

TOWN COUNCIL MEETING  
OCTOBER 9, 1990  
7:00 P.M.

1. Roll Call & Pledge of Allegiance
2. Approve Not Holding, Table and Reschedule the Public Hearing for the Recycling Ordinance
3. Approve Not Holding a Public Hearing on an Ordinance Amending an Ordinance Appropriating \$245,000 for the Planning and Acquisition of an Addition to the Lyman Hall High School Vocational Agricultural Center and Authorizing the Issue of \$245,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose
4. Consider and Approve a Transfer of Funds in the Amount of \$6,700.00 from Contingency Reserve for Emergency to Spacial Needs Committee Professional Services: Yalesville School Study
5. PUBLIC QUESTION & ANSWER PERIOD - 7:30 P.M.
6. Consider and Approve Merit Increases Reviewed and Recommended by the Merit Review Committee at their October 1, 1990 meeting
- 7a. Request to Confirm Reappointment of 3 members of the Visitors Council for a Three Year Term - Mayor's Office
- b. Appointment of Betty Molinari as a Representative from the Public Celebrations Committee to Fill a Two Year Term Left Vacant - Mayor's Office
8. Consider and Approve a Budget Amendment in the Amount of \$30,000 to Tax Overpayments and Tax Collection Refunds of Overpayments - Comptroller's Office
9. Consider and Approve the Purchase of Additional Units of Protective Gear for the Career & Volunteer Fire Companies - Fire Chief
10. Consider and Approve a Transfer of Funds in the Amount of \$500.00 from Copier Rental & Supplies to Copy Machine - Fire Chief
11. Consider and Approve Transfers of Funds (3) within the Public Works Department:

(OVER)

- a. \$4,200.00 from High Dump Street Sweeper to Maintenance Heating System
  - b. \$661.00 from Mower Tractor w/Attachment to Sod Cutter
  - c. \$750.00 from Furnace-Drivers Room to Maintenance of Building
12. Authorize the Mayor to Enter into an Agreement with Admet to Provide a Recycling Drop-off Service for Commercial Haulers to Implement a Curbside Recycling Program
  13. Presentation of the International Association of Fire Chiefs Award - Mayor's Office
  14. Discussion and Possible Action on Ordinance #233 Amending Ordinance #11 Relating to Hours of Closing of Certain Liquor Vendors - SET A PUBLIC HEARING
  15. Executive Session to Discuss the Possible Purchase of Land Pursuant to Section 1-18a(e)(4) of the CT. General State Statutes
  16. Executive Session to Discuss Pending Litigation Pursuant to Section 1-18a(e)(2) of the CT. General State Statutes - Town Attorney's Office
  17. Approve & Accept Minutes of the 9/11 & 9/17 Town Council Meetings

TOWN COUNCIL MEETING

OCTOBER 9, 1990

SUMMARY

	<u>PAGE NO.</u>
Roll Call & Pledge of Allegiance	1
Consent Agenda: Items #6, 11b & 17	1
Approve Not Holding, Table and Reschedule the Public Hearing for the Recycling Ordinance	1
Approve Not Holding a Public Hearing on an Ordinance Amending an Ordinance Appropriating \$245,000 for the Planning & Acquisition of an Addition to the Lyman Hall High School Vocational Agricultural Center	1-2
Transfer of \$6,700.00 to Spacial Needs Committee Professional Services: Yalesville School Study	2-3
PUBLIC QUESTION & ANSWER PERIOD	5-6
Confirmation of Reappointment of 3 members of the Visitors Council for a Three Year Term	3
Appointment of a Representative to the Public Celebrations Committee to Fill a Two Year Term Left Vacant	3
Budget Amendment of \$30,000 to Tax Overpayments and Tax Collection Refunds of Overpayments	3-4
Approve the Purchase of Additional Units of Protective Gear for the Career & Volunteer Fire Companies	6-7
Approve a Transfer of \$500.00 from Copier Rental & Supplies to Copy Machine - Fire Chief	7-8
Approve a Transfer of \$4,200.00 from High Dump Street Sweeper to Maintenance Heating System - Public Works	8
Approve a Transfer of \$750.00 from Furnace - Drivers Room to Maintenance of Building - Public Works	9
Authorize the Mayor to Enter into an Agreement with Admet to Provide a Recycling Drop-off Service for Commercial Haulers to Implement a Curbside Recycling Program	9-14
Presentation of the International Association of Fire Chiefs Award - Mayor's Office	15-16

(OVER)

PAGE NO.

Discussion and Possible Action on Ordinance #233 Amending  
Ordinance #11 Relating to Hours of Closing of Certain  
Liquor Vendors - SET A PUBLIC HEARING 14

Executive Session to Discuss the Possible Purchase of Land  
Pursuant to Section 1-18a(e)(4) of the Ct. General State  
Statutes 14-15

Executive Session to Discuss Pending Litigation Pursuant  
to Section 1-18a(e)(2) of the Ct. General State Statutes 16

TOWN COUNCIL MEETING

OCTOBER 9, 1990

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, October 9, 1990 at 7:00 p.m. in Town Council Chambers and called to order at 7:07 P.M. by Chairman, Albert E. Killen. Answering present to the Roll called by Town Clerk, Kathryn J. Wall were Council Members Bradley, Gouveia, Holmes, Killen, Papale, Parisi & Zandri. Council Members Duryea and Solinsky were unable to attend the meeting due to previous commitments. Mayor William W. Dickinson, Jr. arrived at 7:09 P.M., Town Attorney Janis Small and Comptroller Thomas A. Myers were also present.

The Pledge of Allegiance was given to the Flag.

Motion was made by Mr. Bradley to move the following items to the Consent Agenda to be voted on by one unanimous vote, seconded by Mr. Gouveia.

ITEM #6 Consider and Approve Merit Increases Reviewed and Recommended by the Merit Review Committee at their October 1, 1990 Meeting.

ITEM #11b Consider and Approve a Transfer of Funds in the Amount of \$661.00 from Acct. #001-5031-999-9902, Mower Tractor W/Attachment to Acct. #001-5031-999-9904, Sod Cutter - Public Works Department

ITEM #17 Approve and Accept Minutes of the 9/11 & 9/17 Town Council Meetings.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #2 Approve Not Holding, Table and Reschedule the Public Hearing for the Recycling Ordinance

Motion was made by Mr. Bradley to Rescind the Public Hearing which was scheduled for October 9, 1990 at 7:45 P.M., seconded by Ms. Papale.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Motion was made by Mr. Bradley to schedule a Public Hearing for the Recycling Ordinance on Tuesday, October 23, 1990 at 7:45 P.M., seconded by Mr. Parisi.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #3 Approve Not Holding a Public Hearing on an Ordinance Amending an Ordinance Appropriating \$245,000 for the Planning and Acquisition of an Addition to the Lyman Hall High School Vocational Agricultural Center and Authorizing the Issue of \$245,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose

- 2 - October 9, 1990

Motion was made by Mr. Bradley to Rescind the Public Hearing scheduled for October 9, 1990 at 8:00 P.M., seconded by Mr. Parisi.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Mayor Dickinson stated for the record that the Public Hearing is not being held due to a change in the design of the addition. To hold a Public Hearing on what is out to bid right now would be inappropriate. This does not mean a departure from support from the project.

ITEM #4 Consider and Approve a Transfer of Funds in the Amount of \$6,700.00 from Acct. #001-8050-800-3190, Contingency Reserve for Emergency to Acct. #001-1117-900-9001, Spacial Needs Committee Professional Services: Yalesville School Study

Motion was made by Mr. Bradley that if the Bonding is Approved to Renovate Yalesville School for Reuse as a Public School, the \$6,700 Appropriated for the Study will be Included in the Bond and the Contingency Fund will be Reimbursed, seconded by Mr. Parisi.

Mr. Gouveia stated that at the Town Council Meeting of 9/11/90, Mr. Rys indicated that in the \$6,700.00 figure there was \$1,300.00 included for asbestos that may not be needed.

Ray Rys, Chairman of the Spacial Needs Building Committee: That is correct. If the asbestos study is needed or if we find that, in tearing down a wall, any work will interfere with any asbestos encapsulated in that area, obviously we will need to prepare for that.

Mr. Gouveia: As of now you still don't know whether or not you will need the \$1,300.00?

Mr. Rys: No, I don't.

Mr. Gouveia: Has anyone taken any action on the report that the Mayor mentioned at the last meeting?

Mr. Rys: I was made aware that there is a report in the Mayor's Office but I have not read it.

Mayor Dickinson: Specifications were drawn up, funds were transferred in the early part of the summer and I believe that is going out to bid as of today.

Mr. Gouveia: That had to do with asbestos management?

Mayor Dickinson: That is correct, they made some recommendations on removal and dealing with some of the asbestos that was a problem at Yalesville School. That is out to bid today. Whatever is an apparent problem on an inspection of the building is being dealt with. If there is something in tunnels or somewhere else that is not a problem now and could become one, I think that is what Mr. Rys is referring to.

Mr. Gouveia: Going back to your contract, the amount is \$5,400.00?

Mr. Rys: Yes, and an additional \$1,300.00 if the asbestos study is necessary.

Mr. Gouveia: What happens if we approve the \$6,700.00?

Mr. Rys: I would return the \$1,300.00 back to the Council if it is not utilized. It is best to have it now than to come back later on. The \$6,700.00 was included in the Resolution but not in the funding ordinance. Under the \$1.6 million, we only used approximately \$1 million, I want the general public to realize we are not asking for an additional \$6,700.00, we just need it for the study in addition to the actual ordinance.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #7A Request to Confirm Reappointment of 3 members of the Visitors Council for a Three Year Term - Mayor's Office.

Motion was made by Mr. Bradley to Rename Mr. John Mattingly, Ms. Ellen Mandes and Mrs. Rita Katona to the Visitors Council, seconded by Mr. Parisi.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #7B Appointment of Betty Molinari as a Representative from the Public Celebrations Committee to Fill a Two Year Term Left Vacant - Mayor's Office

Motion was made by Mr. Bradley to Appoint Ms. Molinari to the Committee and to Empower the Chairman to Forward a Letter of Appreciation to Mrs. Massores for her Years of Dedicated Service on the Committee, seconded by Mr. Parisi.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #8 Consider and Approve a Budget Amendment in the Amount of \$30,000.00 to Tax Overpayments Acct. #001-1000-010-1014 and to the Tax Collection Refunds of Overpayments Acct. #001-1420-800-8910 - Comptroller's Office

Motion was made by Mr. Bradley, seconded by Mr. Holmes.

Mr. Killen stated that there was no request for refunds listed on the Agenda. Rule V will have to be Waived to Authorize the refunds.

Mr. Gouveia: quite a few of these refunds were authorized at the last Town Council meeting and now there are a significant number before the Council again this evening, is there some way to avoid this amount of paperwork? Is there some way to catch these things beforehand so it is not necessary? He used refund #51 of the copied Request for Abatement or Refund of Property Taxes that was forwarded to each Council Member in their respective agenda packets. On August 1, 1988, \$900.42 was paid by the homeowner. On August 31, 1988 the homeowner once again, in error, paid the tax bill a second time and was levied a \$27.01 penalty against the tax bill that was not actually due until January 1, 1989. Why wasn't this caught?

Mr. Thomas Myers, Comptroller: The fact is that when the taxes are paid the accounts are updated after the taxes are received over the counter.

Mr. Gouveia: When it was computed how much interest was to be levied, it is at that time that it should have been discovered that the taxes were not due.

Mr. Myers: That is correct if all the records had been updated on the collections. We collect taxes twice a year. The payments due on July 1st, the first collection period, includes all the motor vehicles.

In essence, we collect the majority of taxes in that first payment. It takes time to update each individual's account after the money is collected. But August 31st the update had not been completed.

Mr. Gouveia: But we charged this individual interest for money that they did not owe the Town of Wallingford. We also kept that money (almost \$1,000) for an additional six months, I think that it is only fair that if we are going to do that, that we not only return the \$27.00 in interest but we also pay them interest on their money we had (\$900.42).

Mr. Myers: The penalty/interest factor is set by State Statute, not by the Town. If we wanted to refund, we would have to appropriate money in another line item to pay the interest.

Mr. Gouveia: I am really looking for some mechanism to determine these things beforehand so we would not have this problem.

Mr. Myers: There is two things happening here, one, we determine as quickly as possible, and that requires during the two collection periods (July & January) allowing time for the records to get updated, that is a personnel processing time factor and two, actions by the Board of Tax Review. Several of these refunds before you have B.T.R. (Bd. of Tax Review).

Mr. Edward Musso, 56 Dibble Edge Road: I was overtaxed on my vehicle. My van was assessed at \$2,000 which sold for only \$200. I will be receiving \$70.00 back from the Town. If a car is over 10 years old the Assessor should place a value of \$200.00 on it.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Mr. Parisi made a motion to Waive Rule V of the Town Council Meeting Procedures to Allow for the Refunds of Tax Overpayments, seconded by Mr. Bradley.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Mr. Holmes made a motion to Approve and Allow the Refunds of Tax Overpayments, seconded by Mr. Parisi.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.



PUBLIC QUESTION & ANSWER PERIOD - 7:30 P.M.

Edward Musso, 56 Dibble Edge Road asked why the flag is hanging at half-mast in front of the Town Hall?

Mayor Dickinson responded that it was due to the death of a Town of Wallingford employee.

Mr. Musso felt that only Department Heads or those in authority should have the flag flown half-mast for their death and asked if the flag would be displayed the same should he (Mr. Musso) die while an employee of the Town?

Mayor Dickinson stated that each and every employee is as valuable as the next. It is everyone doing their share that keeps this Town operating the way it does. He reassured Mr. Musso that if he (Mr. Musso) is still employed at the time of his death that the flag would be flown at half-mast for him as well.

Mr. Jim Ricci, 17 Fritz Place, Member of R.I.D.: R.I.D. requests that the Council not schedule a Public Hearing until all charges brought against Councilman Zandri are followed through at the Ethics Commission. New charges have been filed today and it is possible that other charges may be filed as well and we would like to iron them out before it goes to the Ordinance Committee or to the Public Hearing.

Mr. Killen: It depends on how you look at the ethical aspects of it. Mr. Zandri has not done any unethical. Any Council Member can request that an item be placed on the agenda, you don't have to agree with it, but they do have an obligation to represent the people of the Town.

Mr. Ricci: We have made charges to the Ethics Commission stating why we feel that he falsely proposed a bill and we would like to have the Ethics Commission look at it first. This should be settled first before it goes to the Ordinance Committee.

Mr. Killen: This has nothing to do with the Ordinance Committee, it is a Public Hearing of the entire Council which will not take place for another two weeks. An awful lot can transpire in that two weeks but there is no reason at all for us to withhold the setting of the Public Hearing.

Mr. Ricci: If the Ethics Commission has not resolved any ethics problem by this time, can we come to you and ask that the Public Hearing be delayed?

Mr. Killen: It will all revolve around Mr. Zandri's vote at that particular time, not on whether or not a Public Hearing is held.

Mr. Edward Musso, 56 Dibble Edge Road: My wife and I have witnessed people dumping at the top of my hill. My neighbors have viewed this as well and have obtained a marker number from the vehicles. In notifying the Police Department, we were told that "nothing can be done, you must see them dump it". No one will dump anything if you stand there and watch them. I should not play policeman while they

collect the pay. A fellow asked to use my phone to call in to the Police Department to report a vehicle being dumped, an International Scout, at the same site. He had the bill of sale and half of the Title. The police responded and stated "you must see them dump the vehicle, we cannot do anything about it". Ed Bradley would get some action if he called. The vehicle is now gone, someone picked it up.

Mr. Killen asked the Mayor to check into the situation.

Mr. Walter Sawallich, Jr., 100 Jobs Road: I caught people dumping down in the St. Casimar's Cemetery a few months ago. I complained to the Police Department and they informed me that the property owner must report it.

Mr. Bradley: We have a State Statute on the books with a hefty fine, I can't believe the stories that I am hearing.

Mayor Dickinson: I think that the problem is that if it is brush being dumped on privately owned property, the question is whether the property owner did indeed give permission to do so. If it is garbage of some kind, then whether or not the property owner gave permission, it would not be permissible dumping.

ITEM #9 Consider and Approve the Purchase of Additional Units of Protective Gear for the Career & Volunteer Fire Companies - Fire Chief

Motion was made by Mr. Bradley, seconded by Mr. Parisi.

Mr. Gouveia asked why was the projection of \$900/set so much higher than the actual cost?

Mr. Steve Hacku, Assistant Fire Chief: When we considered purchasing this one year ago, we had no prior history of cost and there was not enough competition from vendors to drive the price down. One year later, prices are dropping due to the popularity of the product and the entrance of other vendors into the market.

Mr. Gouveia pointed out that the department has several other items that will be going out to bid, what is the experience with those items, are the prices coming in lower than what was projected on some or most of the items?

Mr. Hacku stated that the bids are coming in lower for just about all of the items.

Mr. Gouveia: After this purchase you will be just 16 sets shy of your two year plan to replace all the necessary equipment. My question is, if you can find this money within your budget due to such favorable bidding, wouldn't it be prudent to come up with the remaining \$8,000 at this time to purchase the remaining 16 sets?

Mr. Hacku: Yes it would be. We were projecting a two year program for the career department which actually requires 58 sets. We are "clean and green" in this area. The volunteer companies put in an arbitrary figure of approximately 50 sets. It could very well be more as far as the volunteer companies are concerned.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$500.00 from Copier Rental and Supplies to Copy Machine - Fire Chief

Motion was made by Mr. Bradley, seconded by Mr. Parisi.

Mr. Gouveia asked if there should be a Budget Amendment since this is a Capital item?

Mr. Hacku: This is the procedure we followed last time.

Mr. Myers: I have operated under the policy that, unless the bottom line of the budget changes, it is a transfer. Otherwise it would be a budget amendment.

Mr. Killen asked Mr. Hacku how much the monthly rental was costing his department?

Mr. Hacku did not have that figure handy.

Mr. Myers explained that the only item that the Town has been leasing is copy machines. He did not feel this was advantageous. The lease and interest rates run too high. He intended to have the Purchasing Agent and the Internal Auditor look at the list of copy machines, their locations and how much money the Town is providing in the various municipal budgets for copy machines. This would include the Electric, Water & Sewer Departments and all the general government departments. He then would like to propose a schedule whereby the Town could bid out and buy a certain number of copiers each year just like the Town buys police cruisers, snow plow trucks and fire trucks. Why not have the same for copier machines. Each year 2-3 copiers should be purchased. He assumed that the money in various budgets budgets would buy the number of copiers each year needed.

Mr. Gouveia asked why the lease agreement expires in November yet the service contract expires in June 1991? Why is the service contract purchased beyond the lease period?

Mr. Hacku: At the time we made the budget, there was no mention of not being able to lease the machine again. We would have just continued the lease on the date it expired in November.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #11A Consider and Approve a Transfer of \$4,200 from Acct. #001-5040-999-9909, High Dump Street Sweeper to Acct. #001-5050-500-5040, Maintenance Heating System - Public Works Department

Motion was made by Mr. Bradley, seconded by Mr. Parisi.

Mr. Parisi asked when the High Dump Street Sweeper go out to bid?

Mr. Steven Deak, Director of Public Works answered, June, 1990.

Mr. Bradley asked what kind of heaters they were?

Mr. Deak responded that they are overhead heaters, some over 18 years of age.

Mr. Bradley asked what is wrong with them?

Mr. Deak: They are burned out and the main furnace has to be repaired also. There has been no problem with them up until this time.

Mr. Bradley asked why these heaters were not in the Capital budget for this year?

Mr. Deak: We had no knowledge that they would be inoperable.

Mr. Gouveia asked what the low bid was on the street sweeper?

Mr. Deak: \$98,000.

Mr. Gouveia: You have \$14,000 left over?

Mr. Deak: Yes.

Mr. Gouveia: What was the low bid on the furnace for the driver's room?

Mr. Deak: \$3,200.

Mr. Bradley: I just cannot believe that 3 heaters can break down at the same time. I would rather have had these items included in the Capital budget than to have them come to us this way.

Mr. Deak: This is the procedure we have used before. If you wish to change the policy, I will do so.

Mr. Bradley: If the bid did not come in low and no money was available, what would you do?

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #11c Consider and Approve a Transfer of Funds in the Amount of \$750.00 from Acct. #001-5030-999-9938, Furnace - Drivers Room to Acct. #001-5110-500-5100, Maintenance of Building

Motion was made by Mr. Bradley, seconded by Mr. Holmes.

Mr. Bradley noted that the figure was incorrect at the bottom of the transfer which was certified by the Comptroller.

Mr. Killen asked that the figure be corrected. He felt that it was a preposterous price for a railing that size.

Mr. Bradley asked what other alternatives were available to the Town?

Mr. Killen and Mr. Deak responded, none.

Mayor Dickinson spoke with Scott Hyle who stated that codes require some form of railing. We have to restore the railing.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Mr. Gouveia raised the issue of possibly returning funds to the Council Contingency Reserve for Emergency Account that become a surplus when a bid comes in lower than anticipated.

Mr. Killen pointed out that those funds cannot be used without the approval of the Council at all times. In essence, the funds are then the Council's.

ITEM #12 Authorize the Mayor to Enter into an Agreement with Admet to Provide a Recycling Drop-off Service for Commercial Haulers to Implement a Curbside Recycling Program

Motion was made by Mr. Bradley, seconded by Mr. Parisi.

Mr. Gouveia asked if Admet will pay for the disposal of solid waste generated by the recycling process?

Mr. Don Roe, Program Planner responded, yes.

Mr. Gouveia asked if Heavy Iron Number 2 Prepared was a newly negotiated item since it was not listed in the original agreement?

Mr. Roe stated that Admet has been taking that item all along.

Mr. Gouveia asked about the scale fee referred to in Section 3.06.

Mr. Roe pointed out that there is no scale on sight so the scale will be used at the landfill. The haulers prefer to pay by weight instead of estimates. The scale charge will be incorporated into their weekly bill by Admet.

Mr. Gouveia was glad that the agreement, under Section 2, accommodates the businesses in this revised form.

Mr. Gouveia asked if the hours could be more accommodating, rather than the 8:00 A.M. to 3:00 P.M. during the week. He felt that at least one night per week the hours should run 10:00 A.M. to 5:00 P.M.

Mr. Roe: The hours can be changed by basis of mutual agreement.

Mr. Gouveia was still concerned over the clear plastic bags. In the agreement the plastic "windows" in the envelopes must be removed. That is a minuscule amount of plastic compared to plastic bags. Are the bags recyclable?

Mr. Roe: These particular bags will be recyclable.

Mr. Gouveia: Your Recycling Ordinance will have to address the fact that not just any plastic bag can be purchased.

Mr. Roe: When recycling envelopes as office paper, you need to remove the windows. When it is part of the junk mail, that is not the case.

Mr. Gouveia stated that the public needs to be informed as to exactly what Plastics 1-7 are (Exhibit C) as well as other product specifications.

Mr. Roe stated that the numbering approach will help the residents, the numbers are stamped on the bottom of the plastic product.

Mr. Holmes asked what kind of experiences has the Town had with payments made to and from the Town regarding certain materials?

Mr. Roe stated that each Council Member was forwarded a packet with that specific information listed. A 3 month summary of the program to date was forwarded attached to the Recycling Committee's Agenda. On the expenditure side as of 9/30/90, the cost for the Admet Pilot Program was \$570.90, the revenues to the Town are \$789.28. An increase in tonnage and funds has been recorded on a monthly basis.

Mr. Holmes referred to Section 1.04 and asked if there were any problems entering into this agreement with Admet prior to having all the proper regulations in place?

Mr. Roe: We are not entering into this agreement until the permitting is in place for the operation of the facility. We will probably be coming back to you with a request or proposal to continue piloting the program. The agreement covers the voluntary drop-off site and the soon to be developed commercial drop-off site.

Mayor Dickinson pointed out Section 4.01 addressing that very issue. The language protects us as to when it is effective.

Mr. Parisi asked Mr. Roe if he had any idea what the scale fee would be referred to in Section 3.06?

Mr. Roe's impression is that it will be \$5.00.

Mr. Parisi stated that scale fees sometimes fluctuate and that it should be listed in the agreement.

Mr. Roe: We are not in a contractual relationship. It is not Admet's scale fee.

Mr. Parisi asked who would absorb the increase if the scale fee went up?

Mr. Roe: The hauler.

Mr. Parisi: Where will it ultimately end up?

Mr. Roe: In his fees.

Mr. Parisi: We should try to address this now and not later.

Mayor Dickinson: It can be addressed but not in this contract with Admet. Admet has no authority to freeze any fee at the scale. The Town can look to have an agreement with the other party.

Mr. Parisi: Regarding the newspapers and corrugated cardboard that must be tied into bundles, what if it comes from a compactor?

Mr. Roe: We would not be taking commercially-generated material. Other than businesses which can deliver their material, has been identified in that provision, 2.22. The drop-off facility will be handling material from residences.

Mr. Killen asked that Section 2.10 be explained. He asked if this basically means that the facility will be open only when an employee from Admet is on site, otherwise, why list specific hours?

Mr. Roe stated that the site would be closed if no employee of Admet is present.

Mr. Killen asked if Exhibit C pertains to everyone or just to commercial haulers?

Mr. Roe stated that it is applicable to the entire operation of the residential drop-off center. The statement (2.14) applies directly to commercial haulers.

Mr. Killen: Are the rest of the specifications listed in Exhibit C applicable to commercial haulers or just the first line?

Mr. Roe: I think that is the only difference I can identify between the way in which materials come to the site vs. commercial hauler.

Mr. Zandri: The individual resident sorts at the site.

Mr. Killen: In Section 2.22, it does not specify cardboard, what are small businesses supposed to do with theirs?

Mr. Roe: We have been working with the Chamber at trying to get together local businesses to assist them in addressing how to meet the requirements of the recycling law. We are not able to take corrugated because if we take it from one, how do you say no to the next guy when

the market changes adversely. The onus under the legislation is on business and commercial sector to find their own way. We have tried to go the extra step with working with the Industrial Park Association and the Chamber assisting them in finding answers.

Mr. Killen: You are accepting corrugated cardboard from commercial haulers, why not from small businesses?

Mr. Roe: That is from households, and then how do you define what a small business is? Who will monitor that?

Mr. Killen: The term, "businesses other than commercial haulers" is there. It can cover a multitude of sins depending on who is trying to make the point.

Mr. Roe: All those items are ones that will not hurt the community financially. They create a positive cash flow to the Town.

Mr. Killen: What will happen to the corrugated cardboard that comes in from the commercial haulers?

Mr. Roe: That will be recycled.

Mr. Gouveia: The commercial haulers will pay to have it delivered to the site. In Section 2.22, every single item listed, the Town will make money on it. It is most irrelevant here, trying to establish small businesses.

Mayor Dickinson: I don't think that Admet would be able to handle the cardboard if it came from every possible source in Town. The volume is too far beyond their capabilities.

Mr. Killen: It is tough enough for most people to get rid of a lot of things and the more we make it almost impossible for these businesses to get rid of the cardboard, they will get rid of it and I'm almost sure where it will end up. It will cost us more in the long run to get rid of it at that point.

Mr. Roe: There has been a complete prohibition of over 1 year now for complete loads of corrugated cardboard and/or truckloads with significant amounts.

Mr. Holmes: In Exhibit C, regarding waste oil, do we have to provide someone to test each load of oil that is received for PCBs?

Mr. Roe: It is impossible, there are several different approaches to controlling it. One is used in Southington. Each person has to sign a disclaimer. Another is that all waste oil is placed in a 55 gallon drum and that drum is field tested and then pumped into a larger drum. There are problems with that. With increased handling, there is also an increase in the risk of spillage occurring. I want very much to keep it in the private sector's hands. The Recycling Committee is looking into this issue.



October 9, 1990

Mr. Bradley: This (waste oil collection) will be in place by January 1, 1991?

Mr. Roe: I'm not sure what the timing will be. It will depend on what type of facility is proposed. I don't know about the availability of the igloo units for the oil, I can't even guess at a date.

Mr. Bradley: Do you see anything preventing us from getting on board by January 1, 1991 Mayor?

Mayor Dickinson: Only some factors outside of our control, chiefly the State permit. That is a major issue.

Mr. Bradley: Is there anything else dependent upon it, the ordinance?

Mr. Roe: In the legislation what is required is that you have some legally enforceable, be it an ordinance or regulation, in place. It doesn't address the program elements.

Mayor Dickinson: There is no specific timeline for action. I am hoping that the interest of D.E.P. in having recycling programs will encourage fairly quick timing. It helps that we have a good track record with residential drop-off. It is guess work at this point. We are also preparing a site for leaf composting and we are under the impression that there is no problem from the State.

Mr. Walter Sawallich, Jr., 100 Jobs Road: The more we can do to keep this local to avoid trucking, etc. will help. It will not drop prices down but it may stabilize them. If a commercial vendor has a great deal of cardboard he needs to get rid of, he can contact a hauler who can supply him with a roll-off dumpster with a compactor attached. The hauler then can take it directly to Berlin. We have already instituted a curbside pick-up. In the first week we pulled out pretty close to 8 tons of newspaper, cardboard, cans and bottles. It is just a start. The problem with clear plastic bags is that those individuals who do not wish to comply state to me that they will put everything in a dark green bag and take it all to the dump ourselves. It may behoove us to require those people using the landfill to use clear plastic bags so that the trash can be viewed. Every single bag cannot be checked. You may consider adding the clear plastic bag rule to those individuals buying stickers for the landfill.

Mr. Bradley asked if this can be addressed in the ordinance?

Mr. Roe: We are currently working on how to best monitor the drop-off

Mr. Bradley: If I remember correctly the contract for the trash plant it is also stipulated in there that as of whatever date, recyclables would be rejected from the plant.

Mr. Roe: We have to require our residents dropping off there to recycle as well. I don't see how we can require it of homeowners who have haulers and not also require it of homeowners who don't have haulers. It is being addressed, how to?, we have not come down to it yet. The clear plastic bag would make it easier to enforce.

Mr. Sawallich: Why not make it a requirement in the Town Ordinance that all garbage be placed in clear plastic bags?

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

ITEM #14 Discussion and Possible Action on Ordinance #233 Amending Ordinance #11 Relating to Hours of Closing of Certain Liquor Vendors - SET A PUBLIC HEARING - Requested by Council Member Zandri

Motion was made by Mr. Bradley to Schedule a Public Hearing for Tuesday, October 23, 1990 at 8:00 P.M., seconded by Mr. Gouveia.

VOTE: Duryea, Parisi & Solinsky were absent; Zandri, Abstained; all others, aye; motion duly carried.

Mr. Killen stated that Item #15 is listed as an Executive Session but it will be discussed in open session because the offer has been made and is common knowledge.

ITEM #15 Discuss the Possible Purchase of Land

Mr. Killen stated that this has to do with the fact that the land across the street opposite Prince Street has been on the market and has been offered to the Town to be used as a parking lot. The Town was thwarted in the past when it has sought to make a parking lot out of it. It is his understanding that should the Town purchase the land and put up a building then it could legally establish a parking area in that given location. It is the wish of the members of this Council that the Town does do so because we will need land in this given area for further parking, regardless of what happens to the Legion property next door. He then asked the Town Attorney, Janis Small if negotiations are still open?

Ms. Small stated that no one has asked her to move on it, she has not done anything further since it was last discussed. She was concerned that price may be discussed.

Mr. Killen stated that the fact that it has been offered is an open piece of information. We cannot deny it.

Mayor Dickinson felt that the price should not be discussed in open session. A lawsuit was brought against the Town when the Town attempted to purchase the land for a parking lot unless a building is put up. If we plan to build it will significantly increase the price of the property. In addition, there are a multitude of questions that arise out of that. Once we put up a building, some of the parking would have to be designated for that building. Now the amount of parking will be reduced. Another site with significantly more parking has also been in the discussion stage. He felt that perhaps an Executive Session is in order.

Mr. Killen felt that there were contingencies with purchasing this building (Town Hall) as far as parking and the rules have been flaunted. We need to meet some of these problems head on. We have been kicking this around for some time. We are back at square 1.

Mayor Dickinson: We have to make a choice. I don't think that we should be thinking about purchasing both properties that Town has been considering. It is difficult to talk about this without an Executive Session.

Mr. Killen: I see nothing wrong with discussing the purchase of both sites we are talking about. You can never have too much land. There is always a use. There is the necessity of meeting requirements of Planning and Zoning as well as the needs of the public. We must look down the road. There is no room to put anyone else in this building.

Mayor Dickinson: I favor leasing the property across the street, but I am hesitant to purchase land that we must first build on to obtain parking space. It will not solve the parking problem. We have a number of big projects out there, I'm concerned about too many sites within the downtown area.

Mr. Zandri made a motion to Proceed into Executive Session to Discuss the Purchase of Land Pursuant to Section 1-18a(e)(4), seconded by Mr. Parisi.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Motion was made by Mr. Bradley to Exit Executive Session, seconded by Mr. Holmes.

VOTE: Duryea, Papale & Solinsky were absent; all others, aye; motion duly carried.

ITEM #13 Presentation of the International Association of Fire Chiefs Award - Mayor's Office

Mayor Dickinson: The International Association of Fire Chiefs has awarded the Wallingford Fire Department with an Award of Excellence. Out of 26,000+ fire departments within the United States, an innovative, problem-solving submittal application was sent and reviewed by a panel and Wallingford's department was deemed worthy of an Award of Excellence for the innovative and state-of-the-art techniques in the problem-solving exercise. It is a real honor for the Department as well as Chief McElfish to receive this.

Chief McElfish thanked the Council for postponing his item until he was able to attend. He was filling in at Waterbury. He stated that the International Association of Fire Chiefs and the U.S. Safety Company sponsors an international competition amongst all the fire departments through the help of Asst. Chief Hacku and Larry (last name unrecognizable) of Cyanamid we presented a proposal basically their emergency plan. Instead of hiring a consultant to develop this, we used the resources within the Town, the Fire Department, industry, public and elected officials and used it as a model. It was adopted 2 years ago and used as a model in Connecticut and throughout

- 16 -      October 9, 1990

the U.S. It was one of the top 5 entries. He then presented to the Mayor and the Council the 1990 Fire Service Award for Excellence and the Certificate of Commendation honoring the Wallingford Fire Department. An Award of Excellence and Award of Merit for 1990 for Special Contribution of Advancement of Fire Protection for the United States. He thanked everyone for their support.

ITEM #16 Executive Session to Discuss Pending Litigation Pursuant to Section 1-18a(e)(2) of the CT. General State Statutes - Town Attorney's Office

Motion was made by Mr. Bradley to Proceed into Executive Session, seconded by Mr. Holmes

VOTE: Duryea & Solinsky, were absent; Parisi, no; all others, aye; motion duly carried.

Motion was made by Mr. Bradley to Exit the Executive Session, seconded by Mr. Parisi.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Motion was made by Mr. Bradley To Authorize the Town Attorney to Appeal the Recent Decision in the ZBA & Planning & Zoning Case, seconded by Ms. Papale.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

Motion was made by Mr. Bradley to Adjourn the Meeting, seconded by Ms. Papale.

VOTE: Duryea and Solinsky were absent; all others, aye; motion duly carried.

There being no further business, the meeting adjourned at 10:21 P.M.

Meeting Recorded & Transcribed by:

Kathryn F. Milano  
Town Council Secretary

Approved by:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

RECEIVED ON FILE **OCT 11 1990**  
AT 1 29 P M  
ATTEST *Kathryn Wall*  
TOWN CLERK