

TOWN COUNCIL MEETING

OCTOBER 8, 1996

6:30 P.M.

AGENDA

Blessing - Rev. William Huegel - First Baptist Church

1. Roll Call and Pledge of Allegiance
2. Consent Agenda
  - a. Note for the Record Mayoral Transfers Approved to Date
  - b. Note for the Record Anniversary Increases Approved by the Mayor to Date
  - c. Consider and Approve Tax Refunds (#51-85) Totalling \$8,847.53
  - d. Consider and Approve the Acceptance of a Donation of \$2,500 from the Bristol-Myers Squibb Foundation to the Department of Fire Services
  - e. Consider and Approve an Appropriation of Funds in the Amount of \$3,190 to Revenue - Highway Safety Grant Acct. and to Police Overtime Acct. - Dept. of Police Services
3. Items Removed from the Consent Agenda
4. PUBLIC QUESTION AND ANSWER PERIOD
5. Consider and Approve a Transfer of Funds in the Amount of \$4,885 from Paint Town Hall Exterior Acct. to Steps Town Hall Exterior Acct. - Dept. of Public Works
6. Report Out from the Director of Public Works on the Status of the Fairfield Boulevard Recreation Center
7. SET A PUBLIC HEARING for October 22, 1996 at 7:00 P.M. on an Ordinance Repealing an Ordinance Entitled, "Ordinance Restricting Locations for Using Skateboards, In-Line Skates and Roller Skates"
8. Discussion and Possible Action Regarding the Closure of the At Grade Railroad Crossing on Hosford Street - Mayor's Office
9. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. State Statutes Pertaining to Strategy and Negotiations With Respect to Pending Litigation - Dept. of Law

TOWN COUNCIL MEETING

OCTOBER 8, 1996

6:30 P.M.

ADDENDUM TO AGENDA

10. Explanation of Procedures for Televising Special/Emergency Town Council Meetings - Government Access Television

TOWN COUNCIL MEETING

OCTOBER 8, 1996

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Consent Agenda - Items #2a-2e	1
3. Withdrawn	
4. PUBLIC QUESTION AND ANSWER PERIOD - Objection to the Restricted Use of Tyler Mill Property During Hunting Season; Question Re: Purpose of Auxiliary Police/Special Constable and Their Respective Duties; Comment Re: Request for Larger Crosswalk Signs Uptown; Inquiry Re: CYTEC's Request for Credit for 1 1/2 Hr. Loss of Electrical Service; Explanation for Missed Deadline for Filing of Application for North Farms Reservoir Study;	1-6
5. Table a Transfer of \$4,885 to Steps Town Hall Exterior Acct. - Public Works Dept.	6-10
Remove from the Table and Approve a Transfer of \$4,885 to Steps Town Hall Exterior Acct.	25-26
RULE V Approve a Waiver of Bid to Award a Contract to C.J. Fucci Co. to Purchase and Install New Steps to the Town Hall	26
6. Report Out by the Director of Public Works on the Status of the Fairfield Boulevard Recreation Cntr.	10-13
7. SET A PUBLIC HEARING for 10/22/96 at 7:00 P.M. on an Ordinance Repealing an Ordinance Entitled, "Ordinance Restricting Locations for Using Skateboards, In-Line Skates and Roller Skates"	13-15
8. Approve Closing the At Grade Railroad Crossing at Hosford Street	16-25
9. Executive Session - 1-18a(e)(2) - Pending Litigation	26
Approve the Settlement of a Claim in the Amount of \$3,000.	26
10. Withdrawn	

TOWN COUNCIL MEETING

OCTOBER 8, 1996

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, October 8, 1996 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:35 P.M. All Councilors answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr.; Corporation Counselor Adam Mantzaris and Comptroller Thomas A. Myers were also present.

A blessing was bestowed upon the Council by Reverend William Huegel of the First Baptist Church.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consent Agenda

ITEM #2a Note for the Record Mayoral Transfers Approved to Date

ITEM #2b Note for the Record Anniversary Increases Approved by the Mayor to Date

ITEM #2c Consider and Approve Tax Refunds (#51-85) Totalling \$8,847.53 - Tax Collector

ITEM #2d Consider and Approve the Acceptance of a Donation of \$2,500 from the Bristol-Myers Squibb Foundation to the Department of Fire Services

ITEM #2e Consider and Approve an Appropriation of Funds in the Amount of \$3,190 to Revenue - Highway Safety Grant Acct. and to Police Overtime Acct. - Department of Police Services

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #3 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Reginald Knight, 22 Audette Drive asked if it is true that the Tyler Mill area has a restricted use imposed upon it? It is his understanding that only hunters can use the area for the next four months or so. Why have the hikers and horseback riders been restricted from using the area when there has never been a problem sharing the use of the land before?

Mayor Dickinson responded, once hunting season begins permits are issued for specific days of the week. Only on those days is the area restricted for use by hunters. On the remaining days of the week the area is open for use by all other groups.

Reginald Knight stated that this issue was brought up in the past by Mr. Zappala at which time the audience boasted a healthy number of hikers, hunters and horseback riders, none of which had a problem with all of them using the property simultaneously. Why the change now?

Mayor Dickinson answered, there has been a significant change since then which the groups were notified of. A meeting was held with representatives of each user group at which the issue of use restriction was discussed. The change is the CT. Supreme Court. Previously, the municipality had an immunity from liability where property was used for recreational purposes. Thus, you could have a piece of property on which someone was horseback riding while someone was hunting or hiking, etc. Should an accident occur the Town did have immunity from liability from negligence. With the change in the Supreme Court's ruling in August of this year, we no longer have that immunity therefore if something should happen between a hunter and horseback rider or biker, it was our feeling that the Town had a situation that would be beyond justification. All of the groups have been notified and signs will be posted alerting people that on certain days between October and February hunters will be on the property and other uses should not occur. On the days that the hunters are not there other uses can occur.

Reginald Knight pointed out that there has never been an accident nor a near miss on the property. At the Town Council meeting which was open to the entire town and not just a select few, it was decided that it was safe to continue using the property in the same fashion as always. He asked, aren't we going a little overboard with this liability issue? He is tired of hearing about people tripping over a tree root and some lawyer wanting ten percent of what ever he can claim off of the nearest person who owns the tree or stood by it or whoever has the money next to him. Pretty soon we will not be able to walk down the street or cross the road. Where does liability end?

Mayor Dickinson answered, liability is certainly an issue however our overriding concern was that as a public policy, is it appropriate to tell people to go out and use property knowing that some are hunting and some are hiking on it? I am not sure as a public policy I could justify that knowing that the Town was standing behind it in terms of saying that if anything goes wrong we will pay the damages. The potential is beyond what we would want to entertain as a rational policy. If we did not have the exposure given to us by the Supreme Court and we alerted people that there was hunting out there and they chose to be out there on their own then they are making a decision that is their's. At

this point it is a decision that is ours.

Reginald Knight commented, at the public meeting of the Town Council the people, themselves, decided that it was safe. Now a very close little group and you, Mayor, decided unilaterally...that does not sound very good to me. I would have liked to have attended that meeting. We had a full meeting here that evening, this building was packed and no one said there was any danger. The only hunting that takes place on the property is bird hunting for which pellets are used and if you were to get hit with them they would not hurt you too much.

Philip Wright, Sr., 160 Cedar Street commented that he had read in the paper how members of the Town Council took the role of security personnel over the course of the midnight hours during the Celebrate Wallingford festivities. He was of the impression that the Town had an auxiliary police force and asked why their services were not utilized for this purpose? If we are going to restrict their services to the point that they are rendered virtually useless then why not disband them and eliminate any funding associated with them from our budget? Were they asked to perform at this function? If not, why not?

Mr. Parisi responded, no. I did not think that they would be able to perform in that capacity due to extenuating circumstances.

Mayor Dickinson explained, some of the issues surrounding the matter dates back to an instance when an effort was made to use the auxiliaries. It is a misnomer...the auxiliary police are actually special constables. Special constables or so called auxiliary police were used for patrolling the school grounds back in the late 1970s or early 1980s. It was resolved that they could not be used in that manner, there were union implications. Since that time union contracts have restricted the use of personnel of that kind working for the Town. Whether or not Wallingford Center, Inc., would qualify as a Town entity or department is an open question. The Town of Wallingford is not able to call upon their services without arguments from the members of the police union.

Mr. Wright asked, wouldn't those same arguments exist against members of the Council going down there?

Mayor Dickinson responded, the (union) contracts specify the use of auxiliary police.

Mr. Wright asked, so they do exist as auxiliary police and are on our budget as such yet you say they are special constables?

Mayor Dickinson answered, they are special constables. All authority they have arises out of their appointment as special constables. There is no authority under State Statute or any other form of entitlement that empowers an auxiliary policeman unless

that policeman is a member of the police department. Their primary function in the past was a support for civil preparedness.

Mr. Wright asked, why continue calling them auxiliary police when they cannot perform a security function like we had here the other night? Why not give them a decent burial and get on with it? They serve no purpose.

Mayor Dickinson disagreed stating that they serve a purpose regarding civil preparedness.

Mr. Wright stated, they should be part of civil defense.

Mayor Dickinson stated, they are. In effect the Director of Civil Preparedness heads up or acts as Chief over the special constables or auxiliary police. It may appear confusing but is not as confusing as it seems.

Mr. Wright stated, it seems to me that this was the perfect opportunity to avail ourselves of a group that I believe could function in this particular manner. They are not out there carrying guns; I am sure that no one was armed the other night; they are not directing traffic, they are not putting down riots, they are simply walking around and keeping their eye on things. If they were not asked then I consider it an oversight that should be carefully looked at in the future. If these guys are going to continue to exist and we have them on the books as auxiliary police and there is something describing their function then we ought really to be thinking about it.

Mr. Parisi stated, I don't disagree with you, Mr. Wright.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he was glad to read an article that Mr. Rys was requesting larger signs for the crosswalk areas in town to be placed in the middle of the roadway. It is a good idea.

Mr. Rys stated, the idea came out of a Public Safety Committee meeting at which the committee voted to send the Mayor a letter asking him to discuss with the Police Chief and appropriate authorities the possibility of placing markers in the center of the road uptown where there are crosswalks. This will make people aware that as they are driving down the road and a pedestrian enters a crosswalk that it is necessary for them to stop under State law. Currently, there are small signs on the poles and most drivers don't see them. If this could be accomplished it would help.

Mr. Melillo stated, he has heard that CYTEC wants Wallingford to pay for an hour and one-half of power loss amounting to approximately \$18,000. Is there any merit to that request?

Town Council Meeting

- 5 -

October 8, 1996

Mayor Dickinson stated that he was not familiar with the issue and would have to look into it to find out what is involved and what the utility issue is.

Mr. Parisi stated that the issue was looked into by the P.U.C. and the cost was passed up to Northeast Utilities. I am not sure if Northeast Utilities passed the cost back again. It is being looked at but I cannot tell you whether or not it has been resolved.

Mr. Melillo reminded the Council that the average taxpayer in town loses electricity now and then ourselves and we are not compensated for it. There is no justification for making an exception for CYTEC. He urged the Council to follow the issue carefully and make sure that CYTEC is not given that credit.

Mr. Melillo next asked the Mayor why the Town missed the deadline for filing an application with the State for grant monies to study the North Farms Reservoir? Why was time allowed to run out?

Mayor Dickinson responded, we received an inquiry regarding the matter in the later part of September. The application for the grant had to be in by October 1st. Given other workloads in the Program Planning Office and the fact that the North Farms Reservoir is owned by the State of Connecticut, all the information that the Town would have to supply to them in the application is, in fact, held by the State of Connecticut. We would have to speak with D.E.P., get the information and send an application back to them with the information they had regarding a request that they do a study on their own reservoir. I am interested in the reservoir and maybe it is a worthwhile project if we have some time to deal with it in a more responsible way but for us to drop other work and be dealing with an application for a grant that deals with a reservoir owned by the State, it seems to me not to be justified under those circumstances. If there is concern regarding the reservoir the State has the information to proceed with a study. If we have a little more time to look into the matter and obtain the necessary information we may be willing to participate as well. I believe the amount of money was, at the most, \$10,000. The Town would be putting up some of that and the State, the majority of the money. For that amount of money the application from the Town should not be the vital factor on whether or not the State studies its own reservoir.

David Owens, 255 South Main Street stated that his sons, John, 12 and Andy, 8 were present this evening to speak on Item #7, Setting a Public Hearing to Repeal the Skateboard Ordinance. He asked if this was the appropriate time to do so?

Mr. Parisi informed Mr. Owens that the appropriate time to comment is at the public hearing on October 22, 1996 at 7:00 P.M. His son Andy presented the Council with a drawing and message showing his



support for repealing the ordinance.

ITEM #5 Consider and Approve a Transfer of Funds in the Amount of \$4,885 from Paint Town Hall Exterior Acct. #001-5015-999-9986 to Steps Town Hall Exterior Acct. #001-5015-999-9996 - Public Works

Motion was made by Mr. Rys, seconded by Mr. Knight.

Henry McCully, Director of Public Works stated, upon awarding the bid of \$68,000 to C.J. Fucci, the contractor brought to my attention that we can make an impact on the front steps of the Town Hall if we were willing to invest in purchasing a new grade of granite.

Mayor Dickinson explained, the bid was for reconstruction in the front and on the steps to prevent water from getting down in the basement. That is what the \$68,000 bid is for. As a result the steps became a focus. The contractor is saying that he will have to take the steps out and rebuild underneath them. The steps are not in good condition. For additional dollars we can put in new granite steps, otherwise the contractor will put the existing steps back in place. They are not in good shape and the additional dollars will be worth spending at this time to replace them.

Mr. McCully stated that the total cost to replace the steps is \$11,885.00. There remains \$7,000 from the original contract and tonight's request is for a transfer of the remaining \$4,885.00. There are a few large chips from the steps as well as a thin layer of concrete over the top landing. The contractor cannot guarantee that cracking may occur upon re-setting the old steps. The existing railing will be replaced which entails boring into the granite. The old steps may not be able to take the boring without cracking. There is also some pitting and staining of the steps due to the use of hydraulic cement in an attempt to cease the seepage of water into the Town Clerk's Office. The new granite would enhance the entrance of the Town Hall tremendously.

Mr. Knight asked, how did the steps get into this condition to begin with?

Mr. McCully responded, they are very old. We use a de-icing compound in the winter that does not effect concrete. Upon first moving into the Town Hall a salt mixture was initially used but no longer is. The chips existed when we moved into the building. The project will also include a new landing for ADA (American with Disabilities Act) purposes which is a gray granite. The new steps will match that landing producing consistency in color while, at the same time, correcting the serious leakage problem.

Mr. Farrell asked, what is being done besides replacing the steps?

Mr. McCully answered, the existing steps will be removed to expose the support system underneath. The concrete substructure will be removed, new rebar will be installed, new concrete poured and the entire area will be sealed. Part of the foundation will have work performed upon it as well. At the same time some new electrical work will take place. That will take care of the vault in the Town Clerk's Office. The new steps will then be replaced with a new granite landing to make the transition smooth. We will be eliminating the top step.

Mr. Farrell asked, will we be able to purchase granite from the same quarry that the original steps were purchased from?

Mr. McCully responded, the granite is being ordered through Stonecrafters in Wallingford. The landing area in the original bid will be new. That granite will come from the same quarry in North Carolina which will be the same color.

Mr. Farrell stated that a lighter granite should be ordered for a darker shade will clash with the building.

Mr. McCully will discuss it with the contractor.

Mr. Centner asked, how thick are the present steps?

Mr. McCully responded, eight inch.

Mr. Centner asked, why can't they be sandblasted?

Mr. McCully answered, they could be but you cannot ever get them back to the original color. You would be unable to repair the chips. Once it chips you have to repair it with hydraulic cement or leave it alone. Also you must remember that new railings will be drilled which may cause the old steps to crack.

Mr. Centner was of the opinion that the underside of the old steps may be smooth and can be turned over and used for the topside. The steps are nine inches and therefore are not compromised if we lose an inch or so through sandblasting. The concrete can be built up to accommodate the loss.

Mr. McCully responded, there is no proof that they are smooth for you cannot see under them. The possibility was researched.

Ms. Papale stated, we are spending \$70,000 which is currently in the budget; the steps are old; we have a new look with the parade grounds; we have the Veteran's monument; for \$5,000 more we should do the new granite steps.

Mr. Zappala asked, by increasing the amount of work by \$5,000 don't we have to go out to bid again?

Mr. McCully discussed the issue with the Purchasing Department and it has been decided that it would not be necessary to do so. The increase will still keep this bidder lower than the next lowest bidder. This is considered a change order. The work cannot proceed until the money is appropriated.

Mr. Parisi could not understand how the price of a job can increase by nearly \$5,000 and it does not have to be re-bid.

Mayor Dickinson stated, it is based on the nature of what is being proposed. The issue is replacing the steps, it is not increasing the total by an abnormal amount and it is not outside the scope of what is in the actual specifications. We could end up with the same problem when we are taking out the steps and one breaks. The Purchasing Office is very careful in approving change orders. Apparently Robert Pedersen, Purchasing Agent, is very satisfied that this will qualify.

Mr. Parisi was uncomfortable with the fact that the work was put out to bid and people were disqualified because their price was either too high or perhaps because of other reasons. We are going above the \$2,000 bid limit that has been set for biddable items. I can understand the situation but it does not seem right to not re-bid this since it goes above the \$2,000 amount. We should be waiving the bidding process, it should at least be acknowledged and not pass through without any action.

Mr. Zappala stated that it was not a good procedure. The Electric Division did something similar to this and found themselves in trouble.

Mr. McCully stated that no work has yet begun to take place. He informed the Council that the next lowest bidder submitted a quote of \$89,000.

Mr. Doherty asked, what other parts of the Town Hall will be worked on in 1996-97?

Mr. McCully responded, there is a contract for the interior steps, hallways, in the amount of \$10,000. We need to rebuild sixty-five (65) steps. That has been a three year project. We recently spent \$2,050. to replace garage doors in the Carriage House. In the winter the interior painting project is performed by the Public Works employees.

Mr. Doherty asked, all the capital items total approximately \$100,000.?

Mr. McCully responded, yes.

Mr. Renda asked, how long will it take to do the steps and foundation work?

Mr. McCully answered, approximately 1-1/2 months.

Philip Wright, Sr., 160 Cedar Street asked, do the steps have any historical value? Should we save them for restoration of something else?

Mr. Farrell responded, he did not advocate keeping the steps since they are causing a problem in their present location.

Mr. McCully stated, the old pieces can be stockpiled, stored. If someone comes up with an appropriate idea for them that wouldn't be a problem.

Mr. Farrell stated, the granite from the old post office has been stockpiled elsewhere and there are some thoughts as to what to do with it.

Mr. Wright stated, there seems to be procedural irregularities surrounding the issue. Perhaps you should not be voting on this transfer until the questions are resolved. It should be tabled until definitive answers can be obtained from the Purchasing Agent.

On a separate matter, Mr. Wright asked, how is it determined which items will appear on the consent agenda and which ones will not? Item #2e was for \$3,190 and Henry is requesting a few dollars more, why wasn't his item on the consent agenda or why wasn't the other taken off?

Mr. Parisi responded, we go through the items and the ones that we feel are clear are placed on the consent agenda. It is a call on the part of the Chairman and Vice Chairman. Item #2e is a grant from the State that is handled every year at this time and in the same manner. If there was an item that someone felt should not be on the consent agenda they have a right to request that it be removed. This not only applies to Councilors making the request but to members of the public placing their request through a Councilor.

Albert Killen, 150 Cedar Street stated that he was amazed at the difference between the estimate in the budget to have the Town Hall painted and the price quoted. Did we get a very good price on the deal or did we do a lousy job of estimating what it would cost?

Mr. McCully responded, we got the estimate from a company that the Town has a bid with. They do a lot of painting at the Town Hall and they can be used under a Town bid to do painting for the Public Works Dept.

Mr. Killen pointed out that it is the same firm that Mr. McCully praises as being experts that vastly over-estimated the cost to paint the Town Hall. There is something wrong here.

Mr. McCully answered, the company that bid the job is a reputable company, it is not a union job therefore they will not have to pay prevailing wages. If a company is slow they bid low, if they have a lot of work they will bid higher. We have experienced similar situations in many of our bids.

Mr. Killen suggested tabling the item until additional information can be obtained.

Lester Slie, 18 Green Street agreed with Mr. McCully stating that the existing stairs should not be re-used. He is experienced in working with granite since his father was a mason contractor that worked with granite often. With dampness under the steps, the minute one of them is split you will get a different color. If they are sandblasted you cannot achieve the true color that has been lost forever. At times, when the granite has been laying on a bed for so long such as the front stairs have been, you will see that they have taken on a yellow corrosion that travels almost halfway through the block. No matter how hard you try or what product you use you cannot remove the stain.

Rosemary A. Rascati, Town Clerk reminded the Council that this problem has been ongoing for many, many years. We are now entering a season where it will be cold, rainy and snowy. The spring brings with it rain as well. Another whole year will go by before the situation is corrected. We cannot use that part of the map room and when it rains very hard the water comes in and we have to move all of our map cases out.

Mr. Parisi asked, if you were unable to move things quickly enough would you run the risk of getting important documents wet?

Ms. Rascati responded, yes, when we have a real down pour with accelerated winds. We also have storage space under the stairs that is very moldy, damp, smelly and has been rendered useless.

Motion was made by Mr. Doherty to Table this Item Until Additional Information can be Obtained, seconded by Mr. Centner.

VOTE: Farrell, Papale, Parisi and Rys, no; all others, aye; motion duly carried.

ITEM #6 Report Out by the Director of Public Works on the Status of the Fairfield Boulevard Recreation Center

Motion was made by Mr. Rys. There was no second to the motion.

Henry McCully, Director of Public Works informed the Council that the framing for the Government Access Television Studio is substantially complete. The next step is to bring in the telephone and electrical wires. Sheetrock and flooring will soon follow. Framing is also substantially complete for the offices of the

Recreation Department. The Youth Service Bureau will be using the existing offices that were there and some soundproofing will be installed in a few of the rooms. Big Brothers/Big Sisters are all set. The demolition for the gymnasium as well as all the interior demolition is complete. There has been a lot of activity surrounding the plumbing and electrical wiring. We have held meetings every other Friday for the past few months at which a good deal of input is contributed by the Recreation Department, Youth Service Bureau, Government Access Television and Big Brothers/Big Sisters. Each department is encouraged to visit the site on occasion and each has shown a great deal of interest. We have not encountered any major difficulties at this point and we do not foresee any major changes. We are proceeding smoothly. I am impressed with the contractor; LaRosa. It is noted that there are two contractors by the name of LaRosa and this is not the LaRosa who was recently reported in the newspaper as being cited for poor work. This firm has been nothing but professional.

Mr. Doherty asked if the project is running on schedule as outlined by LaRosa? The schedule states by the second week of October all of the interior and gymnasium demolition should have been complete and site work on the gymnasium should be underway. Has work started on the gym?

Mr. McCully answered, some site work has begun.

Mr. Doherty further stated, the schedule also shows that we should be halfway through concrete foundation and slabs. Are we at this point?

Mr. McCully answered, not yet. The contractor is approximately one week behind schedule on this project. Once the framing is complete the sheetrock progresses very quickly and that time can be made up.

Mr. Doherty asked, am I correct that the Town recently took out a building permit in the amount of \$800,000. for the project?

Mr. McCully responded, yes, LaRosa took out the permit.

Mr. Doherty asked, is that what he anticipates spending on the gymnasium?

Mr. McCully answered, they bid on the job and they have to take out the permit. They must place a value on the work performed. The value is on the complete project. The anticipated completion date is February of 1997 with occupancy expected to be March of 1997.

Mr. Rys asked, what will happen to the air conditioning units that have been placed on the outside of the north side of the building?

Mr. McCully responded, we will store them for parts, they are only eight years old. The new gym will not be air conditioned so there is no use for them at that location.

Mr. Zappala asked, wasn't the cost of the project estimated to be \$1.4 million?

Mr. McCully responded, the low bid for the project was \$1,295,000.

Mr. Zappala asked, how can a building permit be taken for only \$800,000.?

Mr. McCully answered, the amount of the permit is based on the value of the work and does not include the contractor's profit.

Mr. Zappala asked, are inspections made of the work periodically?

Mr. McCully answered, yes, when an application for payment is made by the contractor it is forwarded first to the architect. The architect then reviews the request, inspects the site to make sure the work is performed in compliance with the specifications and approves the request for payment minus five percent retainer which the Town holds until the end of the project. When we are fully satisfied that the job is complete we then return the five percent retainer. The retainer applies to every payment request. I am on the job site every day and Mr. Sargent (architect) visits the work site two to three times per week.

Mr. Knight asked, what will the gymnasium floor be constructed of?

Mr. McCully responded, it will be what is known as a "Martin" floor. It is the same flooring as the Yalesville School gym. It is a low maintenance flooring that has multi-purpose use as well.

Mr. Doherty stated, approximately \$79,000 has been spent to date on architectural fees. About \$8,000 remains encumbered for the same purpose. Will the encumbered funds be held until February when the project is completed to satisfaction?

Mr. McCully responded, yes. Other than change orders that amount will remain the same.

Philip Wright, Sr., 160 Cedar Street pointed out that the new gym will be a metal building. He recalled much opposition on the part of Town officials with regards to the proposal of constructing a metal building at Community Lake to be utilized as a recreational center. He asked Mr. McCully, are you satisfied that this is a good, substantial building addition?

Mr. McCully answered, yes I do, we never considered anything else. A masonry structure would have put the cost completely out of the question to demolish. Right from the beginning a metal building was the only option considered.

Mr. Wright stated, Mr. Doherty pointed out that there are very few dollars left for the architect and with Mr. Sargent visiting the site several times a week, is there enough money left to pay him?

Mr. McCully responded, he lives locally so it is not a problem for him to travel to the site a few times a week. We are not being billed for the visits.

Pasquale Melillo, 15 Haller Place, Yalesville asked, has the water problem been resolved at the building?

Mr. McCully responded, quite a while back a pipe leaked at the site but there was never any so-called water problem. It is a sound building, structurally-speaking.

Mr. Melillo asked, is there any part of the building or surrounding area that can be utilized by the skaters?

Mr. McCully answered, there is a large parking lot.

Mr. Melillo asked that the suggestion to utilize the parking area be given consideration.

Mayor Dickinson responded, that is a program issue. This issue deals with the construction of the center.

Dave Canto, 4 Meadows Edge Road asked Mr. McCully, although you are about 1 - 1 1/2 weeks behind schedule for construction, are you within budget? Is it correct to say that the contractor will make a profit of approximately \$400,000 on the job?

Mr. McCully responded, yes, we are within budget. I am not sure what the profit is, exactly.

Mr. Canto commented, if the contractor is making that kind of profit on the job, I hope the job is perfect.

No action taken.

ITEM #7 SET A PUBLIC HEARING for October 22, 1996 at 7:00 P.M. on an Ordinance Repealing an Ordinance Entitled, "Ordinance Restricting Locations for Using Skateboards, In-Line Skates and Roller Skates"

Motion was made by Mr. Rys, seconded by Mr. Centner.



Mr. Renda commented that the newspaper incorrectly reported that he would make a statement this evening on the ordinance. He informed everyone that he will make his statement at the public hearing on October 22, 1996 if the motion to set the public hearing passes this evening.

Reginald Knight, 21 Audette Drive wanted to know exactly what the issue is. Is it skateboards, skates, loitering, hooliganism or what? Let's get clear on the matter. Children are skating all over this town; they skate on our roads on the east side for we have no sidewalks. Everyone has to use common sense, common dignity. The other night the Chief of Police, who gave a very good speech on the matter (at a meeting scheduled by the skaters at the public library), said that there are rules and regulations pertaining to behavior which covers all the aspects of this. It should not be a matter of pointing out roller skaters, etc., no matter what the person is engaged in downtown. If they are engaging in any activity improperly or behaving improperly to the impairment or endanger of others, that person should be punished according to the law. Cheshire has a linear park approximately six feet wide on which the public rides their bicycles, skateboards, in-line skates, hikers, baby carriages, etc., and no one gets hurt and everyone behaves themselves. I am beginning to wonder if this has to do with all the liability business that the Mayor keeps referring to. How many of the Town Councilors knew that there was a unilateral situation about Tyler Mill? No one knows about it; that is the kind of government we have at the moment. If we are going to get paranoid about liability should I throw away my permanent fishing license?

Mr. Parisi informed Reginald Knight that this is not the evening to be carrying on a debate on the merits of the ordinance, October 22nd, the night of the public hearing, is the time to do so.

Reginald Knight asked that the Council get to the real issue before the hearing, be it skateboards, hooliganism, loitering, what ever.

Mr. Parisi responded, it is using skateboards, in-line skates and roller skates. That is what the issue is.

Reginald Knight disagreed stating that an article in the New Haven Register reports that a man was using an outside telephone in Simpson Court. The headline reads, "Wallingford Skateboard Controversy Turns Violent". Nowhere in that article does it say that the boy was skateboarding; it does not say that he was Chinese-American, African-American or anything else but the headline says "Skateboard". The problem arose from one boy shouting and the man could not hear on the phone and he therefore assaulted the boy. Apparently, the man can pay an \$88 mail-in fine whereas a skateboarder, which the Council seems to think is such

a terrible thug, would have to pay a \$100 fine and spend a night in jail. Come on, let's get real on this issue, o.k.? (applause)

Mr. Parisi explained that the public can speak as long as they wish at the public hearing on repealing the ordinance to be held on October 22, 1996 at 7:00 P.M. This is the normal procedure, it is not abnormal. We have to hold the public hearing again to have the opportunity to vote to either approve or rescind the ordinance. It is the procedure we must follow according to the Charter. If there are any comments on the setting of the public hearing date, if someone does not want the date to be set or is in favor of setting it, that is the issue to discuss this evening.

Dave Canto, 4 Meadows Edge Drive stated, since there has been a change of heart by at least one person on the Council then the issue should be re-opened and there should be another public hearing.

Mr. Parisi responded, if you are referring to the article in today's paper, it was a total misinterpretation of what my statement was.

Mr. Canto stated that he was referring to Mr. Renda's change of heart.

Jack Duffy, 30 Martin Avenue asked, will you vote on repealing or approving the ordinance on the night of the public hearing or are you going to do it now?

Mr. Parisi responded, the vote will be taken on October 22nd.

Mr. Duffy commented, we need another hearing on the matter because the Council needs to look into other issues regarding skateboarding and roller blading in the center of town.

Patrick Hayden, 212 S. Orchard Street asked, besides the liability issue, the issue of people being disrupted and trade being disrupted in downtown, are there any personal feelings that are effecting your vote?

Each Councilor responded, no.

Mr. Hayden stated, I am in support of holding a public hearing on October 22nd because I don't believe that every voice was heard.

Pasquale Melillo, 15 Haller Place, Yalesville stated, I have received calls from hundreds of people saying that they want the Council to set a public hearing on the matter. (applause)

VOTE: All ayes; motion duly carried. (applause)

ITEM #8 Discussion and Possible Action Regarding the Closure of the At Grade Railroad Crossing at Hosford Street

Motion was made by Mr. Rys, seconded by Mr. Knight.

Mr. Rys referred to correspondence from Douglas Dortenzio, Chief of Police Services, dated June 20, 1996 (Appendix I) in which the Chief states that his agency supports the closing of the Hosford Street crossing. Such action will enhance public safety, in his opinion. In the last three years the police department has responded to forty service calls relating to perceived gate malfunctions at the crossing. The response to these calls consumed approximately thirty-five minutes per call, diverting police officers from other forms of service delivery.

Mr. Rys next referred to correspondence from Wayne Lefebvre, Chief of Fire Services, dated July 1, 1996 (Appendix II) in which the Chief states that the department vehicles do not currently use Hosford Street. Structures on either side of the grade crossing can be readily accessed by all responding vehicles and an adequate water supply exists on both sides of the railroad crossing. The department has always avoided placing hose lines on the railroad tracks as a standard operating procedure.

Mayor Dickinson noted that several Councilors have temporarily left the auditorium and asked that the item be held up until everyone returns to the room.

The Chair declared a brief recess and re-convened fifteen minutes later.

Mayor Dickinson stated, the Town of Wallingford has eight crossings on the Amtrak line. Between 1985 and 1995 there have been twelve fatalities. During that time there has been education, lobbying and enforcement efforts dealing with the issue of the hazard represented by anyone being on or near the railroad tracks. We also have the Quinnipiac Corridor Project which involves signalization improvements at Quinnipiac and Hall Streets. A policy of the State Department of Transportation is that railroad preemption be part of the signalization upgrades. Preemption allows traffic lights to cycle, thus clearing the crossing before crossing signals are activated. Amtrak has indicated that due to the number of at grade crossings and the number of audio frequencies that must be utilized for the alerting of the warning and gate system, it becomes a very difficult problem for Amtrak to provide the kind of safety at the crossings that we all want. In addition, we are talking about railroad preemption. He introduced the following individuals present on behalf of Amtrak and the Federal Railroad Administration to answer any questions with regards to this issue:

Carol Sporney, Engineer and Project Manager, Amtrak;  
Keith Holt, Asst. Chief Engineer, Communications & Signals, Amtrak;  
Joseph Hofbauer, Dir. of Comm. & Signals Construction, Amtrak;  
Robert Rakowski, Dept. of Transportation Supervising Engineer;  
Christopher Shulte, Railroad Safety Inspec., Fed. Railroad Admin.;  
John Thompson, Professional Engineer, Trans. Mgr., Milone & McBroom

Richard Doll, Traffic Maintenance Officer, Dept. of Police Services; Joel Cassista, Construction Inspector, Engineering Dept., and Don Roe, Program Planner, were also in attendance this evening.

The project scope is to improve the crossings at Hall and Quinpiac Streets and to extend the approaches at that location to provide preemption for enhanced safety. In order to meet the scope of the project, Amtrak is proposing that the Hosford Street crossing be closed.

Preemption is an intertie between the railroad signal system and the highway traffic light signal system to provide the chance for the highway and railway intersection to be cleared out before the train arrives at the crossing. This increases safety because it decreases the likelihood that a vehicle will be trapped on a crossing as the train approaches. To do this requires additional audio frequency overlay track circuits and adds to the complexity of the system for Amtrak.

How the preemption works is that a normal crossing approach has audio frequency overlay track circuits which extend out a distance to provide the desired amount of warning time at the maximum speed. For instance, if a train is travelling the track at 80 mph, in order to provide thirty seconds warning, the overlay track circuits need to be placed 3,520 feet out from the crossing. To increase that distance to provide for the twenty second preemption an additional 2,347 feet is needed for lead time bringing the total of distance required to 5,847 feet, just a little over a mile for the entire approach circuit. For each of these crossings, stretching out a mile in each direction, many overlaps exist because the crossings are so close together.

A transmitter is placed the desired distance out from each crossing in both directions with a receiver for each at the crossing, itself. A transmitter and receiver pair is put in place to provide a positive island circuit at the crossing. A transmitter is nothing more than a device which produces an audio frequency tone. If you connected a speaker to it you would be able to hear it. The frequencies used are in the range of 500 Hz to 1,500 Hz. The receiver on the other end of the circuit is searching or listening for its tone and is tuned to only recognize the tone of the same frequency as the transmitter. As long as the receiver can receive the transmitted tone, the circuitry at the crossing recognizes that no train is on the approach circuit and the gates remain up. As

the train axles shunt the two rails, which are nothing more than electrical conductors for the circuit, the axles shunt the current from the transmitter away from the receiver so the receiver no longer receives the transmitter current of that frequency and recognizes that the train is in the circuit and therefore the circuit is activated. A series of these overlay circuits are necessary because there are other signal devices where insulated joints are placed in the rails for the part of the signal system which regulates speed and train spacing. In order to get by the joints, Amtrak utilizes multiple frequencies to go out the desired distance. Because there are so many crossings in Wallingford, Amtrak has utilized just about every frequency available to them.

By closing the Hosford Street crossing this frees up overlay track circuit frequencies that can be used to provide preemption circuits for Hall, Quinnipiac and Pent Highway. Ideally, approximately 30,000 feet should be left between frequencies, the reason being that you do not want a receiver to pick up a stray tone from a transmitter that its not meant to seek. With the number of crossings in Wallingford so close in proximity to each other, Amtrak has found itself in a position where they are just about to the limit of what they can put on the track and safely pick out from the mess of frequencies that are there. In order to add the preemption which is a big safety enhancement to the remaining crossings, some of the confusion needs to be eliminated, hence the proposal to close Hosford Street which would eliminate several frequencies freeing them up to be used for preemption circuits for Quinnipiac, Hall, Parker, North Plains and Pent Highway crossings.

Discussion ensued with Mr. Centner and Mr. Knight asking technical questions of the representatives.

The issue of train speed was raised and Amtrak officials noted that there are two speed restrictions in Town. The restriction is in effect from Parker Street to the station and away from the station to Ward Street, effecting only southbound train traffic. The trains cannot exceed 50 mph in these two areas to prevent the gates from coming down at Ward Street for trains that are making a stop at the station. The gates at Ward Street were coming down when the train was making a stop at the station heading south. The gates would then start to raise at the time the train was beginning to accelerate out of the station. The speed restriction was imposed as a final means of getting the crossing signal system to operate in a satisfactory manner for Amtrak, the Town and State.

Mr. Farrell took the opportunity to let Amtrak officials know that, in his opinion, the trains travel much too fast through town. With all the grade crossings that Wallingford has, sending a train through the town at 80 mph is much too fast. While the Celebrate Wallingford festivities were taking place in the vicinity of the railroad station, with people crossing back and forth across the

tracks, to have a train travel through the station at 80 mph was inexcusable.

Mr. Parisi echoed Mr. Farrell's sentiments. Although it was found to be an error on the part of Amtrak due to miscommunication, despite everyone's best effort, the train travelled through the center of town at 80 mph+-, he stated. It is much too fast to be travelling through this town, a town that has had more than its fair share of rail accidents.

Mr. Farrell added, serious consideration should be given to lowering the speed of Amtrak's trains.

Mr. Centner asked, if the Hosford Street crossing is removed, does Amtrak plan on increasing the speed of its trains in the area?

Mr. Holt responded, no. Amtrak spends millions of dollars per year to increase speed wherever they can to shorten trip time between city fares. They have to do that to attract people out of their vehicles to ride the trains. To impose restrictions for every town on the Hartford line would mean a loss of business and cause a severe impact to their schedule. The highways would also be more congested than they are now. Every minute that can be trimmed off of a schedule will add to revenue and the ability to stay in business.

Mayor Dickinson stated, we are looking at an expense in excess of \$500. to add the preemption circuits and renew the crossing system at Hall and Quinpiac (streets).

Mr. Christopher Shulte of the Federal Railroad Administration described a few of the priorities and policies his office is pursuing. He explained that the Federal Railroad Administration is an analogous of the FAA (Federal Aviation Administration). They inspect the railroads for compliance to safety regulations. In addition, they are custodian of the National Highway at Railgrade Crossing database and accident statistics. Approximately every ninety minutes in this country there is a collision between a train and an automobile. In 1994, nationally there were six hundred people killed on highway railgrade crossing collisions. It is the greatest single exposure to the industry. His office is working very closely with communities such as Wallingford to foster communication between the railroads and the towns. The best grade crossing is no grade crossing whatsoever. Grade crossings in the U.S. average two per mile (280,000 grade crossings/140,000 miles of track). The reduction of crossings is paramount to reducing the numbers. Each crossing that is eliminated produces subsequent benefits. The closed crossing no longer experiences the noise of the horn from the train as it warns of its approach; the expense to maintain the crossing is eliminated; reduced exposure to vandalism; etc.

Mayor Dickinson stated that a traffic analysis of Hosford Street indicates that a fairly low volume of traffic utilizes the crossing and can be absorbed by other crossings without impacting them at all. The funding for the project comes from the State ISTEPA Program.

Mr. Zappala stated, he has visited other countries that have eliminated this type of obstacle to the motorists. Amtrak does not seem to be making any kind of effort to do the same. Amtrak could spend more money if it wanted to eliminate this nuisance and clear up some of the problems with the Quinnipiac and Hall Street crossings. The money that is being spent is not being spent to benefit Wallingford but Amtrak.

Mr. Farrell asked the officials from Amtrak if they knew where Hosford Bridge Road is located?

None of the officials present were aware of the location.

Mr. Farrell stated, if a great deal of traffic analysis went into this proposal as reported, it seems that you should know where Hosford Bridge Road is located. It is the remainder of Hosford Street on the other side of the Quinnipiac (River). It is one of the few viable locations for the Town to locate an east/west road which we are so sorely in need of.

Richard Doll, Traffic Maintenance Officer explained that Amtrak was not responsible for the traffic analysis. Milone and McBroom handled the analysis along with the Town. In looking along route 5 for another viable east/west alternative, Hosford Street was not one of them. Numerous locations have been considered and Hosford Street, because it "T"s out onto route 5 with extremely poor geometries, limited right-of-way and again, across the river it "T"s out onto Turnpike Road, it really does not lead us anywhere. Toelles Road to Mansion Road; Cook Hill Road to John Street & Route 5 and Route 5 over North Plains to Parker Farms Road were the three options considered for an east/west road.

Mr. Farrell stated, we are closing a door that we really don't want to close yet. We have not had a thorough study performed of east/west route possibilities.

Mayor Dickinson stated, the east/west connectors is an extremely expensive project estimated at \$20-30 million. If we build more roads we get more development. We will not keep the town the same by creating more and more roads so that more and more people can drive around the community. I don't want to see Wallingford continue to become more congested. The safety issue is the paramount issue.

Mr. Knight asked, how long has the Quinnipiac Corridor project been going on?

Officer Doll responded, 1992.

Mr. Knight asked, did the original scope of the project include preemption throughout the town?

Mayor Dickinson responded, not to our knowledge.

Mr. Knight asked, who might have this knowledge? It seems to me that this project, all of a sudden we have the Amtrak tail wagging the Town dog with regards to the crossings. I don't dispute the need to eliminate Hosford Street but I resent the fact that this thing has grown from a reasonable cost to an unbelievable cost and has necessitated the elimination of some other needed road improvements in the Town of Wallingford.

Mayor Dickinson responded, I agree with your frustration. If you talk with anyone involved, they are unanimous in their recognition of the frustration on everyone's part as this project has progressed. Even though I don't like what has happened I don't think that what has occurred should occur in that we were not aware of this from the very beginning as a cost factor. It was not spelled out in the dollar figures that ultimately came to light. We were unaware of it; it did occur; I don't like it; I won't defend it. I have disagreements with the State and to a lesser degree Amtrak over it. Those disagreements have been made known and have been heard. At this point, however, I do believe that the interest of the Town do coincide with what the State and Amtrak are trying to achieve. We are talking about public safety and the issue of grade crossings is a difficult one to deal with. I am going to have to swallow my disagreements over the procedure aspect of the issue and try to deal with the substance which is, safety of the motoring public and the people who live in the Town.

Mr. Knight stated, I don't disagree but the public has the right to know how difficult Amtrak has been to deal with on certain matters. There are several other matters that point to the type of attitude that Amtrak has towards Wallingford in this issue. The wish to close an at-grade crossing in this town preceded the Quinnipiac Corridor project. It came up every time someone got wiped out at one of these crossings. There were articles in the newspaper on the tragic accident at Parker Street in 1989 in which it stated that Amtrak wished to close an at-grade crossing. Although Hosford Street was not named, Amtrak did wish to close an at-grade crossing. The public ought to know that it appears to me that Amtrak is taking this opportunity to get some of the work that they should be paying for done by ISTEPA and indirectly by the Town of Wallingford. I am not suggesting that the Town has another



alternative but it is important that the public know what is going on. When the Town was putting in the South Elm Street sewer project a few years ago we (the town) asked for thirty or more easements. Only one, only one company gave the town an easement but required a payment. All the others gave the town an easement for nothing. Only one company; Amtrak demanded \$10,000...\$10,000 of our money went to Amtrak because they had the leverage to prevent this project from being completed. It is important for the public to know that every opportunity that arises where Amtrak thinks it has the Town over a barrel, they will use their leverage.

Mr. Centner asked, of the twelve deaths that have occurred on the railway in Wallingford, how many were attributed to the Hosford crossing?

Officer Doll responded, none.

Mr. Centner asked, is the approximate age of the Hosford Street crossing 340 years of age?

Officer Doll answered, Hosford Street, where it runs over to Hosford Bridge Road is where the horses used to forge the river, it goes back to the 1800s according to the Engineering Department.

Mr. Centner asked, what is the age of the signaling system that was spoken of earlier?

Mr. Holt responded, some of the signaling system was renewed in 1990-91 and some of the crossing signal apparatus is more than forty (40) years old.

Mr. Zappala asked, will the State allow Amtrak's trains to travel through the town faster if a grade crossing is closed?

Mr. Holt responded, we run 125 mph between New York and Washington, D.C. on the Northeast corridor where we have no crossings. If there were lots of crossings it would be much more difficult to run at those speeds because we would not want to run that speed over a public crossing. In theory, yes, if we closed all the crossings we could run at a higher speed since there will be less chance of coming into contact with an automobile or the public, in general. Closing one crossing in Wallingford, however, will not enhance Amtrak's ability to run at higher speeds.

Mr. Knight stated, a few years ago while discussing the litter ordinance a local clergyman raised the issue of how Amtrak's right-of-way areas in Wallingford have become eyesores due to the accumulation of debris and litter at the sites. He asked if Amtrak officials can do something about cleaning up the areas in a spirit of cooperation such as what the Town is exhibiting tonight? Can Amtrak dispense a maintenance crew through the Town to pick up the

litter and trash that is visible throughout the entire right-of-way?

Mr. Holt asked, what type of litter is it, debris from rail construction?

Mr. Knight responded, no, it is mostly wind-blown trash, mattresses, etc.

Mr. Holt agreed to pass the information along to the Chief Engineer. Unfortunately, the railroad becomes a magnet for such debris for the public seems to view it as the city dump. The right-of-ways all along the railroad collect the same type of debris. Wallingford is not unique to the situation. As soon as it is cleaned up it seems to come right back.

Mr. Rys stated, initially, one of his concerns over the proposed closing of Hosford Street was for the residents using the road. Since that time he has had the opportunity to speak to a business owner and someone else who has lived on the street. Both have stated that they have no concerns about the closing of the street, therefore eliminating his concern. He, personally, uses the street and has always found that it seems easier to cross the railroad tracks than to try and exit from Route 5 because the view is obstructed north and south. There does not seem to be any advantage to keeping the street open.

Mr. Parisi stated, an anonymous caller phoned him prior to the meeting tonight to state that the issue of public safety on this matter is a valid one. The caller asked that Mr. Parisi not support the closing of the crossing since the gentleman uses the street to travel downtown each day and has found it to be the easiest way to reach his destination. He suggested that Mr. Parisi try the route and form his own opinion. Mr. Parisi admitted that he took the advice of the gentleman and took the Hosford Street route to the meeting this evening and found it to be the quickest way to reach his destination. He did not feel, however, it was enough reason to change his opinion on the matter of closing the crossing. He would still support the action.

Mayor Dickinson asked that the record reflect that the cost (\$500,000+) is being paid by the State out of funds that are non-ISTEA funds. The cost for the Quinnipiac Bridge work and Cook Hill Road absorbed funds that would have been available for aspects of this project such as road paving and work at the park. We can no longer pursue those facets of the project but we still have funds for signalization which will cost approximately \$1.2 million for installation and upgrade to the system.

Ms. Papale stated, Hosford Street, in her opinion, is very difficult to get in and out of. She uses Pent Highway or Parker

Street where street lights are located, instead. She supports the closing of Hosford Street. It would be in Wallingford's favor to have to worry about one less railroad crossing. The most important issue here is public safety.

Pasquale Melillo, 15 Haller Place, Yalesville stated, the real danger is not the railroad crossings themselves, but the speed at which the trains travel through them. He urged all listening and watching to contact their State representatives to ask them to enact legislation which lowers the speed of the trains in the State. He supported closing the crossing.

Albert Killen, 150 Cedar Street asked, how many people would be alive today if this system would have been in effect a few years ago?

Mr. Parisi guessed, quite a few.

Officer Doll could not estimate the number.

Mr. Killen stated, the number would be infinitesimal. If those who were killed because of poor judgment on behalf of the drivers or malfunctions by systems run electronically like the proposed system will, we would find quite a few people still walking the streets of Wallingford. You are adding something that cannot be safeguarded. You (Amtrak) have had problems with this before; we have been lucky in instances where people have caught the act just before the train came through and warned people about it. We have had gates stuck in the up position, the down position and no position at all. This is not the perfect answer to the problem. In return we are being asked to close one of our streets which seems infinitesimal to some people. When we built the industrial road no one thought of it as anything but a place where businesses will be located. It has become a second Route 5 as everyone knows. If you want to travel north or south you either use Route 5 or you go over to the industrial road. The people who travel that road have to come back onto Route 5 somewhere along the line. If we are going to start closing off the streets along the way the only few streets that will be left before you get to the center of town will be choked up and we will be back to square one. This issue has been in the works for a long time but all of a sudden it has not seen the light of the day until all of a sudden it is presented to the Town as almost fact. There should have been a lot more public input on this a long time ago. Hosford Street should not be written off. There is no plan to build a third access road across the lake or the river. To write any option off right now is asinine. We don't know which way will be the best, cost the least or meet with the greatest failure. All the electronic signals in the world would not have helped anyone who could have gotten hit by the train that travelled through at a high rate of speed on Sunday. Common sense was lacking in that incident.

Mr. Zappala asked if a traffic count for Hosford Street had been conducted?

Officer Doll responded, a count was taken in 1994 and those figures were upgraded last week with a mechanical traffic counter. We are running at roughly 1,500 cars through the crossing in a day over a twenty-four hour period for traffic travelling east and west.

Mr. Zappala stated, that is a significant use of the street.

Officer Doll responded, that is a significantly low volume of traffic in comparison with the other crossings in town.

Mr. Parisi referred to statistics listed in backup material which states that the 1,500 vehicles currently using Hosford Street will be absorbed by the two adjacent crossings which will experience an increase in traffic of approximately 20 vehicles per hour, per day. The figures seem to be incorrect since that amounts to only 960 of the 1,500 vehicles.

Officer Doll responded, we estimated back in 1994 that we would be running 48 two-way vehicles per hour added to the Parker Street crossing and 48 two-way vehicles per hour added to the North Plains crossing. The numbers may have increased slightly since 1994.

VOTE: Centner, Renda & Zappala, no; Farrell, reluctantly, aye; all others, aye; motion duly carried.

Mayor Dickinson requested that the motion be re-stated and clarified with regard to the closing of the crossing.

Motion was made by Mr. Rys to Close the At Grade Crossing at Hosford Street, seconded by Mr. Knight.

Ms. Papale asked that the Town Clerk or Town Council Secretary be permitted to announce the results of a close vote for the benefit of the public and Council.

Mr. Doherty left the meeting at 9:50 P.M.

ITEM #5 Motion was made by Mr. Zappala to Remove Agenda Item #5 From the Table, seconded by Ms. Papale.

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

ITEM #5 Consider and Approve a Transfer of Funds in the Amount of \$4,885 from Paint Town Hall Exterior Acct. to Steps Town Hall Exterior Acct. - Dept. of Public Works

Motion was made by Mr. Rys to Approve the Transfer, seconded by Mr. Knight.

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

WAIVER OF RULE V Motion was made by Mr. Rys to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Waiving the Bidding Process and Awarding a Contract, seconded by Ms. Papale.

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

Motion was made by Mr. Rys to Waive the Bid and Award a Contract to C.J. Fucci Company to Purchase and Install New Steps to the Town Hall, seconded by Ms. Papale.

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

ITEM #9 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes Pertaining to the Strategy and Negotiations with Respect to Pending Litigation - Dept. of Law

Motion was made by Mr. Rys to Enter Into Executive Session, seconded by Mr. Centner.

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

Present in Executive Session were all Councilors, Mayor Dickinson and Corporation Counselor Adam Mantzaris.

Motion was made by Mr. Rys to Exit the Executive Session, seconded by Mr. Centner.

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

Motion was made by Mr. Rys to Approve the Settlement of a Claim in the Amount of \$3,000., seconded by Mr. Knight.

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

ITEM #10 - ADDENDUM - Withdrawn

Motion was made by Mr. Rys to Adjourn the Meeting, seconded by Mr. Knight.

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

There being no further business, the meeting adjourned at 10:09 P.M.

Town Council Meeting


- 27 -

October 8, 1996

Meeting recorded and transcribed by:

*Kathryn F. Milano*  
Kathryn F. Milano  
Town Council Secretary

Approved by:

  
\_\_\_\_\_  
Robert P. Parisi, Chairman

11-12-96  
Date

  
\_\_\_\_\_  
Rosemary A. Rascati, Town Clerk

11-12-96  
Date