

TOWN COUNCIL MEETING

WEDNESDAY, FEBRUARY 13, 1991

7:00 P.M.

AGENDA

1. Roll Call & Pledge of Allegiance
2. Consider and Approve Local 1282 Labor Agreement - Personnel
3. Approve Merit Increases (8) - Personnel
4. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
5. PUBLIC HEARING on an Ordinance Amending an Ordinance Entitled " 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" - 7:45 P.M.
6. PUBLIC HEARING on an Ordinance Entitled "An Ordinance Appropriating \$472,000 For the Planning and Design Phase Of The Town Electric Generation Expansion Project and Authorizing the Issue of \$472,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings For Such Purpose" - 8:00 P.M.
7. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Overtime - Snow Removal & Ice Control to Commercial Motor Vehicle Safety Expense - Public Works
8. Consider and Approve a Transfer of Funds in the Amount of \$2,500 from Secretaries Wages to Professional Services - Mayor's Office
9. Consider and Approve a Transfer of Funds in the Amount of \$800.00 from No Sick Leave Incentive to Gas & Oil - Fire Marshall
10. Consider and Approve Tax Refunds (8) in the Amount of \$519.08 (#144-151) - Tax Collector's Office
11. Consider and Approve Tax Refunds (11) in the Amount of \$4,356.08 (#152-162) - Tax Collector's Office
12. Consider and Approve Transfer of Funds (9) within the Fire Department:
 - a. \$3,999 from No Sick Leave Incentive; \$10,000 from Paramedic Bonus; \$2,000 from Longevity-Union; \$1,199 from Degree Allowance and \$4,000 from Hazardous Materials and Supplies for a total of \$21,198 to

Sick Replacement a total of \$21,198.

- b. \$18,880.00 from General Wage to Worker's Comp. Replacement
 - c. \$1,000.00 from Hazardous Materials & Supplies to Union Business Replacement
 - d. \$700.00 from Portable Radios to Dishwasher
 - e. \$300.00 from Resurface Stairs to Utilities
 - f. \$500.00 from Thermacore Bay Doors to Utilities
 - g. \$390.00 from Fax Machine to Maintenance of Buildings
 - h. \$324.00 from Portable Radios to Building Maintenance
 - i. \$271.00 from Rechargeable Lights and \$209.00 from Two Way Radios for a total of \$480.00 to Building Maintenance
13. Consider and Approve a Budget Amendment in the Amount of \$30,000 to fund the Tax Refunds Accounts - Comptrollers Office
 14. Approve and Accept Road Acceptances for Tom's Drive, initial sections of Marie Lane, Susan Drive, and Tammy Hill Road off of High Hill Road as requested by the Planning and Zoning Commission
 15. Discussion and Possible Action Regarding Adopting a Resolution Pertaining to Binding Arbitration - Mayor's Office
 16. Consider and Approve an Appropriation of Funds in the Amount of \$2,205 to the Revenue: State Grants and Expenditures: Program Costs Accounts to Establish the Budget for the "Drugs Don't Work" Grant - Comptroller's Office
 17. Consider and Approve an Appropriation of Funds in the Amount of \$60,517 to Pass Through to the Wallingford Education Department - Comptroller's Office
 18. Consider and Approve a Transfer of Funds in the Amount of \$2,000 from Legal Expenses to Office Supplies - Town Attorney
 19. Consider and Approve a Transfer of Funds in the Amount of \$13,154 from Police Department Outside Contractors to Contingency; Reserve for Emergency
 20. Executive Session Pursuant to Section 1-18a(e)(1) to Discuss the Employment, Performance and Health of a Public Employee
 21. Consider and Approve Establishing an Additional Line Item in the Youth Service Bureau's Budget
 22. Consider and Approve a Transfer of Funds in the Amount of \$3,700 from Clerks Wages to Part-Time Clerks Wages - Youth Service Bureau

23. Report Out From the Mayor and Phil Hamel on the Status of C.R.R.A.'s Proposed Increase as requested by Council Member. Bradley
44. Note for the Record the Financial Reports of the Wallingford Public Library, Visiting Nurse Association and the Senior Citizens Center
25. Note for the Record Anniversary Increases (5) Approved by the Mayor
6. Note for the Record Mayoral Transfers Approved to Date

TOWN COUNCIL MEETING

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7:00 P.M.

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TOWN COUNCIL MEETING

FEBRUARY 13, 1991

7:00 P.M.

A meeting of the Wallingford Town Council was held on Wednesday, February 13, 1991 in the Robert Earley Auditorium of the Town Hall and called to order by Vice-Chairman Edward R. Bradley at 7:08 P.M. Answering present to the Roll called by Town Clerk Kathryn J. Wall were Council Members Bradley, Duryea, Gouveia, Holmes, Papale, Solinsky, and Zandri. Chairman Albert E. Killen was on vacation; Councilor Parisi was absent due to surgery. Mayor William W. Dickinson, Jr. arrived at 7:32 P.M., Town Attorney Janis Small arrived at 7:12 P.M. Comptroller Thomas A. Myers was also present at the meeting. was also present.

The Pledge of Allegiance was given to the Flag.

Mr. Bradley asked that everyone remain standing to observe a moment of silence for Mr. Richard Lee, Chief Warrant Officer with the #219 Medical Detachment, a native of Wallingford and for former Judge of Probate Francis Sabota.

He read a section of an essay entitled, "Reflections on War" by H. L. Mencken into the record as follows:

The powerful emotional stimulus of war, its evocation of motives and ideals which, whatever their error, are at least more stimulating than those which impel a man to get and keep a safe job - this is too obvious to need laboring. The effect on the individual soldier of its very horror, filling him with a sense of the heroic, increases enormously his self-respect. This increase in self-respect reacts upon the nation, and tends to save it from the deteriorating effects of industrial discipline. In the main, soldiers are men of humble position and talents - laborers, petty mechanics, young fellows without definite occupation. Yet no one can deny that the veteran shows a certain superiority in dignity to the average man of his age and experience. He has played his part in significant events; he has been a citizen in a far more profound sense than any mere workman can ever be. The effects of all this are plainly seen in his bearing and his whole attitude of mind. War may make a fool of man, but it by no means degrades him; on the contrary, it tends to exalt him, and its net effects are much like those of motherhood on women.

Ms. Papale made a motion to place the following items on the Consent Agenda to be voted upon by one unanimous vote of the Council, seconded by Mr. Holmes.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Overtime Acct. #001-5040-100-1400 to Commercial Motor Vehicle Safety Expense, Acct. #001-5030-500-5710 - Public Works Dept.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$2,500 from Secretaries Wages Acct. #001-1300-100-1250 to Professional Services Acct. #001-1300-900-9042 - Mayor's Office

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$800.00 from No Sick Leave Incentive Acct. #2035-100-1620 to Gas & Oil Acct. #2035-300-3000 - Fire Marshall

ITEM #10 Consider and Approve Tax Refunds (8) in the Amount of \$519.08 (#144-151) - Tax Collector's Office

ITEM #12c Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Hazardous Materials & Supplies Acct. #2032-400-4230 to Union Business Replacement Acct. #2032-100-1640 - Fire Dept.

ITEM #12d Consider and Approve a Transfer of Funds in the Amount of \$700.00 from Portable Radios Acct. #2032-999-9909 to Dishwasher Acct. #2032-999-9943 - Fire Dept.

ITEM #12e Consider and Approve a Transfer of Funds in the Amount of \$300.00 from Resurface Stairs Acct. #2032-999-9911 to Utilities Acct. #2037-200-2010 - Fire Dept.

ITEM #12f Consider and Approve a Transfer of Funds in the Amount of \$500.00 from Thermacore Bay Doors Acct. #2032-999-9905 to Utilities Acct. #2039-200-2010 - Fire Dept.

ITEM #12g Consider and Approve a Transfer of Funds in the Amount of \$390.00 from Fax Machine Acct. #2034-999-9906 to Maintenance of Building Acct. #2036-500-5100 - Fire Dept.

ITEM #12h Consider and Approve a Transfer of Funds in the Amount of \$324.00 from Portable Radios Acct. #2038-999-9903 to Building Maintenance Acct. #2038-500-5100 - Fire Dept.

ITEM #12i Consider and Approve a Transfer of Funds in the Amount of \$271.00 from Rechargeable Lights Acct. #2039-999-9906 and \$209.00 from Two Way Radios Acct. #2039-999-9929 for a total of \$480.00 to Building Maintenance Acct. #2039-500-5100 - Fire Dept.

ITEM #13 Consider and Approve a Budget Amendment in the Amount of \$30,000 to fund the Tax Refunds Accounts - Comptroller's Office

ITEM #14 Approve and Accept Road Acceptances for Tom's Drive, initial sections of Marie Lane, Susan Drive, and Tammy Hill Road off of High Hill Road as requested by the Planning & Zoning Commission

ITEM #18 Consider and Approve a Transfer of Funds in the Amount of \$2,000 from Legal Expenses Acct. #001-1320-400-4210 to Office Supplies Acct. #001-1320-400-4000 - Town Attorney

ITEM #19 Consider and Approve a Transfer of Funds in the Amount of \$13,154 from Police Department Outside Contractors Acct. #001-2015-600-6520 to Contingency; Reserve for Emergency Acct. #001-8050-800-3190 - Town Council

ITEM #24 Note for the Record the Finance Reports of the Wallingford Public Library, Visiting Nurse Association and the Senior Citizens Center

ITEM #25 Note for the Record Anniversary Increases (5) Approved by the Mayor

ITEM #26 Note for the Record Mayoral Transfers Approved to Date

VOTE: Killen & Parisi were absent; all others. aye

ITEM #3 Approve Merit Increased (8) - Personnel

Motion was made by Ms. Papale, seconded by Mr. Holmes.

Mrs. Duryea asked several questions surrounding the merit increase procedure of the Town. She questioned whether or not every municipal employee receives a merit increase yearly?

Mr. Seadale, Personnel Director, explained that lots of them do not, but instead received anniversary increases which are virtually automatic. In the supervisory union there is a clause which states that the Town will continue the practice of having a review by three members of the Council, the Department Head and himself. That what is currently done. As of next January there are approximately 53 or 54 people in that union, about one half of those people will receive a step next year. Of that group, half of those individuals would have received a step or merit increase whether a pay plan existed or not because of recent hires or promotions. As a result of the pay evaluation study, you have maybe 12 or 13 people who are still on steps who would not have been there had it not been for the pay plan.

Mr. Zandri explained that the confusion lies in the wording of the action. It is truly not a merit increase but a step increase and is almost automatic as long as the individual is performing their job at the rate of expected production.

Mr. Seadale pointed out that there have been individuals who have not received their step increase for various reasons, it is not automatic. If you want to eliminate steps then the Town must hire at the maximum rate since that is the going rate for the job.

Mr. Zandri pointed out that if 80% of your workers are rated above average, then that rate of productivity should become the new average.

Mr. Seadale stated that it basically takes an individual 5 years to get the going rate of pay for their position.

Mr. Edward Musso of 56 Dibble Edge Road felt that if an employee "walks a straight line" and doesn't steal they should receive their increase.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

Mr. Holmes made a motion to Move Agenda Item #11 Up to the Next Order of Business, seconded by Mr. Solinsky.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

ITEM #11 Consider and Approve Tax Refunds (11) in the Amount of \$4,356.08 (#152-162) - Tax Collector's Office

VOTE: Killen & Parisi were absent; Papale Abstained; motion duly carried.

Motion was made by Ms. Papale to Move Agenda Items #12a & 12b To the Next Order of Business, seconded by Mr. Holmes.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

ITEM #12a Consider and Approve a Transfer of Funds in the Amount of \$3,999 from No Sick Leave Incentive Acct. #2032-100-1620; \$10,000 from Paramedic Bonus Acct. #2032-100-1680; \$2,000 from Longevity - Union Acct. #2032-100-1750; \$1,199 from Degree Allowance Act. #2302-100-1950 and \$4,000 from Hazardous Materials & Supplies Acct. #2032-400-4230 for a total of \$21,198 to Sick Replacement Acct. #2032-100-1600 - Fire Dept.

Motion was made by Ms. Papale, seconded by Mr. Holmes.

Mr. Holmes congratulated Wayne Lefevre, newly appointed Fire Chief. Mr. Bradley seconded the congratulations.

Ms. Papale asked Chief Lefevre why a greater amount of participation was not exhibited by his employees in the \$500.00 no sick leave incentive bonus?

Chief Lefevre explained that that particular item was placed in the union contract as an inducement to encourage people who show up for work. If no sick time is used the employee will receive a bonus of \$500.00. He felt a graduated program should be considered for the Town. He will be talking with the Personnel Director regarding this very matter.

Mr. Holmes thought that a quarterly incentive program should be considered.

Mr. Gouveia asked that this item be placed on the agenda at a future Town Council Meeting for Executive Session Consideration.

Mr. Edward Musso wanted to know what happens to the \$21,198.00 that is being transferred into the Sick Replacement Acct.?

Chief Lefevre explained that it will be used to meet payroll.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

EM #12b Consider and Approve a Transfer of Funds in the Amount \$18,880 from General Wage Acct. #2032-100-1320 to Worker's Comp. Replacement Acct. #2032-100-1630 - Fire Dept.

Motion was made by Ms. Papale, seconded by Mr. Holmes.

Ms. Papale asked if the Fire Dept. was fully staffed at this moment?

Chief Lefevre stated that two vacancies were recently filled and two are coming due this month due to retirements. One of those positions will be filled in approximately 2-3 weeks. The department is working towards filling the position of Captain as quickly as is possible. Testing procedure takes time.

Ms. Papale felt the Fire and Police Departments should be fully staffed at all times.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

Ms. Papale made a motion to Move Agenda Item #15 Up to the Next Order of Business, seconded by Mr. Solinsky.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

PUBLIC QUESTION & ANSWER PERIOD

Mr. Edward Musso, 56 Dibble Edge Road asked what the nature of the Transfer was into the Union Business Replacement Account referred to in Agenda Item #12c which was placed on the Consent Agenda.

Mr. Bradley read the correspondence attached to the transfer to Mr. Musso. He explained that the money will cover the costs that will result from contract negotiations which will be starting very soon.

Mr. Musso asked if the Town has to sharpen the knife so when we get under the guillotine they can take all of our money? The unions get enough money, let them pay for the negotiations not the taxpayer. He objected to it.

ITEM #15 Discussion and Possible Action Regarding Adopting a Resolution Pertaining to Binding Arbitration - Mayor's Office

Motion was made by Ms. Papale, seconded by Mr. Solinsky.

Ms. Papale read correspondence into the record from Mayor Dickinson along with an attached Resolution from the City of Bristol, CT.

Mr. Gouveia stated that the item on the agenda called for the adoption of a resolution pertaining to binding arbitration. What was before the Council was a copy of a resolution adopted by the City of Bristol. Technically there was no resolution of the Town of Wallingford. He felt the motion should be re-worded.

Mr. Bradley thought that a resolution was passed several meetings back that came in from Cheshire, CT that was re-worded.

Mayor Dickinson remembered it being addressed quite a while ago. He did not see this as anything other than a vote to endorse the concept expressed by the resolution from Bristol. It does not call for the repeal of but rather the modification of binding arbitration. The Mayor is not in favor of repealing binding arbitration but felt it is not a level playing field and there should be some modifications such as providing for a decision to be based on one community standing by itself, not a regional review.

Mr. Bradley asked what is the Town's intent with this other from this point other than a resolution?

Mayor Dickinson stated that the Town would convey its endorsement or draft a separate resolution and convey that to the City of Bristol and to our legislators reminding them of Bristol's resolution.

Mr. Bradley asked if the Town should draft its own or adopt Bristol's resolution?

Mayor Dickinson suggested that a motion could be made to adopt the sentiments expressed in the Bristol resolution and leave it with that. If there is a desire to make it more formal, the Town could draft a resolution and adopt that.

Mr. Gouveia reiterated that the wording of the agenda item did not truly reflect the action that would be taken.

Mr. Bradley pointed out that the Town changed the wording on the Cheshire resolution last year.

Mr. Gouveia felt the motion should be defeated and a new motion made under the Waiver of Rule V to properly address this item. He did not want the Council to change items on the agenda simply because it does not fit the purpose at that particular time.

Mr. Holmes felt that the Council was not changing the intent of the item.

Mr. Gouveia was not entirely sure of that.

Mr. Bradley stated that the intent is the same.

Ms. Papale stated that if it does not pass the vote, the Council could waive Rule V.

Mr. Solinsky asked if Mr. Gouveia wanted to add or subtract anything to the resolution?

Mr. Gouveia did not.

Mr. Solinsky pointed out that the agenda was not specific to the resolution.

Mr. Gouveia argued that if this resolution is adopted, it has the words, "City of Bristol" in it.

Ms. Papale amended the motion to read that the Town of Wallingford Adopt the City of Bristol's Resolution Pertaining to Binding Arbitration and to Substitute the words, "Town of Wallingford" wherever the words, "City of Bristol" appear, seconded by Mr. Holmes.

Mr. Edward Musso, 56 Dibble Edge Road stated that the Councilors as well as the Mayor should speak directly into the microphones. He was unable to hear what they were saying. He felt that a few taxpayers from the Town should be included in the arbitration process. Not liberal Council Members.

Dennis Reynolds, Wallingford Police Union Council #1570 stated that if the Council scraps the system like this, they will be reatening public safety. The Police Union Council has never pported a job action or strike. If binding arbitration is taken away, there will be no alternative to have fair bargaining. Statewide, binding arbitration does not benefit unions. He agreed it was close, perhaps 50/50. He has worked for the Town twelve years of which this is the first that they have gone to binding arbitration due to the fact that the Town fails to negotiate fairly. He pointed out that the Town loses quite a bit in binding arbitration and it should be researched.

Mr. Bradley stated that no one had a gripe with binding arbitration per se, it is a process and it does have an intent. Secondly, the Council is not looking at eliminating binding arbitration or even recommending that they consider that. Everyone realizes that it has a purpose. The Council is saying that the people and government has seen some large increases that they have concerns with because of economic times. That is all that this resolution is stating, that they consider the economic times and the conditions of the municipalities within their binding arbitration process.

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Mr. Reynolds stated that in his experience with arbitration he did not believe that they just don't take arbitrarily, if Meriden gets so much, Wallingford gets so much. He understood the concern but felt that that was not the case. It is the way the Town presents their case.

Mr. Holmes reiterated that there was room for reform. He felt there were problems with the way the neutral arbitrator is selected.

Mr. Reynolds pointed out that the neutral arbitrator is agreed upon by both the union and management.

Mr. Holmes responded, that's right, who has veto power. Doesn't one side retain veto power over the neutral arbitrator?

The response was, no.

Mr. Reynolds: I have to disagree with you, I think that we do have the best interest of the community because any other system other than a neutral arbitration panel would be detrimental to community because public safety is the ultimate goal of both the public officials and the Police Department and the Fire Department, Electric Division, etc.

Mr. Edward Musso, 56 Dibble Edge Road: I believe the gentleman talking is talking through his hat. Once in a while we get one marble back but they get 99 of them in their pocket. He has not had anything to say about the unions, they have thrown in all kinds of money to hire all kinds of attorneys writing up tricky laws and things to their advantage but he has no objection to that. All he is doing is saying that the taxpayer has to pay for these special interest groups that want a big thing for themselves. Those jobs are no more dangerous than any of the other jobs done anywhere else.

Mr. Philip Wright, Sr., 160 Cedar Street would not speak for or against binding arbitration. He had strong opinions about it but really felt bad that the Town of Wallingford has just gone and replaced Bristol with Wallingford. He felt that there are attorneys and other people here in this Town who could word their own resolution, something that is the Town of Wallingford's instead of just plain me tooism. It didn't set well with him.

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

ITEM #5 Public Hearing on an Ordinance An Ordinance Entitled, "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 - 7:45 P.M.

Motion was made by Ms. Papale, seconded by Mr. Solinsky.

Ms. Papale read the ordinance into the record.

Edward Musso, 56 Dibble Edge Road asked if this addition would be fully paid for by the state?

Mr. Polanski responded, yes.

Ms. Papale congratulated Mr. Polanski and the Vo-Ag Committee and apologized for being able to attend the ground breaking ceremony a few days ago.

Mr. Polanski stated that the ground breaking took place on the 8th of February and on the 11th of February the Superintendent has notified the State the committee is starting and had them lock in the grant money for the project. The equipment list for which \$145,000 was allocated will come in under budget and the committee is only four items short of the entire grant. One of those was because one of the people who bid on one of the items could not produce it and has caused a four week delay. The State will be notified when all of the items are in so they could start collecting the money for the project. He stated that some people want his committee to hire a clerk of the works to represent the Town of Wallingford. He felt that his committee would not argue with it. He will honor the wishes of the Council regarding this matter.

Ms. Papale felt that the teachers who will be present every day will have more input and knowledge of the needs rather than a clerk of the works. She is unsure how she would vote on this issue.

Mr. Polanski felt that Lazarus & Sargeant were very capable of overseeing the project. He felt his committee should not determine whether or not to hire a clerk of the works, the Council should determine this.

Mr. Zandri asked if it was part of the agreement/understanding/fee that the architect would be supervising the job?

Polanski responded, yes.

Mr. Zandri saw no reason to hire a clerk of the works.

Mr. Gouveia asked if any funds were left from the \$245,000 set aside for the planning phase of the project?

Mr. Polanski responded that there was approximately \$20,000 left due to the savings on the equipment list. The actual construction will cost \$775,000, the architect fees are up to the maximum. He had not planned on a contingency fund because they did not know what the building would come in on. It was up in the air. They figured 10% as a contingency fund which would be an extra \$75,000.00. As of the last notice received from the Comptroller's Office they are right on target with the original appropriation.

Mr. Gouveia asked if there were any assurances that all of the money would be collected from the State including the \$75,000?

Mr. Polanski is in receipt of a letter from the State stating that they will pay all the expenses.

Mr. Gouveia was concerned with the contingency fund, he hoped that if it does not have to be used, it won't. He did not want the added burden on top of the new taxes

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that Governor Weicker was proposing.

Mr. Polanski shared Mr. Gouveia's concerns and pointed out that the program is a good solid program with enrollment already up to approximately 190 people, way above the estimated enrollment.

Mayor Dickinson: I have a few comments regarding a clerk of the works. My understanding is that under an architect's contract the first mediator on any dispute is the architect. If the architect is going to be a mediator, who is presenting our case? Maybe they will be there almost every day, but I think that we need someone there every day to tell us if the sub-contractor and/or contractors are working or not, who will process the change orders, who will keep daily records as to who is doing what? That is where I think the clerk of the works should be there, someone who is knowledgeable on construction who keeps track of what goes on when it goes on and presents the paperwork to the committee for approval. I don't know that it is clear that the architect is supposed to present the paperwork and bills, etc. Think carefully about it. We need instant record keeping and I don't think that the architect will perform that function. If there is a fight over something, under that contract he is automatically the mediator.

Mr. Bradley asked if the Town still retained a clerk of the works on the roofing and underground tank committees?

Ms. Papale answered that Tim Reardon is the clerk of the works on the roofing committee.

Mr. Bradley asked how successful that was as far as the paperwork and sign-offs?

Mayor Dickinson responded that there has been no claim on the roofs and don't expect one. A clerk of the works was also hired for the sewer plant and it has been extremely successful in arbitration. There were two clerks of the works on the tanks whose job is now finished. It keeps the contractor and sub-contractors well supervised. He felt that in a case such as this where the Town is spending in excess of \$1 million it is best to protect our interest.

Mr. Zandri thought that perhaps the contract (architectural) has to be reviewed to see exactly what his role is and whether or not he is supposed to be on that job everyday.

Mr. Polanski stated that could be done and his committee can report back to the Council.

Ms. Papale offered to tap Mr. Verna's expertise as far as recommending a clerk of the works since he is in the construction business and he does sit on the committee.

Mr. Zandri said it was not a matter of coming up with someone who is capable but whether or not, we are already paying a fee to an architect to take up this responsibility....

Ms. Papale stated that this will be discussed at the next meeting of the building committee and a report can be made to the Council.

Mr. Bradley felt that Ms. Papale's suggestion was a good one as was Mr. Zandri's to look at the architectural contract.

Mr. Solinsky commented that there was an engineering firm that did the roofs but they don't spend the day by day time there. They come in and check occasionally. Without a clerk of the works there, inferior work could be performed and covered up without our knowledge. He felt it would be well worth the Town's money.

Mr. Zandri commented that he assumed that the building will be inspected by the Town's Building Department as it proceeds through the building phases.

Mr. Solinsky stated that they do not inspect for specific type of materials that are being used, where a clerk of the works will.

Mr. Bradley asked if there were funds in the committee's budget for a clerk?

Mr. Polanski responded, no.

Mr. Bradley asked if the project was on target?

Mr. Polanski: Yes. The construction people are moving in to the Lyman Hall site this week and August 15th is the date we hope to have everything done.

Mr. Bradley: Any problem areas?

Mr. Polanski: Our only problem we had was with the sprinkler system and that was resolved in a meeting with the Mayor and the Fire Marshal along with a few other people.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

Ms. Papale made a motion to Remove From the Table a Public Hearing on an Ordinance Entitled, "An Ordinance Appropriating \$472,000 for the Planning & Design Phase of the Town Electric Generation Expansion Project and Authorizing the Issue of \$472,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose", seconded by Mr. Zandri.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

ITEM #6 Public Hearing on an Ordinance Entitled, " An Ordinance Appropriating \$472,000 for the Planning & Design Phase of the Town Electric Generation Expansion Project and Authorizing the Issue of \$472,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose" - 8:00 P.M.

Motion was made by Ms. Papale to Continue the Public Hearing, seconded by Mrs. Duryea.

Mr. Bradley stated that there are two members of the Council who are absent this evening and it is an item of great financial significance to the Town and he wanted the remainder of the Council to consider another tabling motion to the next meeting.

Ms. Papale asked Raymond Smith, Director of the P.U.C. if this action were delayed an additional two weeks, would it make much of a difference as far as time constraints?

Mr. Smith responded, that it most likely will effect the end date of the project. He assumed that he could get an approval of an extension on the bid.

Ms. Papale would have no problem tabling this item once again.

Mr. Holmes said that it is a proper move to take. He asked if any contracts have been signed with G.E. at this point?

Mr. Smith: No.

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Mr. Smith stated that he was not available two weeks from tonight and requested that a Special Town Council Meeting be scheduled.

Ms. Papale felt that the Council should compromise this evening.

Ms. Papale amended the motion to Table this Public Hearing Until Tuesday, March 5, 1991 at 7:00 P.M., seconded by Mr. Holmes.

Mr. Bradley stated that there are a lot of questions surrounding this item and he suggested that the Council meet with the P.U.C. in a workshop prior to the meeting to address some of the questions.

Mr. Gouveia felt the suggestion was outstanding.

Mr. Beaumont had no problem with that idea.

Mr. Bradley suggested the workshop be held at 5:30 P.M. and the Public Hearing to begin at 7:00 P.M.

Mr. Smith extended an invitation to all Council Members to visit his office and have any/all concerns addressed.

Mr. Zandri felt there was no difference between holding a workshop to gather information and doing so at the public hearing scheduled for 7:00 P.M.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

Mr. Edward Musso, 56 Dibble Edge Road stated that he was in favor of a public hearing but if the Council were going to go through another 3½ hours of debate again, then to hold a workshop first to get all of that taken care of first.

ITEM #16 Consider and Approve an Appropriation of Funds in the Amount of \$2,205.00 to Revenues: State Grants Acct #001-1000-001-1500 and to the Expenditures: Program Costs Acct. #001-9000-900-8500 Accounts - Wallingford Public School System

Motion was made by Ms. Papale, seconded by Mrs. Duryea.

Mrs. Duryea asked if this program would work in conjunction with Project DARE?

Unidentified Subject: No, this is in conjunction with our comprehensive health curriculum which is using "Here's looking at you - the year 2,000" and this money will be spent to buy additional materials for that program.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

ITEM #17 Consider and Approve an Appropriation of Funds in the Amount of \$60,517.00 to Revenues: State Grants Education Cost Sharing Acct. #001-1030-050-5025 and to Expenditures: Education Department Formula Grants Acct. #001-8500-800-7011 - Comptroller's Office

Motion was made by Ms. Papale, seconded by Mr. Holmes.

Mr. Bradley asked if all money that comes down from the State regarding education grants is passed through?

Mr. Thomas Myers responded, no. Wallingford policy is that when additional funds of _____ by the State Legislature after our budget adoption has taken

place, we recommend that those funds be passed through.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

The Chair declared a 10 minute recess.

ITEM #20 Executive Session Pursuant to Section 1-18a(e)(1) to Discuss the Employment, Performance and Health of a Public Employee

tion was made by Ms. Papale to Proceed Into Executive Session, seconded by Mrs. ryea.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

Motion was made by Ms. Papale to Move Out of Executive Session, seconded by Mr. Holmes.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

ITEM #21 Consider and Approve Establishing an Additional Line Item in the Youth Service Bureau's Budget

Motion was made by Ms. Papale, seconded by Mr. Holmes.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

ITEM #22 Consider and Approve a Transfer of Funds in the Amount of \$3,700.00 from Clerks Wages Acct. #012-1040-100-1300 to Part Time Clerk's Wages Acct. #012-1040-100-1310 - Youth Service Bureau

Motion was made by Ms. Papale, seconded by Mr. Holmes

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

IVE RULE V Ms. Papale made a motion to Waive Rule V of The Town Council Meeting Procedures to Consider and Approve the Waiver of Bid for the Town Attorney to Hire An Outside Counsel, seconded by Mr. Holmes.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

Motion was made by Ms. Papale to Consider and Approve the Waiver of Bid for the Town Attorney's Office to Hire Outside Counsel, seconded by Mr. Holmes.

Mr. Zandri asked if this was the indemnification suit with the ZBA?

Atty. Small responded, yes. She stated that she would come back before the Council for additional funds if needed.

Mr. Holmes asked Atty. Small for her best estimate on the cost of the trial?

Atty. Small responded that she estimated approximately \$10,000.00 and she would have a better idea at the next Council Meeting.

Mr. Holmes asked if the Town loses, do we have to pay opposing attorney's fees?

Atty. Small: Yes.

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Ms. Papale asked why the need to hire outside counsel?

Atty. Small responded that her office was the attorney for the ZBA.

Mr. Solinsky felt that we were placing mistake on top of mistake. It was a waste of taxpayer's money.

Mayor Dickinson stated that if we chose not to defend it sends a message to other boards and commissions to go out and do their own thing.

Mr. Holmes asked if the Town wins, are we prepared to sue the members of the ZBA?

Atty. Small: That would be between the individual board members and Vinny McManus.

Mr. Bradley asked if the firm we will hire has had experience in this type of case before?

Atty. Small stated that they do a lot of zoning work. This type does not come up very often. We will talk with them and convey our concerns and feelings on the case.

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

WAIVE RULE V Ms. Papale made a motion to Waive Rule V of the Town Council Meeting Procedures to Discuss the Tabling of the Quarterly Budget Amendments of the Water & Sewer Divisions at the January 31, 1991 Special Town Council Meeting, seconded by Mr. Holmes.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

Motion was made by Ms. Papale to Continue the Tabling Motion of the Quarterly Budget Amendments to the Water & Sewer Divisions until the February 26, 1991 Town Council Meeting, seconded by Mr. Holmes.

Mr. Bradley stated that nothing has come forward from the Divisions and, therefore, the tabling motion will continue in effect.

VOTE: Killen & Parisi were absent; all others, aye; motion duly carried.

WAIVE RULE V Ms. Papale made a motion to Waive Rule V of the Town Council Meeting Procedures to Discuss the Naming of the Building Committee for 88 S. Main Street, seconded by Mrs. Duryea.

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

Motion was made by Ms. Papale to Have the Building Committee for 88 S. Main Street Named at the Next Town Council Meeting Scheduled for February 26, 1991, seconded by Mrs. Duryea.

This was due to the absence of two Council Members.

Ms. Papale asked how many people were to be on this committee and if a name was required from each Council Member?

Mr. Zandri explained that there will be five members of which the Council will name

and the Mayor is to supply two names.

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

Mr. Holmes left the meeting at 10:10 P.M.

ITEM #23 Report Out From the Mayor and Phil Hamel on the Status of C.R.R.A.'s Proposed Increase as Requested by Council Member Bradley.

ion was made by Ms. Papale, seconded by Mrs. Duryea.

Mayor Dickinson explained in great generality that a sub-committee of the Policy Board reviewed some 2,000 pages of data. Legislation is being proposed of which Mr. Hamel has copies of to bring more accountability to C.R.R.A. The proposed tip fee went from \$49/ton to \$68/ton. The committee arrived at reductions that would be some \$5 or \$6 less. As a result of the deficit going into this year as well as the loss in revenue in bulky waste, it was over estimated, those more accurate figures were factored into their budget so even though the committee reduced some \$400,000 out of the current year and some \$1 million out of the 1991-92 budget, we end up with pretty much the same situation. Financing is currently being looked at and whether that would be embarked on is an open question. Some \$2.3 million would have to be covered the Mayor went on to say due to the \$1 million deficit in F.Y. '91 and a \$1.3 million bulky waste shortfall in revenue because we will be out of bulky waste space as of June. If the financing is not agreed to, it will be higher than \$68/ton. It all depends on the way you want to characterize what the shortfall is. In part, it is due to the one-time use of the stabilization funds and, in part, it is due to bulky waste, and also in part due to a deficit that was a result of the year with the tipp fee at \$45/ton.

Mr. Bradley asked if they reduced their budget by any amount?

Mayor Dickinson stated that their budget was forced a reduction of \$400,000 or \$500,000 this year.

Hamel stated that the budget that was originally proposed back in September for next year, they have reduced approximately \$1.5 million from that.

Mayor Dickinson pointed out that the offset on that is that they budgeted bulky waste revenues that are not going to be there.

Mr. Hamel also stated that the budget proposed back in September was also carrying over a \$1 million deficit, there were not adequate revenues to cover the expenditures.

Mr. Bradley referred to a letter to the Mayor dated January 15th where it states that "according to C.R.R.A. staff, these charges for payment of costs of \$6.5 million line of credit which according to C.R.R.A. is used to support C.R.R.A. cash needs..." this has nothing to do with the loan from the Bank of Japan does it?, Mr. Bradley asked.

Mr. Hamel stated that it did not. He understood it to be used to pay off debt that C.R.R.A. has incurred for projects that did not go forward.

Mr. Bradley asked if those were all projects across the state?

Mr. Hamel responded, yes. As part of the legislative proposal, there is a proposal that the State pick up the debt service on those projects.

Mr. Bradley: Otherwise if they don't then the project towns are liable for this?

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And this would be reflected in the tipping fee?

Mr. Hamel: It is currently reflected in the tipping fee. There is a legal question as to whether the towns are, in fact, liable for it. The total amount that it impacts this project is about \$110,000/yr. which translates to about \$.70/ton. There is another category also which is for C.R.R.A. costs between 1973 and 78 I believe which is another one that the towns dispute whether they are to be paying. Those two combined amount to about \$110,000/yr. for this project. These are the numbers that we have received from C.R.R.A.

Mr. Bradley: So that is not going to have a significant impact on reducing the overall tipping fee if that were to be removed?

Mr. Hamel: No.

Mr. Zandri asked if it was true that C.R.R.A. was contemplating borrowing approximately \$7 million to stabilize the tip fee?

Mr. Hamel: That is correct.

Mr. Zandri: Who will assume the responsibility of this borrowing?

Mr. Hamel: C.R.R.A. would issue the debt and it would become part of the tip fee for this project.

Mr. Zandri: So not only that will have to be paid off but also the interest associated with that borrowing.

Mr. Hamel: That is correct.

Mr. Zandri: It is projected that we will be out of bulky waste space by mid-year? What plans are being made to accommodate the five towns in this project to dispose of their bulky waste?

Mr. Hamel: There are private landfills, Berlin has one which will take the bulky waste. The towns lose benefit of the revenues.

Mr. Zandri: I just want to make sure that we are making arrangements for the haulers or private owners so they will have bulky waste disposal.

Mayor Dickinson: What C.R.R.A. would like is to be able to expand the existing site and/or go to Meriden.

Mr. Solinsky asked how this will effect our residential drop off of bulky waste?

Mayor Dickinson: Ultimately we would not be able to take it I suppose.

Mr. Hamel: That is currently being discussed. There are a couple of possibilities. There is not a large volume and we are looking at the option of having people separate the bulky waste and put it into a container and then haul that container off to a private landfill and the other option is to put it in the landfill portion of the landfill, the bypass area. We are reluctant to do that but we have to see what the costs are and how that all works out.

Mr. Solinsky: All the commercial haulers will be forced to go out of town with their bulky waste?

Mr. Hamel: Yes, once that site reaches capacity.

Mr. Bradley: If we could reduce the amount of bulky waste that is being transferred to Bridgeport or wherever, wouldn't we indeed be saving that on the expenditure side \$1.7 million?

Mr. Hamel: Yes, and what would also happen is that we would lose that comparable revenue on the revenue side. So if you are talking about 25,000 tons, it is approximately \$500,000. Next year the projections are that if the tip fee is at \$8/ton the cost to dispose elsewhere is only going to be something like \$71.50/ton so that the net savings to the project for 25,000 tons would only be about \$3.50/ton.

Mr. Bradley: The better we get at recycling, we are going to be penalized on the revenue side of it?

Mr. Hamel: There is still a cost even if the tip fee next year is \$68.00/ton, there is still a cost for transferring....a premium cost, it is not as large as this year but we will be saving money if we recycle and not have to divert waste.

Mr. Bradley: What is the committee's feelings on the lease payments and to eliminate those payments of \$300,000 a year as a cost reduction item.

Mayor Dickinson: I think that there is great reluctance simply because as an asset, as a resource, it is irreplaceable and if that should ever be used and this project not have an option or have to renegotiate the cost will be much higher. I am positive that the amount we will pay will be far greater than the \$300,000+ that it now is if we release the legal right to that site.

Mr. Bradley asked the Mayor to clarify the release of the land.

Mayor Dickinson explained that if we don't pay the option to use is gone. If Meriden turns around and wins or if other circumstances change and that site would be useable, it is negotiation time all over again.

Mr. Zandri stated that very shortly the ash site is going to be full and if the Meriden site is still in court, it has to go somewhere. He asked if plans were being made at this time for an alternate site for disposal of ash?

Mayor Dickinson asked Mr. Hamel to respond.

Mr. Hamel: C.R.R.A. has indicated at meetings that they are looking at options and they are pursuing other options but I am not privy to what those options are.

Mr. Zandri explained that additional costs will be tacked on to tipping fees regardless of where we go with landfill expansion.

Mr. Hamel expected that a liner will be required when a landfill is developed. He felt that there were two advantages to Meriden to this project, one being that in today's world the cost is very reasonable and the other is that it is close which cuts down on transportation costs. Development costs will most likely be equal no matter where the ash went but the capital costs, transportation cost, there will be a substantial difference in those.

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Mr. Bradley asked why other towns are only recycling types 1 & 2 plastics while Wallingford is recycling 1-7? How can the Town go about encouraging the other towns to recycle 1-7 as well?

Mr. Hamel: Certainly all of the towns given the prices here and the comparable recycling prices have an interest in attempting to get as much material out of that waste stream as they can and all of the towns have been working towards it but ultimately it depends on your vendor. Admet will take plastics 1-7 most others at this time will not. Unless they have a market for it, it is very difficult to say that you are going to give them those plastics whether they want them or not. They will only end up at some disposal facility if that vendor does not have a market for it.

Mr. Bradley: What can we do from the water standpoint that is used for plant operation and steam generation, have they looked at other ways to cost is out on whether or not it is even feasible to drill their own well or even an alternative that I heard from the generation plant that the Electric Division wants to build, they are going to take the water from the Sewer Treatment Plant and use that water, have they looked at a cost saving measure from this standpoint?

Mr. Hamel: When they first began planning the project they looked at using underground water because there is a large aquifer there as compared to the price of buying the water from the Town. A determination was made for whatever reason that the better option was to go with Town water. I have brought this up to the C.R.R.A. Project Manager and he is going to bring it up with Ogden, I have to get him something in writing. As far as the cost goes, it is already built into Ogden's fee. Without some renegotiation of their fee there will be no savings to the project no matter which way they went. They get a certain fee per year it is their responsibility to pay for water. There may be some benefit to asking the Water & Sewer Division if they would be interested in offering water to this project and then testing it to find out if it is useable.

Mr. Bradley: Where do we go from here, follow-up meetings, any outstanding actions?

Mayor Dickinson: The Policy Board is waiting for more information on the financing and to see what effect that will have, if any. For myself, I am not favorably disposed at this point, they really did not give us any backup material. Much will depend upon what information....I think there is another meeting scheduled, I forget when.

Mr. Hamel: We decided not to schedule another meeting until we get the information and have an opportunity to look at it. Hopefully there will be a meeting with the staff group and the Policy Board within the next week or so.

Mr. Bradley: I have been receiving copies of those minutes sporadically, do we receive copies of those minutes from both sides? Or can we have them sent to the Council Secretary?

Mr. Hamel: We can send you copies of the Policy Board Meetings, there are no minutes at the staff group. We extend the staff group to the Policy Board and then those reports are incorporated into the minutes.

Mr. Bradley: If you can have a copy forwarded to the office from this point on, Kathy can make copies for us.

Mr. Gouveia: After the budget was revised, I see that fees from the landfill, \$3,445,000.00 adopted and revised downward \$1,233,000.00, is that the Wallingford Landfill?

Mr. Hamel: Is it landfill #1?

Mr. Gouveia: I am looking at Revenues for the F.Y. 1991 and Other Fees - Landfill \$3,445,000 to \$1 million.....budgeted.....

Hamel: The \$3 million that you saw for the current year was C.R.R.A.'s over-estimate of Revenues From Bulky Waste. They subsequently reduced that down based on the amount of bulky waste that has been coming in so that is where that reduction occurred.

Mr. Gouveia: This further illustrates the value of what Wallingford brought to this project. Yes, you may say that the regional garbage disposal problem has been pretty much taken care of for the past five years but I don't think that the cost has been shared fairly amongst the five towns. I think that Wallingford is paying a very high proportion of the cost of disposing of the garbage when you take into account that if they did not have our landfill which even after the revised budget, almost \$1.2 million, if they did not have that landfill I think that the tipping fee would probably be over \$100/ton.

Mr. Hamel: With the loss of the Meriden landfill, the Wallingford landfill became the prime landfill. It was never intended to be but it did. Certainly it has generated revenues for other projects.

Mr. Gouveia: The intent all along was to use it until it reached capacity wasn't it?

Mr. Hamel: No. The intent was to save it as a backup and go to the Meriden landfill because the consultant said that it could be used for twenty years. If there were a problem there for some reason, then Wallingford has a backup.

Gouveia: We are, in essence, footing the bill or at least partially footing the bill for the other communities. I do not think that it is fair. Wallingford has its own problems and I don't think that we should be paying as much as we are paying for other communities to get rid of their garbage. But that is another story.

Mr. Walter Sawallich, Jr. of 100 Jobs Road stated that he was glad that our Mayor and the other four Mayors were speaking in opposition to this. He felt that it was very obvious that the landfill was running out of space and that they raised the fee so high to force the haulers to go somewhere else in order to save space. He was extremely upset over the bulky waste issue. The room would have only lasted another year as it was. How could they base their contract for the next year or two on bulky waste was ridiculous, anyone who believed them was certainly not paying the least bit of attention to what was going on. Berlin will not take couches, mattresses or yard debris. They will only take construction material as bulky waste. He pointed out that his company has been performing curbside recycling without the benefit of any help from the Town and successfully has pulled out approximately 15% of his volume and recycles it. He not only has to pay to get rid of recycleables but now has to pay more money to get rid of the garbage than before. He is taking less tonnage but he has to raise rates significantly this year if this goes through, and at the same time will make his customers do more sorting while he is taking less and less items.

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He went on to say that he heard yesterday that Bristol is starving for garbage. He wanted to know what Bristol was paying and was told (he did not say by whom) that they were charging \$20/ton. Ogden runs it. He has not had time to verify this information. As a Wallingford hauler he is obligated to bring his garbage to this plant in Wallingford. If they run out of room for bulky waste, tough luck. He stated that someone like himself would certainly consider going to Bristol if the information is correct. Hartford is only \$45/ton. He asked what the incentive was for anyone to recycle if the more they pull out of the waste stream the more they raise the dump fee to make up for what they are losing in tonage charges. It is still costing him the same amount to dump less garbage. He is getting out of hand. He reminded the Council that the Town is losing money on the residential drop-off and that he informed the Council once before that \$.50 a bag was not enough. No one wanted to listen. With the tipping fees going up to \$68/ton, the residential drop-off still remains the same. He recommended that they raise that fee or else face one car from every home down at the landfill every day rather than hire a private hauler. Where else can anyone get rid of a bag of garbage for \$.50? He thinks everyone should be effected equally.

Mayor Dickinson felt that there should be no reason that Mr. Sawallich cannot take grass clippings to the landfill. He may be misinformed.

Mr. Sawallich pointed out that even if he took one bag from each customer, he would pay an astronomical fee by the time he reached the plant due to the weight of all the grass clippings as opposed to garbage in his vehicle. He is charged by weight.

Mayor Dickinson stated that the cost factor was one issue, but Mr. Sawallich should have no problem taking grass, or for that matter, having it accepted at the plant. If he is being turned away, the Mayor stated that he would be very interested in knowing this. This should not be occurring. The grass can be taken there.

Mr. Sawallich cannot take a truck into the plant with it 75% full of grass. He is supposed to take it to the landfill. He felt that the Town should be encouraging people to recycle their grass by composting it.

Mr. Hsamel was not aware that they would turn away a truck with 50% or more or grass. They do not want a separate pickup of grass.

Mayor Dickinson thought this to be more an issue of cost vs. C.R.R.A. not taking the grass. They take it from North Haven and other communities. He will review the list of rules and regulations from C.R.R.A. for private haulers.

Mr. Bradley thanked Mr. Hamel. He noted that it was 10:30 P.M. the Council covered 30 items and he would accept a motion to adjourn.

Ms. Papale made a motion to adjourn the meeting, seconded by Mr. Solinsky.

There being no further business, the meeting adjourned at 10:30 P.M.

Meeting recorded and transcribed by:

Kathryn F. Milano

Kathryn F. Milano
Town Council Secretary

Approved by: _____

Date

Kathryn J. Wall, Town Clerk

Date