

TOWN COUNCIL MEETING

APRIL 27, 1999

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Certificates Presented to Wallingford Hawks Hockey Team - Bantam A's State Championship Division II - Mayor
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#511-537) Totaling \$11,010.95 - Tax Collector
 - b. Approve and Accept the Minutes of the March 16, 1999 Public Speaking Meeting
 - c. Consider and Approve a Transfer of Funds in the Amount of \$1,250 from Fire Aerial Ladder Acct. #2030-999-9998 to Regular Salaries and Wages Acct. #7020-101-1000 - Zoning Board of Appeals
 - d. Consider and Approve a Transfer of Funds in the Amount of \$2,500 from Purchase Professional Services - Lead Test Acct. #3010-901-9001 to Personal Computer & Printer Acct. #3010-999-9902 - Health Department
4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Remove From the Table to Discuss and Possible Act Upon Town-Owned Land in Durham as Requested by Councilor Thomas Zappala

- Discussion and Possible Action on a Petitioning of the Town Council by the Clergy of Various Wallingford Churches to Vote on the Issue of Making Martin Luther King Day a Town Holiday as Requested by Said Clergy of Councilor Thomas Zappala
8. SET A PUBLIC HEARING for May 11, 1999 at 7:45 P.M. on an Ordinance Appropriating \$1,450,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 1999-2000 and Authorizing the Issuance of \$1,450,000 Bonds of the Town To Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose
9. Consider and Approve a Transfer of Funds in the Amount of \$5,500 from Pumping Expenses Acct. #623-000 to Misc. General Expenses Acct. #930-000 - Water Division
10. Consider and Approve a Transfer of Funds in the Amount of \$8,000 from Pumping Expenses Acct. #623-000 to Maintenance of Wells & Springs Acct. #614-000 - Water Division
11. Consider and Approve a Transfer of Funds in the Amount of \$15,800 from Underground Conduit Acct. #366 to Services Acct. #369 - Electric Division
- 12. Consider and Approve a Transfer of Funds in the Amount of \$23,800 from Misc. Distribution Expenses Acct. #598 of Which \$21,000 is Transferred to Overhead Lines Exp. Acct. #593 and \$2,800 to Line Transformers Acct. #595 - Electric Division
13. Consider and Approve a Transfer of Funds in the Amount of \$3,300 from Customer Records and Collections Acct. #903 to Meter Reading Expense Acct. #902 - Electric Division

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6:30 P.M.

ADDENDUM TO AGENDA

14. Executive Session Pursuant to Section 1-18a(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Lease of Property - Mayor
15. Executive Session Pursuant to Section 1-18a(6)(B) of the CT. General Statutes with Respect to Pending Litigation - Town Attorney
16. Consider and Approve a Waiver of Bid to Hire an Expert for Pending Litigation - Town Attorney

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SUMMARY

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13. **Approve** a Transfer of \$3,300 to Meter Reading Expense - Electric Division

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ADDENDUM ITEMS

14. Executive Session - 1-18a(6)(D) - Purchase, Sale and/or Lease of Property

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15. Executive Session - 1-18a(6)(B) - Pending Litigation

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16. **Approve** a Waiver of Bid to Hire an Expert for Pending Litigation Involving Bristol-Myers

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WAIVER OF RULE V

- Approve** Appointing Michael Votto to the Board of Education to Fill an Unexpired Term

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15.

TOWN COUNCIL MEETING

APRIL 27, 1999

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, April 27, 1999 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:32 P.M. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Centner, Farrell, Knight, Papale, Parisi, Renda, Rys, Zandri and Zappala. Mayor William W. Dickinson, Jr., Corporation Counselor Adam Mantzaris and Comptroller Thomas A. Myers were also in attendance.

A blessing was bestowed upon the Town Council by Rev. Sydney Parker (Retired).

The Pledge of Allegiance was given to the Flag.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#511-537) Totaling \$11,010.95 - Tax Collector

ITEM #3b Approve and Accept the Minutes of the March 16, 1999 Public Speaking Meeting

ITEM #3c Consider and Approve a Transfer of Funds in the Amount of \$1,250 from Fire Aerial Ladder Acct. #2030-999-9998 to Regular Salaries and Wages acct. #7020-101-1000 - Zoning Board of Appeals

ITEM #3d Consider and Approve a Transfer of Funds in the Amount of \$2,500 from Purchase Professional Services - Lead Test Acct. #3010-901-9001 to Personal Computer & Printer Acct. #3010-999-9902 -Health Department

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, Items #3a-d, seconded by Mr. Farrell.

NOTE: All ayes; motion duly carried.

ITEM #4 - Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Reginald Knight, 21 Audette Drive stated that he was puzzled and bewildered about the land purchase (Tyler Mill Road) that cost \$1.07 million. He asked, was everyone up there aware of the 6% (commission paid the Realtor) against the \$1,900.?

Three of four Councilors responded off microphone, yes.

Reginald Knight continued, if we take 6% of \$2,000, 1% would be \$333.00 and 100% would be \$333,333.00. Divide that by 21 acres.....did anyone reasonably expect that land to go for \$1,587.29 per acre or is my logic all wrong here? If they didn't then they would be going above the limit of \$2,000 at which time the job was supposed to go out to bid.

Mayor Dickinson stated, the purchase of the land does not fall within the Purchasing Ordinance.

Reginald Knight asked, it didn't call for a bid on the job of the Realtor?

Mayor Dickinson answered, nowhere in the Purchasing Ordinance does it reference the purchase of real estate. In addition, the Town Council is the body that determines what the approach would be, bid waiver or otherwise when dealing with purchases. The Town Council, on two occasions, voted with regard to the Realtor and approved the direction in both cases. The Town Attorney has reviewed the matter and has written an opinion that, in the knowledge of that department, there is no violation of Charter or Ordinance.

Reginald Knight stated, I find it puzzling, myself. If I were the seller I would hire someone to boost the price up as much as I could and he would possibly get a bigger cut for brokering the deal. As a buyer, I would not put him on a percentage. To me, that seems pretty poor business.

Mr. Parisi stated, I talked to a couple of real estate people and land in that area was appraised at \$36,816 an acre. A three acre lot that would be \$110,448 sold for \$140,000. I have several examples like that where the appraisal is considerably lower than the selling price. In talking to real estate people.....

Reginald Knight stated, with all due respect to the Realtors, land can be adjacent and be worth a lot more than the land, itself. From what I have read, heard and been told about this land it is pretty lousy condition. I still can't get over the figuring of the 6% against the \$2,000 situation.

Andy Kapi, 6 Deme Road stated, where in the minutes or what date shall I look for that authorization? Did it come to a public vote or is that in executive session?

Mr. Parisi answered, there is no authorization; there isn't any need; the Council authorized it when they approved it. The Council does not authorize their own bids; they don't approve them. They are approved by their acceptance of the proposal.

Mr. Kapi asked, is there an authorization to negotiate or something?

Mayor Dickinson answered, yes. Mr. Chairman, there was an authorization, I don't have the date that authorized the Mayor to negotiate. That is an administrative authorization as was discussed in executive session that was going to involve a Realtor.

Mr. Kapi asked, that wasn't followed by a public vote?

Mayor Dickinson answered, that was a public vote authorizing the Mayor to negotiate the purchase of property.

Mr. Kapi asked, at some point can we find the date for that and look in the minutes for that?

Mayor Dickinson answered, yes, it is either late 1997 or through the Spring of 1998.

Mr. Kapi stated, I would hope to be able to nail it (the date) down at some point in time.

Howard Greenberg, 9 Gina Lane asked, since it is almost the end of April, have you heard anything with regards to the Bonding Commission's agenda in Hartford on Garden Road?

Mayor Dickinson answered, I have not heard what their agenda is going to involve. I have spoken to an individual at O.P.M. (Office of Policy and Management) as well as one of the Co-Chiefs of Staff in the Governor's Office. They are all aware of our need and advocacy for that project to be on the agenda but they say they are working hard and that is all they will commit to.

Pasquale Melillo, 15 Haller Place, Yalesville stated with regards to the Tyler Mill land deal, I have heard most on the Town Council justify their decisions with regards to the purchase. Quite a few citizens I have come across cannot understand how the purchase can go through. Especially when they compare Wallingford giving the Town of Durham the opportunity of purchasing our land we pay in Durham for about \$5,000 an acre; prime land. Why is it that the taxpayers come last? Why wasn't there more Town Council input and the opportunity for the public to have more input on the Tyler Mill purchase before it was finalized? There are some people who think some Town government officials acted not in the best interest of the taxpayers in many situations in many ways and that too many things were done in secrecy and that there has been a violation of the Town

Charter relative to the purchasing of Tyler Mill property and several properties. He asked, why has Item #6 been withdrawn from the agenda?

Mr. Parisi stated, Mr. Zappala has requested that the item be withdrawn.

Mr. Melillo asked Mr. Zappala why he withdrew the item?

Mr. Parisi and Mr. Centner stated that Mr. Zappala did not have to give a reason.

Mr. Zappala stated, a similar motion was requested at the last meeting and I really did not want to get involved in the same predicament as I was in the last meeting so I removed the item. I was hoping that it would have been written differently than what it was but it was not so I removed it from the agenda for this time.

Mr. Melillo stated, I hope it gets written up the way you requested it; you have that right to have it because you are the one who has requested that it be put on the agenda.

Mr. Zappala responded, at this point it seems to be the wish of this Council to wait until Durham makes a decision on purchasing the property. I hope they do and I hope that we can get on with it. If that is the wish, by all means I respect it. If we have to wait a couple of more months, we will wait a couple of more months.

Mr. Melillo, in a very adamant manner, expressed his opinion that he would like the Durham property to go out for sale on the open market.

Mr. Centner reminded Mr. Melillo that there are children in the audience and he should be mindful of the language he uses.

Mr. Melillo continued to express his opinions.

Mr. Parisi ruled Mr. Melillo out of order.

Wes Lube, 15 Montowese Trail stated that the thrust of Atty. Small's letter was that the Council and the Mayor, or the Council empowers the Mayor to work on matters of buying real estate and he did under the provisions of Chapter III, Section 5 of the Town Charter.

At this time Mr. Rys read Atty. Small's letter into the record (Appendix I).

Mr. Lube stated, I am afraid that Attorney Small has missed the thrust of the debate that is going on at the moment about this particular aspect of your Tyler Mill Road action. She is right in everything

She says but that is not the point. The point in reference is Chapter VII, on page 15 & 16 which is the \$2,000 limitation that has been referred to. It is sub-paragraph 7 on the bottom of page 15. She has not addressed this but I wish that she would because it is the case in point. I think that any such legal opinion should include three very important aspects. I can't ask for it but I hope that a Councilor would. I don't believe they will give written legal opinions for just any Tom, Dick or Harry.

Mr. Parisi stated, I think you can certainly approach the Town Attorney and ask that question. I am sure that she would have to respond.

Mr. Lube stated, I can obtain a verbal answer but it is not a verbal response that I am looking for. Only you (Chairman) or a Councilperson can get a legal opinion.

Mr. Parisi asked the Mayor, is that true?

Mayor Dickinson answered, that is correct. The Town Attorney's Office does not write opinions for any citizen who would come in looking for a legal opinion. The function of the office is to provide legal advice for Town departments and government. I will say that the Chapter you are talking about outlines the purchasing procedures, it indicates rules and policy with regard to purchasing are set by Council. Within the Purchasing Ordinance which contains the rules, there is no mention of real estate. The Purchasing Agent who is empowered to sign all contracts on behalf of the Town has never signed, to my knowledge, a contract with regard to real estate. Real estate is handled outside of the Purchasing Ordinance. That has been the practice to date and I suspect that any opinion written with regard to the subject would contain those references and that factual material. To my knowledge, there is nothing in the Purchasing Ordinance that deals with the purchase of real estate.

Mr. Lube stated, I am afraid you are missing the point, Mayor. It is not a question of the contract that was signed on real estate. The subject that is at hand is the contract that was signed for the buyer's agent. It has nothing to do with real estate. It could have been a contract with a computer company. Any such legal opinion, if I may continue, should contain three points; one, the approximate date of Council authorization; two, does the Council's authorization to negotiate, if it does exist, does it include an unspoken authorization to employ and unprecedented buyer's agent? Would the Council, if they did grant such authorization, have an intuitive understanding that it was going to result in something we have never done before; employ a buyer's agent in a real estate transaction; and lastly, does a fee certain, the \$1,900., and a contingent fee, \$58,800 minus the \$1,900 together trigger the \$2,000 Charter limitation? These are the three points in dispute at the moment.

In fact, you did receive authorization prior to the signing of your agreement with the McLaughlin Agency in July of 1998 and so as an outgrowth of that authorization, why, having received prior authorization to negotiate with the two owners of the three parcels, did you, in July, employ Don Nitz to do an appraisal on only two of the three parcels?

Mayor Dickinson replied, initially the issue involved one owner and two lots. As the issue developed through information developed by the Realtor, it became clear that there were three lots and two owners involved. We already had an appraisal.....

Mr. Lubee asked, your authorization was to deal with one owner?

Mayor Dickinson answered, no, it was to purchase property. We had an appraisal already on two of the lots, we needed an update on that appraisal in order to develop the information sufficient to arrive at conclusions. Thus, Mr. Nitz was contacted and we were also, obviously, having conversations with the Realtor who as aiding us in obtaining information geared toward hopeful ultimate purchase.

Mr. Lubee stated, I think we are going around in circles because didn't you, a few moments ago, indicate that you had received authorization from the Council to deal with the two property owners on the three parcels?

Mayor Dickinson explained, we had authorization to purchase the property located in Tyler Mill area. We knew there were.....

Mr. Lubee interrupted the Mayor to ask, two specific properties, right?

Mayor Dickinson answered, no. No, it was an area privately owned that we were interested in purchasing.

Mr. Lubee asked, do you mean that you received authorization to deal with anybody along Tyler Mill Road?

Mayor Dickinson answered, we had authorization to purchase the properties in question, if it meant one owner, it meant two, it meant five, we had authorization to acquire or seek to acquire certain properties.

Mr. Lubee stated, this all took place in executive session so I would depend on the Councilors to contribute to this conversation. It would be interesting to hear what they had to say about the original authorization.

The Chairman declared the Public Question and Answer Period closed at this time.

WAIVER OF RULE V

Motion was made by Ms. Papale to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Making an Appointment to the Board of Education, seconded by Mr. Zappala.

VOTE: All ayes; motion duly carried.

Motion was made by Ms. Papale to Appoint Michael Votto to the Board of Education to Fill an Unexpired Term, seconded by Mr. Zappala.

Due to a conflicting work schedule Board Member Dennis Lewis reluctantly resigned from his position thereby creating the vacancy.

Michael Votto has held the position of teacher with the North Branford School System since 1972 and is currently employed there. He has served on the Holy Trinity Board of Education for nine years, three of which have been in the capacity of Chairman of said Board.

Ms. Papale listed the many accomplishments Mr. Votto has garnered during his teaching career.

Mr. Farrell echoed Ms. Papale's comments. He has known Mr. Votto for many years through his personal involvement with Holy Trinity Church and feels he is an excellent choice for the Board.

Mr. Parisi stated that he knows someone who knows Mr. Votto personally and spoke very highly of him.

VOTE: All ayes; motion duly carried.

Mr. Votto was in attendance and was officially sworn in at this time by Town Clerk Rosemary A. Rascati.

ITEM #2 Certificates Presented to the Wallingford Hawks Hockey Team - Bantam A's State Championship Division II - Mayor

At this time the Mayor introduced the team, welcomed and congratulated them for their effort and success in achieving the title of State Champions in the Division II competition.

Mayor Dickinson introduced Coach Victor Kidulas and Parent Manager Sarah Parisi to all present. (Applause)

Mayor Dickinson read each player's name into the record, calling them up to the stage personally so that Mr. Parisi could present them each with a certificate recognizing their achievement.

ITEM #6 Withdrawn

ITEM #7 Discussion and Possible Action on a Petitioning of the Town Council by the Clergy of Various Wallingford Churches to Vote on the Issue of Making Martin Luther King Day a Town Holiday as Requested by Said Clergy of Councilor Thomas Zappala

Mr. Zappala stated, I was asked by the Clergy Association to have discussion on this matter. Rev. Brendon McCormick would like to address the Town Council to begin the discussion.

Brendon McCormick, 1471 Tuttle Avenue thanked the Town Council for inviting the clergy representatives to the meeting. He stated, the purpose of our letter is very simple; we are asking that you, the elected officials of Wallingford, vote on an issue that is very important to the Town of Wallingford and an issue that, in the coming weeks, will become more and more important. Our letter states that we want you to use the power that you have in what ever way you can to assure that Wallingford become the 169th municipality in Connecticut to honor the life and message and work of Dr. Martin Luther King, Jr. by having his day a town holiday. This is not the first letter that we have written. One year ago, practically the group of clergy wrote a letter to Mayor Dickinson asking that he see that Wallingford honor the memory of Dr. Martin Luther King in the way that every other town and city in Connecticut has done so. And also, many of us over the last ten years have informally spoken to town leaders, union members about this issue and the response is always the same; the Town officials and administration blame the unions and the unions claim that they have never formally been requested to do what is reported, namely to include this in a contract. But most say that they think it would be a great idea to honor such a man as Martin Luther King, Jr. By having Connecticut, as every other town has chosen to do, honored by the holiday. Personally, I do not want to get involved in the political process nor in negotiating between the Town and the workers of the Town. For me, personally, the issue is a moral issue and a leadership issue. Will the Town of Wallingford honor Dr. Martin Luther King by declaring a Town holiday? The present situation, however, as you know, gives the wrong message and sends the wrong signals and symbols not only to the members of our town but across the state and around this nation. As a priest and minister, I appreciate the importance of symbols. Symbols express those profound yet intangible aspects of our humanity; our faith, what is sacred to us, what heals and forgives, how we celebrate the unity of our human family. This whole meeting began with a series of symbols, of pledges. We have symbols around us that remind us of who we are and what we believe but you have to be very careful of symbols. They have to be understood. They must convey to the other what the meaning is that you are trying to state. And you cannot use a symbol that is only meaningful to you. Our failure in Wallingford to honor Dr. King with a holiday is a symbol that has communicated to others something different than we intend and something different than we state. Reasonable people see our refusal, not as the result of a labor dispute, but as an indication of our racial attitudes. We have to change that symbol. If we do not act and it has been fifteen years, and I hear the same thing, "we have time" but fifteen years is a long time. So if we do not act, if you do not act, the situation will only get worse. I

believe that we need to act now. We need our leaders, you, to work now so that a true picture of this town can be presented to all. I would like to close my remarks by reading something from Dr. King: "Let us rise up tonight with a greater readiness; let us stand with a greater determination and let us move on in these powerful days, these days of challenge to make America what it ought to be. We have an opportunity to make America a better nation." We all have a concern, a need and an opportunity to make Wallingford or to make the town that we know to be a wonderful town, that perceived in the eyes of others. Thank you.

Tom Beveridge, 40 Lincoln Avenue stated, Abraham Lincoln, whose memory is honored with a holiday in this town, urged all Americans to join in the effort to "bind up the nation's wounds". We are here because our faith calls us to be concerned with the "binding up of wounds". And because we believe that government, at its best, exercises leadership in that effort and we want to support you and encourage you to live and to act out of the best that you are as our elected leaders. Abraham Lincoln could not have foreseen how quickly he, himself, would pass from the scene or how long the task would take. One hundred years later another man, Dr. Martin Luther King, took up the task and he, too, gave his life. I heard him speak just once, at a university lecture when I was in seminary. He was talking about the forces of violence which so many times have torn open the wounds of our nation. The one thing I remember him saying was this, "We will wear them down with love." As you vote on this issue, I hope you will keep before you the faces of the young people and the citizens of Littleton, Colorado. For only a week ago, on Adolf Hitler's birthday, the nation's wounds were, once again, torn open. And remember that high on the agenda as those two young men burst into that school with guns and bombs was to find what they called, "that little nigger". And they did find him and they killed him and others. So once again the nation's wounds have been torn open. I know and you know there are no simple answers to these tragedies or to how we should respond. Nevertheless, there are moments, as a clergyman I am very aware of and sensitive to, what you might call the "ripe" moment; the right moment. Although we all know that there are no simple answers and that the task of "binding up the nation's wounds" is not easy, nevertheless, with apologies to our former First Lady, Nancy Regan, I would hope that as you take up this issue, you would simply just say yes. Thank you.

Eric Fjeldal, 22 Wooding Road, Yalesville stated, I have only been in town about twenty months. I have enjoyed the time I have spent in Wallingford, I have met some tremendously wonderful people. I find it to be an open community, a caring community, a community that rallies around the needs of others. I can tell you countless stories of the way our church has done that. It seems to me to be a stark contrast to not have Martin Luther King Day as a holiday in this town, given all the good things that happen here. As I talk to people around Connecticut and as I talk to my family in Florida who have seen the newspaper and have asked me questions, I keep saying "that is not the town I live in" and they keep saying to me, "it is the town you live in." The perception of people out there is important for us. The perception we have of ourselves only goes so far. I believe that every one of you are good and decent people. I believe the people in the unions are good and decent people and I

I have no desire to choose sides or be a part of a dispute that goes before my time and will go beyond my time, unfortunately. Very simply, it needs to be done. I think it is the right thing to do; I think it is the moral thing to do; I think it is the just thing to do; it is the fair thing to do and I can't understand why it hasn't been done. Thank you.

Mayor Dickinson responded, this is an important issue and I think, certainly, I am supportive of having the Town employees have a day off. I don't use the term "town holiday" because, in a true sense, it is not a Town holiday; it is a Town employee holiday. Just a little bit of reflection; the service started in the Town Hall. Most appropriately it was moved to a church. Dr. Martin Luther King has a powerful message of equality and justice and peace and that message needs to be heard. Initially, we held it here. As I said, it was appropriate that it be in a church, he being a member of the clergy, himself. We honored no other American in that way. Town government has not held a service for any other citizen. And it troubles me that the church service gets so little merit. What more appropriate place to honor a man with his message than in a church service where the children participate and any citizen can attend? That, to me, is the most appropriate place to show our attention and our reverence for the ideals expressed by Dr. Martin Luther King. I ask everyone here, if we had the Town employees with a day off but we did not have a church service, would there be such advocacy for a church service? I do not believe that that would be the case! We do honor Dr. Martin Luther King; we honor him in a manner that is different from everyone else and as a result we are held up to suspicion; "they are not doing the same thing that everyone else does, there must be something wrong". Why is something wrong because we are different? We do something that no one else perhaps does. But it is a means of honoring Dr. King that is more appropriate in my opinion than a day off. Very few people have ever learned anything from a day off. But there is much to be learned by attendance at that service. When we review the means of honoring someone, should that not be a voluntary participation? If we had to pay people to go to the church service, what would the meaning of it be? And yet, to please the rest of the world, we are told to pay people to take a day off. And in the final analysis, what meaning is there to that as a holiday when it is not voluntarily participated as a means of showing reverence for Dr. King and his message? The tides of popular conception shift as regularly as sand. I do not believe that public policy should be built on sand. It should be built on true principles and meaning. In my opinion, the church services is worth five hundred days off however, I am not opposed to Town employees having a day off, it has been offered as recently as November and December of (19)98. All we have to do is swap a day; no one loses anything. We all join in honoring a great American, an American whose message should be heard today. And we will continue that effort to have that day observed like everyone else does with a municipal employee holiday. But by far, the more important message of that day is found in the church service. I only hope that at the point there is a holiday, that should that church service for the absence of any of the individuals who are so instrumental in seeing it come about, namely Rev. McCormick, I only hope that there is such a Human cry over the loss of the church service as there is over one less holiday for municipal employees. (applause)

Mr. Zappala stated, I think the Mayor very eloquently presented his side of the case as far as not having a Martin Luther King Day holiday for Wallingford. I think we would be fooling ourselves to believe that the church service would be sufficient for the employees. I think we would be fooling ourselves by not discussing this holiday to be in the contract would be accepted. I think we should..... and I think, like Rev. McCormick said, it has been fifteen years; it should be one of the first items of discussion in any contract that will come about from now on. I think it is our duty to do at this point. I do respect the service, it is very eloquent and it is something I am sure the church will continue to do. I also think from now on, any contract that comes due, it is our obligation that it be the first item to be discussed. It has been going on too long and I strongly believe that it should be resolved; put it to rest. Wallingford does not need to be publicized as being radicals. I think Wallingford is a great town; we should keep it that way. If that is how we have to deal with it; we must deal with it.

Motion was made by Mr. Renda that the Town Council Request the Mayor and the Heads of All Affected Unions Meet and Negotiate a Settlement to the Martin Luther King Holiday Issue, seconded by Mr. Centner.

Mr. Knight stated, I am going to support this motion because I believe that this is the crux of the matter for the Town of Wallingford; in this collective bargaining agreement with its unionized employees. It is going to require the cooperation of two parties in order to resolve this issue; not one party, two parties. That is what a collective bargaining agreement is and that is the place where this issue must be resolved. I would like to say just one more statement regarding the perception of Wallingford throughout the country and what the minister from the Yalesville United Methodist Church had encountered. I am sorry that your parents said to you that this is the real Wallingford as far as they are concerned because it is a picture of a town that is taken through the prism of some national and local media that is entirely agendized. I think yesterday morning's cartoon in the Record Journal is a perfect case in point. We know who we are in this community; all 41,076 of us. And we are not the people that were pictured in that disgusting cartoon. This is where this issue belongs and I intend to support this motion.

Mr. Zandri stated, obviously this issue definitely needs to be resolved and I am glad to see that in the motion it states that we will get together with all the affected unions. Obviously we cannot wait until the contract for each year is finished before this negotiation takes place because we want this to happen simultaneously. I really feel that if we sit down and negotiate, the both sides, it will be fair and we can come to a resolution. And if not, I really think that an arbitrator should bethe next step would be to go to an arbitrator and let the arbitrator decide because otherwise I don't want it to become a stalemate again and we are not going to get it resolved. We have to be committed that if the negotiations fail that an arbitrator would make a final decision. Hopefully we will not have to get to that point, I think both sides are reasonable and if the right items are put on the table, I believe we can get this issue resolved. I will support the motion.

Mr. Parisi stated, I will make the observation that the Council has no authority to direct the Mayor or anyone else to do anything. We have an advisory capacity. We don't have the authority to negotiate. I am getting the feeling that there is a misconception somewhere that the Council can tonight can just vote on this and that it would happen; that is not true. We don't have that kind of authority. I want to be sure that we understand. In the past the Council has made advisory motions to the Mayor and, for the most part, I think he has been agreeable to them. One stipulation I would add to this, I am not going to include it in the motion, that there perhaps be a monthly or bi-monthly update as to what the situation is at that time so we will all know as we are proceeding, if it is possible to disclose it, just the status. Hopefully it will keep it (the issue) on the front burner where it belongs so eventually there will be a resolution. I cannot make it any more clearer than, we all want to resolve this. As Mr. Knight made a statement in the paper, "we are all going to the same place, it is just a question of how we are going to get there." I think that is absolutely true. I don't think there is a person that.....I know there isn't a person at this table (Council bench) that has nothing but the deepest respect for Dr. King but also this is an issue that has to be handled within the system and perhaps that is the problem, the system. It is the system, it is the rules and the laws that we have and have to observe. We cannot make our own rules, obviously, and I don't think any of us would want to do that. We can voice our opinion; we can make our feelings known that we do want to get to a point. But that point has to be reached by everyone. I thought the Mayor was very eloquent in what he said, we all have to get there and we have to get there sharing the load. I think that is very important.

Ms. Papale stated, as I look around at the people sitting to the left and right of me and I the public in the audience, and when I look around the entire Town of Wallingford, it is true; we are ninety-nine percent good and decent people. We were brought up; most of us in this town; I, myself was brought up in the minority congregation. Wallingford always treated us wonderfully. I live here; it is my town and I think we are all on the same feeling about the people who live and work here. I also think we all appreciate the importance of Martin Luther King Day. I really want to thank the clergy that were here this evening. You really gave us more to think about. I would also like to mention that I have had the opportunity, since the Martin Luther King Day was celebrated by the Town of Wallingford, to attend all but one or two of the services. They are the most wonderful services anyone would like to attend. To be truthful, last year when I was there and the Town of Wallingford had the day off, I looked around and maybe I saw two and that bothered me. That really gave me something to think about. Where is everybody on this day? We should be celebrating Martin Luther King's Day but the people weren't there. I understand the clergy coming in front of the Council and I think that maybe we are not the ones that can vote tonight on what to do. We are still a part of the town and our concern is important and it is up to us to talk to the people that represent the unions and give them a push. Maybe it wouldn't be the worst idea for the clergy that spoke to us tonight to maybe go to a union meeting and let them listen to you. To let everyone in this town know how important Martin Luther King's Day is. We will urge the people to get involved. I really believe I can speak for the Council; I don't like to but I really believe that this is one situation where we are all

on the same track. So, Mr. Chairman, I would like to mention that I would certainly be in support of this motion.

Mr. Farrell stated, I would like to concur with the remarks that Ms. Papale made to the clergy association; you have done a great deal to move this issue forward. I know that at least on one occasion you have been quite unfairly criticized for not moving fast enough but you have been on top of this issue. You have been cajoling us all; sometimes it has been in private, sometimes it has been in public but you should take some of the credit for taking this forward. I am encouraged that the Council wants to take a pro-active role, here. I really do want to see a resolution of this issue not only because it is the right thing to do but I also don't want to see Wallingford injured any further and that is important as well. One of the things that you see.....there are several great histories of the civil rights movement and biographies of Dr. King and he had a lot of dealings with municipalities. The municipalities were one of the great stumbling blocks that he encountered. I think one of the things that he appreciated was that things do not necessarily happen over night; they don't necessarily happen in one big change. They happen in a series of incremental changes. I am encouraged that that is the road that we are going down, that we are going to get to the goal that we want to. It might be incrementally because we have to deal with each contract but I am very encouraged that the Council is that it is important enough to put this push on and to ask for a periodic report; that would be helpful to us. I will also support the motion.

Mr. Rys stated, I am going to support this motion, I think it is a good motion. On Martin Luther King day, obviously I work for an employer and I don't have the day off but I do think of him. During the year that Martin Luther King was assassinated, murdered, I was fighting a war. I never got to see Dr. Martin Luther King; what happened to him; didn't get to hear his speech. But I did take the opportunity, through a computer program I got the CD-ROM, to hear the speech by Dr. Martin Luther King, famous speeches by John Kennedy and other famous people. I think it is very important that everybody does the same thing because a lot of times we just take for granted....I don't get off Veteran's Day, I am a veteran. I don't scream about it. I know what I got when I accepted my position. I get four or five holidays. I don't regret that the union has twelve holidays. But I really think that they should sit down, all of them, negotiate and finally come to a conclusion. I am not putting the guilt on the union side and I am not going to put the guilt on the Town's side either. I just think that it is about time that we sit down and not only that we negotiate but we also remember that day, as the Mayor indicated, that the town does do. If you are not able to attend the church service for Dr. Martin Luther King, think of him that day. I do, I hope you will too.

. Renda stated, Martin Luther King had a dream. What he dreamed about and what he started, he got halfway there. Because people believed in him, he got a little past the halfway mark. Then all of a sudden everything just stopped. We need these things today; with all the hatred and bigotry in the world. What happened in Colorado; they have to wait for a tragedy before the people pull together, respect and love one another. Why can't they do it when there is no tragedy? Martin Luther King

had a dream and I have a dream also; that one day in Wallingford we will have Martin Luther King Day and it will be celebrated like the rest of our towns.

Wayne McDermott, 22 Cooper Avenue stated, I am kind of offended that the clergy is here. But my pastor also signed the letter; First Congregational Church. I don't get that day off; I don't hear from the churches running out and yelling at the private corporations to ask for that day off. What I really was offended about was three days ago, AFSCME's advertisement in the Record-Journal. That bothered me more than anything else. When I belonged to a union we negotiated contracts. I work for a company that says, "you want Martin Luther King Day off, you are welcome to take it off when you want, without pay." I understand, Mayor, that is the way the procedure works here with the Town employees; they have the ability to take the day off but without pay at this point. They are not allowed off?

Mayor Dickinson stated, that can be done or take a vacation day.

Mr. McDermott asked, they can take the day off then?

Mayor Dickinson replied, yes.

Mr. McDermott stated, then the day is being given. I am at a loss here to figure out what is going on. Bill (Mayor) I guess you couldn't have said it better than anything that I can think of. I can remember the day when I used to listen to some of the things that went on. I am just concerned that we are turning over.....I got a question on the motion you just made. Are you instructing the Mayor to start negotiations in the middle...go into negotiations?

Mr. Parisi explained, we are requesting.

Mr. McDermott replied, you are requesting discussions?

Mr. Parisi answered, there is a big difference. It is an advisory motion.

Mr. McDermott stated, I can see what is going to happen. It is going to end up just what it was last week; a dead end. I don't understand, why even bother making the motion? They can have the day off. To the clergy; ninety percent of your parishioners don't have that day off. Speak to those who are running the corporations and businesses.

Mr. Parisi asked that Mr. McDermott direct his comments through the Chair.

Mr. McDermott stated, they (clergy) also came up and asked that this be presented. It goes that way. They made their statement but they also asked for this to be put up here and you know that. Tom put

it up on the agenda and I was going to ask why it was being put on the agenda. Somebody asked that it be put on the agenda didn't they?

Mr. Parisi replied, that is right.

Mr. McDermott stated, the clergy did here, in Wallingford, so they are a part of this. That is my point; they (employees) already have the day off. I don't have the day off and ninety percent of us don't get the day off. What we should do; Mayor, next contract pull all of the holidays out of the contract.....especially Martin Luther King Day first.

Mr. Parisi stated, this is an issue that you want to try and approach with a positive.....the glass is half-full, it is not half-empty. If you start out negative, we are going to end up negative.

Mr. McDermott stated, I have not been down here at a meeting in almost a year. What I have watched in the paper; what I have watched go on out in front of this place out here (Town Hall) is not positive. You people are being portrayed as being the ugly people here in town and so is the Mayor. I am sick and tired of being accused of that.

Mr. Parisi answered, we are trying to do a positive thing. That is what we are trying to do.

Rick Hillegas, 3 Promentary Drive stated, I just wanted to speak in favor of your motion. I would just like a little clarification on it. As what the gentleman alluded to a few seconds ago, what happens if we are at loggerheads? What are we going to do then? The idea of arbitration? Or is that up to the Mayor and the unions?

Mr. Parisi answered, the first thing in negotiations is that you don't want to get that far ahead. You want to start out and take it as it comes. I do not want to pre-dispose a position later on, now, do you know?

Mr. Hillegas stated, I am in favor of it and regardless, I was at both the budget meeting and the rally outside and I think that both of them were conducted appropriately. Everyone was actually in good spirit. I was disappointed that there was not a tremendous amount of people from Wallingford participating in it. But what it is perception. We are dealing here with perception and perception in this day and age is reality. There is a reality that we are a bigoted town that the cartoon degraded our citizenry. I thought it was in poor taste. I also want to speak in support of the Mayor. I think he is a decent person; I think he tries to approach things in a fair way. I realize this is a management/employee issue but it is also an issue that deals with emotion, our beliefs as Americans and I think that we should work very hard in trying to clear this up.

Mr. Parisi stated, I think we are all hopeful that we will work hard.

Shawn Roe, 960 North Farms Road stated, so often the youth do not get a chance to speak at all. I think that with what happened in Colorado, there is a lot of youth with a lot of direction but so often our leaders in our towns never give the youth a chance to speak out on different issues and sometimes these kids don't get the right direction. What happens is they are searching for a chance to show that they have feelings and political beliefs and ideologies. So often, the youth are trapped. Those kids were smart kids. They did not have a way to out let their direction. I know we have a lot of things in Town, the Youth Service Bureau, which offers and shows direction. Hopefully nothing like that can ever occur in our town. I would like to say I speak in honor of Martin Luther King Day; I am in support of it. I believe the Town of Wallingford should recognize both Abraham Lincoln and Dr. King by closing down all Town offices. Dr. King and President Lincoln both stood for racial equality. The Emancipation Proclamation proclaimed, by Lincoln, an instituted by Dr. King in his "I have a Dream" speech is just one of many accomplishments of these two great men. It is time that we recognize these great men forever united with the truth that all men are created equal. I believe in this town. There is a silent majority who support King. I urge my fellow citizens to speak out for King. I also feel that our Town employees are hard workers and do deserve a day off. I have heard it said, "why don't they just switch it for Lincoln's Day". I brought a friend down tonight, you just might know him, he was the sixteenth president of the United States and he made a lot of famous speeches (displayed a portrait of Abraham Lincoln). That's right, it is Abraham Lincoln. Why don't you tell Lincoln, yourself, that you don't want to celebrate his holiday either. Now I can bring King down here too and you can tell him you don't want to celebrate his holiday. I think we should tell them both that we want to celebrate their holiday. IN my leave taking, I would just like to say that I travel the streets everyday and I see our police force working hard, day in and day out, to protect our streets; I see our fire department standing in constant guard over our buildings from the destruction of fire; I see our water and electric departments keeping the water and electricity on and in good working order. They deserve Martin Luther King Day off and they deserve Lincoln's Day off. In closing, I have heard that some people that we should switch Lincoln Day. Again, I just want to leave you and say, let's celebrate Lincoln and let's celebrate King, they both deserve a day. Everybody in town deserves a day off. We, in the public sector, if we first give our employees a day off, then maybe then the private sector can reach out and give King Day off. Now, instead of saying that we don't give a paid holiday, let's make it a paid holiday. Let's start now, then we will bring it out to the private sector.

Rita Katona, North Branford Road stated, I am particularly upset over the vicious attitude of our local newspaper which is open and publishes on Martin Luther King Day. You people who live in glass houses should not throw stones. Most of you know that I get around town a lot. Most of our population does stand behind the Mayor. We did not have any problem in Wallingford; we had a nice program for Dr. King. Those who wanted to honor him were there. The clergy participated, we had no problem until the out-of-towners came in and started stirring up trouble. This is not a racial community. I defy anyone to find a black section of Wallingford. Our black people are where they

belong fully integrated with whites. Few have been protesting this until it became a union issue, therefore if all the people on both sides want to honor Dr. King, let them have a day off without pay. It requires no negotiation. It can be, request the Mayor to close the municipal offices, have the holiday without pay and then we will not have what is apparently the sticking point, that it is a lot of money. As our town grows, our municipal workers will grow and it will cost us no money every year. I venture to say, if Dr. King were here, he would say to you, an honor that has to be derived from the people is no honor at all and I doubt he would want it. (Applause)

Reginald Knight, 21 Audette Drive stated, I stand here second to none in recognition of Martin Luther King's courage, his guts and his whole way of dedicating his life. He faced angry dogs, policemen who beat him, etc., etc., and he dedicated his life to that. On the other side of the coin, I have to agree with the Mayor. I think the Mayor is being extremely honest, he is talking from the heart. I know that I have quoted Gandhi before but, to me, he is the greatest man who has ever lived in this century. He was a gentle man. He would sit down in the street and let anything happen to him for the good of others. He was a good man and yet he said, "how come you Christians are so unlike your Christ?" My way of thinking is, you don't give one day to think of the great people. All through history we have had great people, gentle people, Albert Schweitzer and people like that who have dedicated their lives. We should dedicate our lives; I am not talking in a religious manner, I am talking about these people as an example of how to live. It is not so much the importance of one day and then forget the rest of the year. Live your life with the thoughts that that man had, what the others had, what they believed in, the tolerance. I came to this country forty years ago and I thought I had died and gone to heaven. The name, New England, it had me fooled completely. I expected to see Smiths, Browns, Jones, Jacksons, and I got such a culture shock that I could not believe. There were names I could not pronounce; Polish names, Italian names, German names, all these ethnic differences. In Wallingford we have a great Portuguese population; we are not a racial people. I have to agree with Mr. Knight; although quite often we are on different sides of the table here; but we are not a racial bigot town. That cartoon showing those characters was a disgusting example of papers trying to stir up garbage just to make news. I must go along with the Mayor, I believe in his courage. If all these people want to honor Martin Luther King, live by his virtues, go by his virtues. You don't have to go to church, live it. Teach your children that. If you go back to the great people of this country, (George) Washington and all the others who gradually formed this country over time; we have holidays for them but what do they mean after a while? Washington's Birthday sale, 50% off. How much respect is that for a man who stood up against the mightiest empire in the world at the time? That is not honoring anyone. Live your life to honor the man, live his ways. I come from Belfast. I had been nearly beaten to death at the age of five because I was the wrong religion going through the wrong religion to get to school. Stones were battered on my face until I was unconscious. You cannot legislate decency among people; you cannot legislate tolerance among people, it has to come from the people living that way. I wonder how many of those who want that day off are going to be beating on the doors of the church? You don't have to be in a church to honor Martin Luther King, the same way you don't have to be in a church to honor God; you can honor God standing in a

held. I do resent that they make Wallingford out to be bigoted town; it isn't. We have the most mixed up ethnic groups and we get along. We have our differences, that is for sure. We have more ways of doing things but I resent that image and blame the newspapers for most of it.

Mr. Parisi thanked Reginald Knight for a very fine statement.

Sharon Sanders, 37 Academy Street stated, it is a proven fact that politics and church don't mix, so I feel that the Wallingford Clergy Association should not have asked for this to be put on the agenda. Instead of wanting the Council to recommend the day off for Martin Luther King, perhaps the Wallingford Clergy Association could have been praising and promoting Wallingford's Martin Luther King church service. Whereas a lot of the other towns have the day off but does nothing to honor the day. Our State Representatives and the Clergy Association has said that Wallingford is getting the reputation as being racial which, at the same time is saying it is not true. Of course it is not true, Wallingford is a peaceful town with opportunities for everyone. If our State Representatives and the Wallingford Clergy Association would back Mayor Dickinson who, incidentally, was the one who started the Martin Luther King service, would say to Mr. Vann (NAACP President) that we honor him (Dr. King) with a beautiful church service, that the Town Councilors and the Mayor are not racist, the media would have nothing to write about, Wallingford would not be portrayed as racist and Mr. Vann could be concentrating on more important issues within the black community. If this is so important for the unions to have the day off, then let them trade a day off. If the unions wanted to do it, this could have been solved already. I think it would also be more appropriate to have the children attend the service that we have and then spend the rest of the day at school talking about all the good works that Martin Luther King accomplished in just giving the school children the day off. Thank you.

David Poach, President of the Wallingford Firefighter's Union Local 1326, 134 Constitution Street stated, I am here to speak in support of the unions. Unfortunately, collective bargaining encompasses many, many things, not just a day off. There is health and safety issues, there is insurance issues. By the time a package comes down to the Council for a vote, they don't see what was laid on the table. They are only voting on the final product. I can tell you this, since 1986 we have gone through five contracts, three arbitrations, we tried to negotiate Martin Luther King into our contract, we were not successful. Collective bargaining encompasses many things. When you negotiate a contract, everything is up and everything is talked about and like I said, the final product reaches the Council for a vote. They do not get to see what happened behind the scenes. I am here to let the people of Wallingford and the Council know that, the unions should not be portrayed as a negative side to Martin Luther King and something that you may think we have never talked about. It has been talked about; it has been negotiated. We are presently in contract negotiations now, I can't divulge what we are negotiating on but I can tell you that we are always diligent in our efforts in contract negotiations. Mayor Dickinson came out with a notice in late December asking us to swap Lincoln's Birthday with Martin Luther King Day. Two factors played a role in that; one, our Constitution and By-laws, which

we are bound by, says, for any special meeting to open up the contract, we need thirty days to notify our members to let them know what the meeting is about, then we have to get together and we have to vote on it. January 17th would have come and gone; that was not possible because of the timing. Also, January 1, 1999, opened up contract negotiations between the fire union and the Town of Wallingford. Those two factors played a part why the people may have perceived that the unions were not interested. It is not that they were not interested, collective bargaining is an ongoing thing. Concessions, the unions continuously make concessions. If we were to make concessions on everything the town has asked for over the years, we would not have a contract. Collective bargaining is something that happens between two people to try and come up with the best they can for both parties. I can tell you this, Lincoln's Birthday is part of our heritage that was negotiated. We did not come up to the Town and say, "here is our contract, take it", we mutually agreed on a contract. Now, who is to say in seventy or eighty years that a town will come up to a union and say, "why don't you give up Martin Luther King Day for such and such"? They are both very important men. It is not just about another day off, it is about reflecting in his life and celebrating what he stood for. All I am here to say is, the unions are willing to sit down; we have been sitting down, and we will continue to sit down and negotiate this.

Pasquale Melillo, 15 Haller Place, Yalesville stated, the Mayor made the statement that Martin Luther King was a member of the clergy and no clergyman has been given a day off. What separates this man from the typical clergyman was that this man was very active in the political system. I do not believe that religion and politics cannot mix; I do not believe that. Martin Luther King had tremendous guts and brains; he took a lot of bold moves. Let us not say that he is the typical clergyman in that respect. Mr. Zandri made a suggestion that if negotiations cannot be settled on this issue that we should bring this to arbitration. If the unions and Town get together and fail to negotiate or agree, would the Mayor and the Town Council agree to go by Mr. Zandri's suggestion that we go to arbitration?

Mr. Parisi responded, I don't even want to hear the word "fail" tonight. I want to hear a positive attitude hopefully from everyone. If we start mentioning words like "fail" and "can't" we are not going to go anywhere. We will not speak in the negative.

Mr. Melillo stated, how I speak is my business. I do not have to speak to satisfy you because you want me to be positive.

Mr. Parisi replied, that's right. I am not saying that you have to satisfy me.

Mr. Melillo asked, would the Mayor and Town Council support Geno Zandri's suggestion that it go to arbitration if negotiations fail?

Mr. Parisi replied, it was brought up earlier.

Mr. Melillo stated, what is so bad about asking that question? There is nothing that is not positive about it, in fact if you analyze it, it is very positive.

Mr. Parisi stated, this was brought up earlier and I made the statement then that why discuss that far into a negotiation when we haven't even started yet?

Mr. Melillo answered, it is very important. This should be organized entirely, especially since it is such a big issue and is disputed by the Town government and unions.

Mayor Dickinson answered, I will take that under advisement.

Mr. Melillo asked if the Council would care to answer his question.

Mr. Parisi answered, no, there is no answer to it right now. We have to start negotiating first.

Mr. Melillo stated, that's because it makes too much sense and it is not being done your way.

Rick Hillegas stated, I want to speak in defense of the pastors who presented this issue to you; I don't believe, as citizens, that they have given up any rights because they have taken up ministerial orders orsome citizens came up and it incensed me.....I am in support of what they have done this evening, regardless of....we started out this whole function with a blessing so there is not a conflict.

Mr. Parisi stated, everyone has a right to an opinion. I don't want to debate over it. I agree, I do not feel there is a conflict.

Wes Lube, 15 Montowese Trail stated that he would like to thank the committee of pastors who came here to remind us of what would be our duty and responsibilities that we seem to have been pushing aside for twelve to fifteen years. I don't think your motion is going to change it very much but I do want to compliment you on making the effort and compliment the Chairman for asking the Mayor for a monthly progress report. There is going to be follow-up on this and that is going to be great. Ultimately one of the things we have to bear in mind is, is this really a discussion about whether we should have a day off as Town employees? It is a discussion about the symbolism of the holiday. To those who care the most who are part of that ethnic group, as far as they are concerned, the symbolism is of paramount importance. We do allow things in our town that is opposition to that symbol. We have subdivision regulations that create lots so expensive because of required improvements, it becomes very difficult to come to our town. We have hiring practices on all of our major employment points that obviously are not hiring the best, although they pretend to be. We do too many things in the other direction and I want to compliment you on your forward step. Please pass the motion.

Mr. Parisi answered, if we can get to vote we will.

Vincent Avallone, 1 Ashford Court stated, I would like to commend the Council for taking this step. It is great to see it unanimous; it is a long time coming; I think it is great for the town. I would like to acknowledge and respect the Mayor's position that services on Martin Luther King Day are sufficient to honor Mr. King. The Mayor certainly is entitled to that. We cannot overlook, though, the perception of this town. We all say it is not racist. There is a perception that it is. And there is a perception because Martin Luther King Day hasn't been settled. If you pass this motion and the Mayor continues to hold onto his belief, which he is entitled to, we are going nowhere because obviously we will remain at the same stalemate that we are at right now. I think your motion advises the Mayor to negotiate. Is that what it does?

Mr. Parisi replied, basically, yes. It advises the Mayor to sit down with the affected unions, I believe.

Mr. Avallone asked, is the word "negotiate" in there?

Mr. Parisi replied, the wording is ".....to meet and negotiate a settlement to the Martin Luther King Day issue."

Mr. Avallone stated, negotiate means a give and take. I am just saying that if someone continues to keep the same position, then obviously this motion is moot in my opinion.

Mr. Parisi answered, you are right.

Mr. Avallone stated, I am just suggesting that I hope the Mayor, if this is passed, considers the perception, even if he believes services are sufficient. If he sees it is not sufficient, to overcome the perception of Wallingford then I would hope that he would move on his position.

Mr. Parisi commented, quite frankly, I don't have any problem in trusting the Mayor's opinion and his method that he will apply. I know that he has the Town of Wallingford foremost in his mind, he has demonstrated that for about eighteen years.

Mr. Avallone stated, I don't think I questioned that.

Mr. Parisi stated, I am just agreeing with you. But I do want to make sure that we understand that it takes two to tango, you can't dance by yourself.

Mr. Avallone stated, that is what negotiations are for.

Mayor Dickinson stated, my statement did not in any way take the position that I did not feel that the holiday for town employees was inappropriate. What I tried to convey was, those who would define or label the community based upon a perusal of holidays for town employees do a vast injustice to any analytical process. At the point we define policies and principles, we define ourselves by what others may inaccurately think of us. We started down a road that is a disaster. I, by no means, is in a belief that the Town should not have the holiday, nor am I in a belief that if people choose to distort facts, misrepresent reality, deal with superficials, that you will ever eliminate that by descending to that level.

Guy Beach, 61 Cheshire Road stated, a few minutes ago I heard a gentleman over there say that the unions have made a lot of concessions. Unions have twelve paid holidays, up to five weeks of vacation pay, they get sick days besides that. I am wondering who is making most of the concessions. Interestingly, a newspaper that has been giving bad press, gives its employees five paid holidays. I hope they will give six, which would be Martin Luther King Day, that way they can be up to half as many as municipal employees receive. I have some problems with the clergy presentation here. I believe in separation of church and state and essentially while this issue has moral overtones, it is largely a secular issue; economics and labor relations. I would hope that if they are in the process that they will contact some of the international representatives of these unions. I have a list that I would be happy to provide. I also heard mention of arbitration. Hopefully this will get resolved before we get to arbitration but let's not think of arbitration, that means that framed the issue and the arbitrator makes the decision, yes or no. You may consider, down the road, possibly mediation which means that you bring in a third party which tries to get the people together. In conclusion, I support the Mayor's position entirely and I think the Town Council is on the right track, thank you.

Mr. Parisi stated, I think we have adequately covered this so I am going to close discussion on this topic.

Mr. Centner stated, I intentionally held my statements on the issue until the audience spoke; I wanted to get a feel for, in terms of management and what those who showed today had to say. I would agree with the motion that was made and the eloquent statements from my colleagues and from many of the speakers in the audience. Going forward, we have to go about a solution in a manner that is mutual between our unions and our town management. Otherwise, what does it say to our other communities and our diverse base and our citizenry in our town? We can't forget that we have our Jewish community, they have very significant holidays as well as our Hispanic, Portuguese and other members of our community. What does it say to them? Years ago, when I was on the school board, there was a significant effort from the Wicken community to have the schools observe Halloween as a holiday. As we go forward, we are going to have other issues of diversity that will arise and we are going to have to settle them in a mutual manner. This motion to request the Mayor and affected unions heads to settle the issue is very appropriate and necessary. I will vote in favor of it.

Mr. Renda stated, one thing I am confused about; I keep hearing George Washington's Birthday, Abraham Lincoln's Birthday, the one thing I cannot understand is, the day after Thanksgiving, that Friday, what holiday is that? Why can't we substitute that for Martin Luther King Day? They get paid for that day. Let them work that Friday and when Martin Luther King Day comes, they get it off and that is it, there is no problem.

VOTE: All ayes; motion duly carried.

ITEM #8 SET A PUBLIC HEARING for May 11, 1999 at 7:45 P.M. for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 1999-2000 and Authorizing the Issuance of \$1,450,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

Motion was made by Mr. Rys. Seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Chair declared a five minute recess at this time.

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of j\$5,500 from Pumping Expenses Acct. #623-000 to Misc. General Expenses Acct. #930-000 - Water Division

Motion was made by Mr. Rys, seconded by Mr. Centner.

Correspondence from Roger Dann, General Manager of the Water & Sewer Division states that the E.P.A. has promulgated new regulations which require water utilities to issue an annual report of water quality to its consumers, hence the request of funds to cover the expense of producing such a report.

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$8,000 from Pumping Expenses Acct. #623-000 to Maintenance of Wells & Springs Acct. #614-000 - Water Division

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Correspondence from Roger Dann, General Manager of the Water & Sewer Division states that the Water Division must redevelop Well #3 in order to ensure that adequate pump output will be available for the upcoming summer season. There were no funds budgeted for this expense due to the fact that the need had occurred sooner than originally expected.

VOTE: All ayes; motion duly carried.

ITEM #11 Consider and Approve a Transfer of Funds in the Amount of \$15,800 from Underground Conduit Acct. #366 to Services Acct. #369 -Electric Division

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Due to the settlement of the labor contract for the production unit of IBEW Local 457, management has made a review of the accounts affected by the increase in wages. This is one of the accounts that will require a budget transfer to accommodate the transactions for the balance of the fiscal year at the new labor rates along with payment of retroactive wages due to the contract settlement.

VOTE: All ayes; motion duly carried.

ITEM #12 Consider and Approve a Transfer of Funds in the Amount of \$23,800 from Misc. Distribution Expenses Acct. #598 of Which \$21,000 is Transferred to Overhead Lines Exp. Acct. #593 and \$2,800 to Line Transformers Acct. #595 - Electric Division

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Due to the settlement of the labor contract for the production unit of IBEW Local 457, management has made a review of the accounts affected by the increase in wages. This is one of the accounts that will require a budget transfer to accommodate the transactions for the balance of the fiscal year at the new labor rates along with payment of retroactive wages due to the contract settlement.

VOTE: All ayes; motion duly carried.

ITEM #13 Consider and Approve a Transfer of Funds in the Amount of \$3,300 from Customer Records and Collections Acct. #903 to Meter Reading Expense Acct. #902 - Electric Division

Motion was made by Mr. Rys, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

DENDUM ITEMS

ITEM #14 Executive Session Pursuant to Section 1-18a(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Lease of Property - Mayor

ITEM #15 Executive Session Pursuant to Section 1-18a(6)(B) of the CT. General Statutes with Respect to Pending Litigation - Town Attorney

Motion was made by Mr. Rys to Enter Into Executive Sessions Listed Above, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council entered into executive session at 8:44 P.M.

Motion was made by Mr. Rys to Exit the Executive Sessions, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council exited executive session at 9:12 P.M.

ITEM # 16 Consider and Approve a Waiver of Bid to Hire an Expert for Pending Litigation - Town Attorney

Motion was made by Mr. Rys to Approve a Waiver of Bid to Hire an Expert for Pending Litigation Involving Bristol-Myers, seconded by Mr. Knight.

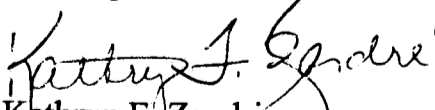
VOTE: All ayes; motion duly carried.

Motion was made by Mr. Farrell to Adjourn the Meeting, seconded by Mr. Centner.

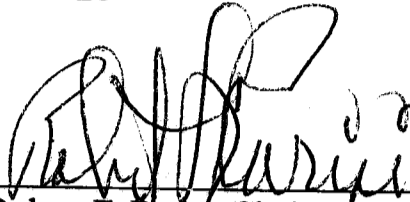
VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 9:15 P.M.

Meeting recorded and transcribed by:

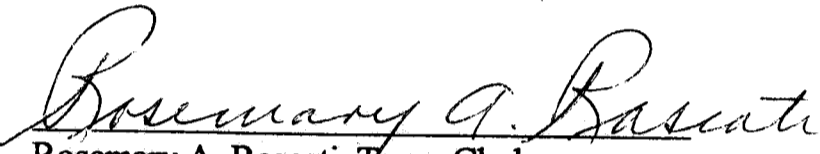

Kathryn F. Zandri
Town Council Secretary

Approved:



Robert F. Parisi, Chairman

6-2-99
Date



Rosemary A. Rascati, Town Clerk

6-2-99
Date

COPY



Town of Wallingford, Connecticut

Appendix I

TOWN ATTORNEY
JANIS M. SMALL

ASSISTANT TOWN ATTORNEY
GERALD E. FARRELL, SR.

CORPORATION COUNSEL
ADAM MANTZARIS

DEPARTMENT OF LAW
WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492

TELEPHONE (203) 294-2140
FAX (203) 294-2073

April 27, 1996

William W. Dickinson, Jr., Mayor
Town of Wallingford
45 South Main Street
Wallingford, CT 06492

Dear Mayor Dickinson:

The Town Council has the power to purchase real property pursuant to Chapter III, Section 5 of the Town Charter. The negotiations for the purchase of the Tyler Mill properties were directed by the Town Council. The decision to engage a realtor was made with the knowledge and consent of the Town Council. Further, the Town Council approved the contract which states that the Town is responsible for the realtor's commission. The Council did not violate the Town Charter in this matter.

Very truly yours,

Janis M. Small
Town Attorney

JMS/bjc

cc Robert F. Parisi, Chairman, Town Council