

TOWN COUNCIL MEETING

MAY 11, 1999

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#538-550) Totaling \$2,797.58 - Tax Collector
 - b. Approve and Accept the Minutes of the April 13, 1999 Town Council Meeting
 - c. Approve and Accept the Minutes of the April 20, 1999 Public Hearing on the F.Y 1999-2000 Budget of the Town of Wallingford
 - d. Note for the Record Mayoral Transfers Approved to Date
 - e. Note for the Record Anniversary Increases Approved by the Mayor
 - f. Consider and Approve a Transfer of Funds in the Amount of \$1,255 from Office Supplies Acct. #1300-401-4000 to Purchase Phone Equipment Acct. #1300-999-9905 - Mayor's Office
 - g. Consider and Approve a Transfer of Funds in the Amount of \$1,500 from Portable Radios Acct. #2030-999-9909 to Contractual Clothing Acct. #2030-401-4800 - Dept. Of Fire Services
 - h. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Radio Pagers - Upgrade Acct. #2030-999-9915 and \$800 from Clean Duct Work Acct. #2030-999-9918 for a Total of \$1,800 to Telephone Acct. #2030-201-2000 - Dept. Of Fire Services

- i. Consider and Approve a Transfer of Funds in the Amount of \$454 from On-Spot Automatic Chains Acct. #2030-999-9912 to Replacement Antenna Acct. #2030-999-9023 - Dept. Of Fire Services
 - j. Consider and Approve a Transfer of Funds in the Amount of \$1,200 from Maintenance of Equipment Acct. #7010-570-5200 of Which \$200 is Transferred to Telephone Acct. #7010-201-2000 and \$1,000 to Secretarial Services Acct. #7010-901-9000 - Town Planner
4. Items Removed from the Consent Agenda
5. Consider and Approve a Transfer of Funds in the Amount of \$250 from Regular Salaries and Wages Acct. #001-2035-101-1000 to Clothing Expenses & Allowances Acct. #001-2035-401-4800 - Fire Marshal
 6. Consider and Approve a Transfer of Funds in the Amount of \$570 from Regular Salaries and Wages Acct. #001-2035-101-1000 to Purchased Services - Secretarial Acct. #001-2035-901-9000 - Fire Marshal
 7. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Regular Salaries and Wages Acct. #001-2035-101-1000 to Overtime Acct. #001-2035-101-1400 - Fire Marshal
 8. Consider and Approve a Transfer of Funds in the Amount of \$38,000 from Regular Salaries and Wages Acct. #001-2030-101-1000 to Replacement Pay Acct. #001-2030-101-1500 - Dept. Of Fire Services
 9. Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Health Insurance Acct. #001-8035-800-8300 to Self-Insurance Deductible Acct. #001-8030-800-8270 - Personnel
 10. Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Registrar of Voters Salary Acct. #001-6010-101-1000 to Professional Services - Specialists Acct. #001-1320-901-9003 - Town Attorney
11. PUBLIC QUESTION AND ANSWER PERIOD
12. Consider and Approve Adopting the 1999-2000 Budgets of the Town of Wallingford and Setting a Rate of Tax for Fiscal Year 1999-2000

13. PUBLIC HEARING 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 - 7:45 P.M.
14. Consider and Approve One (1) Appointment/Re-Appointment to the Board of Assessment Appeals for a Term of Three Years to Expire 1/8/ 2002
15. Consider and Approve One (1) Appointment/Re-Appointment to the Position of Alternate on the Inland Wetlands Commission for a Term of Three Years to Fill a Vacancy Which Expire 1/8/2001
16. Discussion and Possible Action on a Request to Approve a Proposed Road Name Submitted by Atty. Joan Molloy
17. Discussion and Approval of the Design of Phase I of the Quinnipiac River Linear Trail - Engineering
18. Consider and Approve a Waiver of Bid to Cover Labor Attorney Fees for the Remainder of the Current Fiscal Year - Town Attorney
19. Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Health Insurance Acct. #001-8035-800-8300 to Purchased Professional Services - Lawyer Acct. #001-1320-901-9002 - Personnel Department
20. Executive Session Pursuant to Section 1-200(6)(D) Pertaining to the Purchase, Sale and/or Leasing of Property - Mayor
21. Discussion and Possible Action Regarding Matters Discussed in Executive Session - Mayor

TOWN COUNCIL MEETING

MAY 11, 1999

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, May 11, 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. arrived at 6:40 P.M.; Assistant Town Attorney Gerald E. Farrell, Sr. Arrived at 6:45 P.M., Comptroller Thomas A. Myers was also in attendance.

A blessing was bestowed upon the Council by Eugene Riotte, Deacon, Holy Trinity Church.

ITEM # Correspondence

No items of correspondence were forthcoming.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#538-550) Totaling \$2,797.58 - Tax Collector

ITEM #3b Approve and Accept the Minutes of the April 13, 1999 Town Council Meeting

ITEM #3c Approve and Accept the Minutes of the April 20, 1999 Public Hearing on the F.Y. 1999-2000 Budget of the Town of Wallingford

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

ITEM #3e Note for the Record Anniversary Increases Approved by the Mayor

ITEM #3f Consider and Approve a Transfer of Funds in the Amount of \$1,255 from Office Supplies Acct. #1300-401-4000 to Purchase Phone Equipment Acct. #1300-999-9905 - Mayor's Office

ITEM #3g Consider and Approve a Transfer of Funds in the Amount of \$1,500 from Portable Radios Acct. #2030-999-9909 to Contractual Clothing Acct. #2030-401-4800 - Dept. Of Fire Services

ITEM #3h Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Radio Pagers - Upgrade Acct. #2030-999-9915 and \$800 from Clean Duct Work Acct. #2030-999-9918 for a Total of \$1,800 to Telephone Acct. #2030-201-2000 - Dept. Of Fire Services

ITEM #3i Consider and Approve a Transfer of Funds in the Amount of \$454 from On-Spot Automatic Chains Acct. #2030-999-9912 to Replacement Antenna Acct. #2030-999-9023 - Dept. Of Fire Services

ITEM #3j Consider and Approve a Transfer of Funds in the Amount of \$1,200 from Maintenance of Equipment Acct. #7010-570-5200 of Which \$200 is Transferred to Telephone Acct. #7010-201-2000 and \$1,000 to Secretarial Services Acct. #7010-901-9000 - Town Planner

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

NOTE: All ayes; motion duly carried.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Robert Sheehan, 11 Cooper Avenue asked if the proposal by Pennsylvania Power & Light Global has gone before the Siting Council as of yet?

Mr. Parisi responded, no.

Philip A. Wright, Sr., 160 Cedar Street asked for a report out on the status of the leasing of the American Legion Building and the Wooding/Caplan Property.

Mayor Dickinson explained, bid specifications for the leasing of the American Legion Building have been sent out. With regards to the Wooding/Caplan Property, a proposal is still being negotiated and discussed with local developers. There is a good possibility something will happen soon.

Mr. Wright asked, how soon?

Mr. Parisi responded, hopefully within the next six months.

Mr. Wright next asked about the status of the Lacey Property.

John Thompson, Town Engineer stated that the bids have been opened and awarded on the retainer wall project. Site preparation work should begin soon. The Town is in the process of obtaining the necessary easements from the abutters on S. Whittlesey Avenue. Construction should begin within the next two to three weeks.

Mr. Wright asked, is there going to be a wall down there at the end of the property?

Mr. Thompson responded, yes, all around the entire lot, behind the American Legion and up behind the Corovel Building.

Reginald Knight, 21 Audette Drive pointed out how, at a previous meeting when the purchase of Tyler Mill property was an item of discussion, a woman from the audience stated how the noise of weedwackers and lawn mower equipment would disturb the wildlife in Tyler Mill area if the Town did not purchase the property in question and homes were constructed. He pointed out how he has not heard that argument used in defense of the wildlife on the Cooke Property when the Town has been discussing the proposed golf course project. Lawns will have to be maintained and manicured there as well. Also, a remark was made, an allegory, about Seward's Folley; about how that was bought. According to my calculations, which aren't necessarily the best, that is 646,400 square miles and it worked out at \$02.5 per acre which I think is a pretty good buy when you consider the timber, the fishing, the minerals and the oils. We are not talking \$30,000; \$40,000 an acre there so the allegory is a little out of whack there. Now, compared to the piece of swamp that we are talking about in Tyler Mill, here we have in Cheshire, the town is buying a 90 acre, prime land, cattle farm for \$1.5 million; ninety acres of prime land.

On a separate matter, Reginald Knight pointed out how both the Record Journal and New Haven Register never list the Public Speaking Meeting, the third meeting of the month of the Town Council, in their weekly listing of Town meetings. For that matter the Hartford Courant does not mention it either. He asked, is that information going to the newspaper?

Mayor Dickinson stated, the meeting is publicly noticed as all meetings are. There is a public notice of any regular meeting and the newspapers would generally take that information and write about it or not write about it. I believe they are noticed as regular meetings of the Council.

Reginald Knight asked, when the Town issues out the notices.....if there were regular Town Council Meetings and they were being omitted, I would think they would hot on the trot to get down there and tell them, let's get these meetings published.

Mayor Dickinson replied, we don't always have a reporter in attendance at all parts of the meetings where we have an agenda. They are not under any obligation to cover or not cover a meeting.

Reginald Knight stated, the point I am trying to make is, not that they are here trying to cover the meeting, it is that it is published in the paper so that a citizen can come down here and speak. That was what the whole idea was. The third meeting never appears in the newspaper showing the citizens that they have an opportunity to come down here and speak.

Mr. Parisi stated, it is not required. It is posted. It is up to the press if they want to choose to publicize it. If they don't, that is their prerogative.

Reginald Knight commented, all three of these papers would choose not to do that?

Mr. Parisi stated, I guess if they are not printing it....

Reginald Knight asked, who puts out the notice to the paper that there is going to be a meeting?

Mr. Parisi replied, no one does.

Town Council Secretary Kathryn Zandri explained, what we do is....I type at the end of the calendar year the meeting schedule for the upcoming year. It will be adopted by the Town Council at the end of the year. Every one of the meeting dates will be typed on that schedule for the month, including the third meeting of the month which is the public speaking meeting. The dates for the public speaking meeting will have two asterisks after it with a notation at the bottom that says, "these are public speaking meetings". So all of the dates are there, they are posted in the Town Clerk's Office, the newspaper comes in and checks the bulletin board of a regular basis. It is possible that they are choosing not to list the meeting but they are there as well as every other meeting date in the Town for them to post in their meeting schedule for the week. Why they are not doing that, I cannot say but it is on that list.

Reginald Knight asked, are they on the list now?

Mrs. Zandri replied, yes they are.

Reginald Knight stated, I find it very sad that we never get this publicized that people do have an opportunity to speak because it is very limited here as you know.

Town Clerk Rosemary Rascati added, there is also a sign-up sheet on my counter for that meeting. The newspaper comes in every day and are bound to see it. Plus, the minutes of all meetings, including special meetings, are sent to the Library. There would be no way that the newspapers would not be aware of it.

Mr. Parisi stated, it is their choice.

Reginald Knight stated, it seems so sad that it is such an unimportant thing. As you know, I sign up for every one of them and it is a shame the public doesn't take advantage of the opportunity.

Andy Kapi, 6 Deme Road referred his statements to the Mayor. He stated, in the last few minutes of the hearing on the Tyler Mill properties.....you had made a reference to something that caught my attention. At the time I was remarking on Mr. Lubees efforts to go to see if there were any available wetland mapping information on the parcels. He had been told there was none. I made that point in the context of those of us who were wondering, in fact, if seven lots could have been built on the properties. When I finished and sat down, a couple of minutes later you had made reference to some information you had seen and I don't recall if it was from the developer or not. Could you speak about that and help to clarify what the source of your information was and when it was developed?

Mayor Dickinson replied, Attorney Molloy had indicated that the wetlands had been indicated on the lots and they had verified that there was areas outside of wetlands for construction of buildings. She was the one who was at the meeting and had indicated that they did have that information.

Mr. Kapi asked, had you, yourself, seen that or what she had spoken of?

Mayor Dickinson replied, I don't believe I saw the information but it was referenced to. There was no information regarding wetlands and she indicated to me that there was, indeed, information regarding wetlands.

Mr. Kapi asked, it was not something that was passed along on to the appraiser?

Mayor Dickinson answered, I don't know that. I don't know if the Town Attorney had it. All I can reflect is that I do not recall personally seeing the information. She (Atty. Molloy) did indicate there was such information and that it was available.

Mr. Kapi stated, I do recall a phrase that you used that night and I apologize if it seems slightly skeptical but, you used the phrase, "the information showed that not all the lots were under wetlands". I was curious as to what you may have meant by that?

Mayor Dickinson answered, I don't recall the sentence and everything but the general context was that there was reference that there was no mapping or indication of the location of wetlands and Atty. Molloy indicated that there was.

Mr. Kapi asked, Mr. Smith (Brent Smith, Environmental Planner) or no one else in our Town employment had the chance to look at that?

Mayor Dickinson answered, I can't speak for anyone else other than myself.

Mr. Kapi asked, that was developed in the context of this most recent round of discussion and negotiation? That wasn't something that was outstanding from a 1993 effort for sale or appraisal?

Mayor Dickinson answered, no, I believe this would be in reference to the efforts of the owners to market the property as building lots.

Mr. Kapi replied, what you can't see, you can't evaluate.

Wes Lube, 15 Montowese Trail asked, on the Fitzgerald/Durham Property, we have the two appraisals in and I wondered when that would be coming up on the Council's agenda?

Mayor Dickinson stated, the First Selectman of Durham, Ray Kalinowski, did call. I was unable to get back to him today. He is going to give me an update on their process.

Mr. Lube stated, we have a disparity in the two appraisals if I remember correctly; one was \$790,000 and one was \$750,000. There is probably going to be an effort on Durham's part to have us accept their appraisal of \$750,000 and the inclination between the two Town Council's will probably be, "let's split it" and I am wondering, has the Mayor, having been so adamantly in favor of buying properties in excess of the appraised.....

Mr. Parisi asked, who said that? No one has said that (let's split the difference).

Mayor Dickinson explained, first of all there has been no handling of the issue by the Town Council. My recommendation would be that we stay with the appraised amount which was the subject of a Council resolution; the appraised amount being \$790,000. I think the Town should stay with that.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he, as well as other taxpayers, are concerned with the many abandoned buildings in town which could be death traps to children who may enter and explore them as an adventure. He recommended that the Town Council and Mayor get together to see what they can do about surveying the whole Town to identify the abandoned buildings and make them safe one way or another.

Mr. Parisi stated, the Fire Department and Fire Marshal's Office performs that function, if I am not mistaken. If you have specific areas, please share that information with those offices.

Mr. Melillo next asked about security systems for the schools.

Mr. Parisi stated that it is a matter for the Board of Education to address. He suggested that Mr. Melillo attend a Board of Education Meeting to bring the matter to their attention. The Town Council cannot tell the Board of Education what to do.

Mr. Melillo stated, the Town Council and Mayor have more jurisdiction over all Town departments.

Mr. Parisi corrected Mr. Melillo's statement. He stated, the Town Council has no jurisdiction at all.

Mayor Dickinson stated, I had that conversation with the Superintendent of Schools. He is very well-informed on this subject and with the school Board is taking steps to see that our schools are safe. If Mr. Melillo has specific questions for the school system, they should be addressed by the school system. They are well-aware of concerns and are taking reasonable precautions in dealing with them.

Mr. Melillo asked, if the thirty day waiting period on the ordinance passes and the purchase is final, what happens with the deal seeing there are some people claiming the purchase was illegal?

Mr. Parisi stated, the Town Attorney is going to be issuing an opinion very soon.

Mayor Dickinson stated, the Town Attorney indicated that there were no legal problems with the process. Another opinion has been requested and I don't believe that anything has been issued but at this point there is no reason to believe that there is any problem. That is where the matter stands.

Mr. Melillo stated, a meeting should be held with the Mayor's opponents of the purchase to work this out.

On a separate matter Mr. Melillo stated that he read in the Record Journal, "Dot Maloney wins grants for city's police department, \$289,450 will be used to buy new technology". Why is it that they got that amount of money and as far as I know, we have not been getting anything resembling that kind of money. Why?

Mr. Parisi asked, is there some specific technology that you are talking about?

Mr. Melillo answered, replied, no.

Mr. Centner stated, that was for the mobile laptop computers for the police cars to cover exactly twenty-one cars on the current police force.

Mr. Parisi stated, there it is. That is as currently technology as you can get.

Mr. Melillo asked, why didn't we get that money?

Mr. Centner explained, we won that grant. It was a \$300,000+ program that we received \$280,000 of it in grant money.

Mr. Melillo next asked about the status of Garden Road.

Mr. Parisi answered, the project is still being held up on the state level. I don't think anyone truly knows what is happening but there is some hesitation on it. Every legislative person in this town has contacted the state on behalf of that street. The Town Council has, the Mayor has, all the State representatives, State Senator, everyone has made an effort with it already.

Mr. Melillo asked, are the elected officials in Town really working with the state officials on this matter?

Mr. Parisi answered, of course we are. We are talking to them; they were here discussing it.

With regards to the Durham Property, Mr. Melillo asked, why is it that the Durham land is not going to be put on the market and the most we could probably get is about \$7,000 an acre....

Mr. Parisi stated, that is not a true statement at this point. I don't think you can ever say that it will never be put on the market. I don't believe that is true. It was discussed earlier; there is a difference in appraisals, there has to be an agreement. If there isn't any agreement then there is a whole new ball game starting.

Mr. Melillo asked, who has hired the appraisers in this deal?

Mr. Parisi stated, we hired our own appraiser and they hired their own.

The Chairman declared the public question and answer period closed at this time.

ITEM #5 Consider and Approve a Transfer of Funds in the Amount of \$250 from Regular Salaries & Wages Acct. #001-2035-101-1000 to Clothing Expenses & Allowances Acct. #001-2035-401-4800 - Fire Marshal

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

Correspondence from Joseph Micalizzi, Fire Marshal states that this transfer is being requested to provide funds for a clothing allowance for the new Fire Marshal.

VOTE: Parisi did not cast a vote; all others, aye; motion duly carried.

ITEM #6 Consider and Approve a Transfer of Funds in the Amount of \$570

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

Correspondence from Joseph Micalizzi, Fire Marshal, states that this transfer is being requested to provide for secretarial services for the six work days of April 5, 6, 7, 8, 9 and 12; regular staff was on vacation. The Town has a public bid for secretarial services. The vendor is Diversified Employment Services of Wallingford and the hourly rate is \$13.55.

VOTE: All ayes; motion duly carried.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Regular Salaries and Wages Acct. #001-2035-101-1000 to Overtime Acct. #001-2035-101-1400 - Fire Marshal

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

Correspondence from Joseph Micalizzi, Fire Marshal, states that the transfer is necessary to meet this week's payroll which is payable the following Thursday, May 13th. It is necessary due to increased hours of manpower needed for shows at Oakdale, fire investigations and outside training. Money spent on firewatch at Oakdale Theater will be reimbursed to the Town by Oakdale. A transfer of \$1,000 will be acceptable to sustain the line item for overtime through the remainder of the fiscal year.

Mr. Renda asked what the pyrotechnics firewatch at Oakdale was all about?

Micalizzi stated, Oakdale Theater last weekend had a show and used pyrotechnic effects; special effects which are somewhat small explosive devices and flames and sparks, etc. They are required to be permitted by the State of Connecticut through our fire marshal's office and in doing so we are also required to provide adequate fire watch. I chose that people from my office be there in case there was an accident, they had the authority to pull their permit on the spot. The cost to provide the

manpower is totally reimbursable by Oakdale. They have been billed for that amount. It does not come back to the Fire Prevention Bureau's account but the general fund.

VOTE: All ayes; motion duly carried.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$33,000 from Regular Salaries and Wages Account #001-2030-101-1000 to Replacement Pay Acct. #001-2030-101-1500 - Dept. Of Fire Services

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

Correspondence from Deputy Fire Chief Peter Struble explains how a greater than anticipated number of retirements and injuries during this fiscal year has caused a drain on the Replacement Pay account. The account is also used for training pay. Because the volunteer fire companies have not had enough qualified personnel available to handle their own needs the department of Fire Services has had to employ career personnel to provide the required training.

On a separate matter Mr. Zandri asked that the grass at the Cook Hill Volunteer Fire House be cut; it is over grown and unsightly.

VOTE: Parisi did not vote; all others, aye; motion duly carried.

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Health Insurance Acct. #001-8035-800-8300 to Self-Insurance Deductible Acct. #001-8030-800-8270 - Personnel

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

The Mayor explained how Personnel Director, Terence Sullivan, could not be in attendance this evening due to an unexpected family commitment and that Risk Manager, Mark Wilson will be arriving soon to address any questions the Council may have on this item.

Motion was made by Mr. Zappala to Table this Item, seconded by Mr. Farrell

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$7,500 (revised) from Registrar of Voters Salary Acct. #001-6010-101-1000 to Professional Services - Specialists Acct. #001-1320-901-9003 - Town Attorney

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

Correspondence from Town Attorney Janis M. Small states that the Town Council, at its meeting of April 27, 1999, waived the bidding procedure so that experts could be hired for the Bristol Myers tax appeal trial. After speaking with several experts, Atty. Small has determined that she would need additional funds in her department's Specialist's Account and feels that \$7,5000 would be sufficient to see her department through the end of the current fiscal year.

VOTE: All ayes; motion duly carried.

ITEM #12 Consider and Approve Adopting the 1999-2000 Budgets of the Town of Wallingford and Setting a Rate of Tax for Fiscal Year 1999-2000

(see individual motions and votes recorded on inserted pages that follow)

Consider and Approve Adopting the 1999-2000 Budgets of the Town of Wallingford and Setting a Rate of Tax for Fiscal Year 1999-2000

I. Mr. Rys

MOVED: TO ADOPT THE TOTAL GENERAL FUND REVENUE BUDGET OF \$95,315,595 FOR THE FISCAL YEAR BEGINNING JULY 1, 1999.

Mr. Knight seconded the motion.

VOTE: All ayes.

Motion Passed

II. Mr. Rys

MOVED: TO ADOPT THE TOTAL GENERAL FUND EXPENDITURE BUDGET OF \$95,315,595 FOR THE FISCAL YEAR BEGINNING JULY 1, 1999.

Mr. Centner seconded the motion.

VOTE: All ayes.

Motion Passed

III. Mr. Rys

MOVED: ESTABLISH THE PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 1999 AT 24.8 MILLS.

REAL ESTATE AND PERSONAL PROPERTY TAXES IN EXCESS OF \$100 SHALL BE MADE IN TWO INSTALLMENTS, THE FIRST OF WHICH IS DUE JULY 1, 1999, PAYABLE ON OR BEFORE AUGUST 1, 1999. THE SECOND INSTALLMENT SHALL BE DUE JANUARY 1, 2000, PAYABLE ON OR BEFORE FEBRUARY 1, 2000. REAL ESTATE AND PERSONAL PROPERTY TAXES OF \$100 OR LESS SHALL BE PAID IN ONE INSTALLMENT DUE JULY 1, 1999 AND PAYABLE ON OR BEFORE AUGUST 1, 1999 AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-144.

MOTOR VEHICLE TAXES SHALL BE MADE IN ONE INSTALLMENT DUE JULY 1, 1999 AND PAYABLE ON OR BEFORE AUGUST 1, 1999 AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-144A. DELINQUENT MOTOR VEHICLE TAXES SHALL BE PAID ONLY IN CASH OR BY CERTIFIED CHECK OR MONEY ORDER AS PROVIDED BY CONNECTICUT GENERAL STATUTE, CHAPTER 204, SECTION 12-146.

CHECKS IN PAYMENT OF PROPERTY TAXES WHICH HAVE BEEN RETURNED BY THE BANK SHALL BE SUBJECT TO A FIFTEEN DOLLAR (\$15.00) HANDLING FEE.

Mr. Farrell seconded the motion.

VOTE: All ayes.

Motion Passed

IV. Mr. Rys

MOVED: TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED: a. THAT THE TOWN COUNCIL DEEM IT TO BE IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BIDDING PROVISIONS OF CHAPTER VII. SECTION 4, SUB-PARAGRAPH 8 OF THE TOWN CHARTER. IN THE SELECTION AND HIRING OF THE FOLLOWING:

TOWN AUDITOR

b. THAT THE COUNCIL HEREBY APPROVES THE APPOINTMENT OF Levitsky and Berney AS THE TOWN AUDITOR FOR THE FISCAL YEAR BEGINNING July 1, 1999.

Mr. Knight seconded the motion.

VOTE: Zandri & Zappala, no; all others, aye.
Motion Passed

V. Mr. Rys

MOVED: TO ADOPT THE BUDGETS OF THE DIVISIONS OF THE DEPARTMENT OF PUBLIC UTILITIES FOR THE FISCAL YEAR BEGINNING JULY 1, 1999 AS HEREIN STATED:

Electric Enterprise Fund

Operating Revenues	<u>40,235,297</u>
Operating Expenses	<u>35,972,495</u>
Operating Income (Loss)	<u>4,262,802</u>
Non-Operating Revenue	<u>816,300</u>
Non-Operating Expenses	<u>210,803</u>
Net Income (Loss) Before Operating Transfers In (Out)	<u>4,868,299</u>
Operating Transfers In (Out)	<u>(1,908,734)</u>
Net Income (Loss)	<u>2,959,565</u>
Working Capital: Sources of Funds	<u>5,370,097</u>
Uses of Funds	<u>5,370,097</u>

Water Enterprise Fund

Operating Revenues	<u>5,644,406</u>
Operating Expenses	<u>4,433,027</u>
Operating Income (Loss)	<u>1,211,379</u>
Non-Operating Revenue	<u>310,828</u>
Non-Operating Expenses	<u>768,898</u>
Net Income (Loss)	<u>753,309</u>
Working Capital: Sources of Funds	<u>3,244,719</u>
Uses of Funds	<u>3,244,719</u>

Sewer Enterprise Fund

Operating Revenue	<u>4,033,530</u>
Operating Expenses	<u>4,912,585</u>
Operating Income (Loss)	<u>(879,055)</u>
Non-Operating Revenue	<u>659,548</u>
Non-Operating Expenses	<u>452,456</u>
Net Income (Loss)	<u>(671,963)</u>
Working Capital: Sources of Funds	<u>2,203,167</u>
Uses of Funds	<u>2,203,167</u>

Mr. Farrell seconded the motion.

VOTE: All ayes.

Motion Passed

VI. Mr. Rys

MOVED: TO ADOPT THE BUDGET OF THE CAPITAL AND NON-RECURRING EXPENDITURES FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 1999 IN THE AMOUNT OF \$2,481,097 REVENUES AND \$2,481,097 EXPENDITURES.

Mr. Centner seconded the motion.

VOTE: All ayes.

Motion Passed

VII. Mr. Rys

MOVED: TO APPROVE SPECIAL FUNDS OF THE BOARD OF EDUCATION OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 1999 AS ATTACHED HERETO AND MADE A PART HEREOF.

Mr. Knight seconded the motion.

VOTE: All ayes.

Motion Passed

VIII. Mr. Rys

MOVED: TO APPROVE SPECIAL FUNDS OF THE TOWN OF WALLINGFORD FOR THE FISCAL YEAR BEGINNING JULY 1, 1999 AS ATTACHED HERETO AND MADE A PART HEREOF.

Mr. Farrell seconded the motion.

VOTE: All ayes.

Motion Passed

IX. Mr. Rys

MOVED: TO AUTHORIZE THE CHAIRMAN TO SIGN THREE COPIES OF THE FINALIZED BUDGET. TWO TO BE FILED WITH THE TOWN CLERK AND ONE TO BE PLACED ON FILE IN THE WALLINGFORD PUBLIC LIBRARY

Mr. Renda seconded the motion.

VOTE: All ayes.

Motion Passed

SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY

YEAR ENDING JUNE 30, 2000

	FY 6-30-98 ACTUAL	1-31-99 ACTUAL	1998-99 APPROVED	1999-00 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
CAFETERIA						
Revenue	1,388,804	710,918	1,507,994	1,538,943	1,538,943	
Expenditure	1,354,637	662,878	1,507,994	1,538,943	1,538,943	
TITLE I						
Revenue	222,837	100,000	222,837	222,851	222,851	
Expenditure	210,534	100,000	222,837	222,851	222,851	
ELEMENTARY SCIENCE GRANT (Bristol Myers)						
Revenue	22,294	20,000	20,000	-	-	
Expenditure	22,294	-	20,000	-	-	
TITLE VI (Chapter 11)						
Revenue	28,615	18,000	24,581	31,310	31,310	
Expenditure	26,132	3,931	24,581	31,310	31,310	
TITLE II (Eisenhower Math & Science)						
Revenue	16,798	10,000	16,798	22,277	22,277	
Expenditure	8,353	3,508	16,798	22,277	22,277	
TITLE IV (Drug Free Schools)						
Revenue	29,209	15,000	29,209	36,307	36,307	
Expenditure	28,669	12,478	29,209	36,307	36,307	
OCATIONAL ED (PERKINS)						
Revenue	35,663	15,000	35,663	33,979	33,979	
Expenditure	35,620	4,482	35,663	33,979	33,979	
DULT ED TUITION						
Revenue	115,932	48,340	108,500	108,500	108,500	
Expenditure	127,141	36,336	108,500	108,500	108,500	
DULT BASIC EDUCATION						
Revenue	203,863	127,558	208,673	188,745	188,745	
Expenditures	203,853	85,150	208,673	188,745	188,745	
DULT ED ACTIVITY						
Revenue	2,179	1,900	1,900	2,000	2,000	
Expenditure	2,000	1,900	1,900	2,000	2,000	
AMILY LITERACY						
Revenue	25,000	18,000	25,000	25,000	25,000	
Expenditure	24,931	12,866	25,000	25,000	25,000	
PRIVATE INDUSTRY COUNCIL						
Revenue	29,892	8,395	29,779	29,950	29,950	
Expenditure	29,892	13,448	29,779	29,950	29,950	
DEA - PART B						
Revenue	330,400	190,000	330,400	384,199	384,199	
Expenditure	325,368	314,312	330,400	384,199	384,199	

SPECIAL FUNDS BOARD OF EDUCATION - SUMMARY

YEAR ENDING JUNE 30, 2000

	FY 6-30-98 ACTUAL	1-31-99 ACTUAL	1998-99 APPROVED	1999-00 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>PRE-SCHOOL HANDICAPPED</u>						
Revenue	33,165	10,000	33,165	34,962	34,962	
Expenditure	18,413	5,216	33,165	34,962	34,962	
<u>VO-AG EQUIPMENT</u>						
Revenue	70,608	68,844	-	-	-	
Expenditure	70,608	138,538	-	-	-	
<u>OUTSIDE SERVICES</u>						
Revenue	58,849	29,246	52,000	52,000	52,000	
Expenditures	48,425	28,077	52,000	52,000	52,000	
<u>TECHNOLOGY INFRASTRUCTURE</u>						
Revenue	146,173	-	-	-	-	
Expenditures	146,173	-	-	-	-	
<u>SUMMER SCHOOL</u>						
Revenue	17,924	27,273	21,300	29,350	29,350	
Expenditure	17,154	28,449	21,300	29,350	29,350	
<u>DRIVER EDUCATION</u>						
Revenue	230	230	11,925	-	-	
Expenditure	5,280	5,280	11,925	-	-	
<u>ACHIEVEMENT GRANT</u>						
Revenue	11,516	-	-	-	-	
Expenditure	1,449	67	-	-	-	
<u>SCHOOL TO CAREER GRANT</u>						
Revenue	25,000	25,000	25,000	50,000	50,000	
Expenditure	24,993	17,352	25,000	50,000	50,000	

SPECIAL FUNDS TOWN GOVERNMENT - SUMMARY

YEAR ENDING JUNE 30, 2000

	FY 6-30-98 ACTUAL	1-31-99 ACTUAL	1998-99 APPROVED	1999-00 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
SCOW						
Revenue	42,613	43,463	58,470	58,755	58,755	58,755
Expenditure	41,052	30,140	58,470	58,755	58,755	58,755
SSBG						
Revenue	4,608	2,392	4,783	4,800	4,800	4,800
Expenditure	4,608	540	4,783	4,800	4,800	4,800
YSB (DCYS)						
Revenue	164,937	15,717	288,723	258,363	258,363	258,363
Expenditure	164,937	163,863	288,723	258,363	258,363	258,363
COUNCIL ON SUBSTANCE ABUSE						
Revenue	15,845	7,870	14,675	15,000	15,000	15,000
Expenditure	14,364	-	14,675	15,000	15,000	15,000
CRRA (SERVICE CONTRACT GRANT)						
Revenue	27,953	22,493	29,200	33,200	33,200	33,200
Expenditure	27,953	11,937	29,200	33,200	33,200	33,200
TOWN AID ROAD						
Revenue	188,915	142,574	285,148	285,148	285,148	285,148
Expenditure	171,337	274,288	285,148	285,148	285,148	285,148
DRUG ENFORCEMENT PROGRAM						
Revenue	24,318	-	50,000	50,000	50,000	50,000
Expenditure	24,318	-	50,000	50,000	50,000	50,000
LOCAL CAPITAL IMPROVEMENTS						
Revenue	304,057	272,221	302,258	294,444	294,444	294,444
Expenditure	304,057	272,221	302,258	294,444	294,444	294,444
MEALS ON WHEELS						
Revenue	20,184	2,854	18,505	18,000	18,000	18,000
Expenditure	10,865	1,647	18,505	18,000	18,000	18,000
RECREATION DEPT PROGRAMS						
Revenue	384,230	216,123	460,300	470,000	470,000	470,000
Expenditure	384,230	281,934	460,300	470,000	470,000	470,000
FORESTRY MANAGEMENT PROGRAM						
Revenue	4,068	-	-	-	-	-
Expenditure	14,288	-	-	-	-	-
OFF SYS LOCAL ACCIDENT REDUCTION PRGM						
Revenue	-	-	-	-	-	-
Expenditure	38,619	-	-	-	-	-

SPECIAL FUNDS TOWN GOVERNMENT - SUMMARY						
YEAR ENDING JUNE 30, 2000						
	FY 6-30-98 ACTUAL	1-31-99 ACTUAL	1998-99 APPROVED	1999-00 REQUEST	MAYOR APPROVED	COUNCIL APPROVED
<u>NARCOTICS FORFEITURE</u>						
Revenue	12,722		158,605	-	-	
Expenditure	22,507	12,260	158,605	-	-	
<u>COMMUNICATIONS CENTER IMPROVEMENT GRANT</u>						
Revenue	4,395	-	6,000	-	-	
Expenditure	4,393	40	6,000	-	-	
<u>POLICE VIDEO EQUIPMENT</u>						
Revenue	6,000	-	-	-	-	
Expenditure	6,000	-	-	-	-	
<u>COMMUNITY EMPLOYMENT INCENTIVE</u>						
Revenue	-	-	16,517	15,000	-	
Expenditure	-	2,240	16,517	15,000	-	

MOTION IVa & IVb - The following discussion was held on the motion to Waive the Bidding Process and Appoint Levitsky and Berney as the Town Auditor for the fiscal year beginning July 1, 1999:

Pasquale Melillo, 15 Haller Place, Yalesville asked, why is Mr. Rys proposing the waive the bidding?

Mr. Parisi answered, because we want to keep the present auditor for another year.

Mr. Melillo stated, I have nothing against the present auditor in any way but why should other auditors be given the chance to submit a bid?

Mr. Parisi stated, the reasoning would be that Mr. Myers (Comptroller) is going, as is most of the Town, through a major computer program and it was his opinion that this not be the time to change.

Comptroller Thomas Myers stated, we have two major undertakings, both of which are going to occur at one point, simultaneously. The Town is looking to or in the process of changing its complete computer system. That will affect every aspect of our business operations from water and sewer bills to tax bills; the way we collect money, the way we do our deposits with the bank, our payroll processing vendor payments; that is a significant undertaking. It is a \$1.6 million project that has been in the works for approximately two years now. We are beginning implementation now as we speak. The other very significant project that is staring us right in the face is, property re-evaluation. It occurs once every ten years. Either one of those projects alone is an enormous undertaking. To then throw into the mix items that we really don't have to change just produces additional pressure and additional work load which really is not necessary at this time. I would like to also point out that we have had some very important job changes take place in the Finance Department and the Assessor's Office and in the Accounting offices. At this time it is my recommendation that we stay with the present auditor, they are keeping the present price the same, there is no increase in price and the Town has enough on its plate with these two major projects. We prepare all of our own financial statements so our auditors come in and examine our work. With the preparation of financial statements, it effects our credit rating, our ability to issue debt, approach the market place for borrowing; that is another very complex project. Those are the reasons.

Mr. Melillo stated, with due respect for your reasons, I still feel that it should be put out to bid because all auditors are professionals.

Mr. Myers stated, I don't require the auditors to do anything. They are governed by State law through the Office of Policy and Management as to how they conduct their examination. They are also governed by the American Institute of Certified Public Accountants as to how they conduct their examination and base their conclusions. Auditors require an enormous amount of staff time; new

auditors require even more staff time. Because in order for them to conduct their examination, they have to have staff members, town employees, with them to explain the systems and the inner workings of the system of accounting and control over public money. They can't do that by observation, they can't do that just by examining documentation alone. They need Town employees to assist them in that task. When you bring on new auditors the time involved in that process increases experientially.

Mr. Melillo stated, it makes the most sense to encourage as much bidding as possible. What is bugging a lot of us taxpayers is, it is very rare that something does not go out to bid anymore. It is very rare. By encouraging the lack of bidding, it is "snowballing" more and more and that is where a lot of the taxpayers are concerned. I still say that it will mean more pluses than minuses if we send this out to bid.

Mr. Myers stated, I would not want the general public to get the impression that the Town does not issue competitive bids. The last time I checked, we issued for F.Y. 1998 in excess of three hundred competitive bids. Those are for items in excess of \$2,000. In addition, the Purchasing Office regularly seeks competitive prices on items that are less than \$2,000. They seek competition by two methods; telephone solicitation....when a department needs supplies on an immediate basis, very quickly, the Purchasing Office will get on the telephone and seek the price and delivery of items for the department. If there is more time, they seek a price from more than three people but they seek it in writing. It is like a bid but it does not follow the bid process because they maintain a list of vendors and they send out a request for written quotations on these items that are less than \$2,000 provided the time is allowed for that process to happen. There are three ways that the Town does seek prices; telephone solicitation, written quotations for items less than \$2,000. Those two types of purchases, in aggregate, approximate probably 2,500 individual purchase orders. In addition, items over \$2,000 of approximately three hundred per year, do go out to competitive public bids.

Mr. Melillo asked, when it comes to direct bidding, isn't it true that most bids have been waived as opposed to seeking bids through competition?

Mr. Myers answered, that is not true; most items are competitively public bid but there are exceptions. The far majority of items are competitively public bid. The reason it seems the other way is because the Town Council only deals with the waivers. The items that do go out to bid, and there are approximately three hundred public bids per year, those items the Town Council or you don't see.

Mr. Parisi explained, the bids are posted out in the hallway on the bulletin board.

Philip A. Wright, Sr., 160 Cedar Street asked, how many years have we had this same auditor?

Mr. Parisi replied, ten years or so.

Mr. Myers answered, since 1983.

Mr. Wright asked, sixteen years?

Mr. Myers answered, yes.

Mr. Wright asked, what are we paying them now?

Mr. Myers answered, \$90,000.

Mr. Wright asked, when did they last change their price?

Mr. Myers answered, two years ago.

Mr. Wright asked, what was the increase then?

Mr. Myers answered, approximately \$88,000., if my memory serves me correctly.

Mr. Wright asked, when is the last time they have made a significant recommendation to change something? When have they ever come up.....all I ever get is "everything is rosy". I never hear that they have made a recommendation to change things, improve it.

Mr. Myers answered, the audit that we pay for is an audit of our financial statements. It is not a performance audit. It is not an evaluation of operations. It is a financial statement audit. Their job is to check our numbers and say that our numbers are either correct or incorrect. There are other audits; there are performance audits or operational audits that the Town could seek. That is a different type of audit, it is a different process than a financial statement audit. I will say that from time to time members of the Finance Department have questions or concerns; we have accounting regulations and standards we have to live by. From time to time we do meet with and do get advice from our auditors. As a matter of opinion, before we implement an accounting change or before we undertake a change in the manner by which we might process financial information. So they are a resource to us in that respect. Part of our job as professionals is to be on top of our industry also. We do make that effort. We subscribe to a lot of professional publications where managers are accountable to stay up to date and to advise senior management as to what changes within our own department are necessary so that we don't get caught shortsighted.

Mr. Wright stated, you are telling me that do the arithmetic, basically?

Mr. Myers answered, no they don't.

Mr. Wright stated, they check to see if $2 + 2 = 4$ in your books, correct? That is arithmetic.

Mr. Myers stated, they check our work to make sure it conforms to all the standards required of governmental accounting and finance. It is a check; a systematic check; a test. They come in and test our numbers, they check our numbers to make sure they are correct but they don't.....

Mayor Dickinson added, to put it another way, they also make sure the number is there. If you are not supplying certain information that should be there, they certainly are going to make it clear that they need that information and then you would get a qualified audit. So it is not just what ever numbers you give them, they do check the numbers, they are also verifying that the information necessary to provide a financial picture is there and available. Otherwise they will not give an unqualified audit. It is not a simple thing of what ever numbers you add them up and make sure they each the right total.

Mr. Wright stated, I gather from what Tom (Myers) has said, they have not made any major recommendations over the years here.

Mayor Dickinson answered, I don't believe that they have made major recommendations and I think that is a credit to Tom Myers and his department. I would hope that they wouldn't be able to make major recommendations because we have the professionals who we are paying to stay on top of this and who do a job that we can be proud of. I would be very disappointed if there was some major issue that came out of an audit and I am thankful there isn't. I don't think we should measure the auditors depending upon whether or not they come up with a major issue.

Mr. Wright answered, I have a very strong feeling....I have heard these same arguments given before and I don't think last year when this was questioned you had a different reason why we did not go out to bid. It all adds up to "we never go out to bid" and I have a sinking feeling in my gut that it gets too cozy and that we really ought to be having a good look at somebody else. What you are telling me Mr. Myers doesn't sound so complicated that it would really mess up the whole town if you had a different auditor in here this year while we are taking care of the new computer and so forth. These guys are off there in the corner doing their business and adding up the numbers and I am not comfortable.

Mr. Parisi asked Mr. Myers, how many national awards have you had?

Mr. Myers replied, ten consecutive years.

Mr. Parisi asked, is the audit any part of that?

Mr. Myers answered, yes.

Mr. Myers added, the other thing everyone should understand is, the point the Mayor made; there are two types of audits that government can receive. You can receive a qualified audit which means that there are some major or significant deficiency in the accounting and finance operation and the auditor calls attention to that deficiency by rendering a qualified audit opinion. Government agencies that have qualified audits don't have Aa credit ratings. If you look for an auditor to be a policeman or investigator and come up with significant recommendations or deficiencies, as the Mayor said, you really don't want to see that. You really want to have your Finance Department on top of all of the requirements to keep a community in a position to receive an unqualified audit which means that you meet all of the accounting and finance standards necessary to fairly present to the reader of financial statements, your financial picture.

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

The Vice Chairman declared a five minute recess at this time.

ITEM #13 PUBLIC HEARING 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 - 7:45 P.M.

Mr. Rys stated, Item #13 is to Conduct a Public Hearing, Consider and Act Upon the Following Proposed Ordinance: 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.

Mayor Dickinson stated, Attorney Fasi would like us to amend the agenda to include the language to conduct a public hearing, consider and act on the following proposed ordinance.

Mr. Rys stated, this is amending what we have published on our agenda right now.

Mayor Dickinson stated, we have to amend what the agenda says because it does not include the language, "To Conduct a Public Hearing to Consider and Act on the Following Proposed Ordinance".

Mayor Dickinson stated, you need to amend the agenda to have that language, that action.

Moved by Mr. Farrell, seconded by Mr. Centner.

Discussion on the Amendment:

Mr. Zandri asked, how can we amend an agenda that is supposed to be published so many days prior to the meeting?

Attorney Joseph Fasi, Bond Counsel, stated, we are concerned with two things here; one is the public hearing notice and one is the Council agenda. The public hearing notice, I am going to assume, was published correctly. I was just handed a copy of it so I don't know if that was published correctly. The clerk indicates that she believes that it was so the public hearing notice is not a problem. The public hearing can be conducted without any change in the agenda. What is a problem is, if the Council is going to act on the ordinance, following the public hearing, then the fact that the Council is going to act needs to be on the agenda. I have not seen the agenda that was circulated. It was my understanding that the agenda does not include the language "consider and act upon". I prepare the agenda, I send it to the Town; the agenda that I prepared was not utilized.

Mr. Zandri asked, what you are doing then is adding an item to the agenda?

Atty. Fasi answered, that is right and it is by two-thirds vote it gets on the agenda and everything is fine from that point on.

Mr. Zandri stated, then we would be waiving Rule V to add an item to the agenda.

Mayor Dickinson answered, You are amending an existing item. The existing item is dealing with the ordinance, you are amending that with language to make it clear that there will be action on it.

Mr. Zandri asked, wouldn't the action be a separate item?

Atty. Fasi stated, it is not worthwhile to get into a discussion about amending the agenda or adding an item to the agenda is an important distinction. If you don't want to act on the ordinance tonight, then don't vote to include on your agenda the vote on the ordinance. If you do want to act on it tonight, then pass a motion to amend the agenda to include action on the ordinance. And, in fact, whether you call it an amendment or an addition to the agenda, from my perspective, legally, it makes no difference. But one way or the other, the item should be put on the agenda.

Mr. Zandri stated, I am not disagreeing that we need an item to act on this ordinance but, to my knowledge, the way we have handled it in the past, if we were going to add an item to the agenda, regardless of what it is, we waive Rule V and we ask to put an item on the agenda.

Mr. Parisi stated, we are not adding an item, we are amending an item. If it is your pleasure, we can do a waiver of Rule V. I don't care how we get it on, we should get it on.

Mr. Zandri agreed stating, we should get it on on the proper form. That is the only question I have.

Mr. Parisi stated, it is not on the agenda properly, right, but the proper form would be that this item can be amended, there is nothing wrong with amending it but if it makes the Council feel better to do it as a Rule V.....does anyone have a problem? I just want to get it on.

Mr. Rys asked Town Clerk Rosemary Rascati, was it published correctly? The way I read it?

Mrs. Rascati replied, I do have in the newspaper clipping, "following the public hearing, the Town Council will consider and act on the proposal".

Mr. Rys stated, it was published correctly so the amendment covers it.

VOTE TO AMEND THE MOTION: Zandri, no; all others, aye; motion duly carried.

The motion was amended.

Mr. Parisi convened the public hearing on the ordinance at this time.

Motion was made by Mr. Rys to Read the Title and Section 1 of the Proposed Bond Ordinance In Their Entirety Into the Record and to Waive the Reading of the Remainder of the Ordinance Incorporating the Full Text Into the Minutes of this Meeting, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Mr. Rys read the title and section 1 of the ordinance into the record.

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

Section 1. The sum of \$1,450,000 is appropriated for the planning, acquisition and construction of municipal capital improvements 1999-2000 consisting of Roadway Reconstruction of: (i) North Farms Road-Grieb to Route 68; (ii) North Farms Road-Route 68 to Town Line; and (iii) Quinnipiac River Linear Trail Phase I, and for appurtenances and services related thereto, or so much thereof as may be accomplished within such appropriation, including administrative, advertising, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid.

Section 2. To meet said appropriation \$1,450,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and the amount of bonds of each series to be issued shall be fixed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which

bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals or by auction at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, the provisions of purchase agreement shall be subject to approval of the Town Council.

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha, Cullina, Richter and Pinney LLP, Attorneys-At-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer,

or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may

be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.

Andy Kapi, 6 Deme Road asked, the last phrase in Section 1 that reads, "said appropriation to be inclusive of any and all State and Federal grants-in-aid". I understand the implication here is we have to bond sufficiently to cover the expenses and to some extent we don't know when those grant monies will be delivered. Are we, in essence, bonding for an amount beyond the Town's share or are we bonding for the Town's share simply and therefore I would question the word "inclusive" of any and all State and Federal grants-in-aid?

Atty. Fasi answered, the Town is required to be authorized to spend grant funds therefore grant funds must be appropriated.....therefore grant funds have to be included in the appropriation.

Mr. Kapi asked, this amount also includes State and Federal monies that are not quantified in the language? Can we get an idea of what the actual expense to the Town is anticipated to be?

Atty. Fasi stated, the language says, if you get grants that applicable to these projects, the total amount of the appropriation is, in any event, is limited to \$1,450,000. The amount of the appropriation is limited to \$1,450,000 inclusive of grants so if the Town were to receive grant funds, the amount that the Town could spend on these projects is still limited to \$1,450,000. It is not intended to imply that you have grant money; it says, if you have grant money, nonetheless the amount of the appropriation is limited.

Mr. Kapi asked, this is, in essence, a variable. If grant monies came, if the Governor decided to use Patriot's money in some unanticipated fashion, we would not need to bond. We would still be bonding for this amount regardless if we had more money than we needed at that point?

Atty. Fasi replied, no. If you had grant money you would spend the grant money so that there would be no need to bond.

Frank Wasilewski, 57 North Orchard Street stated, I am usually against bonding these small amounts; especially where we have such a surplus in this town. I remember a number of years ago and I never have forgotten it when Mr. Myers, and I think highly of Mr. Myers, quoted "if we go out to bonding...if we have the money to pay for it in cash, that is what we should do." In this case I think we have the money where we should pay cash and not go out to bonding. Then if we get the grants we just put the money back where it came from. I think that is what we should do; pay for this in cash and do not go out to bonding.

Reginald Knight, 21 Audette Drive asked, is there any way of breaking this down? We have got three efforts going on here. I don't know why you have North Farms I and II when you can just say, from North Farms/Grieb Road right up to the Town line. Then you have the Quinnipiac River Trail. Can you break that down in any way to say how much of this \$1,450,000 is going to which project?

Mr. Parisi stated, it is listed in the budget book.

Mayor Dickinson stated, it is in the budget book; \$200,000 for North Farms to Route 68; \$750,000 for Route 68 to the Meriden Town Line and \$500,000 for the Quinnipiac River Linear Trail Phase I.

Reginald Knight stated, the State is tightening up on grants for the open space and linear trails, etc., According to the newspapers there is only \$5 million and God knows how many communities are after that \$5 million. Is there any danger of us not getting a grant towards the Linear Trail?

Mayor Dickinson answered, this appropriation is not conditioned upon us getting a grant. I believe other phases of the trail, perhaps, have grant commitments for them. I am seeing Councilor Centner nodding yes; this phase however, I don't believe we have any commitments on it. The appropriations here are not conditioned upon grants. The Comptroller indicates that he is not aware ofand I am checking with the Town Engineer to see if there are grants that he is aware of on these three projects.

John Thompson, Town Engineer replied, \$500,000 requested in this request is all Town money. We are not using any state or federal money for Phase I of the construction of the Linear Trail. There is no anticipation of getting any outside funding for the trail.

Mayor Dickinson stated, if we should become aware of something between now and when construction occurs, would we apply? Yes, we would apply but right now we are not aware of anything.

Pasquale Melillo, 15 Haller Place, Yalesville asked, since there is another item on the agenda (Item #17) regarding the linear trail, is the Linear Trail hogging the show?

Mr. Parisi pointed out that Item #17 deals with approving the design of Phase I of the trail.

Mr. Melillo asked, how long is this trail going to run?

Mr. Centner stated, the first estimates for Phase I were \$440,000 without any contingency at all. The Design Phase, we targeted \$38,000 for vision and that is what we spent. Right now the \$500,000 of the bond money is wrapping up Phase I. The earlier speaker was referring to the grant monies that

we (Quinnipiac River Linear Trail Committee) received for later phases to be shared with Meriden over a six year plan that does not affect Phase I. As a Committee, and I Co-Chair the committee, our goal is to hopefully bring it from Long Island Sound to the Rhode Island border. It encompasses more than Wallingford in our overall goal.

Mr. Melillo stated, in all the discussions held on the Linear Trail topic, he never recalled anywhere near this amount of money ever being proposed for the project. The \$500,000 is not a complete figure either.

Mr. Centner stated, we are within about \$.50 a linear foot from the original estimate.

Mr. Melillo stated, the natural state is being altered too much. It is supposed to be left the way God created it. Now it is being altered. There will be cement involved in construction of some of the areas. You cannot call this a Linear Trail, having anything to do with nature, in my opinion. What about the wildlife there? What is going to happen to them? They are being moved more and more out of their natural habitat. We are hearing more and more about coyotes roaming in people's backyards. We should get back to nature.

Mr. Centner stated, the Quinnipiac River Linear Trail Committee Meetings are held the first Thursday of every month in the Council Chambers (Robert Earley Auditorium) in the Town Hall.

Mr. Melillo asked that the item be tabled until the next Town Council meeting.

Robert Sheehan, 11 Cooper Avenue asked, is there a starting date for the roadwork listed in the ordinance? Will it be completed by the Winter?

John Thompson, Town Engineer stated, the Department of Public Works is currently working on the North Elm Street portion of the project which is funded under last year's budget. The monies being requested under this item are for next year's construction which is the continuation of the North Elm Street project which is currently underway. The work is being done by the Town.

Mayor Dickinson added, after July 1st these funds can be utilized on North Elm/North Farms to pursue the project, they will not wait until the year 2000.

Mr. Sheehan asked, the road construction that has started now from High Street on North Elm Street heading towards Meriden, is that under the current budget?

Mr. Thompson answered, yes.

At this time the Chairman called the public hearing to a close.

Motion was made by Mr. Rys that 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 be Adopted, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Health Insurance Acct. #001-8035-800-8300 to Self-Insurance Deductible Acct. #001-8030-800-8270 - Personnel

Motion was made by Mr. Rys to Remove the Item from the Table, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Mr. Zappala asked Mark Wilson, Risk Manager to explain what the funds are needed for?

Mr. Wilson explained, this request is to pay for the deductibles for our self-insured property losses. We have deductibles outstanding to the tune of \$3,500 and we also have self-insured deductibles from public officials and police liability policy. They total \$6,900. That is the reason for the request for funds.

Mr. Zappala and Mr. Zandri shared the opinion that a list of cases and their respective deductibles should be forwarded in the future with the request for funds.

Mr. Parisi added, it is his desire to have all department heads forward correspondence with their requests that give much greater detail of the circumstances which have warranted the need for the transfer.

VOTE: All ayes; motion duly carried.

ITEM #16 Withdrawn

ITEM #17 Discussion and Approval of the Design of Phase I of the Quinnipiac River Linear Trail - Engineering.

Town Engineer, John Thompson gave the Council and public a quick update as to where the project stands at this point in time. The Committee is approaching completion of the vision plan study which sets the framework for the entire 6.7 miles of the trail going from North Haven to Meriden. There have been a number of public information meetings in the Chambers at which time public input has been received. Phase I of the project will run from Hall Avenue by the Community Lake Parking Lot northerly to where the Quinnipiac River goes under the Wilbur Cross Parkway. It was decided to use Town money for this because it was the cleanest way of getting this constructed in a very quick fashion. The Linear Trail Committee has been very successful in generating funds from outside sources; there has been a \$250,000 bond appropriation from Senator McDermott; there is also a \$400,000 D.E.P. Open Space and Recreation Grant and a \$750,000 ISTEA appropriation which is a six year program. That money is being kept in reserve for more complicated and perhaps more costly crossings of the parkway and river and even for some land acquisition if that becomes major elements. We hope to have construction under way shortly after July 1st.

Motion was made by Mr. Centner to Approve the Design of Phase I of the Quinnipiac Linear Trail, seconded by Mr. Farrell.

Reginald Knight, 21 Audette Drive urged the Council to approve the design. The committee has put in a lot of time and effort and has done an excellent job. Next Saturday from 9-12 a clean-up of the area will be conducted.

Mr. Centner stated, the clean-up will occur on Saturday, May 15th from 9:00 A.M. to 12 Noon. He acknowledged those Trail Committee members in attendance this evening; thanked and complimented the Engineering Department and other Town Departments, trail designers and trail committee for their hard work. The committee is very blessed to have such a complimentary team of people dedicating their time to putting the project in place and helping to move it forward. The committee is very pleased with the project to date.

VOTE: All ayes; motion duly carried.

ITEM #18 Consider and Approve a Waiver of Bid to Cover Labor Attorney Fees for the Remainder of the Current Fiscal Year - Town Attorney

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

Mr. Zandri asked if the attorney's fees are based on an hourly rate?

Mayor Dickinson answered, yes, it is a figure that he bid. We don't expect that he would use a lot of money and we are going to the bidding but there are some pending matters that we don't want to delay.

Mr. Zandri stated that he was curious as to whether or not it was an hourly rate.

Mayor Dickinson answered, we are not absolutely certain but we will reduce it to that, obviously we will have to if he is going to be paid over and above what the existing situation is.

VOTE: All ayes; motion duly carried.

ITEM #14 Consider and Approve One (1) Appointment/Re-Appointment to the Board of Assessment Appeals for a Term of Three Years to Expire 1/8/2002

Motion was made by Mr. Rys to Re-Appoint Gerald Labriola, Jr. To the Position, seconded by Mr. [REDACTED]ntner.

VOTE: All ayes; motion duly carried.

ITEM #15 Consider and Approve One (1) Appointment/Re-Appointment to the Position of Alternate on the Inland Wetlands Commission for a Term of Three Years to Fill a Vacancy Which Expires 1/8/2001

Motion was made by Mr. Rys to Appoint Robert F. Selmecki to the Position, seconded by Mr. Farrell.

VOTE: Parisi abstained; all others, aye; motion duly carried.

Mr. Parisi abstained due to the fact that Mr. Selmecki is a relative by marriage.

ITEM #19 Withdrawn

ITEM #20 Executive Session Pursuant to Section 1-200(6)(D) Pertaining to the Purchase, Sale [REDACTED] or Leasing of Property - Mayor

Motion was made by Mr. Rys to Enter Into Executive Session, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council entered executive session at 8:47 P.M.

Present in Executive Session - Town Council, Mayor & Asst. Town Attorney Gerald Farrell, Sr.

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

VOTE: All ayes; motion duly carried.

The Council exited executive session at 8:59 P.M.

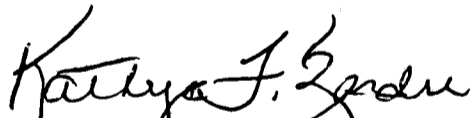
ITEM #21 Withdrawn

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

VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 9:00 P.M.

Meeting recorded and transcribed by:

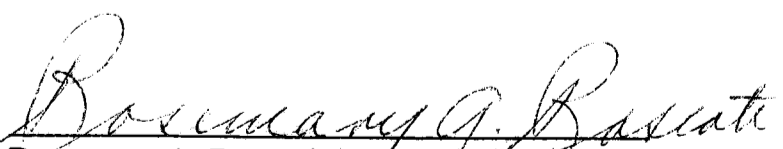

Kathryn F. Zandri
Town Council Secretary

Approved:



Robert F. Parisi, Chairman

8-11-99
Date



Rosemary A. Rascati, Town Clerk

8-11-99
Date