
TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

March 23, 2004

6:30 P.M.

MINUTES

The following are the minutes of a regular meeting Wallingford Town Council held at the Robert Earley Auditorium of the Wallingford Town Hall on Tuesday, March 23, 2004. Town Council Chairman James M. Vumbaco called the meeting to Order at 6:37 P.M. Responding present to the Roll Call given by Town Clerk Kathryn Zandri were Councilors Vincenzo DiNatale, Lois Doherty, Gerald E. Farrell, Jr., Stephen W. Knight, Iris Papale, Robert F. Parisi, Michael Spiteri, Vincent F. Testa and James M. Vumbaco. Mayor William W. Dickinson, Jr., Gerald E. Farrell, Sr., Assistant Town Attorney, Joseph Swetcky, Jr., Comptroller were also in attendance.

Reverend Dean Warburton, First Congregational Church, offered a prayer of thanksgiving, which was followed by the Pledge of Allegiance.

3. Consent Agenda

- a. Consider and Approve Tax Refunds (#655-703) Totaling \$24,930.28-
Tax Collector
- b. Consider and Approve Merit Increases (3) Approved by the Mayor
- c. Approve and Accept the Minutes of the January 27, 2004 Town
Council Meeting
- d. Approve and Accept the Minutes of the January 13, 2004 Town
Council Meeting

Ms. Papale made a motion to Approve the Consent Agenda as presented. Seconded by Mr. Farrell. The motion passed with all Councilors saying aye.

4. Items Removed from the Consent Agenda – None; withdrawn
5. Consider and Approve Accepting a Donation from the Holiday for Giving Committee to the Park and Recreation Department's Pre-School Program – Giving Tree Coordinator

Ms. Papale made a motion to consider and approve accepting a donation from the Holiday for Giving Committee to the Park and Recreation Department's Pre-School Program asked for by the giving Tree Coordinator. The motion **seconded** by **Mr. Parisi**. The motion passed with all Councilors saying aye.

Karen Segal, Giving Tree Coordinator, explained that two items were left from the Holiday for Giving Program and that they would like to donate them to the Park and Recreation Department's Pre-School Program since they are in such good condition.

Chairman Vumbaco: We have a motion and a second. All in favor? Opposed? So moved.

6. Presentation of Certificates of Award by the Holiday for Giving Committee to Wallingford High School Students for Outstanding Volunteer Service Provided the Committee the Week of December 8, 2003 – Giving Tree Coordinator

Ms. Segal acknowledged all that the students did to assist Holiday for Giving from picking up gift donations from twenty locations in town to delivering them to the Grange where they helped to sort the gifts and be ready for gift distribution on time. She especially thanked the Spanish speaking students from both Lyman Hall High School but also M. T. Sheehan High School.

Jan Server, Peer Advocate Coordinator, introduced the students. Alissa Bates, Doug Bouten, Luke Boyd, Sarah Carbone, Kelly Kaniff, Chelsea Swirka, Indira Dandapanani, Tanisha Debaise, Megan Dempsey, Hayden Demass, Ann Gatia, Lauren Grant, Cheryl Pavlik, Amanda Hyman, Kimberly Kawicki, Melissa Lovey, Kristen Losi, Jamie Moore, Jessica Morales, Mallory Murphy, Ann McCaffey, Kristen Murray, Sarah Renkovitch, Elizabeth Sharp, Kimberly Shannon, Shannon Smart, Steve Tarka, Courtney Wilford, Lynn Zambrano, Kim Clark, Karen Patel, Metel Patel, Christine Mattias, Claudia Garcia, Courtney Battles, Katie Yates, Jen Bush, Whitney

Ballack, Jenna Cook, Lacey Kondracki, Megan Smith, and Rebecca Manila, who was the young lady who designed the thank you notes for the Holiday for Giving. In addition, a special thank you to Kim Stein.

Mayor Dickinson said that more than 360 families were helped through Holiday for Giving which attests to the generosity and spirit of the community and that right here is an example of what the community really can accomplish with the help of everyone. He acknowledged and thanked all of the young people for a fantastic job.

Chairman Vumbaco also acknowledged the efforts of the young people and said that their parents must be proud.

7. Consider and Approve Confirming the Mayoral Appointment of George Cooke to the Position of Commissioner on the Public Utilities Commission for a Term of (3) Years to Expire March 1, 2007 – Mayor Dickinson

Ms. Papale made a motion to consider and approve confirming the Mayoral Appointment of George Cooke to the Position of Commissioner on the Public Utilities Commission for a Term of (3) Years to Expire March 1, 2007 as requested by Mayor Dickinson. Ms. Papale read the letter to the Council from the Mayor. **Seconded by Mr. Farrell.**

Chairman Vumbaco said we have a motion and a second and asked for comments from the Council. There were none. All in favor? Opposed? **So moved.** (*Mr. Cooke was not in attendance at the meeting.*)

WAIVE RULE V

Consider and Approve Waiving Rule V of the Town Council Meeting Procedure for the Purpose of Considering a Transfer of \$50,000.00 to the Public Works Department.

Ms. Papale made a motion to Waive Rule V of the Town Council Meeting Procedure for the Purpose of Overtime pay due to winter storms and after hour ice conditions on town roads. **Seconded by Mr. Farrell.**

Chairman Vumbaco asked all those in favor of waiving Rule V. Opposed? **So moved.**

Ms. Papale made a motion for the amount of \$50,000 from Contingency Account to Overtime Account. **Seconded by Mr. Farrell.**

Henry McCully, Director of Public Works, due to the most recent weather we had crews on the roads for three nights straight which depleted the account. The \$50,000 should take us to the end of the year barring any major events. This money will be used for reconstruction and weekend cleanups.

Chairman Vumbaco asked for questions from the Council and from the public and called for the vote saying, we have a motion and a second. All in favor? Opposed? **So moved.**

8. Executive Session Pursuant to Section 1-200(6)(E) of the CT General Statutes Pertaining to the discussion of Records, Reports and Statements of Strategies or Negotiations with Respect to Collective Bargaining
-Board of Education

Ms. Papale made a **motion** to enter into Executive Session pursuant to Section 1-200 (6) (E) of the CT General Statutes Pertaining to the discussion of Records, Reports and Statements of Strategies or Negotiations with Respect to Collective Bargaining, asked for by the Board of Education. **Seconded by Mr. Testa.**

Chairman Vumbaco said that we have a motion and a second. All in favor? Opposed? **So moved.** The council is now in Executive Session.

Council entered into Executive Session at 6:47 P.M.

Ms. Papale made a motion to by to come out of Executive Session.
Seconded by Mr. Farrell.

Chairman Vumbaco said that we have a motion and a second. All in favor? Opposed? **So moved.**

Council came out of Executive Session at 7:12 P.M.

Present in Executive Session were all Councilors, Mayor Dickinson, Assistant Town Attorney Gerald Farrell, Sr., Dale Wilson, Assistant Superintendent of Schools, Kenneth Henrici, Superintendent of Schools and Michael Votto, Chairman of the Board of Education.

9. Discussion and Possible Action Regarding the CILU, Local #75, Para-Professional Union Contract Approved by the Board of Education, Effective September 1, 2003 through August 31, 2008 – Asst. Superintendent of Schools

Chairman Vumbaco: There will be no action taken on Item #9.

10. PUBLIC QUESTION AND ANSWER PERIOD

Robert Sheehan, 11 Cooper Avenue, asked if there were any results from the walkthrough of Simpson School.

Chairman Vumbaco: There are two bid packets and were delivered by the Mayor right before the meeting. We haven't even had a chance to look at them. Is there any other member of the public that would like to speak or ask a question? Item #11.

11. PUBLIC HEARING to Amend Chapter 190 of the Code of the Town of Wallingford Entitled, "Solid Waste" – 7:00 P.M.

Ms. Papale: Item #11 is a Public Hearing to Amend Chapter 190 of the Code of the Town of Wallingford Entitled, "Solid Waste".

Chairman Vumbaco: Before we take this to the public, our Ordinance Committee Chairman, Mr. Knight, will give a brief dissertation as to what we are doing this evening.

Mr. Knight: This will be brief because I was expecting Adam Mantzaris, Corporation Counsel, to be here this evening. This is being taken up at his initiation and at the request of some of the haulers. There are two things that are changed – we took our redundant language, language and requirements that are covered in other Ordinances such as littering and blight were removed from this ordinance just for a matter of clarity. The second part - there are some licensing requirements that went along with the permitting, and it was requested from some of the haulers to remove that because it was completely redundant with some of the state regulations. Mr. Mantazaris researched this, and he found this to be the case. Then he rewrote the solid waste ordinance to affect those changes. That's what this hearing is about.

Mayor Dickinson: We eliminated the requirement for inspection by the

Health Department and the Police Department. Those were requirements and obligations that were onerous on the departments and it was felt really did not accomplish a lot in terms of the up to date methods of garbage removal. It ties up things for several days. It was not in the interest of any parties so it was eliminated as a requirement, and there is no longer any inspection of the vehicles by town departments.

Henry McCully: It was basically from my end to streamline the permitting process. Our permitting will now be done through the mail. The old process required potential haulers to get a health inspection and also an inspection by the Police Department, which would tie their vehicles up for a whole week every afternoon and also tie up the health department for a whole week for a \$5 permit fee and state regulations on vehicles the Motor Vehicle Department on truckers, it was totally redundant. We would have dozens of these trucks lined up and down Town Farm Road. We moved then the last two years down to Pent Road to get them away from the residences and this will work well for everybody. The Police Chief is on board. The Health Department is on board.

Chairman Vumbaco: This is a Public Hearing. Is there anybody who has any questions or comments on this Ordinance? Public?

Frank Wasilewski, 57 North Orchard Street, asked if this ordinance was going to eliminate the inspection of these trucks.

Mr. McCully: Yes, it is.

Mr. Knight: Only from the Town's standpoint. The state still regulates and has a very vigorous enforcement program for trucks, especially trucks of that nature.

Mr. Wasilewski commented on the condition of the trucks in the very early morning, referring to the liquid in the trucks.

Chairman Vumbaco asked if there were any other members of the public who wanted to speak.

Mary Mushinsky, State Representative, 85th District: I had a couple of comments on the solid waste proposed ordinance. (*She gave handouts.*) If somebody has not already mentioned this, in the refuse definition, you have 'leaves', which are a mandatory recyclable, so

they actually go under recyclable materials designated by the DEP under 22-A-241B of the statutes so that word 'leaves' should be moved up to recyclable materials. Also the yard clippings which you May intend to mean grass clippings are not allowed to go to wasted energy facility or a land fill facility by state law. It would be better if this phrase 'grass clippings' is not in the refuse category but perhaps in its own category. We should be encouraging folks to recycle the material on their lawn if possible or at a designated grass clipping recycling area whereas, if you leave it in with refuse, it implies that it's not recyclable and just a discarded material. I would ask you to move that to its own category. The handout I brought with me has some information in it from other municipalities around the state that are doing really top notch recycling, and they have been honored for their efforts at adding more materials to recyclable lists. Many of these towns on the honor role do plastics one and two, which Wallingford does at the transfer station, and many of them also do brush that is taken to a designated area for chipping and then used again in the municipality for parks and recreation use. And there are other ones here that are handled by other towns that we may or may not want to handle, for example, some of them collect aseptic packaging from their schools and recycle that. Some of them do corrugated cardboard and our transfer station does that also. Mixed paper some of them do. Batteries and so forth. This is just to show you that there are additional items that can be added to an additional recycling items category even though they are not on the DEP list. It's still a worthy goal to add additional items as many of the towns in this packet have done. This about setting up another category of "Additional recyclable materials," and then encourage the town's people to separate them out for collection or to take them down to the transfer station on their own and not put them with the refuse, which sends the wrong message that they're not recycle friendly. I'll give the packets to the clerk.

Mayor Dickinson: Just to respond to some of Representative Mushinsky's comments, I think there is a separate recycling ordinance, which spells out what we do and don't do. Don Roe is here tonight. This ordinance defines and indicates that there are recyclable materials. The refuse is meant to separate some items from the definition of garbage, and storage of refuse indicates that refuse shall be stored the rear of premises. You can't store garbage anywhere but you can store refuse and that would include a compost or things of that kind. You have to really look at the definitions very carefully. Don, can you respond to the recycling issue?

Don Roe: If you go to page four (4), Section 190-7, what this ordinance does is tie in what was a separate recycling ordinance. One of the differences when we did the recycling ordinance for the town is we then have the Council adopting regulations for recycling and it is in those regulations that the items that are required for recycling in our community are outlined. So you don't see them appearing here because you do it or the town does it by regulation as Mary pointed out. Our town does go beyond what is required by state statute in that we require the recycling of plastics number one and two as an additional item. One of the other items she mentioned was brush and we do provide for recycling of brush at the compost site. In fact the products that we take there are brush and leaves.

Rep. Mushinsky: I'm trying to keep the items from being put in a mixed group of trash on the curb. That's really my point in making that comment.

Mr. Roe: The ordinance itself doesn't need to have that requirement. It's probably how the drafter of the ordinance, who I think was Adam, looked at it in terms of how to handle the definitions.

Rep. Mushinsky: OK, so the leaves are in refuse because of the way they are picked up? But not because they are not recyclable?

Mr. Roe: Even though they are there, they might still be required to be recyclable.

Rep. Mushinsky: OK, thank you.

Chairman Vumbaco asked for any other questions from the public, and then asked **Mr. McCully** to clarify for **Mr. Wasilewski** the inspections that are not being done. He said that he doesn't believe that the issue of water spilling out is being not done.

Mr. McCully said that when the inspections were done basically the truck would show up, the health and police departments would inspect it. All of these trucks except for the compacter trucks have roll-offs. The state of Connecticut requires roll-offs to be covered to stop moisture and water from getting in there. There are regulations in place. From time to time, water does come out of roll-offs onto the road. There are provisions in the ordinance for anyone that violates it can be fined and

they can have their permit revoked. The language is in here to cover that.

Chairman Vumbaco asked about the process.

Mr. Roe: Basically the yearly inspection in and of itself doesn't stop that problem. What the process would be is that if a complaint is made, somebody observes a truck. the complaint can be directed to our office or to Public Works Office or to the Health Department. We still have the right to go and follow up on that.

Chairman Vumbaco: I've seen it myself. If it is spewing forth foul smelling water and a complaint comes in, what's the next step?

Mr. Roe: The complaint comes in and a followup to the company by telephone is made to track that vehicle down. If necessary, I would assume we'd look to have that vehicle specially inspected.

Chairman Vumbaco: Henry, you mentioned that the state requires roll-offs to be covered. What's the difference between those roll-offs and one of those smaller dumpsters?

Mr. McCulley: Every small dumpster requires to have its load covered at all times when they are moving.

Chairman Vumbaco brought up the fact that he tried to order one with a top and was told they don't come with tops and asked what does the hauler do when they pick it up if it's a small seven yard dumpster. **Mr. Roe** said that there is generally a mechanism on the truck or he has to cover it with a tarp. **Chairman Vumbaco** summed up by saying that citizens should call if they see a truck that is not covered and **Mr. Roe** said even a pick up truck with a load needs to be secured and it doesn't matter if it's a commercial vehicle or a one belonging to a resident.

Mr. Wasilewski commented that this ordinance is for the professional trash pickers. And asked the cost of the hauler permit. **Mr. McCulley** said the permit is \$50. He commented that the hauler has a responsibility to know what they are picking up at curbside.

Chairman Vumbaco declared the public hearing closed and asked the Council if they had any questions or comments.

Mr. Farrell asked about #190-5E where it talks about the "vehicle must be

constructed to prevent the loss of liquid waste" and it goes on to say "however they shall not be required to be constructed to prevent the escape of liquid waste." Why is there an inherent conflict in this?

Mayor Dickinson said that you have to look at the definition of rubbish when they are being used solely to collect and transport rubbish, rubbish is defined as non-putrescible, solid waste. Paper wrapping, cigarettes, cardboard, tincans, wood, glass....most, if not all of that, is recyclable.

Mr. Farrell commented that they missed the fact it went from refuse to rubbish. What a distinction, Mayor.

Mayor Dickinson: Each definition is critical.

Chairman Vumbaco thanked **Mr. Roe**, and **Mr. Testa** added that we're really going to confuse it now by adding trash.

Mr. Testa noted that there is no mention of hazardous materials. The existing ordinance specifically includes a prohibition against bringing any of those types of materials for disposal in the town and that the language in the new one doesn't really say it all or anything related to dangerous, hazardous or flammable, caustic. He wanted to know why that is left out.

Mr. Roe: It's because we don't regulate that. The state regulates the collection of hazardous waste. We do not have any responsibilities for regulating that.

Mr. Testa: I thought it would be reasonable in our ordinance to say that you can't bring any of that stuff to the land fill and that without having it in there, people might think that they can.

Mr. McCulley: It might help to know that all of these vehicles would be going to the burning plant and they are also inspections made there of the loads that they tip onto the floor. It doesn't just go into the furnace. They have a tipping floor. I've even been cited for recyclable bottle picked up at the parks being in there.

Mr. Roe asked **Mr. Testa** is he was saying that in the previous ordinance there was a prohibition. I can't give a reason where I had a discussion with Adam about why he didn't think that was necessary. I basically

offered you my opinion. Certainly if there is an interest in having that very clear identified.

Mr. Testa said he was curious if it was felt that it wasn't needed.

Gerald Farrell, Sr.: Not only does the state regulate the storage, transportation, disposal but the federal government does too. If you do it the wrong way you hear from the DEP and the EPA and you get hefty fines. The State of Connecticut College the other day got heavily fined for the manner of storage of its hazardous waste.

Mr. Testa: I brought it up because I spend about nine years in that industry of hazardous waste and its disposal. We gone a long way and there is a lot of regulation but I'm referring to circumstances whereby our haulers and our handlers would unknowingly be transporting and handling materials that they are not supposed to be simply because someone thought it was OK to bring it to the dump and throw it into the dumpster. It could cause a hazardous situation. My point is that we prohibit it not regulate it.

Mr. McCulley: As a track record, in the ten plus years that I have been administering this with Mr. Roe's Office, I've had to send letters to haulers warning them of their littering but we never had to really deal with any real threat to human life or anything or circumstances like that. I think for the most part between the various regulations - federal, state and local - they are not perfect but we do have some control over them.

Ms. Doherty: Asked about the definition of 'refuse', noting that dead animals are in there and yet in the garbage area it seems redundant. Under 190-2 under garbage and then under refuse in the definition.

Mr. Roe: When I try to chart out definitions, I think if you think of refuse as being part of the bigger circle or maybe garbage is a part of that bigger circle, I've actually tried to diagram this so that I could understand it. These are fairly arcane definitions and I may even have my drawing with me.

Mayor Dickinson said he thinks that garbage is a smaller subset. Garbage is the waste resulting from handling, preparation, cooking & consumption of food. The larger group refuse is dead animal, like an entire animal, dead on the road and it has to be disposed of. The garbage is what has been used in relation to the preparation of food.

Mr. Testa: Unless you eat what the cat drags home. They are two different items.

Ms. Doherty: Thank you.

Mayor Dickinson: Hopefully, they are different items.

Mr. Knight: I am concerned that my friend Lois is confusing dead animals and food preparation. I've always thought of her as a pretty good cook.

Chairman Vumbaco: I would suggest that we pass this a written and we'll send something over to dam to look into the hazardous waste issue to see if he would like to incorporate that into the ordinance. He can respond to Steve, and if necessary, we can revisit this again. We need a motion to approve.

Ms. Papale: I make the motion to approve, Mr. Chairman.

Mr. Spiteri: Second.

Chairman Vumbaco: We have a motion and a second. Roll Call please.

Roll Call: DiNatale-yes, Doherty-yes, Farrell-yes, Knight-yes, Papale-yes, Parisi-yes, Spiteri-yes, Testa-yes, Vumbaco-yes.

Chairman Vumbaco: The motion passes. Item #12

12. **PUBLIC HEARING** to Amend Chapter 203, Article II of the Code of the Town of Wallingford Entitled, "Veterans Tax Exemption."

Ms. Papale: Item #12 is a PUBLIC HEARING to Amend Chapter 203, Article II of the Code of the Town of Wallingford Entitled, "Veterans Tax Exemption."

Mr. Knight: The ordinance committee was made aware of the changes in state statute which allowed us to change some of the amounts and some of the other definitions of state statute referring to exemptions that veterans are granted on their property taxes. Presently all veterans, combat veterans, have a \$2,000 exemption – I can be corrected on some of this because I don't know all of it but this is my understanding. All combat veterans regardless of their income level

qualify for this \$2,000 exemption. There is a second exemption of \$4,000, which 274 veterans qualify presently for in the Town of Wallingford. There is a third exemption, which is also reimbursed 50% by the state. Another exemption is another \$2,000 that was in place and that the state statute allowed us to raise to a maximum of \$10,000 or 10% of the value of the property assessment. In December the Ordinance Committee voted to raise from \$2,000 to \$10,000 that third exemption. That is also one that only under certain income levels qualify for and those same 274 who qualify for the one I described previously also are eligible for this one. We went right to the maximum and we felt it was deserved, and we'd pass it along to the full Council. There are other provisions that the state legislation allowed us to change that we have not at this present time worked on. The primary reason are changes in income levels that we're not sure what the impact would be on the town if we made these changes. To the extent that we can collect data, we agreed in committee to revisit those other issues but at the present time what you have in front of you is the change in the exemption from \$2,000 to \$10,000 for certain veterans that qualify.

Chairman Vumbaco: This is a public hearing. Is there anyone who would like to address this issue?

Mr. Wasilewski, 57 North Orchard Street, said he didn't know if the veterans realize that the \$2,000 or \$4,000 off the assessment. He wants them to go into tax deferred for seniors so they don't have to pay taxes as long as they live.

Pasquale Melillo, 15 Haller Place, Yalesville commented that this needs more study and more skilled coordination at local and state levels and maybe at the federal level.

Chairman Vumbaco: I declare the public hearing closed. Any comments or questions from the Council?

Mr. Testa: The way the wording makes it sound like there is already an exemption from property tax in accordance with the General Statutes, and this is saying that they will be entitled to an additional exemption up to the amount of \$10,000. Does that mean \$10,000 total or \$10,000 on top of what they would be eligible for according to the General Statutes?

Mr. Knight: As I understand it, and I think that you are bringing up a good

point, there is an existing one and this raised that from \$2,000 to \$10,000 exemption....an additional exemption applicable to the assessed value of property up to the amount of \$10,000 according to subdivision as long as you qualify.

Mr. Testa: The wording really says to me the additional exemption can be upped to \$10,000, additional exemption, as opposed to the additional exemption bringing the total up to \$10,000. Worded a little differently but somebody can read this to the letter and say this tells me I can get another 10 (\$10,000) on top of the 2 (\$2,000).

Chairman Vumbaco: I think that the exemption that's talked about in the first two sentences is a separate exemption that they are entitled to and this is just giving them an addition, so the town is providing upwards to \$10,000. Under Subdivision 22 of the State Statutes that is an exemption that they are entitled to and the town is now providing them to an additional \$10,000 to what they are already allowed.

Mr. Testa: And that's different than saying we are going to bring the state up to ten.

Joseph Swetcky, Comptroller: There are actually three exemptions that you are talking about and this one in this ordinance that you are amending is the local option. It is an additional exemption. It's piggybacked onto the state exemption so somebody could actually end up with a \$16,000 exemption if they qualify for all three.

Mr. Testa: That's what I was hoping for.

Mr. Knight: That's what I was trying to describe but apparently not very well.

Mr. Testa: The wording is right though because that's how I read it. income Restriction, and the other two do have an income restriction. The second one is for \$4,000, and this is the third one, which was at \$2,000 and now will be at \$10,000 and that has an income restriction.

Mr. Spiteri: The \$16,000 is taken off the property tax value.... assessed value. Does the committee know what Mr. Wasilewski was referring to? Or is that something different?

Mr. Swetcky: There are a variety of different tax abatement / tax deferral

programs for different categories of taxpayers. I believe what was being referred to was a tax deferral program for the elderly—a certain age, a certain income level and there is a tax deferral program. If anyone is interested in tax deferral programs or tax freeze programs, if they have any questions on it, they should contact the assessor's office to see if they qualify. They all have means test and application deadlines and application processes. This has nothing to do with those programs. That program again is strictly for the elderly. You could actually have this program plus that program. They are not exclusive of each other. You can have both.

Mr. Parisi: Are they all dependent on income?

Mr. Swetcky: Yes, they are. The only exemption program that I am aware of that are still not dependent on income – if you are a veteran and you served under certain combat situations, certain conflicts, you get an automatic \$2,000 exemption by assessment reduction. If you are disabled, there is also an exemption for those individuals. That program has been suspended but there is talk of bringing back that program. I understand that that program also does not have income guidelines.

Mr. Parisi: Mr. Chairman, just to put it into perspective, is there an analysis of the cost of these programs?

Mr. Swetcky: This particular program we have analyzed the cost as a tax loss to the town. This would not be reimbursed. The state does reimburse for some of these programs. It would not reimburse for this program because this is a local option program. The state provided that the towns could do this at their own free will. Using the 2002 Grand List numbers, the cost for a \$10,000 exemption, assuming that we still have 274 qualifying veterans and assuming that they take the full \$10,000 exemption and the mill rate stays at 25.1 mills, is a \$55,000 tax loss.

Chairman Vumbaco called for other comments or questions, and there were none.

Ms. Papale moved to the article "Veterans Tax Exemption of Chapter 203, Taxation of the Code of the Town of Wallingford is hereby repealed and the following Article 2 is substituted in lieu thereof and that we will add this to the minutes of the meeting.

Mr. Testa: Second.

Chairman Vumbaco: We have a motion and a second. Roll Call please.

Roll Call: DiNatale-yes, Doherty-yes, Farrell-yes, Knight-yes, Papale-yes, Parisi-yes, Spiteri-yes, Testa-yes, Vumbaco-yes

Chairman Vumbaco: The motion passes unanimously.

Mr. Testa: As a point of information, the old article that was in our package, if you look at article #3 of the ordinance, that's the elderly exemption if you want to read the details of it, it's already in there.

Chairman Vumbaco: For a point of clarification, we have two thought processes working here as far as the next two items on the agenda so Iris will be reading in both items from the agenda and we'll be discussing both items as one and hopefully we can come up with a conclusion.

13. Consider and Approve the Creation of a Town Council Sub-committee on Diversity and Equal Opportunity as Requested by Councilors DiNatale, Papale, Spiteri, Testa and Chairman James Vumbaco
14. Discussions and Possible Action on the Formation of a Council Subcommittee Named the Human Resources Committee as Requested by Councilors Gerald E. Farrell, Jr. and Robert F. Parisi

Ms. Papale read Item #13. Mr. Chairman, I'm going to read both of these, and we will go from there.

Wallingford Town Council's Commission on Diversity and Equal Opportunity

Preamble: Statement of Purpose

The Wallingford Town Council believes that gender bias, sexual harassment and sexual discrimination in local government, and racial intolerance are serious matters. The Wallingford Town Council makes no findings at this time as to whether or not the Town of Wallingford has problems in these areas. It has become aware of allegations; however, concerning sexual harassment, gender bias, or sexual discrimination in Town government to at least warrant an inquiry.

The Wallingford Town Council has determined, therefore, that it is in Wallingford's best interests to create a special commission to look into these matters. The special commission shall be called the Wallingford Town Council's Commission on Diversity and Equal Opportunity. It is expected that this commission will act promptly, objectively, and in a non-partisan manner, consistent with this statement.

Rec'd
3/23/04
@
mvg.

Mission

The Wallingford Town Council's Commission on Diversity and Equal Opportunity (hereinafter called "the Commission") will

1. Provide a forum where people may express ideas, provide facts, and make suggestions as to how Wallingford may better address sexual harassment and gender bias in Town government, and racial intolerance, if any, in the Town of Wallingford.
2. Research and investigate, as may be necessary and appropriate, such matters which in its discretion will lead to improvements in policies that are intended to eliminate racial intolerance, if any, in the Town of Wallingford, and sexual harassment, if any, in Town government.
3. Recommend to the Wallingford Town Council specific measures the Council and/or the Town may take in furtherance of its mission.
4. Adopt such procedures as may be necessary and appropriate to accomplish these goals.

Membership

The commission shall be comprised of at least five members, plus the chairman of the Wallingford Town Council.

The chairman of the Wallingford Town Council shall use every reasonable effort to seek out the most qualified individuals who have special knowledge, skill and experience in employment law, human resources, and other matters relating to the mission and methods of the Commission. Any applicant who may wish to serve on the Commission may at any time submit his/her qualifications to the chairman for consideration. The chairman shall, from time to time, recommend to the Wallingford Town Council prospective qualified members for appointment to the Commission, and the Council shall approve those applicants recommended by said chairperson who it shall consider qualified.

Except as provided herein, public officials and town employees shall be ineligible to serve on this Commission.

The chairman of the Wallingford Town Council or his/her designee shall serve as the non-voting chairperson of the Commission. He or his designee shall preside at meetings, and his duties shall include the scheduling of meetings and the preparation of the Commission's agenda.

Actions, Reports, Goals, Cooperation

It is expected that all town employees, including public officials, shall offer to the Commission reasonable cooperation. Nothing herein shall be construed, however, to encourage any employee or official to

1. neglect or violate his/her public duty or job requirements;
2. interfere with the proper performance of any contract, including but not limited to municipal contracts, and labor agreements;
3. expend funds unless specifically authorized by the Town Council; or
4. violate any local, state or Federal law or regulation.

The Commission shall comply with all requirements of the Connecticut Freedom of Information Act.

The Commission shall report to the Wallingford Town Council, either in writing, or by way of personal appearance, at least every three months.

The Commission shall have no power to bind or obligate the town of Wallingford in any way. It is not and shall not represent itself to be Wallingford's agent in any matter. It shall have no power to spend money or incur debt.

Within one year of the commencement of its proceedings, the Commission shall report its findings and specific recommendations to the Wallingford Town Council. Upon such report, the Commission shall dissolve by operation of this section, unless the Wallingford Town Council finds a special need for the continuance of the Commission and votes to reinstate the Commission and appoint members as aforesaid.

Mr. Farrell: Move to table.

Mr. Parisi: I'll second that, Mr. Chairman.

Mr. Farrell: At least some of us on this side did not have this document and

I appreciate that Iris read through it and we did have one copy over here to work with but this is a lot to glean and a lot to take in and a lot to react to on what is a very serious issue. I want the time to reflect on this. I don't think I can have a debate that goes somewhere without time to reflect on this, read through it and think through the repercussions. I guess we would ask that indulgence as the minority that since three out of the four of us did not have this. We're just hearing this for the first time.

Chairman Vumbaco: I can understand this but for the record I just want to state for the record that I did email this to everybody. Apparently, you didn't get the emails or the attachment of the email. I got a call last week from Iris. It was inadvertently left out of the agenda packet therefore she suggested that I get it over to you and I emailed it to you. No one answered except Steve, I believe, and said they didn't get the attachment. Actually, this is the first time that I've heard that you did not have this.

Mr. Parisi: I was just surprised that there wasn't anything in the packet because the item was on the agenda. I've been having trouble getting emails from you anyway.

Ms. Papale: That's what I think the Chairman is trying to say. When I received the packet, I went through it and I called Jim and said there's been some mistake. It's not in the agenda (packet) and Jim was very upset about that. It was a mistake so somewhere.

Mr. Parisi: We're not even complaining about that. The problem is that we did not have it and we are not prepared. You read it but I can't discuss this.

Ms. Papale: We're going to discuss about tabling it but I would like to read the other one at the same time and maybe at the next meeting I won't have to read them at all.

Mr. Parisi: It's all right with me as long as we can have the opportunity to read this over and think about it and be prepared.

Mr. Farrell: And I would mean for my tabling item to include both items. I'm not expecting that mine and Mr. Parisi's goes forward when yours does not. I think they both should be tabled out of fairness to both sides.

Mr. Parisi: My second stands for that.

Chairman Vumbaco: Iris, would you like to read the second one in first?

Ms. Papale: Yes, but we still have the motion on the table. At this time I would like to read the following item placed on the agenda by Mr. Farrell and Mr. Parisi.

Discussion and possible action on the formation of a Council Committee named The Human Resources Committee.

The primary mission of this committee is to bring awareness to the table and a willingness to create an educated atmosphere so that we can enhance the process that exists and that the Town of Wallingford, as should every Town, enter into a formal training process to heighten the awareness of supervisors and managers to avoid any semblance of this type of discrimination.

The first objective of this committee would be to document the existing process for evaluating discrimination as it is reported to exist by the news media.

Secondly, to establish parameters in which it(the committee) may operated by the Town charter, The Town Personnel Department Rules, The Town Attorney's Office for legality, and the Town's Labor Attorney. The Mayor's Office should also be consulted as the Administrative Head of all Town departments for guidance.

Town Council Sub Committees seldom have any authority to act under the rules set forth in the Town Charter and therefore my recommendation that the above stated departments be included to form guidelines so that this committee will not misrepresent the Town or act in any way that might effect on going negotiations with any representative group. I strongly agree with Mayor Dickinson when he states that we had better be well advised and informed before any action takes place.

Chairman Vumbaco: Before we vote on the motion, I would like to declare a five minute recess to discuss this and then we'll come back.
The Council is now in a five-minute recess.

Chairman Vumbaco: I declare the Council back in session. In deference to Mr. Farrell's motion there will be no discussion on the tabling motion. I would like to apologize for anybody who did show up tonight who wanted to discuss this issue. Apparently we had a little glitch as you were made aware and that not all this information was provided to all Councilors. We firmly believe that it's the correct think to do, to table this for the next two weeks until the next Council meeting. Roll Call Vote, please.

Roll Call: DiNatale-yes, Doherty-yes, Farrell-yes, Knight-yes, Papale-yes, Parisi-yes, Spiteri-yes, Testa-yes, Vumbaco-yes

Chairman Vumbaco: Item 15.

15. Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Contingency – General Purpose Acct. #001-7060-800-3190 to Purchased Services Negotiations Acct. #001-1300-901-9002 – Mayor

Ms. Papale is to Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Contingency – General Purpose Acct to Purchased Services Negotiations Acct. This is asked for by the Mayor. *(Ms. Papale read the letter from the Mayor.) So moved.*

Mr. Parisi: Second.

Mayor Dickinson: The letter pretty much states it. We just like to pay the bills as they come in. It's always an estimate as to what the amount will be.

Chairman Vumbaco: We have a motion and a second. All in favor? Opposed? So moved.

16. Executive Session Pursuant to Section 1-200 (6) (D) of the CT. General Statutes Pertaining to the Purchase, Sale and/or Leasing of Property – Mayor

Ms. Papale: Item 16. I make a motion to go into Executive Session to pursuant to Section 1-200 (6) (D) of the CT. General Statutes Pertaining to the Purchase Sale and/or Leasing of property, requested by Mayor Dickinson.

Mr. Testa: Second.

Chairman Vumbaco: All in favor? Opposed? So moved. The Council is now in Executive Session.

The Council Entered into Executive Session at 8:15 P.M.

Ms. Papale: I make a motion to exit from Executive Session.

Mr. Farrell: Second.

Chairman Vumbaco: All in favor? Opposed? So moved.

The Council exited from Executive Session at 8:36 P.M.

Present in Executive Session were all Councilors, Mayor Dickinson and Assistant Town Attorney Gerald Farrell, Sr.

Mr. Farrell: I move that we adjourn.

Ms. Papale: Second.

Chairman Vumbaco: All in favor? Opposed? So moved. The meeting is adjourned. Thank you. Good night.

There being no further business the meeting adjourned at 8:36 P.M.

Meeting Recorded by Anna Nolan, Interim Council Secretary

Meeting Transcribed by



Sandra R. Weekes
Town Council Secretary

Approved by:

James M. Vumbaco
James M. Vumbaco, Chairman

Date: February 22, 2005

Kathryn J. Zandri
Kathryn J. Zandri, Town Clerk

Date: February 22, 2005

RECEIVED FOR RECORD

2/15/05

AT 11:30 M A M AND RECORDED BY

Kathryn J. Zandri TOWN CLERK

SOLID WASTE

Chapter 190

SOLID WASTE

ARTICLE I

Garbage, Rubbish and Refuse

- § 190-1. Short title.
- § 190-2. Definitions.
- § 190-3. Storage of refuse.
- § 190-4. Refuse collection permit.
- § 190-5. Refuse disposal.
- § 190-6. Town solid waste disposal area.
- § 190-7. Violations and penalties; notice; emergencies.
- § 190-8. Statutory authorization.

ARTICLE II

Recycling

- § 190-9. Definitions.
- § 190-10. Recycling.
- § 190-11. Regulations.
- § 190-12. Violations and penalties.

[HISTORY: Adopted by the Town Council of the Town of Wallingford as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 79.
Littering — See Ch. 139.

ARTICLE I
Garbage, Rubbish and Refuse
[Adopted 6-29-1976 by Ord. No. 218]

§ 190-1. Short title.

The short title of this article shall be "Refuse Ordinance."

§ 190-2. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article:

APPROVED CONTAINER — Includes standard containers, dumpster-type containers and special containers.

ASHES — Includes the residue from burning of wood, coal, coke or other combustible materials.

BUNDLE — Includes boxes, cartons, paper, trimmings and similar matter bound so as not to exceed five feet in length, 6½ feet in perimeter and which shall not weigh over 75 pounds.

COLLECTOR — Includes any person, firm or corporation or the like which engages in the business of collecting and removing refuse within the Town of Wallingford.

DUMPSTER-TYPE CONTAINER — Includes a dumpster-type container:

- A. Which is so constructed that the container can be handled by the equipment used for collection;
- B. Which has a tight-fitting cover or closure; and
- C. Which is of watertight construction where intended or used for storage of garbage or liquid wastes.

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GARBAGE — Includes all putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals.

PERMIT or PERMITTEE — As used generally herein, includes, respectively, the words "permit" or "permittee" or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this article or other law or ordinance.

PERSON — Any person, firm, partnership, corporation, association, company or organization of any kind.

REFUSE — Includes garbage, ashes and rubbish as herein defined.

RUBBISH — Includes all nonputrescible waste materials, except ashes, including but not limited to paper, cardboard, tin cans, wood, glass, bedding, crockery, refrigerators, junk automobiles, demolition material, tree limbs and industrial wastes.

SPECIAL CONTAINER — Includes any other storage container approved by the Public Works Director or his authorized representative which does not violate any of the provisions of this article.

STANDARD CONTAINER — Includes a watertight plastic or metal container with handles or bails, having a tight-fitting cover, not weighing over 35 pounds empty, not weighing over 75 pounds when filled and not having more than 32 gallons' capacity.

TOWN — The entire Town of Wallingford.

§ 190-3. Storage of refuse.

- A. All garbage shall be stored in the rear of the premises and shall be kept in approved containers, which shall be maintained in good condition and which shall be kept closed at all times. Garbage shall not be stored by any person for more than seven days, exclusive of holidays. If

special circumstances require it, the Town Health Director or his authorized representative may order a shorter time period for storage of garbage.

- B. No person within the town shall store or otherwise have rubbish and ashes on his property or property in his control unless all such rubbish and ashes are kept in a satisfactory manner. "Satisfactory manner" means all rubbish and ashes, except scrap metal and junk automobiles, shall be kept in approved containers or bundles. Rubbish and ashes shall not be stored by any person for more than 30 days. The Town Health Director or his authorized representative may, for cause shown, extend this period.
- C. Unauthorized accumulation of garbage, refuse, rubbish and waste material on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of the same within seven days after notification by the Health Director or his authorized representative shall be deemed a violation of this article. No person shall cast, place, sweep or deposit anywhere within the town any garbage, refuse, rubbish or waste material in such a manner that it may be carried or deposited by the elements on any street, sidewalk, alley, sewer, parkway or other public place or into any occupied place in the town.

§ 190-4. Refuse collection permit.

- A. Any person engaging in the business of collection, storage or removal of refuse in Wallingford shall first apply for and obtain a permit for each vehicle to be used in said business in the Town of Wallingford from the Public Works Director or his authorized representative.
- B. Before issuing a permit, the Public Works Director, or his authorized representative, shall be given information and data to assure the town that the applicant possesses the financial and other qualifications and has available

the necessary equipment to adequately perform the service of collection, storage and removal of refuse. As a further condition precedent to the issuance of a permit, the applicant shall furnish to the town certificates of insurance showing coverage satisfactory to the town. The applicant shall be responsible for securing the signatures of the Health Director and Police Chief or their authorized representatives on the application form. No permit shall be issued for any collection vehicle unless such vehicle has been inspected by the Health Director or his authorized representative. Each vehicle and all equipment used by any collector shall at all times be subject to inspection by the Health Director or his authorized representative.

- C. All permits issued hereunder shall be valid for a period of one year from April 15 of each year. The permittee shall cause such permit to be displayed conspicuously on each vehicle used in the business of collection in a manner prescribed by the Public Works Director or his authorized representative.
- D. Each permittee hereunder shall pay a fee for such permits and for inspections, which fee shall be published in a fee schedule to be set by resolution of the Town Council. No proration of said fees shall be allowed for late registration.
- E. Collectors shall keep their premises neat and orderly and keep all vehicles and equipment in good and sanitary condition, and said vehicles shall be constructed and equipped so as to permit no loss of refuse, including liquid waste, therefrom when said vehicles are being used; it shall be provided, however, that any vehicle to be used for the sole purpose of transporting rubbish, as defined in this article, shall not be required to be constructed to prevent the escape of liquid wastes.
- F. Revocation of license. [Amended 2-10-1981 by Ord. No. 286]

- (1) Except as otherwise provided in this article, permits may be revoked either temporarily or permanently, as determined by the Director of Public Works or his authorized representative, when there is a violation of the provisions of this article. At the time of an alleged violation, the Public Works Director shall give the permittee written notice of the same, with an opportunity to correct the violation within a period not less than five days. If the violation is not corrected within the specified period, the Public Works Director may temporarily suspend the permit. A permanent revocation may be made for cause after a full hearing upon reasonable notice by the Public Works Director.
 - (2) For a violation of § 190-6F of this article, the permit of such permittee shall be revoked, provided that the Public Works Director or his authorized representative shall give said permittee five days' notice of the intention to revoke the permit. In the event that the permittee requests a hearing, the Public Works Director shall set a hearing as soon as practicable, but not less than three days from the date of the request.
 - (3) At the hearing, the permittee shall be allowed to submit any evidence, including witnesses, which would substantiate his claim that no violation occurred. At the close of said hearing, the Public Works Director shall either revoke as herein stated or not.
- G. The Town Council of the Town of Wallingford shall take such measures as it deems effectual for the removal or collection of garbage, rubbish and waste materials from the Town of Wallingford and may, in such years when a sufficient appropriation for the same has been made for such purpose, employ or make contracts with one or more persons or corporations for the removal of garbage, rubbish or waste material under the direction of the Director of Public Works. Before such employment or

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contract begins, the Town Council shall, by resolution, adopt regulations concerning collection, which shall state the area from which refuse shall be collected, the method and frequency of collection, bonding requirements and all other regulations required for the health, welfare and safety of Wallingford residents.

§ 190-5. Refuse disposal.

- A. Any person residing or having a place of business in the Town of Wallingford shall be responsible for the removal of his refuse to a lawful place either by himself or by a lawful collector. Refuse shall be disposed of at regular and frequent intervals, but in no event less frequently than prescribed in § 190-3 of this article. After containers have been emptied, they shall be removed from the street by the property owner or occupant within 24 hours of the day of collection and placed and stored in an area not readily visible from the public street.
- B. The transportation of refuse by any person, whether or not a collector, shall be subject to the provisions of § 190-4E.
- C. All refuse disposed of in the Town of Wallingford shall be deposited at such sites and under such conditions as may be approved by the Director of Public Works or his authorized representative.

§ 190-6. Town solid waste disposal area.

- A. The town solid waste disposal area shall be open such hours as may be designated by the Director of Public Works, subject to approval by resolution of the Town Council.
- B. Any person intending to unload at the town solid waste disposal area shall follow the instructions of the foreman or other person in charge of said area.

C. Debris.

- (1) Carriers or owners engaged in clearing away debris resulting from fire or the razing of buildings or parts of buildings or by the alteration of the contour of land or other construction who desire to use the town solid waste disposal area shall report to the foreman or other person in charge, who shall instruct said carrier or owner where, at the solid waste disposal area or other parts of the town, to unload such material. Permits for unloading of debris which has been caused by fire, the razing of buildings or parts of buildings or by the alteration of the contour of the land or other construction shall be issued by the Director of Public Works or his authorized representative.
- (2) All such debris shall be transported to the town solid waste disposal area, and there will be a charge established by resolution of the Town Council for the covering of the material.

D. Any person bringing flammable powders or other combustible material or substances which have a low flash point shall notify the solid waste disposal area foreman or the person in charge at said area of the contents before unloading such items. No trees, wood or construction material shall be dumped until the foreman is notified of said items.

E. The following refuse shall be considered to be unacceptable for disposal at the town solid waste disposal area by any person:

- (1) Dangerous materials or substances, such as poisons, acids, caustics, infectious materials and explosives.
- (2) Materials which have not been prepared for collection in accordance with this article.
- (3) Junk automobiles.

- F. No person, firm or corporation shall bring to or discharge at the solid waste disposal area any material of any nature which was picked up by such person, firm or corporation outside the limits of the Town of Wallingford. The Director of Public Works or his authorized representative shall have the right to inspect the contents of any vehicle or container brought to the solid waste disposal area. Each piece of refuse brought into the solid waste disposal area in violation of this article shall constitute a separate violation of this article. Whenever the Director of Public Works has reasonable grounds to believe there has been a violation of this subsection, he shall notify the Chief of Police.
- G. There shall be no scavenging at the solid waste disposal area.
- H. The Town Council may establish a fee schedule by resolution which requires payment by weight or volume for refuse deposited at the solid waste disposal area.¹

§ 190-7. Violations and penalties; notice; emergencies.

- A. Whenever the Director of Public Works or his authorized representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this article, he shall give notice of such alleged violation to the person responsible therefor. Such notice shall be in writing and include a statement of the reasons for its issuance and shall allow a reasonable time, not less than five days, to remedy the violation. If corrective action is not taken within the permitted period, the Director of Public Works may cause the same to be corrected and bill the person for the cost thereof. The same cost shall constitute a lien on the property.

¹ Editor's Note: Waste disposal fees, as set from time to time, are on file in the office of the Clerk.

- B. Whenever the Health Director or his authorized representative finds that a situation exists involving the collection, storage or disposal of refuse which endangers the public health, he may, as an emergency measure, correct the same without any notice to the owner or occupier of the premises, and, upon completion of the work, he shall determine the reasonable cost thereof and bill the owner or tenant therefor. Such cost shall constitute a lien on the property on which the corrective measure is taken.
- C. In addition to any penalties provided elsewhere in this article, any person, firm or corporation violating any provision of this article shall be fined not less than \$50 nor more than \$100 for each separate violation.

§ 190-8. Statutory authorization.

This article is authorized pursuant to Section 7-148 of the General Statutes of the State of Connecticut, Revision of 1958, as amended.

**ARTICLE II
Recycling**

[Adopted 10-23-1990 by Ord. No. 390]

§ 190-9. Definitions.

As used in this article, the words and terms listed in this section shall have the following meanings:

COLLECTOR — Any person, firm, corporation or the like which engages in the business of collecting and/or removing solid waste within this municipality. The Town Public Works Department shall not be considered a collector.

MATERIAL DESIGNATED FOR RECYCLING — Any items required by the regulations to be separated from solid waste and recycled.

PERSON — Any individual, corporation, partnership, association or other entity or organization of any kind.

RECYCLING — The processing of solid waste to reclaim materials therefrom as defined in Section 22a-207 of the Connecticut General Statutes.

REGULATIONS — Those regulations promulgated in accordance with § 190-11 of this article.

SOLID WASTE — Unwanted and discarded materials, as more particularly defined in Section 22a-207 of the Connecticut General Statutes, but not hazardous waste or toxic waste as regulated in accordance with Section 22a-220 of the Connecticut General Statutes.

§ 190-10. Recycling.

- A. Any person generating solid waste within the boundaries of Wallingford shall make provisions for recycling in accordance with the regulations.
- B. Collectors shall make provisions for the separate collection and recycling of materials designated for recycling in accordance with the regulations.
- C. Any material designated for recycling which is generated by a household within the boundaries of Wallingford shall be taken for processing or sale to such location as may be designated by the regulations.

§ 190-11. Regulations.

- A. The Mayor shall prepare regulations pursuant to this article regarding recycling.²

² Editor's Note: The regulations are on file in the office of the Program Planner.

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- B. No recycling regulations shall become effective until approved by resolution of the Town Council.
- C. The recycling regulations may be amended from time to time by resolution of the Town Council.

§ 190-12. Violations and penalties.

- A. Violation of any provision of the regulations shall be a violation of this article and shall be subject to such action and/or penalties as are provided in the regulations.
- B. The permit of any collector or registration of any person holding any registration issued pursuant to the terms of the Refuse Ordinance may be suspended or revoked, as provided in the regulations, if such collector or person violates this article.

[HISTORY: Adopted by the Town Council of the Town of Wallingford as indicated in article history Amendments noted where applicable.]

ARTICLE I**Solar Energy Tax Exemption
[Adopted 6-14-1977 by Ord. No. 232¹]****§ 203-1. Statutory provisions; authorization.**

The tax exemption for buildings using solar energy heating or cooling systems, as that term is defined in said statute,² is hereby authorized, subject to the limitations, terms and conditions specified in said statute.

ARTICLE II**Veterans Tax Exemption
[Adopted 8-24-1982 by Ord. No. 301]****§ 203-2. Adoption of provisions.**

The provisions of Public Act No. 82-318, entitled "An Act Enabling Municipalities to Allow Veterans an Additional Exemption From Property Tax if Qualified Under Certain Income Requirements," are hereby adopted.

¹ Editor's Note: The preamble of this ordinance provides as follows:
"WHEREAS, the Legislature has provided for partial relief from municipal real estate taxes for new construction using a solar energy heating or cooling system, as particularly set forth in Section 12-81(56)(a), (b) and (c) of the General Statutes, as amended, subject to authorization by the individual municipality,"

² Editor's Note: See Section 12-81(56)(a), (b) and (c) of the Connecticut General Statutes.