

TOWN COUNCIL MEETING

MARCH 10, 1992

AGENDA

1. Roll Call & Pledge of Allegiance
2. Consent Agenda:
 - a. Consider and Approve Tax Refunds (#139-163) in the total amount of \$2,879.04 - Tax Collector's Office
 - b. Consider and Approve a Transfer of Funds in the Amount of \$2,050 to Purchase Small Equipment and Office Supplies - Fire Marshal
 - c. Consider and Approve Transfers of Funds within the Department of Fire Services Budget
 1. \$400 to Building Supplies
 2. \$950 to Maintenance of Vehicles
 3. \$900 to Maintenance of Vehicles
 4. \$250 to Maintenance of Radios
 - d. Note for the Record Mayoral Transfers Approved to Date
3. Items Removed from the Consent Agenda
4. Confirm the Re-Appointment of Alexander Kovacs to the Position of Public Utilities Commissioner - Mayor's Office
5. Confirm the Re-Appointments of Rev. Bruce Bunker and James L. Kendall to the Board of Ethics and Mr. Willard Burghoff as the Alternate to the Board - Mayor's Office
6. Consider and Approve Authorizing the use of Funds from the Primary Elections Account for the Preference Primary - Registrar of Voters
7. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
8. Discussion on the Possible Sale of Property from the Town of Wallingford to Habitat for Humanity as Requested by Councilor Susan S. Duryea
9. Discussion and Possible Action Regarding a Request for Tax Abatement on Dairy Farm Property Pursuant to Public Act #90-270 - Mayor's Office
10. Consider and Approve Authorizing Additional Drainage Work for Phase 3 of the East Main Street Reconstruction Project - Town Engineer
11. Discussion of Possible Options on the Establishment of a Full-Time Health Director Position as Requested by Vice-Chairman David Doherty and Councilor Susan Duryea
(OVER)

12. Discussion and Possible Action Pertaining to the Camp Dresser & McKee Study of the Electric Division as Requested by Councilor Albert E. Killen
13. Consider and Approve a Transfer of Funds in the Amount of \$9,035 for Site Assessment Work at the Wooding and Caplan Properties - Town Attorney's Office
14. Executive Session Pursuant to Section 1-18a(e)(2) of the Connecticut General Statutes to Discuss Strategy with Regard to Pending Litigation
15. Consider and Approve a Waiver of Bid for the Hiring of Expert Witness with Regards to Pending Litigation - Town Attorney's Office
16. Executive Session Pursuant to Section 1-18a(e)(4) of the Connecticut General Statutes Regarding the Lease, Sale or Purchase of Real Estate - Town Attorney's Office

TOWN COUNCIL MEETING

MARCH 10, 1992

7:00 P.M.

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TOWN COUNCIL MEETING

MARCH 10, 1992

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, March 10, 1992 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairperson Iris F. Papale at 7:05 P.M. All Councilors answered present to the Roll called by Town Clerk, Kathryn J. Wall. Mayor William W. Dickinson, Jr. arrived at 7:08 P.M., Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

The Pledge of Allegiance was given to the Flag.

Mr. Killen asked that a Moment of Silence be observed for Representative Benjamin DeZinno and for Thomas Pilla, Former Town Council Chairman, P.U.C. Chairman and Member of the Representative Town Meeting.

Mr. Doherty 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 #2a Consider and Approve Tax Refunds (#139-163) in the Total Amount of \$2,879.04 - Tax Collector's Office

ITEM #2c.1 Consider and Approve a Transfer of Funds in the Amount of \$400 to Building Supplies Acct. #001-2032-400-4260 from Professional Svs. Audit Acct. #001-2032-900-9010 - Dept. of Fire Services

ITEM #2c.3 Consider and Approve a Transfer of Funds in the Amount of \$900 to Maintenance of Vehicles Acct. #2038-500-5000 from Rubbish Removal Acct. #2038-500-5120 and from Training Acct. #2038-500-5710 - Dept. of Fire Services

ITEM #2c.4 Consider and Approve a Transfer of Funds in the Amount of \$250 to Maintenance of Radios Acct. #2032-500-5300 from Professional Service Audit Acct. #2032-900-9010 - Dept. of Fire Services

ITEM #2d Note for the Record Mayoral Transfers Approve to Date

VOTE: All ayes; motion duly carried.

ITEM #2b Consider and Approve a Transfer of Funds in the Amount of \$2,050 to the Following Accounts; \$499 to No Sick Time Incentive Acct. #2035-100-1620; \$1,450 to Training, College Acct. #2035-500-5710; \$101 to Tires Acct. #2035-400-4520 from Office Supplies Acct. #2035-400-4000, \$300 and \$1,750 from Small Equipment Acct. #2035-400-4850 - Fire Marshal

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

Mr. Killen asked Mike Lamy, Fire Marshal, if the Department would have enough funds left in the Training, College account to meet the department's obligations for the year?

Mr. Lamy stated that there is enough in the account to pay the tuition bills and purchase safety equipment.

Mr. Killen asked that in the future the department heads give more of a breakdown with regards to items they wish to purchase, i.e., safety clothing, what type, how many, dollars spent item for item, etc.

Mr. Lamy explained that the fire safety clothing cost approximately \$709 per suit and they are the O.S.H.A. required fire protection suits.

VOTE: All ayes; motion duly carried.

ITEM #2c.2 Consider and Approve \$950 to Maintenance of Vehicles Acct. #2036-500-5000 from Tires and Tubes Acct. #2036-400-4520, \$250; from Rubbish Removal Acct. #2036-500-5120, \$400; and from Training Acct. #2036-500-5710, \$300 - Dept. of Fire Services

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

Mr. Killen pointed out that there was no encumbrance for the tires that have been ordered under a pending purchase order. He urged that funds be encumbered when a purchase order has been issued.

VOTE: All ayes; motion duly carried.

ITEM #4 Confirm the Re-Appointment of Alexander Kovacs to the Position of Public Utilities Commissioner - Mayor's Office

Mr. Doherty read the mayor's correspondence into the record.

Mr. Doherty made the statement that, due to the fact that Mr. Kovacs was involved with the Rights In Deeds fiasco and is the last commissioner that was so involved, the other two have been removed from this Council, he will not vote in favor of the confirmation.

He went on to say that it strikes him as funny as he reads the minutes of the P.U.C., which deals with a budget of \$35 - \$40 million dollars, that the minutes indicate that one person down there seems to be asking a lot of questions and the other two members asking no questions. It somewhat surprises him with a budget of that huge amount of money. It also amazed him that the voting down there is always unanimous. It always reads the same sentence, "a positive, unanimous vote of the commission". If you would use the Town Council as an example of the Board, we don't know how this group is going to vote on any issue up here. There are negative votes all the time for a variety of reasons. He could not understand how at least one person does not disagree once in a while. It amazed him that they are in such perfect sync.

Mr. Parisi spoke very highly of Mr. Kovacs in stating that Al has not always been a man of many words but yet he respected Mr. Kovacs for his wisdom and his ability to say a few words but to get a lot done.

VOTE: Holmes, McDermott, Parisi, Solinsky and Papale, aye; Mrs. Duryea, regretfully no; Mr. Killen, no; Mr. Zandri, regretfully

no. Motion duly carried (applause).

Mr. Kovacs stated, "That was a close vote. It reminds me of the last two elections in the Town of Wallingford. For those of you who voted for me, I want to thank you very, very much. Please realize, I know some of you were under terrible pressure, I appreciate that. For those who voted against me, I can assure you I harbor no ill effects. All the years that I have been on the commission, regardless of what Mr. Doherty tried to explain, especially since I became Chairman, I have always explained to this nine member Council, and I really don't care what side of the fence you are on, if there is a question that I can answer or the staff can answer, we will. If we can't I assure you that I will get back to you. The best hours to call me are at 9:00 AM or 10:00 AM.....again, I want to thank you very, very much for your vote of confidence, thank you."

ITEM #5 Confirm the Re-Appointments of Rev. Bruce Bunker and James L. Kendall to the Board of Ethics and Mr. Willard Burghoff as the Alternate to the Board - Mayor's Office

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

VOTE: All ayes; motion duly carried.

ITEM #6 Consider and Approve Authorizing the Use of Funds from the Primary Elections Account for the Preference Primary - Registrar of Voters

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

C. Mildred Reig and Marge Toth, Registrars of Voters, explained that a primary is supposed to be held on March 24th which may be postponed because the two Democrats have not been placed on the absentee ballots. They were instructed to go ahead with the primary on March 24th, however, on Action News this evening they stated it may be postponed. They are requesting the money to be safe.

Mr. Zandri asked why the funding for this primary was overlooked during the past budget session?

Ms. Reig explained that they were remiss in that respect but they did not have a primary which leaves the funding in their account to which they would like to access for the preference primary.

Mr. Zandri asked the Mayor if there is some sort of a checklist that he would normally go through with his department heads to pick up items such as this that are missed?

Mayor Dickinson responded that he has to rely on the knowledge of the departments to bring to his attention what they see as a potential expenditure. He felt that there were a lot of variables concerned with the entire presidential primary issue, one being that no one expected that there would be any primary on the Republican side.

Mr. Zandri felt that we were fortunate in the fact that we did not

have a local primary and the money, therefore is available, otherwise we would be in a pickle if we did. He asked that they devise a checklist to avoid this problem in the future.

Mayor Dickinson stated, that in terms of the future we should consider contacting our legislators and others to urge that this presidential primary not be a mandatory effort for the State.

Mr. Killen questioned the form in which this request appears before the Council this evening. There are no line by line breakdowns and no confirmation from the Comptroller that the funds are available.

Ms. Papale brought the same question up at the time the agenda was being set and the Mayor explained that we have a budget for primaries. The presidential preference primary does not quite fit the definition of a primary as found within our budget book. For that reason we are bringing it forward to amend the budget book to allow the expenditure of those funds for this type of primary which is slightly different than a normal type of primary. The money is there and it really comes down to amending the purpose for the expenditure.

Mr. Killen opposed that view by stating that the Charter specifically states that if a department head wishes to use money set aside for one specific purpose for another, they should appear before the Council.

Mayor Dickinson views this transaction as being no different than amending a budget page in the Capital Equipment budget to reflect purchasing eight radios vs. two.

Ms. Papale asked Mr. Myers to verbally authorize the availability of funds for the amendment.

Mr. Myers acknowledged the availability of \$20,738 in the Registrar of Voters account and certified them for the Council's sake.

Mayor Dickinson explained to everyone that what is actually happening is that we are amending the description on the budget page so that the money spent on that page is spent on a primary or a presidential preference primary. It does not restrict it. His suggestion is that all future budgets allow for that latitude.

Motion was made by Mr. Doherty to Amend the Description on the Budget Page to Allow for the Use of Funds in the Amount of \$20,738 for the Presidential Preference Primary from the Primary Elections Account, seconded by Mr. Holmes.

Mr. Doherty read into the record the description of exactly how the funds will be allocated.

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

WAIVE RULE V Mr. Holmes made a Motion to Waiver Rule V of the Town Council Procedures to Allow the Registrar of Voters to Discuss Unscheduled Business, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Governor Weicker has stated that since the State has decided not to reimburse the towns a certain percentage for the primaries, the Registrars are not required to have a canvass this year. Both Registrars would like to continue to canvass because it keeps the voter lists as accurate as possible by tracking deaths, new residents that have moved into town as well as those that move out. Approximately 1,000 names are added/deleted each year to/from the list. The State mandates one voting machine for each 900 registered voters. If the list is not updated each year the town may not be meeting that criteria. and candidates will not receive an accurate mailing list from Data Processing for their campaign literature. The funds are currently in in the budget, approximately \$8,000 for postage, so it would not mean the allocation of additional dollars. Ms. Reig pointed out that the Governor has ruled no canvass this year but may require it next year. That will mean twice as much work updating two year's worth of history.

Motion was made by Mr. Holmes to Allow the Registrar of Voters to Conduct their Annual Voting Canvass, seconded by Mr. Solinsky.

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

PUBLIC QUESTION AND ANSWER PERIOD

Edward Musso, 56 Dibble Edge Road complained about the listing of Executive Sessions on the agenda, particularly the fact that the public has no way of knowing exactly what property the town is considering buying. He wanted to know the status of the Wooding/Caplan Property.

Mayor Dickinson stated that the property that will be discussed this evening (Item #16) pertains to the purchase of easements for utilities. Some of the Wooding/Caplan property will be used by the Police Department. That is the primary reason we are purchasing that land. We are very short of parking for the department and we have no area for impoundment of vehicles and other larger pieces of equipment which may be seized as part of a criminal investigation or an arrest. That is a necessity. A number of purposes have been identified for the use of the rest of the area including the need for a new fire station at some time in the future.

Mr. Musso pointed out that the Police Department would not be in this predicament if they had moved to Parker Farms School in the past.

Edward Bradley, 2 Hampton Trail asked the Mayor if he had any numbers yet on the growth rate in the Grand List for pre and post evaluation.

Mayor Dickinson did not have those numbers at this time. There is no way of knowing what changes have been made in any assessments until the Board of Tax Review has completed all their proceedings.

Mr. Bradley asked, without taking revaluation into consideration, what is the growth in the Grand List?

Mayor Dickinson stated that those numbers are not yet available. We want to finish tax review and we are dealing with a budget. It is

a very busy time and as soon as we are done with all of this we will have all the figures in place.

Mr. Bradley asked if the office building on the Wooding/Caplan property has been considered for the placement of WPL-TV?

Mayor Dickinson stated that it is a consideration and the soil tests on the property are just about completed. We should know pretty soon whether or not it is a deal that will be closed. That would be a building, at least for short range (1-2 years), that would be available. For the long term it is an open question about how useful it is for municipal purpose.

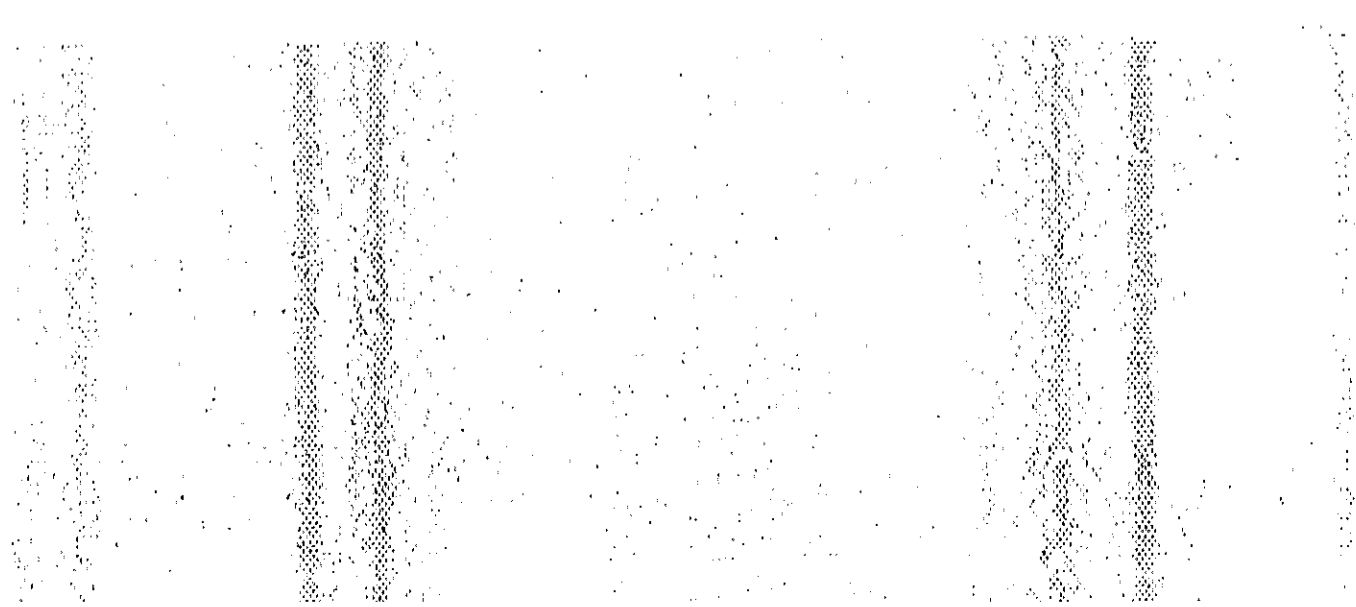
Mr. Bradley urged everyone to give much consideration to the idea of keeping that building, not destroying it.

Diana Hotchkiss, 38 Clifton Street asked why the Community Pool issue was not on the agenda this evening?

Ms. Papale responded that it will be on the agenda of the next Town Council meeting.

Ms. Hotchkiss stated that smoking in the Town Hall was discussed at the last meeting. She was in the building today at 5:00 P.M. and made use of the ladies room on the second floor. She stated how it was set up very cozy for smokers to use. It had a table with a large ashtray overflowing with cigarette butts and several folding chairs around it. She stated that this is not a designated smoking area and there is a specially designed room for that purpose on the first floor and asked if anything is being done with regards to the health of the rest of the employees and public that make use of this building. She did not see any follow up item on the agenda surrounding this issue and felt that it was important enough to bring back to find out exactly what measures, if any, are being taken to curtail the smoking in the building? She conducted a survey herself this week of many town departments regarding smoking in the workplace. She stated that the following departments are smoke-free; Board of Education; Youth Service Bureau and Park & Recreation Department. The Veteran's Memorial Medical Center, which employees 1,800 people between the two campuses is totally smoke-free. She was led to believe that the town employed approximately 180 people in the Town Hall alone. The Library has a designated area for staff only; the Engineering Dept. has a designated area but it is really not healthy for the other people that work in the office for it is not off in another area, it is a portion of one room. The Electric Division has a designated area as does Water & Sewer. The Dog Pound smokes anywhere they wish since they are not a big department and Public Works has the same policy, they smoke wherever they want. She asked, what will be done about it, when is it going to stop?

She went on to say that she spoke at great length with Clark Kearney, Vice President of Veteran's Memorial Medical Center at which time he stated that he did not have to re-negotiate union contracts since the nurses agreed that smoking is detrimental to one's health and therefore should be banned from the hospital.



Mayor Dickinson stated at the last meeting that to change the practice of allowing smoking in the second floor ladies room would mean that it would be a change in the workplace and the union would become involved in the issue and we don't want that.

She asked, if the hospital can stop 1,800 people from smoking, why can't it be done at the Town Hall and all other town buildings. She asked, who protects the rights and health of those individuals that do not smoke? Why should the minority rule the majority? She stated that it is a fact that smoking causes emphysema, lung cancer, premature birth in pregnant women, complications in pregnancies and to quit reduces serious risks to one's health. She then asked, if all this is determined on a pack of cigarettes, when is Wallingford going to do something about the health and well-being of the people working for this town? When will the issue be addressed and settled and not pushed under the carpet and ignored?

Mayor Dickinson responded that it has not been pushed under the carpet and ignored. The building is a smoke-free building but there are two designated areas for smoking, the smoking room on the first floor and the other is the ladies room on the second floor. That is in recognition of the fact that, as it has been explained to him by the Personnel Department, that smoking is part of the work environment and if you are going to change it there has to be some recognition of the union rights representing those who do smoke. When we moved into the building we made the effort to provide a reasonable accommodation to those who want to smoke. Those two areas were designated. I know that we are receiving complaints about the smoke leaving the ladies room on the second floor and we have made some effort to improve the ventilation of that area. When the weather is better most people go outside to smoke. Part of the problem is that the room on the first floor is not liked by the smokers, they tend not to go there. There tends to be overuse of the ladies room on the second floor. He stressed over and over that the building is a smoke-free building.

Ms. Hotchkiss asked what the difference is between smoke-free and designated smoke areas? Smoke-free to her means that there should not be any smoke in the building at all.

Mayor Dickinson explained that a smoke-free building is one in which you cannot smoke anywhere indiscriminately. It does not mean that within that building there are not designated areas. We have designated two areas. Personally he would like to say that no one can smoke in the building. It would be very easy for him to say since he is not a smoker but he is aware of the smoker's rights as well. He felt that it cannot be done by a unilateral dictator-type decree.

Ms. Hotchkiss asked, is it the future hope of the people that work in the Town Hall and come here to conduct business that the union will be approached when their contract comes up to change the smoking policy? If the hospital can change it for 1,800 employees plus the patients, I am sure that we can do something for the health and safety of our own workers and townspeople.

Mayor Dickinson responded that it comes down to designating a reason

-able area for smoking. If we say that smoking cannot occur in the second floor ladies room then we have to supply another room for that purpose. Right now we don't have one to designate. That is the dilemma.

Ms. Hotchkiss asked if there are a certain number of rooms that have to be provided to coincide with the number of smokers? Is that what determines whether you have one or two smoking rooms?

Mayor Dickinson responded that he did not believe that there is a formula but he was trying to make a reasonable accommodation. Given the number of floors in the building and the number of employees I have designated two rooms at this point. I prefer that there not be smoking in the building at all. We have to deal with the reality that some people enjoy smoking and having rights given the workplace and labor laws.

Ms. Hotchkiss continued to question the Mayor on his stand to keep the second floor ladies room as a designated smoking area when Ms. Papale interrupted her to announce that the Public Question and Answer Period had continued well past its allotted fifteen minute time period and a few Councilors had questions of their own on the matter.

Mr. Killen asked the Mayor, when was the last time that someone spoke to the union about changing their rules?

Mayor Dickinson stated that he could not say it was the union, it comes down to individual employees. The way it has been explained to him is that if an individual has been allowed to smoke in the past, as was the case in the old Town Hall at the desk, to move here and suddenly say that you can no longer smoke at work, that is a change in work conditions. It has to be negotiated. We made an effort to supply designated areas.

Mr. Killen responded that until someone says that we are taking their rights away from them and take action against us, I would take the bold step of saying that there will be no smoking in the ladies room. A lot of things changed in the workplace when they moved from the old Town Hall to here. The list could go on forever.

Mayor Dickinson answered that much of the change requires some voluntary acquiescence and agreement by the people involved. If we take the route of issuing a decree, then the issue will be enforcement. It is far better if everyone agrees with the rule and cooperates voluntarily. I don't know what success we would have if we said no one would smoke in the ladies room, I don't know who will go in and take down names as to who smokes and who doesn't. If we are going to make a change then we have to make an accommodation that is acceptable to everyone and then we will get the compliance that is in everyone's interest, otherwise we will need someone to get a policeman to report everyone who violates the rule. That becomes impracticable.

Mr. Killen pointed out that we are completely ignoring the rights of the other individuals who have to use that lavatory, employees and public

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alike.

Mayor Dickinson answered, we have received some complaints but not a large number regarding the ladies room on the second floor. We can look to move that designated area, the question is where? Better ventilation in there would go a long way to eliminating some of the problem. The other issue is that there are other ladies rooms in the building. That is an option if there is real discomfort in using that particular one. We must take a step at a time so that we have voluntary agreement from everyone.

Mr. Parisi asked if it is the employees or the public that is complaining?

One-third of the responses from the Town Hall heating survey identified smoking in the building as a concern of the employees.

Mr. Parisi stated that he works for a so-called smoke-free employer. It takes fifteen man hours per week to pick up the cigarette butts that are in all of the no-smoking areas outside the building. The so-called smoke-free concept is as good as the people who want to observe it. He gave up smoking, he has no problem with it, he does a lot of the police work at his employment, and is happy to do so because he realizes how bad it is for one's health. His point is that the building can be designated smoke-free but to enforce it, you are asking people to report those that they work with if they are smoking in area that they shouldn't. That is a major problem. We wage a battle everyday. Our institution does not have designated smoking areas, the employees must go outside to smoke, Winter, Spring, Summer or Fall.

Ms. Hotchkiss: That is what I am asking of the Town Hall smokers to do.

Ms. Papale stated that this is something that we should sit down together, as a group, with the Mayor, union, whomever, to address. It cannot be taken care of this evening.

Mr. Philip Wright, Sr., 160 Cedar Street asked Ms. Papale, if he requested that the two television cameras be turned off, what would happen?

Ms. Papale responded, I would ask them not to tape it.

Mr. Wright stated that he just wanted to ask the question.

He then directed a comment to the Mayor. "I pay the Town of Wallingford for the opportunity to sit down and hear the grievance concerning smoking. Andy steward of a union or any grievance committee man that brought up smoking in this day and age would be laughed out of the Town Hall. If you want to do it, you can do it!" He was a smoker for a good many years and two things caused him to stop. One was that he had had a heart attack and the other was that he read an article about the effect of smoking on the virility of men. That clinched it and he quit smoking.

He voiced his opinion about the impending purchase of the Wooding/Caplan property. He feels that there is other property in town such as the vacant parking lot at the old Stop & Shop to store cars for impoundment.

He is concerned that the purchase is going to be nickle'd and dime'd to death to the point that the taxpayers are going to be propagating Murphy's Law. He concurred with Mr. Musso on the issue of informing the public on exactly what will be discussed in Executive Session. He feels that agenda should be published as well.

Ms. Papale did inform Mr. Wright that it is published on WPL-TV. She requested the Mr. Wright call her the following day to discuss the issue further. The Record-Journal does a fair job of publishing the items of concern that will appear on the Town Council meeting on the day preceding the meeting.

Mr. Musso stated that the ideal place for a television studio is the third floor balcony area of the Robert Earley Auditorium. It is space going to waste that could be transformed into a third floor studio.

ITEM #8 Discussion on the Possible Sale of Property from the Town of Wallingford to Habitat for Humanity as Requested by Councilor Susan S. Duryea

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

Mr. Robbie Robinson, President of Habitat for Humanity of Wallingford, Debbie Bowie, 14 Briarwood Lane, Chairman of the Public Relations Committee for Habitat for Humanity of Wallingford and Mark Patton, Advisor with Habitat for Humanity were present for discussion on this topic.

Mr. Robinson explained that the main purpose of Habitat for Humanity is to help the working poor become homeowners. His organization is interested in obtaining town land through purchase or lease agreement so that they can help families that could not normally afford to buy a house, obtain one. Habitat has identified two pieces of land that it is interested in obtaining. One is located on Oak Street and the other on McKenzie Street, off of Route 5. They are especially interested in the Oak Street property. If the idea is acceptable to the Council then he suggests that a small sub-committee of the Council and Habitat be established so that the issue can be looked into in greater depth.

Mr. Solinsky felt that a sub-committee had already been formed in the past.

Mrs. Duryea asked the Habitat representatives to give the audience and viewers their concept on how the program works.

Mr. Robinson explained that they screen potential owners and eventually pick one that will work at least 500 hours to help build the project. After that is complete Habitat continues to work with them so that they do not lose what they worked so hard to achieve. Habitat does not let the homeowner re-sell the house. The goal is to keep it affordable housing.

Mr. Patton added that local volunteers from church groups contribute

their time and expertise to the project as well. If the land does not cost much and the plumbing and electrical work is donated that is how the project is kept at an affordable price for the applicants.

Ms. Bowie stated that this is one way that the town can keep its commitment to provide housing to those in need. There is a very detailed selection process that the families go through with very rigid standards that they have to meet. These families are locked into a housing payment each month that is affordable to them. It gives the people some pride in their community while putting the land on the tax rolls of the town again.

Mrs. Duryea liked the concept of people helping people. She is very much in favor of what Habitat is doing for the working poor.

Mr. Holmes stated that he was more inclined to vote in favor of establishing a committee to look into the issue rather than voting on the properties this evening.

Residents of the Oak Street property distributed a letter to all Council members this evening opposing the building of a house on the property in question due to the fact that the area is not conducive to building.

Mr. Holmes felt that the resident's concerns should be addressed by the committee prior to making a decision.

Mr. Zandri was reluctant to let the Oak Street property go since the land borders Community Lake which the town has plans to restore. It is not yet known whether this land will be effected by or will effect the restoration project. He also felt it was unfair to the rest of the taxpayers in town to let any town property sell for less than what it is worth.

Mr. Parisi asked who would oversee the administration of the project if the organization fails?

Mr. Robinson responded that another regional branch of Habitat would take over.

Mr. Parisi stated that they are not bound by any national group to stay in existence. If the local chapter fails and the closest chapter is in Greenwich, they would be responsible for Wallingford. Mr. Parisi was concerned with the fact that the family may not be capable of maintaining the upkeep on the house.

Mr. Robinson explained that a full committee works with the family at all times. A family will not be accepted that Habitat does not believe can afford the home. Habitat also continues to work with the family so that they do not backslide and lose the home. The family that buys the house cannot be charged interest. It puts the weight of raising the money up front on the local chapter of Habitat. Rather than going to a bank for a mortgage the family buys it from Habitat.

Mr. Parisi thought it would be cruel to put a family in the home that

cannot afford to keep it rather than to not have placed them in the situation at all.

Mr. Solinsky asked if Habitat offers rental property at all or are they strictly involved with homeownership?

Mr. Robinson answered, homeownership.

Mr. Solinsky pointed out that there are a lot of rentals available.

Mr. Robinson responded that most are one and two bedroom apartments and not suitable for many of the families in need.

Carol White, resident of Oak Street and Mortgage Counselor stated that there are a lot of people today who are suddenly poor. Those people have worked for years to pay their mortgages and now try to make arrangements so that they can keep their homes to prevent them from going to foreclosure. She stated that the Oak Street property was not desirable for building and the original owner left it to the town specifically for recreational purposes only. It would be in need for extreme amounts of landfill for building and there are very few ways in which to power up the sewer system to Washington Street. The surrounding properties have septic systems. The street does not allow for two way traffic as it stands right now. She has had to back out her own street on her way to her home to allow another Oak Street resident to exit the street. She urged the Council to vote against building on this property.

Mr. Musso was not against housing for Habitat. He wanted to know how much money the administrators of the Habitat program stand to make on the project?

Mr. Robinson explained that they are comprised exclusively of volunteers and no one draws a salary.

Mr. Solinsky's opinion was to put the property out to bid and Habitat could bid on it along with everyone else if they are interested in it.

Mr. Killen was not interested in selling the Oak Street property. He had no problem with selling the McKenzie Ave. property.

Mayor Dickinson recommended establishing a committee to meet with Habitat to try to move ahead with one of the projects.

Mrs. Duryea volunteered to serve on the committee.

Ms. Papale asked Mr. Robinson if his organization was looking to purchase the property from the town at a below fair market value?

Mr. Robinson stated, not necessarily so. They would like to purchase it at the lowest price possible but they were not opposed to a fair market value price.

Ms. Papale asked, with the real estate market being the way that it is and many developers out there willing to sell their property at lower than usual costs, why does Habitat have to deal with the town?

Mr. Robinson responded that they never stated that it has to be strictly with the town, they are investigating several opportunities and options.

Mr. Killen advised Mr. Robinson to make sure that all hurdles are clear before devoting too much time to the Oak Street option. Planning and Zoning may not approve it and the previous owner may have deeded it to the town with the stipulation that it be for recreational purposes only.

Mr. Doherty made a motion to Establish a Committee of the Town Council and Habitat to Explore the Possibility of the Sale of Town Property at 7 McKenzie Avenue, seconded by Mrs. Duryea.

The committee will be comprised of three volunteers.

VOTE: All ayes; motion duly carried.

ITEM #9 Discussion and Possible Action Regarding a Request for Tax Abatement on Dairy Farm Property Pursuant to Public Act #90-270- Mayor's Office

Since no one was present to represent the Dairy Farmers, Mr. Doherty made a motion to Table this Item to be Taken up at a Future Meeting, seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve Authorizing Additional Drainage Work for Phase 3 of the East Main Street Reconstruction Project - Town Engineer

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

Since Mr. Costello, Town Engineer was not immediately available therefore a five minute recess was declared.

Mr. John Costello explained that on July 2, 1990 the town received an Inland Wetlands Permit from the Connecticut Department of Environmental Protection for Phase 3 of the East Main Street reconstruction project. The permit requires the town to do some additional drainage work. A surplus of approximately \$35,000 remains from the previous construction contracts on East Main Street. In addition, \$100,000 was appropriated in the 1989-90 Six Year Capital Budget specifically for this work.

Mr. McDermott asked how long the project will take and how will it impact the traffic flow?

Mr. Costello stated that almost all of the work will be off the roadway. The contractor's equipment may be parked on one side.

Phyliss Corneal, 339 E. Main Street complained that traffic travels between the speeds of 50-65 mph. This project has created an extremely hazardous condition. We need to narrow the road from Old Durham Road through to where it meets that area of Caplan Brook so that we have a consistent width of the road. She has discussed this issue many times with the Police Department and several members of the Council at which time she was told that speeding is a police matter. She feels that it is a matter of road design. Therefore she feels that the road should be narrowed, the guardrail removed, replace it with one which is more aesthetic to the surroundings and fix the areas that the riprap has been dumped on private property. Ms. Corneal also feels that the road should be restored to its scenic beauty by replacing the 100 or so trees that were destroyed by the Town and remove the riprap left behind. She went on to say that the Town does not own the property to which the road way widened. She is considering filing an act of trespass against the Town unless they resolve the above-mentioned problems.

Mr. Doherty asked Mr. Costello if it is possible for him to sit down with the residents in the area prior to the start of the work.

Mr. Costello agreed to but pointed out that it does not relieve the Town of its responsibility of doing this work under the D.E.P. permit.

VOTE: All ayes; motion duly carried.

ITEM #11 Discussion on Possible Options on the Establishment of a Full-Time Health Director Position as Requested by Vice-Chairman David Doherty and Councilor Susan Duryea

Representative Mary Fritz and Sanitarian George Yasensky were invited to come forward to speak on the issue.

Ms. Fritz explained that in 1972 a law was passed requiring towns who had reached the 40,000 population threshold that they had to have a full-time Health Director or Department. Between 1973 and 1974 it went into effect and six towns went into compliance. Since that time no other towns have reached the 40,000 population threshold. With the 1990 census the Town of Wallingford did reach it. There are options available; you could hire a full-time Health Director and the Town would receive \$.52 per capita from the State or you could join a regional health district, i.e., the East Shore Health District, Quinipiac Health District, and Chesprocott. If the Town chose to join a health district the Town would receive \$1.52 per capita from the State. Another option is to form a new district. She pointed out that, in the interim, the Town Council could form a task force to look into what would be best for the Town of Wallingford with regard to a health district. It must be duly noted that the Town of Wallingford is not in compliance at this time. The option is the Town's. Ms. Fritz stated that the State currently has several bills dealing with Health Directors and Health Districts. There is one on the agenda tomorrow and a session will be held as well. Ms. Fritz filed an amendment this afternoon saying that once a population of 40,000 was reached it should be maintained for five consecutive years before a town could become part of a health district. If the Council so desires, Ms. Fritz can act on it tomorrow.

Mr. Yasenksy urged the Council to ask Ms. Fritz to push for the changes so that the Town can ease into the full-time position. He feels that the Health Department's budget would immediately quadruple with the addition of a Health Director. He also asked the Council to establish a task force comprised of one or two people, himself and Dr. Delbert Smith to review the phase-in process of the position. The salary of a full-time director is approximately \$60,000. The current part-time position pays \$7,500. You will not derive any additional services out of the new director if you were to hire one tomorrow than you are currently getting from the part-time one. Our current director oversees the Health Department, he is the liaison and agent for the Commissioner on Health, handles all the medical problems, direct agent to the Mayor, etc. His hours vary, he is there when we call him, he can be in the office 3-4 times per week.

The majority of the Council agreed.

Ed Bradley, 2 Hampton Trail asked if the current structure is properly working or is it jeopardizing the Town if it is not?

Mr. Yasensky responded you can only provide a certain amount of service with what you have. If you just jump in and hire a Director of Health you will need to structure the services and this calls for additional personnel. We currently utilize services provided by the Visiting Nurses Association and State laboratories.

Mr. Bradley stressed that before the Council acts upon anything, that they obtain a copy of the Director of Health's Annual Report for 1990 and look at it. Call the Department of Health, the people that are telling you that you are not in compliance, and verify that the little bit of information on the report is all that is required of the Health Director to report to the State. Is it worth spending that kind of money for the salary of a Health Director?

Leon O'Connor, 27 Hallmark Drive, District Director of Health with Naugatuck Valley Health District was concerned with the fact that while the Town is not in compliance with the State Statutes with regards to the full-time Health Director what would be the liability factor, should something quite serious go wrong in the Town? He suggested that very possibly the best action at this juncture would be no action. He felt that the formation of a task force was a good idea.

Mr. McDermott's biggest problem with this issue is how the State came up the arbitrary number of 40,000? No one here tonight is trying to evade the responsibility we have for the public's health and safety, it is the number that the Council is at odds with.

Mayor Dickinson suggested that the Health Board should review this issue and make a recommendation. That would seem to be the place to start.

Mr. Holmes stated that if it were solely a matter of increasing the personnel and services of the Health Department, perhaps that could be managed if necessary. In these times, however, the Town is dealing scarce resources. There is a need for additional personnel in the

Fire Marshal's Office, the Town would be well served with the addition of Police Officers, Firemen, Public Works employees, Teachers, Building Inspectors, Electrical Inspectors, etc., the requests are endless. We have to do the best job that we can balancing the needs of the Town vs. the dollars the will come in.

Mr. O'Connor felt that the Council was missing the point that the Town is missing out on funds from the State. He felt that the Mayor's suggestion was a valid one.

Mr. Zandri was of the opinion that people, in general, are sick and tired of the State mandating rules that continuously causes taxpayers a lot of money needlessly. He has resided in this town all his life and has yet to hear of a major health problem. The part-time situation that we currently maintain works just fine.

Mr. O'Connor reiterated his opinions on the matter at great length.

Eloise Hudd, 58 Cooper Avenue, Registered Sanitarian with Quinnipiac Valley Health District stressed the need for the Council to decide on implementing a task force prior to going forward with Rep. Fritz's suggestions. There are many environmental needs in the Town of which the Council is not fully aware of. She pointed out the water of the Community Pool during the summer as being a public health issue of the Town. Upon calling the Health Department and alerting them to this fact, their response to her was, "is the water fluffy?" On her inspection form she has never seen the word "fluffy". The pool should have been closed, it was a definite hazard. Please perform an assessment of the Town's environmental needs before making a rash decision.

Mr. Yasensky stated once we form a task force or committee the Town will be in compliance. It needs to be phased in and not be a financial shock to the Town.

Hubert Ruhl, 346 S. Cherry Street, volunteered to sit on the task force.

Edward Musso, 56 Dibble Edge Road agrees with Ms. Fritz's suggestion that we maintain the 40,000 mark for five years prior to hiring a full-time Health Director.

Mr. Doherty made a motion to Empower Rep. Fritz to Pursue the Options of Making an Amendment to the Bill Tomorrow in Hartford asking for a Change of Five (5) Consecutive Years at the 40,000 Residents Mark and also for the Town of Wallingford to Proceed with Forming a Task Force to Bring us into Compliance with the Mandate of Hiring a Full-time Health Officer of the Town, Section 19-A-200 of the Connecticut General Statutes, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Ms. Papale thanked Mrs. Fritz on behalf of the Council for her assistance and support and the wealth of information she supplied the Council with.

ITEM #12 Discussion and Possible Action Pertaining to the Camp Dresser and McKee Study of the Electric Division as Requested by Councilor Albert E. Killen.

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

Mr. Killen stated that the Camp Dresser & McKee Report cost the Town in excess of \$45,000. A great deal of work was invested into it, a series of recommendations were generated and nothing has come of it. It seems to have been tossed aside. He recommended that they be reviewed to see which ones could be implemented to the Town's benefit.

Mr. Holmes made a motion to Charge the Finance Committee with Reviewing the Summary, Conclusions and Recommendations of Camp Dresser & McKee and Reduce them to Writing and Report Back to the Council, seconded by Mr. Parisi.

Mr. Philip Wright, Sr., 160 Cedar Street felt that the public should be a part of the process.

Ms. Papale stated that the Finance Committee's findings will be presented at a future Town Council meeting.

VOTE: All ayes; motion duly carried.

ITEM #13 Consider and Approve a Transfer of Funds in the Amount of \$9,035 for Site Assessment Work at the Wooding and Caplan Properties - Town Attorney's Office

Motion was made by Mr. Doherty, seconded by Mr. Solinsky.

Mr. Holmes asked if any costs associated with the soil testing on the property will be deducted from the purchase price or incurred by the Town?

Mayor Dickinson responded that the letter from our Corporate Counselor states that the entire cost, with the exception of \$500, will be borne by the seller.

Mr. Holmes asked, if the soil is contaminated does our obligation end?

Mayor Dickinson: Yes, it can end depending upon the results.

Mr. Holmes: Do we have a contract of sale and does it contain an escape language?

Mayor Dickinson: Yes.

Mr. Doherty read into the record the accounts effected by the transfer as follows:

From:	Acct. #063-6300-800-8100, Debt Administration	\$9,035.00
TO:	Acct. #063-6300-600-6001, Wooding Property	\$6,024.00
	Acct. #063-6300-600-6002, Wallace Realty, Inc.	\$3,011.00

Mr. Solinsky asked, how are we going to receive the money from Wooding Property? We have received a bill for \$16,000 and are only transferring \$9,035.00.

Mayor Dickinson responded that if we don't receive money from them in a separate check then we will deduct it from the purchase price pursuant to the contract.

There was some question on who was paying the invoice in the full amount due to the fact that an ordinance was involved for bond appropriation.

Mr. Zandri pointed out that we cannot pay this bill.

Mr. Myers explained that the appropriation bond authorization is for \$1.5 million.

Mr. Zandri did not disagree with that but pointed out that there is no money to pay this bill. The entire sum of the bill, \$16,000, has to be transferred, not just \$9,035.00 of it.

Atty. Small agreed.

Motion was made by Mr. Doherty to Table This Item, seconded by Mr. Parisi.

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

ITEM #14 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes to Discuss Strategy with Regard to Pending Litigation

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

Atty. Small requested that the Council motion to move into Executive Sessions listed as Items #14 & 16 on the Agenda at the same time.

Mr. Doherty made a motion to Enter Into Executive Sessions Pursuant to Section 1-18a(e)(2) and 1-18a(e)(4) of the CT. General Statutes with Respect to Pending Litigation and the Lease, Sale or Purchase of Real Estate, respectively, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Doherty to Exit the Executive Sessions, seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Parisi to Adjourn the Meeting, seconded by Mr. Solinsky.

VOTE: All ayes; motion duly carried.

ITEM #15 - Withdrawn

There being no further business, the meeting adjourned at 11:58 P.M.

Meeting recorded and transcribed by:

Kathryn F. Milano
Kathryn F. Milano, Town Council Secretary

Approved by:

Iris F. Papale, Chairperson

MAR 24 1992

Date

Kathryn J. Wall

Kathryn J. Wall, Town Clerk

MAR 24 1992

Date