Mayor Dickinson put an artificial barrier on what the Town was going to spend. Two pool committees worked very hard in certain directions and he cannot help but think that we are now again, taking second-best instead of doing the job right. He hates to see the Town spending money to get us five maybe ten years and poor attendance when we can do the job right.

Mr. Dooley reminded everyone that we have a nice existing facility which needs to be repaired. At no point was he looking for an extravagant aquatic facility. He was looking to fix the pool. Upon delving further into the issue and recognizing that a new filtration system, circulation system and new bottom was needed, as far as he was concerned if those items were attended to, he would be completely satisfied. Money does not grow on trees, there has to be a certain dollar amount that everyone agrees upon. Everyone seems to be satisfied with where we are at right now and if we pass on this opportunity it will be shame on us. He truly believes that we are in the ninth inning and we need to do something about this. We were able to survive the last two seasons, luckily. We had a threat of closing the pool at one point, a problem with a leak in the filter plant two years ago and every year when August 20th comes around he thanks the stars above that we made it through another season. Do we want to fix this facility? This is the best of all possible worlds. Yes, he would love to have a beautiful water park but we are looking at a facility that needs to be fixed. That is the bottom line.

Johanna Fishbein, 112 E. Main Street stated that the pool has to be fixed. To say that the proposed repair will only last ten years is ridiculous. People are forgetting the service that the pool offers to the residents such as the swimming lessons. Her children were fortunate enough to have received training from a Red Cross employee who was a former olympic athlete. Fairfield Boulevard has

nothing to do with this issue tonight. The pool needs repair. That is the issue tonight.

Dave Canto, 4 Meadows Edge Drive asked, what is the difference in scope between this design proposed tonight at \$1.4 million and the previous committee's smaller design priced at \$1.7 million?

Mr. Knight responded, from what he has gathered from reading the back up material tonight, basically the pool will remain the same size. Presently we are using about 30% of the pool. It will have the same parking area basically, re-drawn to try and gain a few more spaces and then parking spaces will be added by destroying the picnic area in the back, turning that into a parking lot as well. During his tenure on the former pool committee, Mr. Knight tried to convince the Council to approve the smaller \$1.7 million version, a one acre pool, 35,000 to 40,000 sq. ft., enormous in size. Plan "B" as it was referred to was an attempt to compromise between cost and adding parking. It did have a water slide and "rain drop" amenities but it was not extravagant. An additional forty-five parking spaces would have been gained between North Main Street Extension and the pool area as well as the amenities. Also, the plan called for the cleaning up of the bath house. The biggest complaint that the committee received from their somewhat rough and admittedly incomplete survey was that the bath house was disgusting to put it mildly. This proposal tonight does include work on the bath house but he is curious as to how much thought went into the project. His committee went to the point of having drawings rendered of what they thought would be an adequate bath house facility. With regards to the pool tags, one area that Plan B addressed was control of the access to the pool in a much more careful manner than currently exists.

Mr. Canto stated, at that time he (Mr. Canto) was in favor of Plan B but if he recalls correctly it ran into opposition because at that time it was felt that there would not be enough money to do the pool and the school expansion project. Mr. Knight's committee experienced a great deal of frustration in watching their efforts defeated and Mr. Canto did not want to see the same thing happen to this committee. He was opposed to spending \$38,000 on design costs to see it shelved again. The question is, is there a real commitment to finish what was started here? Does this present proposal have enough support to go all the way to completion? Why start something that cannot be finished? He is in favor of the project if it will be followed through all the way. What is the remaining useful life of the pool as it is right now? Is it at the point where we have to fix it up or shut it down?

Mr. Dooley responded, we cannot tell until the pool bottom is torn up. For the last six years we have been patching the bottom of the pool together. The pipes are thin, how thin? We don't know. They could be gone right now or we could get by another summer. It could go at anytime or we could get a few years out of it.

Ms. Foster asked that the joint recommendations be read into the record (Appendix I).

Mr. Killen asked, there have been no funds available in the past, where are the funds coming from now for the design work?

Mr. Dooley responded, that is why we are here tonight to seek an ordinance for the appropriation of funds.

Mr. Killen responded, we can have an ordinance drafted but the Mayor has clearly stated in the past that he will not fund this. Do you have anything that leads you to believe that he has changed his mind?

Mr. Dooley answered, I believe the Mayor will support the budget that has been presented.

Mr. Killen asked if Mr. Dooley had such facts in writing?

Mr. Dooley responded, no. He asked the Mayor if he would support the budget as presented?

Mayor Dickinson responded, yes.

Mr. Killen stated, the Council's actions are binding. He has been here too long and has heard too much rhetoric, he would still prefer to have a statement from the Mayor, in writing, that he will fund the project.

Mr. Gouveia stated, when the previous committee first approached this Council with Plan A, a plan similar to the present configuration of the pool, he embraced that plan. He was very much in favor of it. He would have supported Plan B which was approximately \$400,000 less but he did challenge the committee on their "flip flop" decision because their first recommendation was Plan A and then a month later they came back to the Council with Plan B. He felt somewhat uncomfortable, felt it was a political decision and in the final analysis he would have embraced Plan B. At the meeting of April 12, 1994, eighteen months ago, the Council had the votes to support Plan B. On five different occasions, however, the Mayor stated that he would not support Plan B with a price tag of \$1.7 million. The question at hand is, can this plan being presented tonight stand on its own? With \$1,950 spent on a consultant to date, what services were received for those funds? The Council approved the spending of the \$1,950 based on the fact that they would receive a report which would include a written evaluation of renovation possibilities for the existing facility.

November 14, 1995

They arrived at that summation upon reading correspondence from the committee to Stan Shepardson, Former Director of Parks and Recreation, which clearly stated that a detailed report listing renovation options and the appropriate costs for each, along with other pertinent information would be forthcoming from the consultant. Upon reviewing the information presented to the Council for this matter, however, it is extremely sketchy in Mr. Gouveia's opinion. The report was to address nine important questions as listed in the committee's letter and several design options and approximate costs for each. The Council approved that \$1,950 because they thought they would get that information and they have not.

Mr. Dooley responded, the four page document included in the agenda packet addresses that information.

Mr. Gouveia stated, Mr. Dooley makes the statement in his correspondence to this Council that the "target budget" is \$1.3 million to \$1.4 million. That makes Mr. Gouveia uncomfortable because it is a "target budget", not written in stone, there is no way of telling what we will end up with for costs. Are the \$300,000 worth the difference?

Mr. Dooley requested that the Council allow Mr. Kulowski of Century Pools, Inc., to approach the bench to answer some of the Council's questions.

Mr. Gouveia asked Mr. Kulowski if he was familiar with the previous committee's Plan B option and what was offered in it?

Mr. Kulowski responded, we have reviewed all the paperwork that was provided to Century Pools by the previous committee. He did not have any arguments with the projections that the other committee put forth. It was merely approached from a different angle than Century Pools would have approached it. The \$1,950 does not come close to the \$20,000 or \$30,000 that T.P.A. Design Consultants received for reviewing the pool for the previous committee. Originally this was supposed to be a somewhat minor evaluation of what was there and what could be done with it. In the meantime he has spent countless hours with the committee on their interest with the resurrection of this pool. He became interested in it because it is a fine facility, he does not believe it should be destroyed for once gone it will be gone forever and you will never get another one like it back again. Besides the monetary aspect, he also felt that there was a certain amount of sentimentality on the part of people who visit the site and remember their fathers, mothers, grandfathers, grandmothers, etc., the fine time that they have had and that should be preserved. The priority is the structure and the filtration aspect of the facility. Without that everything else is worthless. The raindrops, slides, diving boards, etc., all can be added on later. To put the other

amenities in now without thinking of the cost involved is not a prudent way to propose this. We feel that the \$1.3 million is a viable figure, the pool can be restored for that price. We design, initially, the absolute that we need, then we break it down for bid process with a "wish list" which is the raindrop and other amenities. When the bid comes in and are reviewed with the committee and/or the Purchasing Agent of the Town, depending on what price the bids come in it, we can pick and choose some of the amenities. We may get some, we may get all, we may get none. The basics will be done...restoration and repair of the structure. The circulation will meet State standards. Being a contractor for over twenty years, when preparing a budgetary figure he does so as if he were still a contractor. The \$1.3 million is a realistic figure. The chlorination and filtration systems will be re-designed for better circulation and inflow.

Mr. Gouveia asked about resurfacing the pool. The base of the facility is bituminous which he understands to be very unique.

Mr. Kulowski responded, South Windsor and Newtown have pools that are similar to Community Pool with bituminous surfaces. Globe Hollow in Manchester is also partially bituminous. There are other coatings that can be used. The concrete or gunnite base pools run into a great deal of money. Concrete poured at a six inch depth for a total of 20,000 cubic feet (741 cubic yards) at a cost of \$140 per cubic yard is a considerable expense (\$103,740.).

Mr. Gouveia asked, what is the life expectancy of the bituminous surface?

Mr. Kulowski stated, the current pool has been there for forty-five years. There are no lifetime guarantees on anything. You cannot tear the entire pool out and start from scratch again for it will cost you in the millions of dollars. You have to repair, coat, and the areas that have failed will have to be taken up, investigated as to why they failed and then repaired with a full coating put on the entire structure. The coatings that have been used on the bottom of the pool have not been proper coatings for use over bituminous. The bituminous has to breathe. There is also no guarantee that the concrete would not crack either.

Mr. Gouveia asked if the existing cracks in the concrete wall will be fixed?

Mr. Kulowski responded, they will be pressure grouted.

Mr. Gouveia was under the impression that the facility was currently linked to the sewer system. He has since found that not to be true and asked Mr. Kulowski to explain the proposed work.

Mr. Kulowski stated, the new guidelines for water discharge, for backwash water dictates that it must either go into sanitary sewer

or into a dry well. Either one or the other has to be provided.

Mr. Knight stated, when the State gave a permit to the Town of Wallingford for the original pool it was based on a contingency that the work be done...either a dry well installed or the facility linked to the sewer system. It was never done.

Mr. Killen stated that he was prepared to vote in favor of this project based on three criteria; one, the people of Wallingford want the pool; two, we can afford it; three, the present pool is unsafe and a danger to all who use it. His main criteria all along has not been the beauty of it but the safety of it.

Pasquale Melillo, 15 Haller Place, Yalesville, stated that he hopes the Town is adequately covered with insurance should someone get injured at the pool in its current condition.

Joanne Bean, 192 Eastside Drive stated, what we have now is special. We would not be "settling for second best" by restoring it.

Bernadette Renda, 753 N. Main Street stated that she purposely changed her working hours this summer so that she could spend more time at the pool. It is a joy to see the many people who get such pleasure from the facility. Please support this request tonight.

Philip Wright, Sr., 160 Cedar Street stated that he was dismayed to hear buzz words like "Taj Mahal" and "water park" tossed around. They are inflammatory and do not belong in this discussion. He asked the Mayor if he would support Plan B today?

Mayor Dickinson asked, why ask this question now? He is willing only to discuss the plan before the Council tonight which is a good plan that has been worked on by a lot of people and appears to be a project that appears can be pursued.

Mr. Wright stated that Plan B was a viable plan which failed before because the Mayor would not support it. It is reasonable to ask if the Mayor would support it now recognizing that there were some very distinct differences in the two plans. He commended Mr. Kulowski for answering each question honestly and directly (applause).

Mayor Dickinson responded, with regards to Plan B, he indicated at the time that he supported it, there was disagreement because it was a lesser amount of money and ultimately, no plan was accepted. What is before us this evening is what has been advanced by the committee.

Mrs. Duryea stated, Mr. Wright is absolutely correct. The minutes of the April 12, 1994 Town Council Meeting include the Mayor's comments when he clearly stated that he would not support Plan B.

Mayor Dickinson added that there was a previous meeting that dealt with Plan A & Plan B being advanced. At that meeting he supported Plan B. It was delayed, delayed and delayed and then came back in April of 1994. At that time he could not support the pool project because we were in the midst of the school project and we were not sure how expensive that would be. When we originally began looking at the pool we were dealing with a \$15 million school project which then became a \$27 million project. In April of 1994 it is very possible that he could not support going ahead with the pool but he did support Plan B. When the timing of the funding became critical he could not, at that time, say that we could go ahead with the pool.

Mrs. Duryea stated, in 1993 the Mayor said yes to the project, in 1994 he said no, in 1995 he is saying yes. That's pretty good.

Mr. Gouveia stated that the previous committee did an outstanding job and he would have much rather have had Plan A. Not being able to have it, he would have accepted Plan B. If we are pig-headed, we end up with no plan at all. He would be very happy with this plan tonight vs. no plan.

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

ITEM #12 Consider and Approve a Waiver of Design Bid for Century Pools Inc. to Provide Architectural and Design Work for the Renovation of Community Pool

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Mr. Knight stated that during the almost two years of serving on the Council quite a number of bid waivers have come before the Council. He is trying to figure out why this bid waiver is being requested tonight for he cannot come up with a good reason for why this firm should not have to be challenged in the market place as most firms are that want town business. If it is a unique service that cannot be purchased elsewhere, he could appreciate it. He does not feel this is the case tonight. He was not questioning Century Pools' qualifications but we need to show consistency once in a while to the bidding procedures that are in place. Unless there are extenuating circumstances it is his understanding that projects must be bid, especially those where we will spend upwards of \$1 million of Town money. We did it with the Park and Recreation Center. We are too much in a hurry. Mr. McCully was before the Council tonight with bid responses for the demolition of the Wooding property buildings. Those responses ranged from \$43,000 to \$109,000. That is the point. That is why we bid projects. He did not see a basis for waiving this bid.

Mayor Dickinson stated, there are some extenuating circumstances

November 14, 1995

here. If you go out and publicly bid this, a firm that has had no contact with the Town on this project....how bona fide will you feel it is when you know that T.P.A. and Century Pools have had significant contact with the Town on this project?

Mr. Knight asked, is it all that relevant? We are talking about an engineering and construction project.

Mayor Dickinson responded, he believed it to be very relevant. We are talking about people (Century Pools) who have significant familiarity with the project. They provided prices, advice and now we are saying that we will put it out to bid. There has been enough contact with these firms that the bona fide status of public bidding is questionable.

Mr. Knight stated, this project has been under discussion for years and there have been other people who have expressed an interest in designing and perhaps constructing this pool that have provided tons of information to the previous committee and the Town and now we are going to exclude them because this is the last player in the game who has provided free advice to someone else? The point of having a bidding procedure is to see that the Town gets the best value, as qualified as Century Pools is.

Mr. Gouveia agreed with Mr. Knight. If we followed the Mayor's reasoning then we would never have hired Beinstock and Lucchesi because they do so much work for the Town or we would never hire BeeMac who does most of the work for Public Works. They certainly are familiar with the Town since they do most of the work in it. Are we going to say that because they have so much contact with the Town and know it so well that we are going to exclude them from bidding on the projects?

Mayor Dickinson responded, that is not what he stated. They had significant contact on this particular project. It is not just doing business for the Town. Simply because a company does business in one area of town does not mean that they have an inside track in some other area of town. Anyone else bidding on the project will definitely be at a disadvantage, they do not have the benefit of knowing all of the details. The firm in question had significant contact in reviewing what the Town wanted, what the costs were, what the design parameters are and that will have some impact. Any other firm aware of that background will naturally wonder how bona fide would be a process of public bidding.

Mr. Gouveia responded, let them make that decision for themselves. He doubts that they will be upset if you give them an opportunity to compete. If you are telling them right up front that they don't have that opportunity, they should be upset.

Karen Foster, 40 Jones Road, Member of the Friends of Community Pool Committee stated, in reviewing the data on file from the

November 14, 1995

previous committee, she found that twelve firms had responded to the original bid requests. Upon researching each of the twelve responses she compiled a "short list" of the firms that she felt had the best qualifications for the job. The only firm that met her criteria was Century Pool. The question that remained unanswered throughout the entire history of this issue was, can the existing pool be renovated? The Council approved a request by the committee to hire Century Pool to obtain that answer. The answer was yes. The committee interviewed four different firms, some of which were represented in the original group of twelve who responded to the bid requests, some were new firms that had come to the committee's attention through a variety of sources. The committee wanted the firms to meet the following criteria:

- firm must have a statewide reputation for excellence
- universally enthusiastic recommendations from their clients
- have an extensive history of performing renovations of public pools
- have had the experience of working for twenty to twenty-five different Parks & Recreation Departments throughout the State
- extensive experience in non-conforming situations
- expertise in serving on State boards

It is an unusual combination of talents and experiences that the committee required. There was only one name that kept surfacing and resurfacing throughout the search, Century Pools.

Mr. Knight stated, the previous committee found that some excellent candidates responded to their bid request. That is how a good bidding process is meant to work. You should be confident that Century Pools will come out on top in the process.

Mr. Kulowski stated, he quoted a price of \$1.3 million based on his experience and ideas on how the job should be done. If someone else performs the work, they cannot tie into his thought process. This is not cut and dry, it is not a normal pool. He is at a time in his life where he is giving back some of his expertise to the industry that has given him a good life. He would like to do the project and feels that his company is the best one for the job. Everyone will look at this project in a totally different light which can result in a large swing in prices received, similar to what happened with the bidding on the demolition services. He is at a distinct disadvantage for bidding since everyone knows the work he has done and the price offered. He likes the park, he finds that the project has a certain amount of challenge to it that he desires.

Mr. Zappala stated that Ms. Foster surrounded herself with knowledgeable people to help her with this decision. The committee backs the decision entirely. He strongly supports waiving the bid

November 14, 1995

and feels it will be a mistake if the Town does not.

Ms. Foster wanted to remind everyone that the waiver is being requested for design work, not the laying of the pipe and pouring of concrete.

VOTE: Duryea, Killen, Papale and Zappala, aye; all others, no; motion failed.

ITEM #13 Withdrawn

ITEM #14 Consider and Approve Tax Refunds (#64-148) Totalling \$10,410.97 - Tax Collector

Motion was made by Mrs. Duryea seconded by Mr. Rys.

VOTE: All ayes; motion duly carried.

ITEM #15 Consider and Approve Mayoral Transfers Approved to Date

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

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

ITEM #16 Note for the Record Anniversary Increases Approved by the Mayor to Date

Motion was made by Mrs. Duryea, seconded by Mr. Rys.

VOTE: All ayes; motion duly carried.

ITEM #17 Withdrawn

ITEM #18 Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes with Regards to the Acquisition of Property

ITEM #19 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Respect to Pending Litigation in the Matter of CFL, Inc. v. Town of Wallingford

Motion was made by Mrs. Duryea to Enter Into Both Executive Sessions, seconded by Mr. Rys.

VOTE: All ayes; motion duly carried.

Present in Executive Session were all Councilors, with the exception of Mr. Zandri who left during the session, Mayor Dickinson and Town Attorney Janis M. Small.

Motion was made by Mrs. Duryea to Exit the Executive Sessions, seconded by Mr. Killen.

VOTE: Zandri was absent; all ayes; motion duly carried.

ITEM #20 Consider and Approve Waiving the Bid to Hire an Expert for a Pending Litigation Matter - Town Attorney

Motion was made by Mrs. Duryea, seconded by Mr. Knight.

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

Motion was made by Mrs. Duryea to Adjourn the Meeting, seconded by Ms. Papale.

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

There being no further business the meeting adjourned at 12:28 A.M.

Meeting recorded and transcribed by

Kathryn F. Milano
Kathryn F. Milano
Town Council Secretary

Approved by:

Thomas D. Solinsky
Thomas D. Solinsky, Chairman

Date

12-12-95

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

DEC 13 1995

Date

Appendix I

18 September 1995

Joint Recommendations by Parks and Recreation Commission
and Friends of Community Pool
Community Pool Renovation Project

1. The overall goal of the project is to renovate the existing facility so that it meets or exceeds all current state requirements. Legislative relief permits the town to preserve the pool's zero depth design, a nonconforming feature. The present zero-depth beach configuration and surface area should be retained, as they allow the widest possible range of uses for the pool, serving all segments of the population.
2. The target budget for the project is \$1.3 to 1.4 million.
3. Priorities for renovation include the following, listed in descending order of importance, to be accomplished as budget dictates:

A. Pool

1. New and cost-effective filtration, circulation, and water treatment and disposal systems
2. New and cost-effective surfacing; reduction of maximum depth
3. Provision for lap/competitive swimming area in NW corner
4. Redesign of demarcation between swimmer and nonswimmer (wader) areas, without creating separate areas
5. Provision for future installation of various accessories, such as raindrop units

B. Bathhouse

1. Renovate existing facility to meet state standards
2. Provision for concession stand

C. Parking

1. Redesign markings in present paved area to create more spaces and safer entry and exit
2. Increase number of spaces by expanding to east, pending approval by Inland Wetland Commission
3. Beaumont Road?

D. Amenities

1. Development of park area
2. Landscaping of site