

TOWN COUNCIL MEETING AGENDA

SEPTEMBER 26, 1989

6:30 p.m.

1. Roll Call and Pledge of Allegiance.
2. Consider and Approve Transfer of \$1,000 to Outside Services and \$455 to Copier Rental - Purchasing Department.
3. Consider and Approve Budget Amendment of \$4,293 to Crime Seizure Capital - Police Department.
4. Consider and Approve Transfer of \$35,000 to Professional Services Claims Administration - Risk Manager.
5. Consider and Approve Transfer of \$150 to Maintenance of Equipment - Town Council.
6. Consider and Approve Revised Personnel Detail and Salary Calculation Pages - Water & Sewer Divisions.
7. Consider and Approve Reorganization and Upgraded Position - Water & Sewer Divisions.
8. Consider and Approve Request for Sick Leave Extension - Personnel Department.
9. Consider and Approve Resolution Authorizing the Expenditure of \$4,755 from the Crime Seizure Capital Account - Police Department.
10. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 p.m.
11. PUBLIC HEARING on an Ordinance to Simplify Solid Waste Management by Requiring Certain Uniform Packaging Practices Within the Town of Wallingford - 7:45 p.m.
12. Set Public Hearing Date to Consider a Petition Designating East Main Street from Old Durham Road to Grieb Road as a Scenic Road.
13. Discussion and Possible Appointment of Fire Marshal.
14. Discussion and Possible Appointments to Transit District.
15. Consider Feasibility Study for the Pierce Plant Expansion.
16. Status Report from WPL-TV.
17. Consider and Approve Tax Refunds Totaling \$4,684.08 - Tax Collector.
18. Consider and Approve Merit Increases.

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TOWN COUNCIL MEETING

SEPTEMBER 26, 1989

6:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers and called to order at 6:40 p.m. by Chairman Albert Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Bradley, Doherty, Holmes, Papale, Parisi, Solinsky, Zandri and Killen. Also present were Mayor William Dickinson and Tom Myers, Comptroller.

The Pledge of Allegiance was given to the flag.

(Mr. Adams arrived at 6:41 p.m.)

Motion was made by Mr. Doherty to have Items 3, 5, 8, 17, and 18 placed on the Consent Agenda to be voted upon by one unanimous vote.

ITEM 3 Consider and Approve a Budget Amendment of \$4,293 to Crime Control Seizure Program Acct. No. 001-1050-050-5870 and Crime Seizure Capital Account - Police Department.

ITEM 5 Consider and Approve a Transfer of \$150 from Secretarial Expenses Acct. No. 001-1110-600-6040 to Maintenance of Equipment Acct. No. 001-1110-500-5200 to Provide Funds for Service on the Communications System - Town Council.

ITEM 8 Approve a Request for a Sick Leave Extension for an Employee in the Electric Division - Personnel Department.

ITEM 17 Consider and Approve Tax Refunds Totaling \$4,684.08 - Tax Collector.

ITEM 18 Consider and Approve Merit Increases.

Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

A standing ovation was given to the Lyman Hall Girls State Softball Champions. Coach Ron Piazza introduced the girls and thanked the Town Council and the Mayor for the duffel bags and shirts which were presented to the team.

Motion was made by Mr. Doherty to Waive Rule V to Appoint a New Historic District Study Committee. Seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

Mr. Doherty stated due to the very close vote on the last one I'd like to move ahead while the going is fresh and establish a new Historic District Study Committee.

Motion was made by Mr. Doherty to Establish a New Historic District Study Committee and Appoint David Barkin, Dean Bertoldi, Gerry Farrell, Jr., Peter Fresina, Richard Krombel, Alice Leighner, Ellen Mandes, Rita Owens and Sam Sargent to the Committee. Seconded by Mr. Solinsky.

Mr. Killen asked what strategy will be employed to gain the necessary votes?

Mr. Doherty replied I imagine the strategy would be to examine carefully the results of the last one and go with the streets that strongly indicated they were in favor of it. You might even end up setting up two small districts.

Mr. Killen stated I feel North and South Main Street should be part of any historic district, but I can't make the people there vote for it. The only strong feeling I got from people against it was that it might increase taxes. I wonder how much time was spent trying to allay that fear.

Alice Leighner, 168 South Main Street, stated we tried to keep all the people within the proposed district informed through mailings and questionnaires. We also went door to door.

Mr. Bradley asked if you do go into round two and it is turned down, is that the end? Or is there going to be round 3, 4, etc.?

Mary Annis, 68 Northford Road, replied we do have one historic district that would be a sure thing if people voted the way they did before. That district is North Elm, Academy and Curtis. I honestly think that when people start seeing it work other streets will petition to be included. That would require 67% of the property owners.

Mr. Doherty asked in most towns that have tried a historic district does it usually take a second shot to get it through?

Mrs. Annis replied a second, a third, a fourth and a fifth. Like I said we do have one group of property owners that want it to happen and are overwhelmingly in support of it. Why deny those people the opportunity? The next step is a new study committee to make it happen.

Mrs. Papale asked can you pinpoint what the main reasons were for voting this down?

Mrs. Annis replied I think the main reason is people are fearful of the restrictions that it will impose on their property. We explained this but some people are just not receptive to it. Others are afraid their taxes will rise.

Mrs. Papale asked how much money was spent on this?

Mayor Dickinson replied around \$11,000.

Mrs. Annis stated it probably would not cost that much again because a lot of the work has been done. The major cost was mailing the report. If you didn't have that many properties, you wouldn't have to mail as many reports.

Mayor Dickinson stated the longer the time period between the collection of information and the next study committee, the more money would have to be spent. So time does have some impact on what the cost would be.

Mr. Killen stated I'm very much interested in having a historic district in Wallingford, but not just for the sake of having a historic district. I would hope the new committee would try to get as many streets back into the fold as possible because our true history is there.

VOTE: Unanimous ayes; motion duly carried.

ITEM 2 Consider and Approve a Transfer of \$1,455 from Copier Rental Acct. No. 001-1450-600-6120; \$455 to Overtime Acct. No. 001-1450-100-1400 and \$1,000 to Outside Services Acct. No. 001-1450-900-9010 to Provide Funds for Overtime and Vendor Labor Due to Increased Workload - Purchasing. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Zandri asked why is there money left in the Copier Rental account?

Don Dunleavy replied as I pointed out during the Budget Workshops this particular copier had been transferred to another division and it showed up in both budgets. We eliminated the dollars from my budget, but the Mayor's budget veto put the dollars back in.

VOTE: Unanimous ayes; motion duly carried.

ITEM 4 Consider and Approve a Transfer of \$35,000 from Contingency Acct. No. 001-8050-800-3230 to Professional Services Claims Administration Acct. No. 001-1620-900-9010 to Remove Funds Assigned to the Contingency Account for Claims Administration - Risk Manager. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

Mr. Zandri asked could you explain exactly what's being done with this?

Mark Wilson replied the Town is in dire need to have a third party administrator come in to administer our workman's comp claims. One of the essential reasons for this is we are in limbo as far as understanding and administering our workman's comp program. We need actuarial forecasting. We also need excess liability insurance over our workman's comp. We need to straighten out the situation we're in now and position ourselves so we can go out into the market place and get this excess insurance. A good third party administrator would help us identify what our incurred losses are and provide an understanding of our outstanding liability. This is really required if we ever plan on going out and getting excess insurance to cover our workman's comp.

Mr. Zandri asked are we self-insured now for workman's comp?

Mr. Wilson replied yes we are.

Mr. Zandri asked has there been a study done to find out if it's cost effective for us to be self-insured?

Mayor Dickinson stated the study results indicated we didn't have enough data for them to be able to tell what should or shouldn't be done with the self-insurance program and workman's comp. In 1988 we paid out a total of \$619,000, but this dollar figure does not represent the true exposure. Any one of those dollars could represent the first dollar on a claim that could be a million dollars and would be owed over several more years. This does not give you the statistical information sufficient to analyze what kind of reserves or self-insurance program would be proper. We have some information, but we don't have as much as we should to really analyze it properly.

Mr. Zandri asked what we will gain from this service?

Mr. Wilson replied first of all we need to have a stop loss cap on our workman's comp. Right now we pay every dollar. If we ever had a large claim, say a young worker becomes a quadriplegic, it would be potentially devastating for the financial standing of the Town. The stop loss insurance would put a cap on the amount of the claim. When we applied to the State of Connecticut to present satisfactory proof of solvency and the financial ability to pay claims, one of the requirements was we have to show we are able to pay \$1 million or \$2 million judgments. We can't show that unless we have the funds or an insurance policy that will cover that exposure. We can't get that policy now. This third party administrator will position us and get the paperwork together for us so we can go out into the market and present to the liability carriers the necessary information and data in a format they can use so we can obtain this type of coverage. Also, although I feel we have done a very competent job in administering our workman's comp claims, we can't possibly do as good a job as an outside professional.

Mr. Bradley asked is there anything that isn't getting done in your office?

Mr. Wilson replied there's a whole quandary of things I would like to do as a Risk Manager. It would be nice to do some safety compliance surveys, property loss prevention inspections, disaster planning, security surveys, etc. All of these activities are part of the risk management responsibilities. Claims administration should only be one portion of that responsibility. We should also be reviewing contracts prior to them being signed. I found many contracts in the Town that we've signed that had indemnification language that was negatively against the Town of Wallingford. These things should be reviewed by my office and the Town Attorney's office. I have a lot of projects planned for the Town.

Mr. Holmes asked why aren't we going with the low bidder, Allied Adjustment?

Mr. Wilson replied Allied Adjustment cannot perform all the services required so therefore I've asked to go with Alexis who would be the lowest qualified bidder.

Mr. Adams stated we did a feasibility study a year ago into self-insurance and I'm going to request in the near future an update on what we've accomplished as far as some of their suggestions since that time. It would probably be in our best interest to have these concerns of yours at budget time so when you do attempt to improve some of the areas the funds will be available.

Mr. Solinsky stated I'd like to get the 1988 figures for heart and hypertension.

Mr. Wilson replied I will get that to you.

Vincent Celeste, 682 Williams Road, stated the basic premise of workman's comp is you gather the data. You have to gather the facts and statistics and then you have to ask yourself if we would be better off self-insuring or having an insurance carrier. You also have to ask what can an insurance carrier do for us that we can't do for ourselves. The key word to workman's comp is proactive. I haven't heard one word about prevention. All I've heard is how we're going to spend it, should we insure or not insure, etc. How do we stack up? There are figures available through the Bureau of National Affairs, Department of Labor Statistics, etc. There are many professional publications that will give you workers comp figures by region, industry, and size.

Mr. Killen stated this is not a new appropriation. At budget time these funds were requested and questions were answered. The funds were put into the contingency account and this is just to transfer the funds out of contingency. That is why a lot of your questions are not being asked this evening.

Mr. Adams stated there is a feasibility study report that is available from Mr. Wilson. I think some of your questions and concerns are contained in that.

VOTE: Unanimous ayes; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Carolyn Massoni, 41 Hillsvie Road, asked is Katrina Manley a Town employee?

Mr. Killen replied yes to the best of my knowledge.

Mrs. Massoni asked isn't she a service to the Town rather than a Town employee?

Tom Myers replied Mrs. Manley is a private contracted service and is not treated as an employee.

Ms. Massoni stated at the FOI hearing Attorney Mantzaris attempted to represent Katrina Manley because she was a respondent and did not appear. I told him that he couldn't do so. I just expected you and Katy Wall to tell him that she wasn't a Town employee. He made the comment that she was a part-time, 20 hour a week Town employee. I told him I would come before the Council to get that straightened out. It does say in the Charter that he can only provide legal representation to Town employees. He was representing you and the Town and he was being paid by the Town through our tax dollars, not by a private service. If I was to ask the Board of Ethics about this, what section would that come under?

Mr. Killen replied in my book you'd have to find that there was something unethical going on. Your idea of ethics and mine are worlds apart.

Ms. Massoni stated telling the truth is ethics in my book and when somebody is being corrected and they don't take heed, to me that's unethical. Also, I have a copy of the recommendation. The hearing officer is recommending the respondents shall attend an educational workshop to be given by a commission staff attorney within 30 days of the November 7 general election. Does this mean after or before the election?

Mr. Holmes stated it would mean 30 days after the election.

Mrs. Massoni stated it further says that the respondents shall send a written invitation to all Town employees and all Town officers, both incumbent and newly elected, to attend the workshop. I asked Attorney Mantzaris about this yesterday and he said everyone will have to attend.

Larry Warner, 19 Hillside Lane, stated I'm Vice President of Union Local 1183. We received a court decision on our contract and it stated the three arbitrators had 20 days in which to write their explanations of why they choose one side or another on each of the 40 or so issues. Before they even had a meeting the Town filed to appeal this. We want to know where they're getting the money to do this, if you people have approved any money for this, or if you even know they filed to appeal this to the Supreme Court.

Mayor Dickinson replied I don't think there's been any decision to appeal. I think there's a motion for articulation pending before the judge who rendered the decision. That motion is to have him further define exactly what is meant by his decision. Any appeal would be subsequent to that. If notice of appeal was filed, it was probably due to the fact that it is unclear under the appeal statutes whether a motion for articulation suspends the time limit within which an appeal period must be evidenced by a notice or not. The Town has not made any decision to appeal. What is pending before the court is the motion for articulation.

Mr. Warner stated I'm not a lawyer and I don't understand all the stuff here, but I have a piece of paper here that says appeal on the top and the box for appeal is checked. I also have a letter from Mr. Ward, the neutral arbitrator, stating there was no sense to have a meeting within the 20 days because the Town has filed for an appeal. So whatever you're doing, you're doing a pretty good job of stopping them from fulfilling their job.

Mayor Dickinson replied if you talk to your lawyer he'll give you a copy of the motion for articulation and that's what is pending before the court. All of the rest of it would be a subsequent matter.

ITEM 6 Consider and Approve a Revised Personnel Detail and Salary Pages - Water & Sewer Divisions. Motion was made by Mrs. Papale, seconded by Mr. Holmes.

Roger Dann stated the Water and Sewer Division has been notified of two pending retirements in key clerical positions. In order to provide for an adequate overlap and training of new personnel in those positions, we're requesting a revised Personnel section be approved. This would provide an overlap of approximately 2 months in the Senior Clerk's position in the Billing Department and 3 weeks overlap in the position of Chief Clerk.



Mr. Bradley asked will it take two months to provide the overlap?

Mr. Dann replied in the Chief Clerk's position the employee will work her last day on November 3, however, she'll actually be on accumulated vacation time until December 18. So the actual period of overlap for training will be substantially less. It will be from October 16 to November 3. The Senior Clerk's position is responsible for the organization of the Billing Department. We want that person fully trained in the period leading up to our next billing which would be December 1. During the first month immediately after the billing most of the customer questions regarding billing will come in. So in this particular position we feel the two months is needed in order to fully familiarize that person with the job.

Mr. Bradley stated you said that no funds need to be transferred at this time. Do you anticipate any funds that may have to be transferred?

Mr. Dann replied we don't believe so. The impact of this action would be approximately \$1,670 additional cost to each division. We're also aware of an impending vacancy in one of the other clerical positions and the time required to fill that position will most likely more than cover that additional cost. That isn't to say that later in the year if we're fully staffed we might not have to come back. But our best estimate is that probably will not occur.

Mr. Parisi asked are the positions being raised?

Mr. Dann replied in fact the positions are being lowered. We'll be hiring less experienced people at lower pay grades.

VOTE: Adams was absent; all other ayes.

ITEM 7 Consider and Approve Reorganization and Upgrade of Position - Water & Sewer Divisions. Motion was made by Mrs. Papale, seconded by Mr. Solinsky.

Mr. Dann stated this somewhat relates to the previous activity we discussed. We're facing two impending retirements and we also have a clerical position that will be opening up in approximately two weeks. That's 50% of our clerical staff that will be turning over at this time. This has given us an opportunity to evaluate the job functions that are currently being performed relative to the job descriptions for those positions. We have proposed a minor reorganization of the staff that will result in the upgrade of one position from Utility Clerk to Accounting Clerk. The Accounting Clerk's position by job description is consistent with the same duties that would be performed by that job description elsewhere in the Town. This is also consistent with the intended recommendations of the PUC consultant who is studying the organizational structure of the utilities.

Mr. Adams asked why do you have two Senior Clerks?

Mr. Dann replied this is something that has historically existed. When one of those positions is vacated we would, in all likelihood, downgrade that Senior Clerk's position.

Mr. Killen asked when will the overall review of staff reorganization come on line?

Mr. Dann replied I don't have a specific date, but I believe they are in the stage of wrapping it up at this point.

Mr. Parisi asked what are the dollars involved?

Mr. Dann replied there will be a reduction in expenditures this year, however in future years it will be at a higher level.

VOTE: Unanimous ayes; motion duly carried.

Mr. Doherty asked how are we progressing with the Oak Street wells?

Mr. Dann replied the contractor is pretty much on schedule. We are now getting into the phase of this project where the contractor's work is dependent upon the delivery of the pre-purchased items that the Town purchased individually. For the most part those are coming in on schedule, however, there is one component that is currently lagging behind about one month. We are working with the manufacturer to improve on that and, although we'll get some improvement, we'll still be delayed about a month.

Mr. Doherty asked when do you anticipate completion?

Mr. Dann replied the end of January or early February.

ITEM 11 PUBLIC HEARING to Consider and Approve an Ordinance to Simplify Solid Waste Management by Requiring Certain Uniform Packaging Practices Within the Town of Wallingford. Motion was made by Mr. Bradley, seconded by Mr. Doherty.

Mr. Bradley read the attached ordinance.

Edward Musso, 56 Dibble Edge Road, stated I think the liberal environmentalists are going crazy. Right now you can't do anything because it's dangerous to your health. I think this is nitpicking. There are too many regulations. This should be turned down and they should look into what different companies and organizations are doing to take care of these problems.

Rep. Mary Mushinsky stated I'm House Chairwoman of the Environment Committee and also the sponsor of Connecticut's new packaging law that will take effect this fall. I also chair the Packaging Subcommittee of the Municipal Solid Waste Recycling Advisory Council on the state level. I support the proposed ordinance but would suggest several amendments. First I'd like to bring you up-to-date on the two related packaging laws. Public Act 89-385 requires that the DEP set standards for packaging that is sold in Connecticut after October 1, 1991. It also requires the DEP to establish a symbol for recyclable packages so the consumers know which ones are which. It makes retail stores that offer plastic bags also offer paper ones and inform customers they do have a choice after January 1, 1990. A second new law is Public Act 89-227 concerning chlorofluorocarbons (CFC's). One section of that law relevant to you is a prohibition on the sale of new products packaged in or constructed of polystyrene foam made with any of the damaging CFC's after July 1, 1992. It

also prohibits the state purchase of such products after January 1, 1991. So these laws are relative to your ordinance, however, they take effect a couple of years from now. I understand you want to move sooner with your ordinance and I commend you for that. I do have some amendments to the preamble to make it more accurate and less vulnerable to attack. You should include two good reasons to target polystyrene and polyvinyl chloride (PVC). Neither one is economically recyclable at this time and both last forever. They will not become economically recyclable until industry subsidizes the recycling process. Later on in the ordinance you might want to state that companies will be exempt from the ban if they are willing to recycle their own polystyrene or PVC at their expense. Litter pickup, which is an expense of the state and local governments, is another good reason to ban long lived packaging. There are two other stated reasons for the ordinance in the preamble which I believe are out of date and should be deleted. It is not true that disposal of polystyrene and PVC is a health threat to anyone in Wallingford. Since the first plastic ban ordinance was written for New York, the polystyrene foam manufacturers have switched from CFC's to an alternative blowing agent which is believed to be less damaging to the ozone layer. Concerning PVC, it is now known that it doesn't matter which plastic is burned in a waste to energy plant as long as the plant has good combustion efficiency, proper residence time and proper operating temperature. Neither polystyrene or PVC is a problem in waste to energy ash by itself. Only those plastics that contain lead or cadmium as a pigment or stabilizer would contribute to ash toxicity. In Section 1 I'm pleased that the biodegradable packaging definition excludes biodegradable plastics. We believe at the Legislature that biodegradable plastic bags are not a real solution to our waste problem. They simply hinder the recyclability of plastics and they also leave a plastic dust residue that we don't know what to do with. So I hope you'll leave that in. In Section 2 you might want to add the plastic containers at the deli counter in supermarkets. The crystal trays that you take out salads in are polystyrene also. Also Section 2 appears to say that supermarkets would not be allowed to sell polystyrene foam cups, but a store like Caldor would be allowed to sell it. I don't know if that's your intention, but that's what Section 2 says, that a non-food retail store could sell them. On Section 4 on the exemption language at the very beginning, I think you mean to refer to the prohibitions of Section 2 not Section 3. On Section 4.b you might want to limit that particular exemption to patient care items. If the hospital or nursing home had a cafeteria, food service would be a different matter than patient care. In Section 4.d there's a reference to PVC exemptions but Section 2 never really banned PVC. If that was your intention you need to add the PVC ban to Section 2. I'm glad you are tackling this one part of the waste stream. Packaging is 1/3 of the solid waste by weight and 50% by volume. It is worthy of regulation which is why we went after it at the State level also. Plastics in particular are the most troubling components of solid waste because the economics of recycling is the blackest. Most plastics right now are impossible for municipalities to recycle affordably. So I hope the Council will support the Ordinance with the amendments I've suggested.

Ray Rys, 96 Pierson Drive, asked does this include cafeterias with the school system and factories?

Mr. Bradley replied it does state in there that it does include the school systems.

Mr. Rys asked if you're a vendor from out of town and you're vending in this Town you'll be restricted on what you can vend?

Mr. Bradley replied that's correct.

Mr. Rys asked what about the plastics that you purchase in the stores? Are there going to be any restrictions made on that? We're talking basically packaging here, but if you buy a coffeemaker it comes in all this styrofoam junk and if you work in a factory everything that comes in from out of town comes in with all these little peanuts or styrofoam stuff. I don't know if this is recyclable or not. There's a broad area that defines plastics. This is not going to be restricted correct? And this will continuously go to the dump and the incinerator.

Mr. Bradley replied that's correct. This is dealing more on the food side of PVC and polystyrene. It's intent isn't to address the by-product of what comes out of shipping containers, automobiles, etc.

Mr. Rys stated I've been following this in the newspapers and I think one of the first communities to come out with a plastic ban on packaging was out in New York someplace. Just recently this same town is now being challenged by Dupont and a few of the other corporations in court. Has anybody been following that case so we don't wind up in the same situation?

Mr. Bradley replied they are still in litigation and have been for some time. I realize this ordinance can be challenged in the courts and it's not a concern to me based on the protection that we could be providing to the residents of Wallingford. I for one would welcome a challenge.

Mr. Rys stated I like the idea don't get me wrong. But I think it's going to have to be attacked a little bolder than what we're doing here. It's a beginning.

Mr. Bradley replied yes it is a beginning and the reason you're seeing it at the city level across the nation is because those at higher levels have not dealt with the problem. Hopefully the message will filter back up.

Steve Zafiris, 21 Seiter Hill Road, stated I own McDonald's on Route 5. We have a video that we would like to show you on this subject.

At this time the video was shown.

Dorothy Brown, Regional Purchasing-McDonald's, stated it is part of my job responsibility to assist the local operator in purchasing the right products for his store. So I am the ad hoc expert in McDonald's on packaging. The report that was handed out to you is the report referenced in the film. I think you'll find the photos in the center very interesting. They show you the biodegradable products that have been dug up out of landfills 10-15 years later. First of all on the aspect of recycling, this film was made over a year ago so McDonald's has been considering recycling programs long before any legislation in any part of the country was first considered. We will be using Plastics Again, which is a local plastics recycling firm in Massachusetts, to recycle our polystyrene. As far as the suggestion that this cannot be made a profitable business or provide

items that can be used by the general public, I'd like to show you a lobby tray. This lobby tray was manufactured from recycled polystyrene. So not only are we being active in starting the recycling channel, but we're also providing a market for the recycled plastic itself. When you consider banning a polystyrene cup you must also look at the alternative packaging that you'll be requiring restaurants and other businesses to use. Is this packaging truly an advantage to the environment? Through research and talking to the experts, it is our position that not only is this container safe for our customers, it is also the only current food packaging that has the potential to be recycled. Paper packaging is not recyclable and if you think about it, paper packaging has to be coated with a plastic or wax in order to come in contact with the liquid. In many cases you have to use more than one item to wrap the food which actually creates more packaging in the landfill than the one polystyrene container. We currently use more recycled paper than any fastfood restaurant in the United States and we are actively seeking to recycle polystyrene and make a viable product in our restaurants. I ask that you consider the fact that a ban would stop all this progress. We agree that polystyrene among other items are part of the problem. We only ask that you allow us to become part of the solution.

John Marriott, 33 Grieb Road, stated I got the impression that it was focusing on the end of the transaction process. Several steps may be involved in the packaging. The end result when I leave the counter may be putting it into a paper bag which is biodegradable. Can that bag contain other materials which are not?

Mr. Bradley replied I would interpret that as the container coming across the counter and whether that is polystyrene or PVC.

Mr. Marriott stated anyone who has an intent can beat the system. A paper bag can contain a heck of a lot of plastic.

Charles Beck stated I'm with the James River Corporation in Norwalk and we own the Dixie Cup Company. We make plastic, paper and foam cups. We really try to take a look at all three of them from the standpoint of environmental safety. As far as we can determine, a product's environmental safety depends on how it's disposed of. If you incinerate foam and paper cups improperly, you've got a problem. If it's done properly, they are both environmentally safety. A foam cup breaks down into carbon dioxide and water and a little bit of ash. As far as we know the toxic content which may or may not be in there, comes from the printing inks. As far as cost on polystyrene, if you take a paper cup and a foam cup, the foam cup weighs about 1/10 of an ounce. A paper cup weighs about 3/10 of an ounce. If you dispose of it in an incinerator at \$50 per ton, you'll pay triple to dispose of a paper cup as you would a foam cup. As far as litter, people are going to litter whether it's paper or foam. And the cleanup or pickup of litter comes long before a paper cup or most anything would actually degrade. The Keep America Beautiful organization has an excellent training program for litter, recycling and waste management. I'll leave a couple of booklets with you. As far as recycling, there is a recycling program that is available for those towns that want to recycle foam. It's Plastics Again which is part of the National Plastics Recycling Foundation. They are taking foam trays right now from the Glastonbury schools and also with Greenwich and Westport. They will take polystyrene foam and recycle it. The advantages of

recycling foam are the same as for everything else. If you recycle you actually reduce your waste as opposed to just substituting something else for whatever you ban. It seems to us that recycling is a sound way to go.

Jim Williams, 517 Pilgrims Harbor, stated it's a little confusing that the Council promoted incineration and now the Council is promoting to take one of the incinerables and ban it. What in a McDonald's might be made of PVC?

Mr. Bradley stated the plastic utensils probably.

Ms. Brown replied the plastic utensils in McDonald's are made of polystyrene and are recyclable.

Mr. Williams stated PVC is being used in some of the local grocery stores in their meat packaging. Are we banning that PVC?

Mr. Bradley replied no that is exempted because the products might be shipped in all ready wrapped from out of state.

Mr. Williams stated some of the stores wrap their products right in the store. I just don't think you're being fair. It seems like we're zeroing in on a good neighbor. I think the alternative to PVC wrap is paper. Are you going to be able to go back to paper wrap for chicken or meat? Eventually you're going to get to that. I am for recycling and I think we should take McDonald's up, or any other group in town, and say let's try to recycle your product. Show us you are and can be a good neighbor. Let that be part an educational process here in Town rather than banning and making them an unwanted neighbor. We've lived with American Cyanamid for a long time. If I had my choice, I would choose McDonald's as a neighbor rather than American Cyanamid.

David Gessert stated I'm looking at this situation and asking is it fair that you can have a piece of PVC in one place but you can't sell it at the next place. You can wrap food in it at one location but you can't at the other. I'm also wondering if the police chief is going to send his men up and down Route 5 checking for polystyrene, etc. Who's going to enforce this law and don't they have other things to do than check plastic spoons? We were told by the experts that if you have the right type of conditioning at the incinerator, the right temperature and you burned it properly, then plastics were not a major problem. Now we have an ordinance to address it because it's a major problem. If it's a petroleum based product and they burn at the right temperature, we were told at one time that this helps the incineration process to make up for last night's spaghetti which doesn't burn too well. Maybe it would be wise to take an ordinance of this size, sit down with the Ordinance Committee and maybe do a little more research on what's happening in the area of recycling, etc. so that if we put an ordinance on the books, we put a good ordinance on.

Mr. Bradley then read the attached statement.

Mr. Bradley stated many things caught my eye in the video. A reference was made to a hot dog that was in the landfill since 1972. I don't know how a hot dog could not biodegrade in that amount of time unless it was wrapped in plastic. The video gave an example that the coffee had to be maintained at 180 degree. I don't know about you, but I can't drink 180 degree coffee. As far as keeping

the food warm, I don't know if that's a good argument. The competitor down the street, Burger King, uses paper and cardboard and I don't think they have a problem keeping their food warm. In the video methane was perceived as a menace. Methane can be used to power electrical generators. One use that I'm thinking of is the possibility of our Electric Division capping the methane and using it to power the new generator. It is true that polystyrene and PVC packaging has BTU value. But what I hear from the plant is the BTU is so significant that they're pulling stuff back out. As far as American Cyanamid versus McDonald's, I think everyone has to come together on this problem and find a solution. This ordinance was passed in Hamden and the mayor down there says they have been very receptive to it in Hamden. I question some of the photos in McDonald's literature. You have a picture of carrots after 10 years and although they are brown they look pretty solid. But in the gentlemen's hands underneath those carrots is a plastic bag. Were those carrots wrapped up in a plastic bag? Is the recycling program at McDonald's currently in production or development?

Ms. Brown replied the recycling program nationally is in over 25 stores. By January 1, 1990 we will have it in over 150 stores in New England alone. The rollout plans are on the books for the Boston, Albany and Hartford regions. We will be starting at some locations in October.

Mr. Bradley asked when will this be available in Wallingford?

Ms. Brown replied if you would like us to include Wallingford in the first rollout, we would be more than happy to accommodate the Council. Just the fact that you have brought this to a public forum will help us in our efforts to recycle. Our program asks the citizens to separate at the source in our restaurants and I would anticipate a high level of participation because of this meeting.

Mr. Bradley stated at this time Jim Heilman will give a presentation. He is a science teacher at Sheehan and is Chairman of the Inland/Wetland Commission.

Jim Heilman, High Hill Road, stated I'm very much in support of the spirit and majority of the content of this proposal. You can get testimony from both experts pro and con. Incineration in a laboratory is done perfectly. You have complete control over all variables. You don't have perfect control or perfect combustion in an incinerator. State of the art technology just means it's the best we have and it doesn't give you hard factual statistics as to what really are the by-products of such an incineration process. That is a serious concern. We also have state of the art technologies that scrub just in case incineration is not perfect. If it is perfect, why do you need the followup such as scrubbers and filters. You may put into your incineration materials such as plastics that don't have chlorine products, but what about the rest of the waste stream. Are there chlorine products in there that can contaminate an otherwise pure plastic stream flow. What do we do with the bag house ash or the by-products of the scrubbers? We dump them back into the landfill. So we may indeed be putting right back into our environment, in a different form, what we wanted to protect ourselves from in emissions. So you can get two sides of the story. What it ultimately leads down to is the fact that someone has to make a decision. There are no definitive answers as to whether or not incineration is thorough and complete in municipal incinerators. We are dealing with unknowns

here that may directly or indirectly affect us or our children or future generations. We have a responsibility to protect ourselves and to protect the future. Let's take the conservative approach and until answers are found let's protect ourselves. We don't know what the true outcome of incineration is. I think it's a very responsible attitude to say let's do something about it now instead of waiting for some undesirable effects to come down the road. I very much support this legislation.

Mr. Bradley stated I would go ahead and ask for a vote on this tonight but there are some changes that have to be made. I'd like to take into consideration some of the comments that Representative Mushinsky made and send this to the Ordinance Committee and then bring it back to the Council.

Mayor Dickinson stated Representative Mushinsky indicated the committee at the State level would be willing to work with the ordinance. I would suggest the Ordinance Committee make it as compatible with the State legislation as they can. It can only help us.

Mr. Bradley stated I believe that any State laws that are passed that deal with items in here could supersede or preclude these.

Attorney Mantzaris replied generally that is correct. Sometimes local legislation which is more strict than State legislation is permissible, but it depends on how active the State interest is in the particular area. But generally if the State comes into an area it preempts local efforts.

Mr. Holmes asked what would the reduction in the waste volume be if this went into effect?

Mr. Bradley replied there's been many estimates. A national average was estimated to be between 32 and 50% by volume and by weight something less than 7%.

Mr. Holmes stated so if we banned the wrappings and paper cups, we would reduce our volume going into the incinerator by 40-50%?

Mr. Bradley stated that was a national average and is not representative of Wallingford.

Mr. Holmes stated for the spirit of debate and bringing some of the issues forward, I commend Mr. Bradley for bringing this to the forefront. We heard a lot about recycling and substituting one amount of trash for the other such as paper for styrofoam. There were some interesting comments about recycling and I think the Recycling Committee should look at this.

Mario Tolla, 69 Pondhill Road, stated as far as plastics the State is not mandating anything right now. But if we're going to do recycling we should very seriously think about including plastics. But that would only include your soda bottles and milk jugs.

Mr. Holmes stated if a corporation is capable of recycling their materials, I think they should be exempted from an ordinance such as this.



Motion was made by Mr. Adams to Submit the Proposed Ordinance to the Ordinance Committee to be Reviewed and Returned As Soon As Possible. Seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

ITEM 9 Consider and Approve a Resolution Authorizing the Expenditure of \$4,755 from the Crime Seizure Capital Account - Police Department. Motion was made by Mrs. Papale, seconded by Mr. Adams.

Mrs. Papale read the attached Resolution.

Mr. Bradley stated I'm glad to see the money is finally being used.

VOTE: Unanimous ayes; motion duly carried.

ITEM 12 Set Public Hearing Date to Consider a Petition Designating East Main Street from Old Durham Road to Grieb Road as a Scenic Road.

Motion was made by Mrs. Papale to Set a Public Hearing Date of October 10, 1989, at 7:45 p.m. Seconded by Mr. Doherty.

John Marriott, 33 Grieb Road, stated quite a few people offered testimony on September 12. Can that testimony be transferred over to the future public hearing or must it be repeated?

Mr. Killen replied everything should be in order because we're trying to adopt a legal ordinance, just as the required dates for mailing, and that was not part of a public hearing. Even though they were here and spoke we did not have a legal public hearing going on at that time.

VOTE: Unanimous ayes; motion duly carried.

ITEM 13 Discussion and Possible Appointment of Fire Marshal. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

Mrs. Papale stated according to the test scores, I would like to interview the top three candidates.

Mr. Killen asked how does everyone else feel?

Mr. Solinsky asked why aren't we taking the top person, why interview the top three?

Mr. Killen replied it's in our purview to appoint whomever we desire. We're looking for the person we feel is most capable, not who has the highest test score. Civil service usually comes out of the top three.

Mr. Parisi asked is Michael Lamy the Assistant Fire Marshal?

Mr. Killen replied that is correct.

Mr. Doherty stated I don't think we need to interview the three candidates. I think the number one candidate by his score, experience and, from my knowledge, the personal recommendation of the past Fire Marshal would make him an excellent candidate.

Motion was made by Mr. Doherty to Appoint Michael A. Lamy to the Position of Fire Marshal. Seconded by Mr. Parisi.

Mr. Bradley stated I don't think a score truly reflects the all around person. I believe interviewing the top three is a better way.

VOTE: Adams, Bradley, Papale, Zandri and Killen voted no; Doherty, Holmes, Parisi and Solinsky voted yes; motion did not pass.

It was decided to interview the top three candidates on Tuesday, October 10, 1989 at 6:00 p.m. in Executive Session.

ITEM 14 Discussion and Possible Appointments to the Transit District. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Motion was made by Mrs. Papale to Consider and Approve Reappointment of Ann Pikor, Eugene Dauplaise, Daniel Lucas, Richard Heffern and Appointment of Charles Revoir to the Transit District for Four Year Terms. Seconded by Mr. Holmes.

VOTE: Parisi passed; all others ayes; motion duly carried.

ITEM 15 Discuss Feasibility Study for the Pierce Plant Expansion. Motion was made by Mrs. Papale, seconded by Mr. Holmes.

Ray Smith stated this is the continuation of several discussions we have had on the subject of the future of the Electric Division and the expansion of generation. The next major step is go forward with the project, but we're going to have to appropriate monies. The monies would be for the entire project which is estimated at this time to be about \$15 million. We've talked about using the NU refund as the starting money, but we'd hate to get halfway into a project and then come back to the Council and start talking about bonds. So it's important that everyone's on the same tract. We have taken bids for the engineer and will be entering into a contract with Black & Veatch who was the lowest bidder. This would be to start all the various aspects of the job. First there would be a feasibility study to focus in on what size unit we'd be looking at. In addition we'd begin the task of going through the permitting stages with the Connecticut Siting Council, the DEP and all the various agencies who have an input or oversight on any activities. It takes 6-12 months of processing once you file an application and it takes 14-16 months to obtain a turbine after the permitting process. So if we started October 1, a very optimistic in-service date for commercial operation would be March of 1992. That coincides with the year our rates with NU are reviewed. I have copies of the tentative schedule or work plan to show you the different tracks that would be on-going at the same time such as permitting, feasibility studies, soil testing, surveys, etc. The estimate of the cost of the services at this point to do the project through the bid stage, not including project management, is about \$443,000. That's the engineering, permitting and everything associated with that. We have

appropriated in our budget \$1.2 million for the first year's appropriation of the project. The only thing we haven't honed in on is the exact size of the unit, what's most feasible as far as physical limitations, what's practical as far as air quality considerations, etc. All these things will have to be addressed as far as the DEP application. There are economic incentives to go with a larger unit. If we went with a 40 megawatt unit and we have some excess capacity that could be sold off-system, the monies we can achieve through off-system sales can almost pay for the principal of the bonds you may have to purchase during that time. That's without changing today's rate structure and I presume the rates will have to change in 1993. I think we'll be in a stronger bargaining position and we'll make use of our site. I think we can put the boilers to bed after 40 years of service, but the generators might be salvageable. Perhaps we'll go forward in two stages. The first stage being a gas turbine; a stand-alone, simple cycle, combustion turbine with the possibility of adapting that to combined cycle in the future. The economics today do not warrant us going into combined cycle, and we don't know what the exact condition of those units are. But in all likelihood we could probably salvage two of the turbines and turn them into combined cycle. Any design would be done in such a fashion as to allow for a heat recovery boiler or anything to be put on the tail end of this turbine so that it could be expandable. That's the important aspects of the project. An ordinance is being prepared through Tom Myers' office. In the meantime we're going to commence on some early feasibility work to start focusing on the size and starting the permitting process. Hopefully we can determine size and features in the next few months which will hopefully coincide with the ordinance process. The appropriation that we have this year, as well as future appropriations that we plan, would be used in combination with the bonding ability of the Electric Division and the Town for the entire project.

Lyle Thornton, Black & Veatch, stated I will be your Project Manager on this project. First I'd like to thank Wallingford for favoring us with this assignment. We believe we can do a very good job for you in determining what's the best equipment and systems to install for this facility. Some of the people that are involved in this project from Black & Veatch were also involved in the Hartford Capital District Energy Center which was just completed. It's a fairly close cousin to the type of equipment and systems we're talking about here. The Hartford plant was built in a residential neighborhood and it's built to be compatible with it's neighbors. A lot of emphasis was put on quite and unobtrusive operation. Black & Veatch is also experienced in the State of Connecticut, not only with the people involved in Hartford, but also with the design and construction of a project that we're doing now in New London which is a coal fire plant. We're also currently permitting a substation in a sensitive, residential area of New Haven.

Mr. Bradley asked under the feasibility, what items on the time line are included in the feasibility?

Mr. Thornton replied early on there is a Task 1 which is the feasibility report which is the real core of the technical and economic studies that we would do to take a look at what's the best selection of the equipment. Along with that there would be the initial elements of the licensing and permitting in terms of identifying issues and levels of environmental control that will have to be established for the project. There is also down in Task 6 the initial fuels

procurement activities which is identifying sources for natural gas and fuel oil which are the alternative fuels for the combustion turbine. So it's primarily those three activities that would be the upfront feasibilities for the project.

Mr. Bradley asked do you consider the permit approval process part of the feasibility study?

Mr. Thornton replied no. That would be beyond the feasibilities moving into the preliminary design. Around month 3 or 4 of the project you would be looking at committing to proceeding with the project. You won't file the permit application until you had a set project that everyone was in agreement with.

Mr. Bradley asked are the dollars for the permitting process included in the initial \$150,000?

Mr. Thornton replied yes to do the preparation, not the actual permitting itself.

Mr. Bradley stated I'd like us to look into running the generator off the methane gas at the landfill and find out what is the capacity of the methane and is it feasible to even go in there to tap that resource. Also I'd like to know if there is a cost savings by using methane.

Mr. Smith replied we would have to do some extensive testing to find out just how much is down there. At this point it is not in the scope of services that we've asked Black & Veatch to do. We would have to develop that as a side project concurrent with this if that is the will of the Council or the PUC.

Mr. Bradley asked is that a feasible idea?

Steven Yambor replied there are plants in existence that burn methane gas out of landfills. They aren't very large plants. The ones I'm aware of might be around 3 megawatts for a large landfill. I'm also aware of some proposed projects, one of which Ford Motor Company was looking to extract methane from an adjacent large landfill and use that in their boilers in lieu of gas. Due to the costs of mining, compressing and delivering the methane, they found it not to be feasible compared to the price of gas. That project did not go forward. So I would say it's probably a marginal project to explore. It would certainly require a large landfill, say one that would serve 100,000 people. I do have some names of people who could give me a fair idea about what generation could be acquired from a landfill of your size.

Mr. Bradley stated I'd like to get something like that. I also heard that at the Town level some studies had been done. I don't know if that is true or if that data is available.

Mr. Smith replied we'll look into it.

Mr. Yambor stated there are people that specialize in this and typically they end up developing the landfill for you and then sell you the gas. The developers may want the same price as natural gas and that would kill the project.

Mr. Zandri stated I think we should size the unit for the maximum allowable for the site. I think we can recoup some dollars by the sale of electricity to other sources. How much bonding do you anticipate for this project?

Mr. Smith replied the study done last year showed we would need about \$9 million in bonds by 1992 for all of our capital needs, not only this project but the substation and our regular capital needs. That was based on a \$15 million project cost for this project.

Mr. Zandri stated we're sitting on some monies right now that are supposed to be earmarked for these projects. Do you have a figure on those dollars?

Mr. Smith replied the only thing that has been appropriated is the \$1.2 million for this year.

Mr. Myers stated we have approximately \$9 million in cash.

Mr. Zandri asked what was the surplus in the Electric Division this past year?

Mr. Myers replied net income was \$5 million.

Mr. Zandri asked over the next two years can we project the same surplus?

Mr. Smith replied because of the reduction in rates and an increase in expenses, next year's surplus will probably be over \$3 million.

Mr. Zandri stated if we had left the rates where they were, we wouldn't have to borrow anything for this project. That's something the PUC should take into consideration when they're changing the rate structure.

Mr. Smith stated sometimes it is advantageous to borrow money if the interest rates are right and keep the money in the bank and draw a higher interest rate. Sometimes that is a feasible alternative.

Robert Beaumont, PUC Commissioner, stated one of the reasons we reduced the rates by 6% was to bring the rate of return closer to being in line. This also made us more competitive with the other utilities in the area.

Mr. Zandri asked if we left the rates the way they were, would we have been higher or lower than our competitors?

Mr. Beaumont replied we would have been marginally lower.

Mr. Parisi asked what would be done under the feasibility report?

Mr. Smith replied that would look at the different options available as far as sizes and types of machines. It would also look at the site and the restrictions at the site, the air quality standards, economics, etc. At the end of the feasibility study we'd also have a better handle on what the total costs of the project are going to be.

Mr. Parisi asked wouldn't we want the design and cost estimates before we got involved in the licensing, etc.?

Mr. Smith replied the ordinance itself would encompass the total project. The total expenditures for the ordinance would be limited to the engineering services. The ordinance would have to be amended someday when we got into the construction phase once the design is complete.

Mayor Dickinson stated the ordinance structure would be similar to the procedure we've followed on other projects. Initially the ordinance would set out design costs and that would be it. Once we had construction figures we would amend the ordinance and include a construction figure based upon bids that have been received. So gradually that ordinance would grow larger in dollar amount, but the initial adoption would be reflective of our commitment to the purpose of adding turbine capacity to the Pierce Plant.

Mr. Parisi asked so you're not asking for any money tonight?

Mr. Smith replied no we're not asking for any money tonight. This is just to see if there are any violent objections to going off in this direction.

Mr. Thornton stated as far as which comes first, the design or the permitting, etc., there is a line there for preliminary design. That follows directly after the feasibility and then you're in the beginning stages of your permitting process. What you're really doing is finalizing exactly what you're going to have and fine tuning your schedule and cost estimate.

Mr. Parisi asked what is Design Completion and Documentation?

Mr. Thornton replied that is the wrapping up at the end of the job and getting as-built drawings and final procedures in line and also doing some operator training.

Mr. Parisi asked when will we know the final cost?

Mr. Thornton replied you would have a 15% confidence level during the feasibility study and a 10% confidence level or less during the preliminary design.

Mr. Doherty stated I would like to see the plant up in Hartford. I'd also like to see a gas turbine. I know the neighbors went through all kinds of hell when they burned coal at the Pierce plant years ago. Certainly I'd like to see something constructed down there that the neighbors feel very comfortable with.

Mr. Smith stated the visual, sound and air quality aspects will be taken into consideration. We can certainly visit the Hartford project. I don't know if you want to do it through the Chairman or just call me individually and we'll try to get an agreeable time.

Mr. Bradley asked do you have a breakdown or definitions of all the tasks listed here?

Mr. Thornton replied yes.

Mr. Killen stated I'd like to see something before we get too far along here of just what we intend to do, what the difference is going to be and what it's going to produce. These things have to be feasible, done within the rate schedule we have with the monies that are available, and the savings have to be worth it. I'd like some facts and figures before I give my approval to something of this magnitude.

ITEM 16 Receive a Study Report from WPL-TV. Motion was made by Mrs. Papale, seconded by Mr. Solinsky.

Richard Nunn stated a couple of months ago through the direction of the Mayor, the Town Council and the Library Board, a number of people were selected to perform the role of examining a site other than the library for the WPL-TV program. The purpose was to look for another site with the economic considerations to certainly be in the forefront. At this time we would like to give you a status report and we're looking for some direction from the Council on perusal of the work we've already done and perhaps some guidance on work that could be done in the future.

Scott Hanley stated one of the primary issues is an appropriate site for television production. Some key areas have to be considered, among those are the square footage necessary, ceiling height, location away from traffic areas, etc. At this time the Town is contributing a line item in the Library budget. In order for the operation to exist as a separate entity, I've recommended that other sources of funding be explored. Some of those include an annual contribution from Heritage Cablevision. This is probably the key aspect of attempting to secure money from outside sources. Heritage Cable is now within franchise renewal before the State and there's a good chance we may be able to secure some money there. Naturally there are some other areas that could be pursued such as corporate business underwriting, contracted production services, workshop fees, etc. We've also addressed the appropriate government structure for television operation, whether it's to be a separate Town department, a division of an existing municipal department or agency, or, what seems to be favored by the committee, an autonomous, nonprofit access corporation encompassing public, government and educational access responsibilities.

Mr. Hanley stated the Site Subcommittee has identified 6 potential sites in Town for the relocation of WPL-TV: the Civil Preparedness Building on Washington Street, the former Washington Street school gymnasium, the former Yalesville Fire Station, the Simpson School town office building, Sheehan High School and the former Yalesville School. The Committee has investigated all of the sites and one of the most promising sites has been the Yalesville Fire Station. I did a preliminary evaluation of that site and invited the Engineering Department to provide some assistance in development a ballpark estimate. Unfortunately the Engineering Department has indicated that it is not able to do that work for us. We held discussions with Dr. Nicolletti about Sheehan and the former Yalesville School. He could not recommend Sheehan however, he has suggested a space at Yalesville School may be available if it is converted to administrative offices. We have had discussions with Mr. Shepardson regarding Simpson School and he has indicated the Parks and Recreation Department is fully utilizing the recently acquired space at that location. The Civil Preparedness Building and Washington Street gymnasium were deemed unsuitable by the committee for a variety of reasons.

Mr. Hanley stated the Finance Committee has reviewed a projected budget for an independent, non-profit access corporation which I will distribute to the Council. It has also discussed the supplemental funding sources and the need to minimize the relocation and operating costs for the TV facility. We also have a Franchise Renewal Committee and they are looking at Heritage Cablevision as a possible funding source. Some committee members recently attended an informal meeting of the Heritage Franchise Public Access Group representatives to discuss franchise renewal as it relates to access funding. They also discussed the potential role of elected officials in the renewal process and believe that the State and DPUC will sit up and take notice if elected officials testify or submit written testimony regarding this funding.

Mr. Hanley stated the key area is location. We've had some difficulty in determining where to go with some of the locations. We understand that the Yalesville Fire Station may be rather costly to renovate, but then again we do not have any accurate estimates.

Mr. Nunn stated we need direction from the Council to be sure we're going in the right direction. We do not want to be presumptuous and say we'll use the Fire Station because no other organizations has expressed an interest in it. There is a property value there that could be used to offset the new fire house. The Yalesville School appears to be quite feasible, although the school board has not taken any action on the Yalesville School.

Mr. Doherty stated I know some of us would like to see the site at Sheehan. We're running two TV stations in separate locations. It would seem more feasible if we had two stations at one location. The Sheehan operation has just been revamped and has the addition of \$30,000 worth of equipment for the cable station we gave away. You also have a library right next door that could be used for some setups. You could share personnel and equipment.

Mr. Hanley replied it was Dr. Nicolletti's opinion that for a variety of reasons, among them accreditation, that Sheehan may be a difficult building to use for purposes other than instruction. Conceivably it could still be used and that avenue could be pursued, but it was Dr. Nicolletti's opinion that the site was less than ideal. We have identified some potential problems there. The existing studio may be too small. We have to rely on the school system personnel for their evaluation of how a site can be used and what they intend to do in the future. As far as staff is concerned, it would be difficult to use existing school system staff for production of cable programs. Right now they have their hands full in supporting classroom activity.

Mr. Zandri stated I'd like some feedback on what the costs would be for the renovation of the different facilities.

Mr. Nunn stated it would be superfluous to do a financial investigation if the Council has already decided not to use a particular site. We also need to know if we should use professionals to do the estimates or whether we should ask some people who are community minded, such as contractors or someone in the service of the Town now, to provide these numbers. Which comes first—do we get permission to look into a site in greater depth and then get the numbers, or do we get the numbers first.



Mr. Hanley stated we've already eliminated the Civil Preparedness building, the Washington Street gymnasium and Simpson School.

Mrs. Papale asked wasn't it discussed previously that when the fire station moved that the old station would be sold and the money would be used to offset the new station?

Mayor Dickinson replied yes that was the original plan.

Mrs. Papale stated it's also been suggested that the administration offices of the Board of Ed be moved from Stevens School and put either at Sheehan or Yalesville. If they went to Yalesville, it would probably be suitable for WPL-TV to move there also.

Mr. Nunn stated that's what Dr. Nicolletti expressed to us. He couldn't obviously make a commitment because he could only speak from an advisory point of view.

Mrs. Papale stated it's very difficult to suggest the best place at this time because we need to see what's going to happen with the Board of Education.

Mr. Nunn stated Yalesville School would be appropriate if the Board of Education administrative offices were there. There are a lot of pluses to that location. We have not eliminated Sheehan and we'll have further discussions with Dr. Nicolletti. The last location is the fire house. If you're not going to sell it and no one else is going to use it, we could consider that location if we can raise the monies.

Mr. Killen asked how does the Council feel about the Yalesville Fire Station?

Mr. Adams stated I think we've learned our lesson as far as selling properties. I don't think we should sell it.

Mr. Bradley stated I somewhat agree with Frank, but I would like to know the value of the property.

Mr. Doherty stated I'd like to know something along the lines of costs. We're spending \$64,000 now on the operation of this. If we get the Yalesville Fire Station and the maintenance and all the costs involved there, are we going to have a budget of \$160,000 from now on. I'd like some dollar figures on what it what cost to run that station from the Yalesville Fire Station.

Mr. Hanley stated although not specifically the Yalesville Fire Station, I have included a projected budget for a separate facility and it is in the vicinity of \$140,000.

Mr. Nunn stated a good part of that contribution would come from Heritage Cable.

Mayor Dickinson asked when will we know if that revenue is available?

Mr. Hanley replied the franchise expires next year and we're hoping to have a decision by the middle of next year. So one would imagine a decision would be rendered before the operation has the opportunity to move.

Mayor Dickinson stated we also have to look at how much of that money would be earmarked for true public access and what additional expenditures would there be. Right now we have a government subsidized television station. From previous discussions, I understand we would have to get into a more public access situation where anyone in the Town could come forward and show a video they made.

Mr. Hanley stated if we receive funds from the cable company, that string will probably be attached.

Mayor Dickinson stated it seems like we're heading in the direction of a private corporation.

Mr. Hanley replied it's likely that it would be a separate non-profit organization that would administer the funds. Essentially the Town would contract with that operation for certain services. If the Town continues to contribute \$70,000 per year, it can expect certain services in return. The cable company would do the same thing. Same thing with the school system. If they chose to make some sort of direct grant, it could expect certain services from the production center such as coverage at Board of Ed meetings, football games, etc. But that is just one scenario, there are several that can be pursued.

Mr. Parisi stated I think Sheehan would be a good location.

Mr. Nunn stated we will reexamine Sheehan and also look at Yalesville School and the Yalesville Fire Station.

#### EXECUTIVE SESSION

Motion was made by Mrs. Papale to go into Executive Session to Discuss a Personnel Matter. Seconded by Mr. Solinsky.

VOTE: Holmes was absent; all other ayes; motion duly carried.

Motion was made by Mrs. Papale to come out of Executive Session. Seconded by Mr. Doherty.

VOTE: Holmes and Solinsky were absent; all other ayes; motion duly carried.

Motion was made by Mrs. Papale to Grant the Town Council Secretary, Katrina Manley, a 6% Raise. Seconded by Mr. Parisi.

VOTE: Doherty, Holmes and Solinsky were absent; all other ayes; motion duly carried.

Motion to adjourn was made by Mrs. Papale, seconded by Mr. Solinsky.

VOTE: Holmes was absent; all other ayes; motion duly carried.

Meeting adjourned at 12:30 a.m.

Meeting recorded and transcribed by:  
Katrina M. Manley, Council Secretary

Approved:

\_\_\_\_\_  
Albert E. Killen, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kathryn J. Wall, Town Clerk

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Date

WALLINGFORD TOWN COUNCIL  
TOWN OF WALLINGFORD, CONNECTICUT

AN ORDINANCE TO SIMPLIFY SOLID WASTE MANAGEMENT BY REQUIRING  
CERTAIN UNIFORM PACKAGING PRACTICES WITHIN  
THE TOWN OF WALLINGFORD

Presented by: Edward R. Bradley

WHEREAS, discarded packaging constitutes a significant category of waste within Wallingford's waste stream and is, therefore, a necessary focus of any effort to reduce the economic and environmental costs of waste management for the citizens of Wallingford and improve the health of the citizens.

WHEREAS, discarded non-biodegradable packaging and plastic contained within the waste stream of Wallingford is a fundamental cause of problems associated with municipal waste disposal.

WHEREAS, the chemical composition and ability of a substance to biodegrade are meaningful and useful criteria to focus upon when establishing public policy that is intended to improve the management and disposal of solid waste, reduce the cumulative impact of litter, encourage composting and other forms of recycling, minimize the potential for toxic substances to form if solid waste is burned, reduce the volume of ash by-products that may be created by any burning of waste plastic packaging, and otherwise anticipate environmental and health problems that

may be caused by municipal solid waste disposal programs.

WHEREAS, the use of plastics and other non-biodegradable packaging has become widespread throughout the Town of Wallingford and that the resulting mixed substance waste stream is a serious impediment to many solid waste management programs that are being considered for this municipality and a potential damage to the health of its citizens.

WHEREAS, the widespread use of plastics, especially polystyrene and polyvinyl chloride, poses a threat to the environment in the Town of Wallingford and the health of its citizens by the possible introduction of toxic byproducts into the atmosphere and general environment of Wallingford.

WHEREAS, the waste stream within Wallingford is so large and diverse that any program to establish policies and laws conducive to any waste management program in lieu of landfilling must identify and set new policy for those specific sources of waste packaging which originate within Wallingford.

WHEREAS, certain retail establishments within Wallingford are points of origin for a substantial volume of packaging waste and, therefore, are particularly susceptible to actions which have significant potential for simplifying the chemical composition of this portion of Wallingford's solid waste stream, thereby improving solid waste management within this

municipality and the health of its citizens.

WHEREAS, the use of polystyrene and polyvinyl chloride for food packaging is problematical and a potential damage to the health of the citizens of Wallingford because neither of these plastic species are readily recyclable; that their abundant commercial use in lieu of other plastic species such as polyethylene or polypropylene unnecessarily complicates the overall chemical composition of municipal waste and subtracts from the possible emergence of a viable plastic recycling market for this region; and that, polystyrene and polyvinyl chloride leave a relatively heavier and, therefore, more expensive ash residue to dispose of which may also create toxic chemicals that could be emitted into the general environment of Wallingford.

WHEREAS, there are readily available plastic and/or paper product substitutes for most of the polystyrene and polyvinyl chloride retail food packaging now being used in Wallingford, the use of which alternatives would be environmentally and economically advantageous to the health of the people of Wallingford.

BE IT ORDAINED THAT:

Section 1.            Definitions.

a) "Packaging" shall mean all food-related wrappings, adhesives, cords, bindings, strings, bags, boxes, containers and disposable or non-reusable plates, cups, or drinking utensils intended for use within Wallingford.

b) "Biodegradable Packaging" shall mean packaging made of cellulose-based or other substances that are capable of being readily attacked, decomposed, assimilated, and otherwise completely oxidized or broken down by bacteria or other natural biological organisms into carbonaceous soil material or water and carbon dioxide.

c) "Retail Food Establishment" shall mean any restaurant, food operation, or any other place, other than a private residence, where food and drink is prepared or served, with or without charge for consumption on or off the premises, including any catering establishment or any eating place, whether fixed or mobile, restaurant, bar, cafe, cafeteria, industrial establishment, public or private school, private club, coffee shop, tea room, short order cafe, sandwich stand or any other type of food service operation and any person, firm or corporation which sells, offers or keeps for sale any groceries, confectioneries, meats, fish, vegetables or fruits, all sales

outlets, stores, shops or other places of business located within the Town of Wallingford, which operate primarily to sell or convey foods directly to the ultimate consumer, which foods are predominately contained, wrapped or held in or on packaging. "Retail Food Establishment" shall include, but not be limited to, any place where food is prepared, mixed, cooked, baked, smoked, preserved, bottled, packaged, handled, stored, manufactured, and sold or offered for sale including, but not limited to, any fixed or mobile restaurant; drive-in; coffee shop; cafeteria; short order cafe; delicatessen; luncheonette; grill; sandwich shop; soda fountain; tavern; bar; cocktail lounge; nightclub; roadside stand; take-out prepared food place; industrial feeding establishment; catering kitchen; commissary; grocery store; public food market; food stand; or similar place in which food or drink is prepared for sale or for service on the premises or elsewhere; and any other establishment or operation, including homes, where food is processed, prepared, stored, served or provided for the public for charge.

Section 2.            Prohibition.

a) No retail food establishment located and doing business within the Town of Wallingford shall sell or convey food directly to ultimate consumers within the Town of Wallingford unless such food is placed, wrapped, or packed in biodegradable



packaging at the conclusion of a sales transaction for the purchase of such food, which takes place on the premises of such a retail food establishment at or near a sales counter or equivalent customer purchasing station but prior to removal of such food from the premises of such retail food establishment.

b) No retail food establishment located and doing business within the Town of Wallingford shall sell, give, or provide eating utensils or food containers to any consumers within the Town of Wallingford if such eating utensil or food container is composed of polystyrene.

Section 3.            Regulations.

The Health Director and/or the Sanitarian of the Town of Wallingford or any entity serving as such may issue and promulgate such rules and regulations as may be necessary to implement and carry out the provisions of this ordinance.

Section 4.            Exemptions.

Section 3 of this ordinance shall not apply to the following items:

a) Any flexible transparent covering for uncooked or raw meat, poultry, raw fish, hard cheese, cold cuts, fruit and vegetable produce, baked goods, or bread;

b) Any food packaging used at hospitals or nursing homes;

c) Any paper or other cellulose based packaging that is

coated with polyethylene plastic on only one side;

d) Any plastic covers, covering material, food containers, lids, eating utensils, or straws that are not made of polystyrene or polyvinyl chloride.

Section 5.

a) The Health Director and/or the Sanitarian of the Town of Wallingford or any entity serving as such may enter any retail food establishment in the Town of Wallingford where there is just cause to suspect the use of any packaging prohibited by this ordinance and abate or cause to be abated such use.

b) For the purposes of abating the use of such prohibited packaging the Health Director and/or the Sanitarian of the Town of Wallingford or any entity serving as such shall have the same power and authority granted pursuant to CGS Section 19a-206(b) and (c).

Section 6.

Penalties.

Failure to comply with Section 2 of this ordinance shall be punishable by a fine of not more than \$100.00 for each day such violation continues to exist and imprisonment of not more than three (3) months, or both.

Section 7.

Severability.

If any part or provision of this ordinance or the application thereof to any person, entity, or circumstances be adjudged

invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this ordinance or the application thereof to other persons, entities, or circumstances.

Section 8.      Effective Date.

This ordinance shall take effect in the ordinary course, but shall apply to retail transactions consummated on or after April 1, 1990.

I HEREBY CERTIFY that the above Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 1989, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Kathryn J. Wall, Town Clerk

APPROVED: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

DATED: \_\_\_\_\_

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RESOLUTION

WHEREAS, The Police Department has received funds from arrests involving drug dealers, pursuant to the Federal Drug Seizure Program, and

WHEREAS, The Police Department Detective Division and Accident Investigation Division have need of Digital Pagers and VHS Camcorders for more efficient law enforcement capability

BE IT RESOLVED, That the Town Council authorizes the expenditure of \$4,755 from the Crime Seizure Capital Account for ten (10) Digital Pagers and two (2) VHS Camcorders.

Attached is a copy of Ed Bradley's statement regarding the plastics ordinance which he read at the September 26, 1989 Town Council Meeting. Inadvertently, the statement was not attached as noted in the meeting minutes.

STATEMENT BY EDWARD BRADLEY  
AT TOWN COUNCIL MEETING  
SEPTEMBER 26, 1989

Millennium, a period of one thousand years, the estimated life span of one foam beverage container to keep a cup of coffee warm for five minutes. How often do we see polystyrene foam containers littering roadsides, shorelines and crowding our landfills. Also, improper incineration of plastics produces acid gasses and toxic organics such as styrene, benzene and phenols.

What's the alternative? We can continue on the bureaucratically lazy approach of "burn everything, change nothing," or we can join in with other local governments in a grassroots effort to do all we can as government officials to protect our environment.

This issue is divided down three lines: political, economical, and environmental. It is most unfortunate to note that environmental concerns always seem to be of least concern when economics and profits are involved.

Where others of higher authority have failed to take a stand on this issue, we here tonight, as the legislative body of the Town of Wallingford, can not only take a stand to protect our environment, but can also send a clear message to the plastics industry. The time is now to begin to implement an aggressive and comprehensive recycling program.

I urge the source, the generator, the industry, to work quickly toward developing and implementing plastics which are biodegradable or easily recyclable. Failure to do so could bring about further legislation to limit plastic use.