

J. J. O'Connell  
\_\_\_\_\_

TOWN COUNCIL MEETING

OCTOBER 8, 1991

7:00 P.M.

AGENDA

1. Roll Call & Pledge of Allegiance
2. Consider and Approve a Waiver of Bid for H.C. Planning, Inc. to Conduct a Building Needs Study for a Total Sum of \$29,600 for the Board of Education
3. PUBLIC QUESTION & ANSWER PERIOD - 7:30 P.M.
4. PUBLIC HEARING On An Ordinance Appropriating \$250,000 For The Acquisition of Police Department Computer Equipment and Authorizing the Issue of \$250,000 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.
5. Remove From the Table to Consider and Approve a Transfer of Funds in the Amount of \$8,125 to Maintenance of Computers Acct. from Police Wages (Patrol) Acct. - Dept. of Police Services
6. Discussion Concerning the Effect on Merchants Caused by the Beautification Project at Simpson Court and North Main St. - Chairman Killen & Vice Chairman Bradley
7. Consider and Approve Waiving the Lease Payment of \$750.00 for the SCOW 1991-92 Program - Mayor's Office
8. Consider and Approve Tax Refunds (#42-59) in the Amount of \$7,251.75 - Tax Collector's Office
9. Consider and Approve a Waiver of Bid for Temporary Data Entry Services in the Amount of \$2,782.10 - Tax Collector's Office
10. Consider and Approve a Transfer of Funds in the Amount of \$24,940 Into Council Contingency to Correct Various Accounts Affected by the Firefighters Contract - Personnel Department
11. Consider and Approve a Budget Amendment in the Amount of \$9,066.00 affecting Both the Revenue and Expenditure Accounts of the Mayor's Budget, 1991-92 Project Graduation Acct. - Mayor's Council on Substance Abuse Prevention
12. Consider and Approve a Resolution Authorizing the Mayor to Submit a Grant Application to the State of Connecticut for Grant Action #148-CDC-21 in the Amount of \$196,936 for the Wallingford Community Day Care Center, Inc.

(OVER)

13. Consider and Approve a Resolution Permitting the Wallingford Community Day Care Center to Borrow from the Town Amounts Necessary to Meet the Operating Expenses of the Center Until Such Time as Grant Funds Become Available From the State
14. Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center Concerning a Grant Action/Program Design & Financing Plan with the State of Connecticut
15. Consider and Approve Immediate Certification of Aforementioned Resolutions and Agreements for Wallingford Community Day Care Center, Inc.
16. Consider and Approve Waiving the Bidding Process for Work to Be Performed at 88 South Main Street - 88 S. Main Street Bldg. Committee
17. Discussion with the Public Utilities Commission Concerning Immediate Negotiations with Connecticut Light & Power Company and/or Any Other Power Provider that the P.U.C. Intends to Negotiate With - Chairman Killen
18. Discussion of Request Made by the Council of the Mayor on the Role Played by the Electrical Inspector in the Riccitelli Field Problem - Chairman Killen
19. Discussion and Possible Action on the Disposition of Excess Fill or Road Construction Material By the Town of Wallingford - Councilor Zandri
20. Consider and Approve a Resolution Authorizing the Mayor to Make Application for Computer Assisted Mass Appraisal Funds to the State for the 1991 Revaluation Project - Mayor's Office
21. Remove from the Table to Consider and Approve a Temporary Easement with Yankee Gas Company for the Removal of Coal Tar Deposits at Community Lake Bed - Town Attorney's Office
22. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Professional Services Acct. to Part-Time Help Acct. - Mayor's Office
23. Approve and Accept the Minutes of the August 27, 1991 and September 17, 1991 Town Council Meetings
24. Executive Session Pursuant to Section 1-18a(e)(4) Regarding the Sale or Purchase of Property

TOWN COUNCIL MEETING

OCTOBER 8, 1991

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
Consent Agenda - Items #8 & 23	1
Moment of Silence for Henry Kolakowski	1
2. Fail to Approve a Waiver of Bid to Conduct a Building Needs Study for the Board of Education	1 - 3
3. PUBLIC QUESTION AND ANSWER PERIOD - No participants	
4. Waive Rule V to Reschedule the Public Hearing on An Ordinance Appropriating \$250,000 For the Acquisition of Police Department Computer Equipment to October 22, 1991 - 7:45 P.M.	1
5. Withdrawn	
6. No Action Taken on Discussion Concerning the Effects on Merchants Caused by the Beautification Project at Simpson Court and North Main Street	3 - 4
7. Approve Waiving the Lease Payment of \$750.00 for the SCOW 1991-92 Program	5
9. Approve a Waiver of Bid for Temporary Data Entry Services for the Tax Collector's Office	5
10. Approve a Transfer of \$24,940 to Correct Various Accounts Affected by the Firefighters Contract	5 - 6
11. Approve a Budget Amendment for the 1991-92 Project Graduation Account of the Mayor's Council on Substance Abuse Prevention	6
12. Approve a Resolution Authorizing the Mayor to Submit a Grant Application for Grant Action #148-CDC-21 in the Amount of \$196,936 for the Wallingford Community Day Care Center, Inc.	6
13. Approve a Resolution Permitting the Wallingford Community Day Care Center to Borrow From the Town Amounts Necessary to Meet the Operating Expenses of the Center Until Such Time as Grant Funds Become Available from the State	6 - 7
14. Approve An Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center Concerning a Grant Action/Program Design and Financing Plan with the State of Connecticut	7

TOWN COUNCIL MEETING

OCTOBER 8, 1991

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
Consent Agenda - Items #8 & 23	1
Moment of Silence for Henry Kolakowski	1
2. Fail to Approve a Waiver of Bid to Conduct a Building Needs Study for the Board of Education	1 - 3
3. PUBLIC QUESTION AND ANSWER PERIOD - No participants	
4. Waive Rule V to Reschedule the Public Hearing on An Ordinance Appropriating \$250,000 For the Acquisition of Police Department Computer Equipment to October 22, 1991 - 7:45 P.M.	1
5. Withdrawn	
6. No Action Taken on Discussion Concerning the Effects on Merchants Caused by the Beautification Project at Simpson Court and North Main Street	3 - 4
7. Approve Waiving the Lease Payment of \$750.00 for the SCOW 1991-92 Program	5
9. Approve a Waiver of Bid for Temporary Data Entry Services for the Tax Collector's Office	5
10. Approve a Transfer of \$24,940 to Correct Various Accounts Affected by the Firefighters Contract	5 - 6
11. Approve a Budget Amendment for the 1991-92 Project Graduation Account of the Mayor's Council on Substance Abuse Prevention	6
12. Approve a Resolution Authorizing the Mayor to Submit a Grant Application for Grant Action #148-CDC-21 in the Amount of \$196,936 for the Wallingford Community Day Care Center, Inc.	6
13. Approve a Resolution Permitting the Wallingford Community Day Care Center to Borrow From the Town Amounts Necessary to Meet the Operating Expenses of the Center Until Such Time as Grant Funds Become Available from the State	6 - 7
14. Approve An Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center Concerning a Grant Action/Program Design and Financing Plan with the State of Connecticut	7

<u>Agenda Item</u>	<u>Page N</u>
15. Approve Immediate Certification of Aforementioned Resolutions and Agreements for Wallingford Community Day Care Center, Inc.	7
16. Table Approving Waiving the Bidding Process for Work to be Performed at 88 South Main Street	7 - 9
17. Discussion with the P.U.C. Concerning Immediate Negotiations with C.L.& P. and/or Any Other Power Provider that the P.U.C. Intends to Negotiate With	9 - 10
18. Discussion of Request Made by the Council of the Mayor on the Role Played by the Electrical Inspector in the Riccitelli Field Problem	10 - 12
19. Discussion on the Disposition of Excess Fill or Road Construction Material by the Town of Wallingford	12 - 13
20. Approve a Resolution Authorizing the Mayor to Make Application for Computer Assisted Mass Appraisal Funds	5
21. Remove From the Table to Approve a Temporary Easement with Yankee Gas Company for the Removal of Coal Tar Deposits at Community Lake Bed	13
22. Approve a Transfer of Funds to Part-Time Help Account in the Mayor's Office	13 - 14
24. Executive Session Pursuant to Section 1-18a(e)(4) Regarding the Sale or Purchase of Property	14

WAIVE RULE V

Fail to Approve Conveyance of 1.4 Acres of Land to Medway Associates 14 - 15

Approve Rescheduling the Public Hearing on an Ordinance Appropriating \$250,000 for the Acquisition of Police Department Computer Equipment 1

TOWN COUNCIL MEETING

OCTOBER 8, 1991

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, October 8, 1991 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order at 7:08 P.M. by Chairman Albert E. Killen. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall. Mayor William W. Dickinson, Jr. arrived at 7:12 P.M. Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

The Pledge of Allegiance was given to the Flag.

A Moment of Silence was observed for Henry Kolakowski who had dedicated more than thirty years of service to the education system in the Town of Wallingford and was recently retired.

Mr. Bradley made a motion to place the following items on the Consent Agenda to be Voted Upon with One Unanimous Vote of the Council:

ITEM #8 Consider and Approve Tax Refunds (#42-59) in the Amount of \$7,251.75 - Tax Collector's Office

ITEM #23 Approve and Accept the Minutes of the August 27, 1991 and September 17, 1991 Town Council Meetings

Seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

WAIVE RULE V Motion was made by Mr. Bradley to Waive Rule V of the Town Council Meeting Procedures to Re-schedule the Public Hearing (Item #4) On An Ordinance Appropriating \$250,000 for the Acquisition of Police Department Computer Equipment, seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Bradley to Re-schedule the Public Hearing to Tuesday, October 22, 1991 at 7:45 P.M., seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

ITEM #2 Consider and Approve a Waiver of Bid for H.C. Planning Inc. to Conduct a Building Needs Study for a Total Sum of \$29,600 for the Board of Education

Motion was made by Mr. Bradley, seconded by Mrs. Duryea.

October 8, 1991

The Board of Education, upon receiving responses to the bidding process, asked H.C. Planning to revise their response to eliminate the student enrollment portion of the study to bring the price down to \$29,600 for the entire study.

This option was not offered to other firms responding to the invitation to bid.

The Council was not comfortable with this practice and made that known specifically to Dale Wilson and Jerry Powers of the Board of Education.

After a lengthy discussion the Council felt that the bidding process was not handled properly and was not convinced that it was necessary to expend funds to hire a consultant to perform the study. Some felt that the data could be collected by in-house personnel. They argued the point as to whether or not the study itself was even warranted.

Mr. Wilson defended the Board of Education's position on the matter and argued that it was vital to the many aspects of planning and development of education for the Town of Wallingford for the future. He felt that the Board did not have the expertise to gather the data needed for the study. H.C. Planning was the lowest bidder to respond and had the expertise necessary for this type of work. That is why the Board approached the company first to request they submit a second price reflecting the Board's revisions.

Mr. Tim Cronin, 47 S. Ridgeland Road was vehemently against the study. He felt it was an insult to the public.

Mr. Robert Roscow, Center for Architecture stated that his firm was a respondent to the invitation to bid and never received notice that they had responded improperly to the invitation. His firm submitted a letter with their bid stating that they would be more than happy to meet and explain anything that the Board needed additional information on. He felt that his firm was not given the same opportunity that H.C. Planning, Inc. was. He agreed with Mr. Wilson's statement that what is asked for in this study is really in the proper purview of an architect and pointed out that H.C. Planning, Inc. is not an architectural firm. He asked the Council to request that the Board of Education hire an architect to perform this study. He is more than willing to discuss the study with anyone who is interested in it and finds many pitfalls in it but was reluctant to bring them to light at this particular moment.

Mr. Edward Musso, 56 Dibble Edge Road was against the study also.

Ray Rys, 96 Pierson Drive asked if previous reports were student projections or needs assessments?

Mr. Wilson responded that they were student enrollments.

Mr. Rys questioned why the need for a report from a consulting firm?

Mr. Wilson responded that the Board of Ed does not have the expertise to take the enrollment figures and the needs assessment and properly present the Board and Council the information which should outline the options for the Wallingford education system.

Mr. Rys reminded Mr. Wilson that there was a team before that collected data for a needs assessment. As a result the Board of Education and Town Council built eleven portable classrooms in order to accommodate the needs. He questioned the need to go out to bid this time?

Steve Knight, 289 Ivy Street asked the Mr. Wilson to elaborate the necessity for waiving a bid based on the critical time factor that is involved? It appears to be a way to dispense with the bidding process. How critical is six weeks to the final implementation of such a study?

Mr. Wilson stated, it is at least six additional weeks. The Board of Education wants and needs the information as well as the Council.

After much debate the Council voted against the study.

VOTE: Zandri, aye; all others, no; motion failed.

ITEM #6 Discussion Concerning the Effect on Merchants Caused by the Beautification Project at Simpson Court and North Main Street - Chairman Killen & Vice Chairman Bradley

Motion was made by Mr. Bradley to Discuss the Item, seconded by Mrs. Duryea.

Mr. Bradley led the discussion by stating that he had been contacted by and in contact with some of the merchants effected by the Beautification Project at Simpson Court and North Main Street. Many were distraught over the fact that the project was interfering with their ability to earn a living and meet expenses. Some were concerned that they would not survive the project, financially speaking, and the Town could be faced with empty storefronts upon completion of the work.

He went on to say that many complaints were made through the Mayor's Complaint Line, all to no avail. One individual was told by the Mayor's Aide that there was nothing that could be done. Others were not afforded the courtesy of return phone calls.

Mayor Dickinson defended the position of his office and stated that his Administrative Aide, Joan Stave, is a very conscientious individual. He finds it hard to believe that she failed to return phone calls placed to her regarding any issue of concern to the public. He was of the belief that there must be a misunderstanding surrounding the matter.



Mr. Rys questioned why the need for a report from a consulting firm?

Mr. Wilson responded that the Board of Ed does not have the expertise to take the enrollment figures and the needs assessment and properly present the Board and Council the information which should outline the options for the Wallingford education system.

Mr. Rys reminded Mr. Wilson that there was a team before that collected data for a needs assessment. As a result the Board of Education and Town Council built eleven portable classrooms in order to accommodate the needs. He questioned the need to go out to bid this time?

Steve Knight, 289 Ivy Street asked the Mr. Wilson to elaborate the necessity for waiving a bid based on the critical time factor that is involved? It appears to be a way to dispense with the bidding process. How critical is six weeks to the final implementation of such a study?

Mr. Wilson stated, it is at least six additional weeks. The Board of Education wants and needs the information as well as the Council.

After much debate the Council voted against the study.

VOTE: Zandri, aye; all others, no; motion failed.

ITEM #6 Discussion Concerning the Effect on Merchants Caused by the Beautification Project at Simpson Court and North Main Street - Chairman Killen & Vice Chairman Bradley

Motion was made by Mr. Bradley to Discuss the Item, seconded by Mrs. Duryea.

Mr. Bradley led the discussion by stating that he had been contacted by and in contact with some of the merchants effected by the Beautification Project at Simpson Court and North Main Street. Many were distraught over the fact that the project was interfering with their ability to earn a living and meet expenses. Some were concerned that they would not survive the project, financially speaking, and the Town could be faced with empty storefronts upon completion of the work.

He went on to say that many complaints were made through the Mayor's Complaint Line, all to no avail. One individual was told by the Mayor's Aide that there was nothing that could be done. Others were not afforded the courtesy of return phone calls.

Mayor Dickinson defended the position of his office and stated that his Administrative Aide, Joan Stave, is a very conscientious individual. He finds it hard to believe that she failed to return phone calls placed to her regarding any issue of concern to the public. He was of the belief that there must be a misunderstanding surrounding the matter.

Joel Cassista, Construction Inspector, Engineering Department; Beverly Belliveau, Director, Wallingford Center, Inc; and Donald Roe, Program Planner were present before the Council to provide information at the Council's request.

Mr. Cassista explained in great detail the measures that the contractor has taken to accommodate the business and residential population of the Town during the delicate situation. It is a difficult area to perform a major renovation in and all measures are being taken to make it as smooth a process as is possible.

Mr. Roe explained that a start-up meeting was held with the merchant to inform and prepare them for what to expect in the ensuing months ahead.

Mr. Bradley felt that the contractor could be somewhat more considerate of the public by placing the granite curbs in such a way as to take up less space, therefore allowing the public to continue to conduct business in the area. He suggested posting someone at the entrance to Simpson Court to direct the public to the parking spots available. He criticized the contractor for scheduling construction at such a time as to interfere with the transporting and dismissal of students at Holy Trinity School on N. Whittlesey Avenue.

Mr. Cassista agreed and apologized for the error on the part of the contractor and attributed the problem to lack of communication.

Brian McDermott, 359 N. Elm Street suggested that construction take place on weekends and/or evenings. As a small business owner he could relate to the predicaments of the merchants. If the economic times were not what they are this would not be hitting us as hard as it is.

Mr. Cassista explained that the weekends and evenings suggestion would have more of an impact on the area than it currently does. There are apartments on the east side of N. Main Street and they cannot be subjected to the noise that would occur from the project.

Mr. McDermott felt that the important issue is to keep the lines of communication open between the Town and its merchants.

Ms. Pat Gindell, 105 Prince Street explained that she is the owner of a new business in Simpson Court (formerly Gordineer's) and has no problem with the contractor. There was no communication on the part of the Town to inform her as to what to expect with this project. Wallingford Center, Inc. did visit her early on to help her set up but no one has been in contact with her since. She stressed the importance of communication between the Town and the merchants.

Larry Brill, Wallingford Center, Inc., mentioned that he has spoken with Beverly Belliveau and they have entertained the idea of holding a block party once the work is done to see that all will be well again.

ITEM #7 Consider and Approve Waiving the Lease Payment of \$750.00 for the SCOW 1991-92 Program - Mayor's Office

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

Mr. Donald Roe, Program Planner stated that it appears as though the Town is going to be able to secure the payment. It is pending the approval of the budget revision of the State but it does appear to be there.

VOTE: Duryea was absent; all others, aye; motion duly carried.

ITEM #20 Motion was made by Ms. Papale to Move Agenda Item #20 Up To The Next Order of Business, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

ITEM #20 Consider and Approve a Resolution Authorizing the Mayor to Make Application for Computer Assisted Mass Appraisal Funds to the State for the 1991 Revaluation Project - Mayor's Office

Based on population, the Town would be eligible to receive \$35,000. It is prudent that the application be submitted even though the funds have not yet been designated by the State.

Mr. Roe explained that this is a reimbursement by the State for implementing the 1991 revaluation with the computer assisted program.

Mr. Bradley read the Resolution into the record.

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

VOTE: All ayes; motion duly carried.

ITEM #9 Consider and Approve a Waiver of Bid for Temporary Data Entry Services in the Amount of \$5,098.20 - Tax Collector's Office

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

Mr. Norman Rosoe, Tax Collector, failed to realize that the hiring of temporary services must be placed out to bid.

Mr. Myers stated that a master bid for temporary services will go out next year for all departments to draw off of.

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve a Transfer of Funds in the Amount of \$24,940 Into Council Contingency to Correct Various Accounts Affected by the Fire Fighters Contract - Personnel Department

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

Mr. Thomas Sharkey, Assistant Personnel Director stated that the transfer of funds approved at the September 24, 1991 Town Council Meeting contained three accounts with incorrect figures. Instead of applying the five percent increase to these budgeted line items, the total budget was inadvertently inserted into the transfer. Further, since the transfer amount for the consolidated pension plan is based on the total wage amount transfer, this figure was therefore incorrect as well.

The transfer of funds was in the amount of \$24,940 to Council Contingency Acct. #001-8050-800-3230 from Paramedic Replacement Acct. #001-2032-100-1650, \$7,994; Paramedic In-service Training Acct. #001-2032-100-1660, \$7,243; Paramedic Replacement Training Acct. #001-2032-100-1670, \$6,450 and from Consolidated Pension Plan Acct. #001-8020-800-8080, \$3,253.00

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

ITEM #11 Consider and Approve a Budget Amendment in the Amount of \$9,066.00 affecting both the Revenue and Expenditure Accounts of the Mayor's Budget, 1991-92 Project Graduation Account - Mayor's Council on Substance Abuse

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

Susan McLaughlin, Chairperson of the Mayor's Council on Substance Abuse thanked the Council for their support and invited them to attend the celebration next year.

VOTE: All ayes; motion duly carried.

ITEM #12 Consider and Approve a Resolution Authorizing the Mayor to Submit a Grant Application to the State of Connecticut for Grant Action #148-CDC-21 in the Amount of \$196,936 for the Wallingford Community Day Care Center, Inc.

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

Mr. Bradley read the Resolution into the record (see attached).

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

ITEM #13 Consider and Approve a Resolution Permitting the Wallingford Community Day Care Center to Borrow from the Town Amounts Necessary To Meet the Operating Expenses of the Center Until Such Time as Grant Funds Become Available From the State.

Mr. Bradley read the Resolution into the Record (see attached).

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

Kathleen Queen, Director of the Wallingford Community Day Care Center explained that once the funds are committed by the State Legislature

they are guaranteed to the Town, once the award letter is granted. The Town will receive it, it is a matter of two or three weeks at the beginning of any quarter. This quarter is a bit more difficult because it hinges on the passage of a State budget. She thanked the Townspeople for their donations of paper goods and food while the center was utilizing their remaining funds to meet payroll.

Mr. Bradley discussed the salary budget of the center at length. He was not in favor of a 7% increase in salary.

Ms. Queen pointed out that, in order to attract and keep the staff, the minimums had to be raised. For instance the cook's salary was raised from \$10,000/yr. to \$12,000/yr. because they could not hire a cook to work for only \$10,000/yr.

Mr. Bradley asked what the Town's obligation is pertaining to the setting of a pay scale?

Ms. Queen explained that if the State does not supply funds for the salaries, then the center will have to approach the Town for the funds to meet them.

VOTE: All ayes; motion duly carried.

ITEM #14 Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center Concerning a Grant Action/Program Design & Financing Plan with the State of Connecticut.

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

VOTE: All ayes; motion duly carried.

ITEM #15 Consider and Approve Immediate Certification of Aforementioned Resolutions and Agreements for Wallingford Community Day Care Center, Inc.

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

VOTE: All ayes; motion duly carried.

ITEM #16 Consider and Approve Waiving the Bidding Process for Work To Be Performed at 88 S. Main Street - 88 S. Main Street Building Committee

Motion was made by Mr. Bradley, seconded by Mrs. Duryea.

Mr. Solinsky asked where the funds were coming from for the project?

Mr. Killen explained that it will be coming from the Capital and Non-Recurring Fund.

Mr. Zandri thought that the original Waiving of the Bid that was approved by the Council at an earlier meeting was strictly to hire the architect.

Mayor Dickinson agreed with Mr. Zandri. He was at a loss as to how an architect could be hired without plans from the architect.

October 8, 1991

Mr. Robert Avery, Chairman of the 88 S. Main Street Building Committee stated that an architect had been hired and is currently making drawings.

Mayor Dickinson could not understand how the architect was hired without a purchase order.

Mr. Avery stated that a purchase request was submitted.

Mayor Dickinson pointed out that the request is being held up due to the fact that minutes from the 88 S. Main Street Building Committee have not been filed which reflect the hiring of the architect. He could not expect a department head to sign off on the purchase request without reviewing the minutes which reflects the vote of the committee to hire the architect.

Mayor Dickinson: In order for us to spend money we have to have an indication in record that the committee voted to hire a given architect, otherwise another member of the committee could come in and say, no, we should hire someone else. There has to be a paper trail here. We are spending money and there is no paper trail.

Mr. Avery will present the department head with a copy of the minutes reflecting the committee's vote to hire an architect.

Mayor Dickinson inquired about the status of the minutes of the 88 S. Main Street Building Committee?

Mr. Avery has them. He felt that people were intentionally dragging their feet on this project. His architect has been trying to schedule a meeting with Mr. Deak and Mr. Costello for some time and has been unable to do so.

Mayor Dickinson reiterated that he could not see how an architect is producing drawings when there is no purchase order authorizing him to do so for the Town.

Mr. Avery thought it odd that he has been in contact with Mr. Costello over the past few days and it was never mentioned that minutes were required to process the purchase request.

Mr. Bradley drew reference to the Golf Study Contract. Initially the contract went out on a purchase order. He wrote to the Town Attorney on that issue and a contract was drafted and approved. In regards to the Mayor's statement on the need for a paper trail of minutes of meetings, Mr. Bradley stated that he has yet to see any minutes of the Golf Committee. The problem is that there is not any clear, cut procedure, which Mr. Bradley did try to bring before the Council in the recent past and they were voted down.

Mr. Killen referred to a letter authored by Mr. John Costello, Town Engineer, dated August 20, 1991 which stated, "Mr. Deak had made arrangements with Lazarus & Sargent to provide whatever architectural services would be needed to relocate the building. I had made arrangements with the contractor now working on North and South Main Streets to install granite curbing, a new concrete side-

October 8, 1991

walk and a new storm drain, water lateral and sewer later to serve the relocated building. However, the Town Council appointed a Building Committee to oversee this project and now Steve and I are being asked to review a bidding specification prepared by the Building Committee to hire an architect and start from the beginning." He then asked how is it that Mr. Costello and Mr. Deak were proceeding with the work that needed to be done and Mr. Avery is now being told that he cannot do the same thing? These department heads were acting without any authority that Mr. Killen was aware of.

Mayor Dickinson could not speak for either Mr. Costello or Mr. Deak. He stated that the issue tonight is that the committee is asking to spend funds without the necessary paperwork in place to do so.

Atty. Small informed the Council that both herself and the Town Clerk are working on a set of guidelines for committees to follow to avoid issues such as this in the future.

After much discussion and debate the motion was amended by Mr. Parisi to Table This Item Until the Next Meeting, seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

ITEM #17 Discussion with the Public Utilities Commission Concerning Immediate Negotiations with Connecticut Light and Power Company and/or Any Other Power Provider that the P.U.C. Intends to Negotiate With - Chairman Killen

Motion was made by Mr. Bradley to Discuss This Issue, seconded by Mr. Parisi.

Mr. Alexander Kovacs, Chairman of the Public Utilities Commission and David Gessart, P.U.C. Member appeared before the Council.

Mr. Kovacs stated that on October 29, 1991 the P.U.C. will hold a special meeting with Black & Veatch, Consultants, to discuss future power suppliers among other issues. The Town currently contracts with Northeast Utilities and will continue to do so until 1997. This contract contains a clause that allows Northeast Utilities to re-negotiate a change of rates in 1993. The Public Utility Commission is presently communicating with Northeast Utilities in reference to this contract. This was all the information available at this point in time.

Mr. Killen could not understand why so much emphasis is being placed on Black & Veatch when the key component is Northeast Utilities or whomever the Town decides to buy electricity from. He feels that the commission is working backwards. It should first be determined whether or not a peak-shaving generating plant is necessary prior to working with Black & Veatch. Not the reverse.

Mr. Kovacs assured the Council that, up until this time, the commission has not done what Mr. Killen is implying. He stated emphatically, "we haven't, we haven't, we have not gone that far with staff and you are probably correct, we are putting the horse before the cart but I think that over the next several months we

will be down to the nitty-gritty of your suggestions."

Mr. Killen responded that these type of contracts are not put together overnight. They take a great deal of time. I want to know that we are sitting down and participating in real hard, nose to nose negotiations with at least one supplier, if not more.

Mr. Gessart stated that no one is "under the gun", this is not a last minute deal, if our contract was to expire in 1991 and we were doing nothing to come up with another long-term contract and exercise options, I think that we would be negligent in our duties. He feels that a more informed decision regarding which option to exercise can be made upon obtaining information from Black & Veatch when it comes time to re-negotiate.

Mr. Killen reiterated his feelings regarding the commission's premature action of consulting with Black & Veatch.

Mr. Gessart disagreed with Mr. Killen. He felt that it is important to be aware of other options and their respective costs. He feels that Black & Veatch will supply this information.

Mr. Kovacs felt that answers to many of Mr. Killen's questions will come out of the special meeting in November with Black & Veatch.

Mr. Gessart extended an invitation to any/all Councilors interested to attend the meeting.

Mr. Gouveia asked Mr. Kovacs how soon the commission will begin negotiations with Northeast Utilities?

Mr. Kovacs responded that he hopes that the staff and commission will start talking with them within the next six to eight months or sooner.

Mr. Holmes left at 11:00 P.M.

Mr. Killen thanked Mr. Kovacs and Mr. Gessart for their patience and time.

No action was taken.

ITEM #18 Discussion of Request Made by the Council of the Mayor on the Role Played by the Electrical Inspector in the Riccitelli Field Problem - Chairman Killen

Motion was made by Mr. Bradley to Discuss This Item, seconded by Mr. Parisi.

Mr. Killen explained that a request was made by Councilor Zandri at the August 27, 1991 Town Council Meeting to seek a report from the Mayor on just what role, if any, the Electrical and Building Inspectors played in this issue. Mr. Killen forwarded correspondence to the Mayor on September 4, 1991 officially requesting such in-



October 8, 1991

formation and up until the time that the agenda was set for this meeting (October 2, 1991) no response had been received. The Mayor forwarded his response to the Chairman today, October 8, 1991.

A copy of the correspondence was distributed to all Councilors.

According to the Mayor's response an electrical permit was issued on May 20, 1988. The Building Department required the Sheehan High School Football Field Lighting Committee to have a licensed electrician take out the permit. On September 20, 1988 the Electrical Inspector made a first inspection of the work and did not approve what had been done for the following reasons:

1. water was pooled under the transformer
2. conduits were not properly terminated in the transformer
3. fencing was required around the electrical pan and
4. some wiring changes were required in the panel box.

After corrections were made, the second inspection on September 23, 1988 resulted in approval of the work and energizing of the system by the Electric Division. According to the Building Department, the Department was not contacted regarding any inspections prior to September 20, 1988.

Mr. Zandri stated that it appears that there was a permit taken out and the work was approved. He then asked why do problems exist that warrant spending \$25,000 to repair?

Mr. Solinsky responded that the work was started without the permit. The permit was then obtained.

Mayor Dickinson interjected that, according to the Building Department, when they inspected the trench across the field was already filled in. They never saw what was in the trench. Since a licensed electrician had taken out the permit they relied upon the fact that it was done properly. What they did look at they required changes in and corrections were made and approval granted. The manner in which the wire was laid would have been o.k. had it been a different type of wire. It is not a clear case of being an endanger to anyone. It does not meet code but does not necessarily represent a hazard or danger to the public.

Mr. Zandri surmises that questions were raised when the initial work was performed and then let go for two years. When the opportunity arose to get it straightened out, then they did so. It should have been handled immediately. It should never have been accepted to begin with, if the conduit was buried they should have dug up a cross-section of the trench and with a minimal amount of effort could have checked to see that it was only buried to a depth of 8". Steps could have been taken initially to solve the problem from the beginning.

Mayor Dickinson pointed out that drawbacks sometimes occur when time and funds are donated to a project. It is difficult to hold someone responsible if something goes wrong.

Mr. Zandri felt that regardless if time and funds are donated, that should not short circuit the inspection process. He is of the hope that this will not happen again in the future.

ITEM #19 Discussion and Possible Action on the Disposition of Excess Fill or Road Construction Material by the Town of Wallingford - Councilor Zandri.

Motion was made by Mr. Bradley to Discuss This Item, seconded by Mr. Zandri.

Mr. Zandri brings this issue to light on behalf of a resident in the Town who contacted Public Works about fill that was removed from one of the Town projects and asked where he could obtain some of this fill. He was told by Mr. Deak that the policy of the Town is that we do not give fill away to anyone. Mr. Zandri inquired as to whether or not such a policy exists.

Mayor Dickinson believes that issue is addressed in the Highway Repair Ordinance. It states that any excavated material is owned by the Town and must be taken to a location directed by the Town if it is not used for backfilling.

Mr. Zandri asked if it can be utilized by a resident if the Town has no use for the fill?

Mayor Dickinson responded that the department at that time cannot decide whether or not the Town does or does not wish to own that fill. The ordinance was established to avoid such a situation. It is valuable material and if the Town is going to get rid of it we would probably have to put it out to bid to see who will give us a price to take the fill and if no one wants it, have a sign up sheet and everyone will have a chance to obtain it.

Mr. Zandri asked, what happens if it costs the Town money to dispose of the excess fill?

Mayor Dickinson answered, we will have to look at a cheaper way of disposal and, if it is valuable fill, people may be willing to pay for it.

Mr. Zandri explained that the reason this resident was interested in the fill is due to the fact that his property is right across the street from where the Town is performing the work. Public Works employees are driving from that point all the way across Town to dump it in the landfill. This resident felt that it would be cheaper for the Town to dump it on his property.

Mayor Dickinson feels that if the Town does not need the fill and a cost factor is involved in disposing of it even though the policy

states that the fill should not be given away, that is one thing. If he states that we need it then there is no use in the resident pursuing it any further.

Edward Musso, 56 Dibble Edge Road has requested fill in the past and has been denied.

ITEM #21 Removed From the Table to Consider and Approve a Temporary Easement with Yankee Gas Company for the Removal of Coal Tar Deposits at Community Lake Bed - Town Attorney's Office

Motion was made by Mr. Bradley to Remove From the Table, seconded by Mr. Parisi.

VOTE: Holmes was absent; all others, aye. Motion duly carried.

Consider and Approve a Temporary Easement with Yankee Gas Company for the Removal of Coal Tar Deposits at Community Lake Bed - Town Attorney's Office

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

Article #4 now has a time limit of December 31, 1992 or the completion of the project, whichever comes first.

VOTE: Holmes was absent; all others, aye; motion duly carried.

ITEM #22 Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Professional Services Account #001-1300-900-9042 to Part Time Help Account #001-1300-100-1350 - Mayor's Office

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

Mr. Zandri asked, how much filing is this exactly?

Mayor Dickinson responded that it is unlikely that it will take the full \$1,000, it is quite a bit right now. It is cheaper to hire someone part time than personnel from a professional service firm.

Mr. Zandri asked, is the reason the filing has backed up is because there has not been someone taking care of it on an on-going basis?

Mayor Dickinson responded that there is no time for the two people in the office to take care of it.

Mr. Zandri then asked, do you think that there are any other departments within the Town that could assist your office without having to hire someone?

Mayor Dickinson answered that there really are no departments that are overstaffed. That plus the union structure prevents moving people around for different purposes.

Mr. Zandri pointed out that with the economy the way that it is, building and sales of new homes are down. He thought that Planning

& Zoning would have excess time to help out especially in this economical situation. Three years ago when the economy was booming that department was staffed at a level to handle it.

Mayor Dickinson responded that Planning & Zoning personnel are using this time to perform a ten year review of the rules and regulations. The Building Department has a very slight reduction in the number of permits because there are a lot of smaller jobs which take even more time.

Mr. Zandri asked Town Clerk, Kathryn Wall if her department is "max'd" out as well?

Ms. Wall responded that her office is staying steady with the number of deeds. They are not transfers but they are attachment and judgment liens. Water liens have quadrupled. She has seen an increase of a few hundred per quarter to a few thousand per quarter.

Mr. Zandri explained that he thought perhaps the Town could draw from resources within its own staff prior to spending money on other personnel.

VOTE: Holmes was absent; all others, aye; motion duly carried.

ITEM #24 Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes Regarding the Sale or Purchase of Property.

Motion was made by Ms. Papale to Enter Executive Session, seconded by Mr. Solinsky.

VOTE: Holmes was absent; Bradley, Duryea and Gouveia, no; all others aye; motion duly carried.

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

VOTE: Holmes was absent; all others, aye; motion duly carried.

WAIVE RULE V Motion was made by Ms. Papale to Waive Rule V of the Town Council Meeting Procedures to Discuss the Conveyance of 1.4 Acres of Land to Medway Associates, seconded by Mr. Zandri.

VOTE: Holmes was absent; Bradley & Parisi, no; all others, aye. Motion duly carried.

Motion was made by Ms. Papale to Consider and Approve the Conveyance of 1.4 Acres of Land to Medway Associates for the Price of \$193,500 Contingent Upon the Covenant Between the Town and Medway, seconded by Mr. Solinsky.

Mayor Dickinson stated for the record that this offer was not negotiated, Mr. Shaffer was good enough to come back to the Town with an offer.

The Council was not willing to sell it for the price offered by F.I.P. and admitted that the piece itself is not worth that amount of money. When included with the surrounding parcels it helped to constitute a prime piece of property. It proved a bargaining chip in the Council's favor, especially in light of the recent judgement levied against the Town in the Thurston Food case in which F.I.P. was involved.

Mr. Ted A. Schaffer, Vice President of F.I.P. Realty Corporation, A General Partner of Medway Associates, stated that the property is difficult to value and someone who is trained in the field should come up with an appraisal of the property since this is an issue with the Council.

Most on the Council agreed that it would prove difficult to obtain a fair market value of the land since the history involved in this issue could not be added to the value.

Atty. Loughlin argued the case vehemently for his client but to no avail. The Council did not wish to sell the property to F.I.P./ Medway Associates for the price indicated.

After more than an hour of debate, the Council did not change its view on the matter.

VOTE: Holmes was absent; Solinsky passed; all others, no. Motion failed.

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

VOTE: Holmes was absent; Papale, no; all others, aye; motion passed.

There being no further business, the meeting adjourned at 1:12 a.m.

Meeting recorded and transcribed by:

*Kathryn F. Milano*

Kathryn F. Milano, Town Council Secretary

Approved by:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

RESOLUTION

WHEREAS, pursuant to Chapters 133 and 300a of the Connecticut General Statutes, the Commissioner of Human Resources is authorized to extend financial assistance to municipalities and human resource development agencies; and

WHEREAS, it is desirable and in the public interest that the TOWN OF WALLINGFORD make application to the State in order to undertake a Child Day Care Program and to execute a Grant Action Request therefor. It is understood that the Local Agency will provide a local grant-in-aid where applicable, in accordance with the requirements of Chapters 133 and 300a of the Connecticut General Statutes, as appropriate.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 133 and 300a of the Connecticut General Statutes.
2. That it recognizes the responsibility for the provision of a local grant-in-aid to the extent that it is necessary and required for said program.
3. That the filing of an application by the Local Agency for such funds as may be available is hereby approved, and that William W. Dickinson, Jr., Mayor of said Town of Wallingford, is hereby authorized and directed to execute and file such application with the Commissioner of Human Resources, to provide such additional information, to execute a Grant Action Request with the State of Connecticut for State financial assistance, rescissions and revisions thereto, and to act as the authorized representative of the Local Agency.

CERTIFICATION

Certified a true copy of a resolution duly adopted by the Town of Wallingford at the meeting of the Wallingford Town Council on October 8, 1991, and which said resolution has not been rescinded or modified in any way whatsoever.

Dated at Wallingford, Connecticut this \_\_\_\_\_ day of October, 1991.

\_\_\_\_\_  
KATHRYN J. WALL  
Town Clerk  
Town of Wallingford

RESOLUTION

WHEREAS, The Wallingford Community Day Care Center, Inc. is a designated agency of the Town of Wallingford funded by the State of Connecticut through the Town of Wallingford for service to pre-school children and their parents; and

WHEREAS, The Wallingford Community Day Care Center, Inc. has been commended for both the level of service and the fiscal responsibility with which it has performed during its years of operation; and

WHEREAS, The Wallingford Community Day Care Center, Inc. is supported by State funds, voluntary contributions of time, money and material, including in-kind contributions by the Town of Wallingford; and

WHEREAS, The Town of Wallingford has not found it necessary to provide direct financial support as is done in most other towns providing day care services; and

WHEREAS, The Wallingford Community Day Care Center, Inc. is continually in operating difficulty because of the delay in actually receiving funds approved by the State.

NOW THEREFORE, BE IT RESOLVED:

1. That The Wallingford Community Day Care Center, Inc. be permitted to borrow from the Town of Wallingford amounts necessary to meet the essential operating expenses of the Center between the time that the Center's program is approved by the State of Connecticut through its Department of Human Resources and the actual funding is received, but in no case to draw more than the amount approved and budgeted by the State for the period of operation as set forth in the 1991-1992 budget.
2. The Wallingford Community Day Care Center, Inc. will repay the amount so borrowed immediately upon receipt of the State grant for the period for which the funds were borrowed.



CERTIFICATION

Certified a true copy of a resolution duly adopted by the Town of Wallingford at the meeting of the Wallingford Town Council on October 8, 1991, and which said resolution has not been rescinded or modified in any way whatsoever.

Dated at Wallingford, Connecticut this \_\_\_\_\_ day of October, 1991.

\_\_\_\_\_  
KATHRYN J. WALL  
Town Clerk  
Town of Wallingford

AGREEMENT

AGREEMENT entered into between the TOWN OF WALLINGFORD, hereinafter referred to as the Local Agency, and THE WALLINGFORD COMMUNITY DAY CARE CENTER, INC., hereinafter referred to as the Delegate Agency.

W I T N E S S E T H :

1. The Local Agency has executed a Grant Action/Program Design & Financing Plan with the State of Connecticut, acting by its Commissioner of Human Resources, for funding programs to be carried out by the Delegate Agency, acting in behalf of the Local Agency. The Grant Action/Program Design & Financing Plan has been executed under the provision of the Master Contract executed between the Local Agency and the State of Connecticut on September 30, 1982.

2. The Delegate Agency and the Local Agency agree that such Master Contract and Grant Action/Program Design & Financing Plan as the Local Agency has executed with the State of Connecticut for the purpose of funding the program to be carried out by the Delegate Agency shall be and hereby is incorporated into this Agreement by reference and made a part hereof. The Delegate Agency expressly agrees to be bound by the terms of said Master Contract and Grant Action/Program Design & Financing Plan and to carry out the program subject to its provisions during the period October 1, 1991 to

September 30, 1992.

3. This Agreement shall be incorporated into and shall govern the other agreements that expressly exist between the Local Agency and the Delegate Agency.

IN WITNESS WHEREOF, the Delegate Agency has caused this Agreement to be duly executed in its behalf and its seal hereunto affixed this \_\_\_\_\_ day of October, 1991, and thereafter the Local Agency has caused these presents to be signed and sealed by its Mayor, William W. Dickinson, Jr., duly authorized, this \_\_\_\_\_ day of October, 1991.

Signed, Sealed and Delivered  
in the Presence of:

THE WALLINGFORD COMMUNITY  
DAY CARE CENTER, INC.

BY: \_\_\_\_\_  
Robert J. Watson  
Its President  
Duly Authorized

TOWN OF WALLINGFORD

BY: \_\_\_\_\_  
William W. Dickinson, Jr.  
Its Mayor  
Duly Authorized

TOWN OF WALLINGFORD - DEPARTMENT OF LAW  
N STREET - WALLINGFORD, CT 06492 - (203) 294-2140 - JURIS NO. 66020  
45 SC