

TOWN COUNCIL MEETING

AUGUST 18, 1998

6:30 P.M.

AGENDA

Blessing - Pastor Warren Phillips - Meriden Christadelphian Church - Yalesville

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Presentation of Jackets to the State Champion Lyman Hall Girls Softball Team - Mayor
4. Consent Agenda
 - a. Consider and Approve Tax Refunds (#8-16) Totaling \$5,916.10 - Tax Collector
 - b. Approve and Accept the Minutes of the July 21, 1998 Town Council Meeting
 - c. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State for a Social Service Block Grant
 - d. Consider and Approve an Agreement Between the Town of Wallingford and the the Comunidad Hispana de Wallingford Inc. (Spanish Community of Wallingford, Inc.) for a Term of One (1) Year from July 1, 1998 to June 30, 1999 Binding S.C.O.W. to the Town's Contract with the State for the Social Service Block Grant
 - e. Consider and Approve a Budget Amendment in the Amount of \$6,000 to STC-Planning Grants Acct. In the Special Revenue Fund Budget of the Board of Education
 - f. Consider and Approve a Budget Amendment in the Amount of \$50,000 to School to Career Program Improvement Acct. In the Special Revenue Fund Budget of the Board of Education

(over)

- g. Consider and Approve a Consent Order Involving Osage Metals Superfund Site and a Corresponding Settlement of \$170 Entitled, DeMinimis Settlement Offer - Town Attorney
 - h. Consider and Approve a Resolution Authorizing the Mayor to Sign a Supplemental Agreement with the State of Connecticut for the Construction, Inspection and Maintenance of the Quinnipiac Street Corridor Utilizing Federal Funds from the Surface Transportation Program (STP)
 - i. Consider and Approve a Request by Wallingford Center, Inc. For Permission to Use the Parade Grounds on Saturday, October 3, 1998 and Use of the Johanna Manfreda Fishbein Park and Municipal Parking Lot on October 3 & 4, 1998 for Celebrate Wallingford Festivities - Wallingford Center Inc.
5. Items Removed from the Consent Agenda
6. PUBLIC QUESTION AND ANSWER PERIOD
- 7. PUBLIC HEARING on an Ordinance Establishing Assessments for the Seiter Hill Water Line Extension Project - 7:45 P.M. (The purpose of the ordinance is to authorize the levying of assessments to pay for the Seiter Hill water line extension project, and to establish the method of determining such assessment. The assessments will be levied upon completion of the project.)
 - 8. PUBLIC HEARING on an Ordinance Appropriating \$800,000 to Extend Water Lines to the Seiter Hill Area and Authorizing the Issue of \$800,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose - 8:00 P.M.
 - 9. Consider and Approve One (1) Appointment /Re-Appointment to the Position of Commissioner on the Inland Wetlands Watercourse Commission for a Term of Five (5) Years to Expire 3/1/2003
 - 10. Report Out by the Water Division on its Future Plans for Wallingford as Requested by Councilor Tom Zappala
 - 11. Consider and Approve the Purchase of Nineteen (19) Acres of Land for Open Space at 159 Cheshire Road, Wallingford - Town Attorney

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12. Consider and Approve a Transfer of Funds in the Amount of \$12,100 from Contingency General Purposes Acct. #8050-800-3190 to Land Acquisition 159 Cheshire Rd. Acct. #1320-999-9902 - Town Attorney
13. Report Out on the Status of Town-Owned Land in Durham as Requested by Councilor Tom Zappala
14. Executive Session Pursuant to Section 1-18a(e)(5) of the CT. General Statutes Pertaining to Strategy and Negotiations with Respect to Collective Bargaining - Bd. Of Education
15. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes to Discuss a Claim Involving the Masko Workers' Compensation Matter - Town Attorney
16. Consider and Approve Waiving the Bidding Process for the Purpose of Hiring Outside Legal Counsel to Bring Action Relating to the Masko Worker's Compensation Matter - Town Attorney
17. Consider and Approve Waiving the Bidding Process for the Purpose of Hiring Outside Legal Counsel to Take Over Pending Workers' Compensation Cases Handled by the Firm of Furniss & Quinn - Town Attorney
18. Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes Pertaining to the Purchase, Sale and/or Lease of Property - Mayor
19. Consider and Approve the Purchase of Property Known as 1070 East Center Street for Open Space, Recreation and Town Purposes, Subject to Approval of a Bonding Ordinance - Mayor
20. SET A PUBLIC HEARING for September 8, 1998 at 7:45 P.M. on an Ordinance Appropriating \$195,000 for the Acquisition of Real Property Known as 1070 East Center Street for Open Space, Recreation and Town Purposes and Authorizing the Issuance of \$195,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

TOWN COUNCIL MEETING

AUGUST 18, 1998

6:30 P.M.

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19. Approve the Purchase of Property Known as 1070 East Center St. For Open Space, Recreation and Town Purposes Subject to Approval of a Bonding Ordinance

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20. SET A PUBLIC HEARING for Sept. 8, 1998 at 7:45 P.M. on an Ordinance Appropriating \$195,000 for the Acquisition of Real Property Known as 1070 East Center Street for Open Space, Recreation and Town Purposes and Authorizing the Issuance of \$195,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

39-40

TOWN COUNCIL MEETING

AUGUST 18, 1998

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, August 18, 1998 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:30 P.M. This meeting takes the place of the two regularly scheduled meetings for the month of August of the Town Council and also replaces the August Public Speaking Meeting originally scheduled for this same date. All Councilors answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr., Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

A Blessing was bestowed upon the Council by Pastor Warren Phillips of the Meriden Christadelphian Church in Yalesville.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

A letter from the Visiting Nurse Association of Wallingford, Inc. Informing the Council of their impending move to 135 North Plains Industrial Road on or around September 15, 1998 was read into the record (Appendix I). On behalf of the organization, Ellen Phillips, Executive Director, extended a note of gratitude for the Town Council's continued assistance and support over the past nineteen years.

Correspondence from Henry W. Bonk, 51 Seiter Hill Road, was read into the record at his request (Appendix II). Mr. Bonk was unable to attend the meeting and wanted his comments pertaining to the water main extension into the Seiter Hill Road area made a part of the record.

Mr. Parisi noted for the record a letter from Kathleen A. Hoag, Captain of the 1998 Softball Trojans asking the Council's support in having a sign erected at the town line recognizing the State Champions and welcoming people to Wallingford, home of the No. 1 ranked softball team in Connecticut. He stated that the Council would take the request under advisement and pursue it through the Mayor's Office.

ITEM #3 Presentation of Jackets to the State Champion Lyman Hall Girls Softball Team - Mayor

Mayor Dickinson stated, this evening we are honored by the presence of the number 1 ranked girls' softball team in Connecticut, the Lyman Hall Girls Softball Team. He invited Elaine Piazza, Athletic Director at Lyman Hall High School, Coach Michael Scanlon and Assistant Coach David Brennan to the stage to assist in presenting jackets to the players.

At this time each team member was called to the stage by name to be recognized and congratulated by the Mayor and Chairman Parisi while being presented with a team jacket.

ITEM #4 Consent Agenda

ITEM #4a Consider and Approve Tax Refunds (#8-16) Totaling \$5,916.10 - Tax Collector

ITEM #4b Approve and Accept the Minutes of the July 21, 1998 Town Council Meeting

ITEM #4c Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State for a Social Service Block Grant

ITEM #4d Consider and Approve an Agreement Between the Town of Wallingford and the Comunidad Hispana de Wallingford Inc. (Spanish Community of Wallingford, Inc.) for a Term of One (1) Year from July 1, 1998 to June 30, 1999 Binding S.C.O.W. to the Town's Contract with the State for the Social Service Block Grant

ITEM #4e Consider and Approve a Budget Amendment in the Amount of \$6,000 to STC - Planning Grants Acct. In the Special Revenue Fund Budget of the Board of Education

ITEM #4f Consider and Approve a Budget Amendment in the Amount of \$50,000 to School to Career Program Improvement Acct. In the Special Revenue Fund Budget of the Board of Education

ITEM #4g Consider and Approve a Consent Order Involving Osage Metals Superfund Site and a Corresponding Settlement of \$170 Entitled, DeMinimis Settlement Offer - Town Attorney

ITEM #4h Consider and Approve a Resolution Authorizing the Mayor to Sign a Supplemental Agreement with the State of Connecticut for the Construction, Inspection and Maintenance of the Quinnipiac Street Corridor Utilizing Federal Funds from the Surface Transportation Program (STP)

ITEM #4i Consider and Approve a Request by Wallingford Center, Inc. For Permission to Use the Parade Grounds on Saturday, October 3, 1998 and Use of the Johanna Manfreda Fishbein Park and Municipal Parking Lot on October 3 & 4, 1998 for Celebrate Wallingford Festivities - Wallingford Center Inc.

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, Items #4a-i, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

WAIVER OF RULE V Motion was made by Mr. Knight to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Introducing and Voting Upon a Resolution Initiated by the Town Council Chairman on the Proposed Auto Auction on Northrop Road, seconded by Mr. Farrell.

VOTE TO WAIVE RULE V: All ayes; motion duly carried.

The following resolution was read into the record:

“BE IT RESOLVED, that the Town Council opposes the Application for an Auto Auction on Northrop Road for the following reasons:

Using the criteria set forth in Section 7.5B of the Zoning Regulations;

1. The intensity of the use is not compatible with the IX Zone and, in particular, the neighborhood;
2. The roads in the vicinity cannot handle the traffic, in particular, the truck traffic and it will create a hazardous condition in the area;
3. The character of the neighborhood should be preserved; and

4. The proposed use will negatively affect the health, safety and welfare of the immediate area and the entire zone.

Based upon the criteria set forth in the Zoning Regulations, the Council opposes this Application.

Motion was made by Mr. Knight to Approve a Resolution of the Council Opposing the Application for an Auto Auction on Northrop Road, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Chairman Parisi asked that a copy of the resolution, vote of the Council and minutes of this meeting be forwarded to the Planning & Zoning Commission officials.

PUBLIC QUESTION AND ANSWER PERIOD

Frank Wasilewski, 57 N. Orchard Street thanked the individuals responsible for the plantings around the cemetery wall and in Johanna Manfreda Fishbein Park. The flowers look beautiful however, the State Department of Transportation will be relocating a traffic signal box in the middle of the flower bed on the corner of Center Street and Route 5 in front of the cemetery wall. The signal box should be located to the north or south of the flower bed, not in the middle of it.

With regards to the landfill, Mr. Wasilewski stated that there are more and more trucks going into the landfill to dump their trash. Isn't the landfill closed?, he asked. He placed a call to the Department of Environmental Protection, the entity responsible for issuing permits to dump in the landfill, they were not aware of this. There supposedly is a maintenance problem at the incinerator but curiously enough, many of the incinerators have the same problem, he stated. Apparently, there is fill being brought into the landfill as well. What is going on?, he asked.

Mayor Dickinson stated, the plan is to close the landfill and in order to have the proper topography to do so, bypass has been brought in to fill in areas that need to be capped.

Mr. Wasilewski stated, we are developing an uglier site. At least forty (40) trash trucks, six (6) days per week are going through the residential areas on their way to the landfill. For the little money we get it is not worth it. It is a \$19 million business per year of which we get \$900,000. The trucks are a danger to the area.

Mr. Parisi asked anyone who witnesses trash trucks traveling through residential areas to the landfill to note the hauler, date and time of the incident and report it to the Mayor's office or to Mr. Parisi, personally.

Mr. Wasilewski asked, why can't we re-negotiate our contract with C.R.R.A. (Ct. Resource Recovery Authority)? They are selling electricity from the plant to the tune of \$800,000 per year.

With regards to Mr. Wasilewski's statements pertaining to the traffic control signal box, the State is moving the box from the Johanna Manfreda Fishbein Park to across the street as part of the plan for that area.

Mr. Wasilewski stated, it should be located on either side of the flower bed, not in the middle of it.

William Lavorgna, 6 Grieb Court asked, is there a procedure in place that will allow the Town to re-coup the cost of wages, attorney's fees and court costs if the individuals involved in the Assessor's probe are found guilty?

Mayor Dickinson replied, no. Administrative hearings and investigations will be conducted to determine what, if any, actions will be taken with regards to the employees and their actions. There is no proof yet of any wrongdoing, only allegations. The judge, jury and prosecutor will determine if the parties are guilty or not. The employer will review the matter and if it is found that the employee committed any wrong doing, corrective action will be taken.

Barbara Swiantek, 105 Hosford Street stated that when she first moved to her place of residence she could see Community Lake, deer in the area, her children could play nearby, they sledged on the neighboring properties and there was a right-of-way until 1990 when Tayco Corporation moved in.

The Building Board of Appeals which has not met in many years will be meeting tomorrow evening in Room 315 at 7:00 P.M. to discuss Tayco and a stop work order issued to it. She asked the Town Council and Mayor to support the residents in her area by attending the meeting tomorrow night. The area was zoned I-40 in a residential area. Mr. Taylor's building should be taken down it does not meet the necessary requirements set forth by Planning & Zoning Commission.

Reginald Knight, 21 Audette Drive commented that it would do no good to follow Mr. Parisi's suggestion to let the town know if the trash trucks are traveling through residential areas. He

(Reginald Knight) brought to the Council and Mayor's attention at the last meeting that a resident on North Main Street had been accumulating trash bags on his property for over six weeks and nothing was done about it until eleven days later; they were moved to the side street that abuts the property.

Mr. Parisi asked for the name of the property owner.

Reginald Knight would not state the name into the record but did say that the owner is a shop keeper downtown and the residence is located just north of the public library on the east side of the street.

On a separate matter, Reginald Knight stated that the employees of the Assessor's Office deserve public commendation for coming forward and reporting what they felt to be improprieties.

Pasquale Melillo, 15 Haller Place, Yalesville stated his dissatisfaction with the way the Council conducted business at its last meeting, specifically, after executive session when the public had gone home the Council waive Rule V of their meeting procedures and voted to sell land to Brother's Restaurant without any forewarning to the public. He was not against selling the land to Brother's but felt that the public was never informed on the issue.

Mr. Parisi explained that it is customary for the Town Council to discuss property in executive session without revealing precisely which parcel they are interested in and, upon exiting executive session, take action to purchase, sell or lease the property that was the subject of said discussion.

Andy Kapi, 6 Deme Road asked if the Council has scheduled a date and time for the first report out on the power plant proposal, would it be televised and, if so, who made the decision to do so?

Mr. Parisi stated that the meeting is scheduled for Tuesday, August 25, 1998 at 7:00 P.M. in the Town Council Chambers, it will be televised; he made the decision to do so.

Mr. Kapi suggested that all special Town Council meetings be televised. He reminded everyone that when this subject was up for discussion earlier in the year Don Roe, Program Planner, stated that the town would re-visit the issue this Fall once Government Television had moved to their new location. He asked, how does one get this issue back on the agenda?

Mr. Parisi suggested that Mr. Kapi call Don Roe.

ITEM #9 Consider and Approve One Appointment/Re-Appointment to the Position of Commissioner on the Inland Wetlands Watercourse Commission for a Term of Five (5) Years to Expire 3/1/2003

Motion was made by Mr. Rys to Appoint Robert W. Karlon, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Town Clerk performed the Swearing In Ceremony at this time.

ITEM #7 PUBLIC HEARING on an Ordinance Establishing Assessments for the Seiter Hill Water Line Extension Project - 7:45 P.M. (The purpose of the ordinance is to authorize the levying of assessments to pay for the Seiter Hill water line extension project, and to establish the method of determining such assessment. The assessments will be levied upon completion of the project.)

Mr. Rys read the ordinance, in its entirety, into the record (Appendix III).

Frank Punzo, 14 Grieb Road stated, I performed a survey and presented the results to the Council on Monday. Since that time some people have converted their votes (he presented an updated survey packet to Chairman Parisi). In the original packet delivered to the Town Council Office, three people have switched their votes from yes to no. That means that 100% of all forms were returned; 34 of 34 have said no to city water. We, the people in this area, have spoken loud and clear. We do not want city water. Some Councilors have said that the Town will not financially help the residents in this area. There has also been some discussion about the Water Division helping to bring the cost down to approximately \$6,100. Even if that motion passes, that \$6,100 figure will quickly rise to well over \$8,000. when you consider the hook-up, excavation and well abandonment. I submit to the Council that over 50% of the people serviced by this contract disagree with city water at that price. In addition, 100% of the residents surveyed on North Farms Road, North Elm Street and Grieb Road do not want city water. This unanimous decision, in combination with a group of residents on Seiter Hill Road who are also opposed to the current motion constitutes a majority of the properties involved. Further, recent double tests requested by the Mayor have been negative in our area. In addition, tests in the Seiter Hill Road area have converted from positive to negative. We believe this problem is transient in nature and may very well be related to the combination of negligible frosts and excessive Spring rainfall. This is backed up by the fact that bacteria

problems have sprung up all over the city and state this year. It is entirely plausible then that this problem is fleeting in nature and therefore not requiring of such a monumental solution as this \$800,000 proposal. Further, given the testing discrepancies, recent conversions of water tests from positive to negative and the fact that all of the residents surveyed do not want city water, it is premature to rush into this decision. Especially, given so many unanswered questions. It is reasonable to give us time to accurately assess the problem and alternate solutions before any final determinations are made. On behalf of the people opposed to this project, I request that a motion be made to deny this project until it has been determined that it is a significant and permanent problem. (Applause)

Roland St. Pierre, 20 Grieb Road stated that he has resided at this address for eighteen years. His well has tested fine; he is opposed to bringing in the water mains.

Dick Barbieri, 6 Seiter Hill Road stated that his home is his nest egg and provides financial stability to his family. It is the basis for his inheritance to his children. Realtors have informed him, if the home does not have the guarantee of safe and clean water, the value of the home has been significantly diminished. He asked the Council to help the residents faced with this problem rebuild the value of their homes by bringing in city water. We need the assurance that the water our families are drinking and bathing in is clean and fresh. We need to be free of the hassle of constantly testing and chlorinating our water. The Council can vote to give the residents that assurance this evening. (Applause)

Robert Greenfield, 10 Seiter Hill Road stated, this is a public health emergency. The health and welfare of the Town's citizenry is in danger. Waiting is not an option. The problem must be addressed today; our lives are at stake. The only issue we are talking about here, today, is money. Everyone needs water and right now the city water is the best option. Those who don't want the water are those who cannot afford it at the Town's current cost. How much is life worth preserving? Please don't tell us that a life in Wallingford is not very valuable. You don't do that by pricing the Town's water above our heads, not below it. Does Wallingford want to be known as the town without a heart? The contamination source is still unknown. This means that the testing has not eliminated the possibility that the Town, itself, may bear some responsibility for the contamination. I am willing to pay my fair share; I think everyone in the affected area is willing to do the same. As partners in the situation, let's all come up with a fair price that we can all live with in good health and good conscience. (Applause)

Larry Hogan, 651 N. Elm Street asked, is nothing happening with State and Federal money?

Mayor Dickinson replied, I have spoken with people at the E.P.A. as well as D.E.P. The E.P.A. at the federal level could only point to the State revolving fund dollars which is a loan

program and we have applied for that money. We will not know until some time in the Fall whether we qualify. The Commissioner of D.E.P. indicated that they will look into it; there may or may not be funds available. He could not give me an answer at that point. I will be in touch with them again. D.E.P. officials were to be in touch with our Health Department. We are pursuing those avenues for funds and will continue to do so. At this point I don't have information that would assure you that funds are available.

Mr. Hogan suggested, we should not react to anything on this expenditure of monies until we know whether or not we will be receiving something. If we do vote on this and start in the next month or so, the federal government will not give us any money. They will think we don't need it because we have already said we are funded.

Mayor Dickinson stated, that might have some influence on it; I don't believe that it would. It is a judgment call. If there are programs of assistance in general, the state and federal governments don't limit those programs because you have started a program under circumstances like this where you are dealing with a contaminated water supply. I don't think that would be a factor but it is worthy of consideration.

Mr. Hogan stated, where I live I own 25' of North Elm Street. That is an awful lot of money for me to pay; I am actually giving the Town a gift if that is what I have to pay to get city water. I also have a good well. If my well does go bad, the alternative I was going to take was to drill down my well shaft, pull the shaft out, drill again and if I go down 300' I would still probably be within a \$3,000 range of cost. I am willing to bet that I will get good water at that point. These alternatives don't even seem to be talked about. Everyone is ready to go; get city water. They want it for nothing or for whatever the price is. Once it comes in it is there. There are a lot of alternatives that can be looked at. We seem to be working on this pretty fast. I am also 350' off of the road that I would have to pay for to get that water there. My costs are astronomical. (Applause)

William Lavorgna, 6 Grieb Court pointed out that the costs associated with bringing water over to the east side of I-91 will be more astronomical than what it will cost for the west side of I-91. What are we going to do for those people on the east side? Property taxes are levied on our homes according to the fair market value. Will I still pay taxes for a home that is worthless? Do I have to pay the Water Division \$10,000 to become a customer? Since when do we have to pay someone to become a customer? (Applause)

Mr. Parisi responded, everyone who has purchased a house with Town water paid to become a customer.

Mr. Lavorgna asked, do we have to pay to become an Electric Division customer?

Mr. Parisi responded, in some cases you do.

Mr. Lavorgna stated, we own our own utilities. Since when do we have our own town to provide something? There is something wrong with this picture. There are other alternatives. We put brickwork down on Quinnipiac Street and we didn't charge the people for that. We have a piece of land laying over there in the center of town that we paid \$1 million for doing absolutely nothing. We have property on the east side in Durham, laying there doing nothing. We don't have to go out to bonding to do some of this. The problem with this Council is that we don't get creative. We don't get innovative. We throw money at it and solve the problem. That is not the way to go. Think creatively. What else can we do besides going out to bonding money to do something. There are other means of doing things. We can find money to make a Quinnipiac River trail; we put in brick walks and buy property in the center of town and let it lay there for ten years yet we cannot get a person a glass of water. What is wrong? Think about it.

Jim Mascia, 9 Grieb Road stated, my late father was the manager of the Water Division of Wallingford for many years. I don't like town water. I have lived on Grieb Road for twenty years and even when I lived on the other side of town and had city water, I did not drink it. I used a water distiller for quite a few years. I would like to keep my well; I like my well water. I had two water tests recently; one by the State of CT. And one by a private lab locally. Both tests turned out negative, zero bacteria. We are moving too fast. We should look at what Southington is doing to try and solve their problem. We may want to try and hire a consultant. We should also get a second and third opinion. We need to try and solve the problem at the source. Why don't we try to fix the wells? There seems to be more questions than answers here. What type of bacteria are we talking about here? Does anyone know? There are forms of e-coli and coliform that are harmless? How do we know we really have a problem? I don't see anyone dropping like flies around the neighborhood. Do we know for sure we have a problem or is it a temporary situation? Do we know that the testing at Seiter Hill was done properly? There are a lot of things here; my father showed me that city water can become contaminated if your faucet is dirty. There are a lot of things the State and Town does not tell you in preparing for the water collection test. Merely taking out the aerator is not enough. There are things you can do to clean out the spout that will get out the old deposits and slime inside the faucet that can improve your chances of passing that water test. Just because you have e-coli or coliform at the faucet does not necessarily mean that it comes from your well. You could have your faucet contaminated from deposits in your kitchen sink; food preparation; pets that are bathed in the kitchen sink; there are a lot of ways your sinks can become

contaminated. These are some things to think about. From what I understand there has been some major septic tank work done at North Elm recently. Why was this work done? Was it related to the well contamination problems? I will stay with my well water, town water makes me sick. (Applause)

Rick Gualano, 88 Seiter Hill Road stated that he has a five year old and a three year old. Nothing worries him more than his children developing health problems from the well. He is in favor of city water; he just lost \$50,000 on the sale of his home in Meriden. He did not want to spend \$10,000 but to save time, it is only \$50. Per month. It is not \$10,000 out of his wallet all at once. He did not want to see his home lose value like the one in Meriden. What is the big deal? (Applause)

Arthur Ohle, 99 Seiter Hill Road stated that the Council is acting on a petition which has not yet been determined as legal. People have signed the petition thinking that other benefits would be obtained. Private firms are willing to test the wells for a nominal amount and are willing to give the homeowners the written results, not a pass or fail. Why is the Council acting so fast? There are too many questions to be asked in too short a time. I would like to be able to have all of our wells tested over a period of a year to see the actual results, not just pass or fail which is a poor way of doing it. All of us could live with coliform if it is one or two degrees; the State says none, but you could live with it and it will not affect you. (Applause)

Jean Pollich, 80 Seiter Hill Road stated that she does not like going to the fire hydrant at Catlin Drive on the weekends to fill jugs of water for her water to cook with; it has been very inconvenient. Many homes have been built in the Fairlawn subdivision. Blasting has been going on to make way for still more. What has that done to the aquifer? That land was a farm with cows for a number of years. She assumed that there had been a build up of cow manure over the years and it is now filtering down, creating some of this. She did not want to keep testing my well every couple of months. Even if it tests positive today, she won't drink the water. It is her understanding that there are another twenty homes scheduled to be built behind her on Mapleview and East Main Street. What will that do to the aquifer? We, as taxpayers, deserve a break and would like to have city water at a reasonable price. (Applause)

Jack Beecher, 65 Seiter Hill Road stated, Mr. Parisi made an erroneous statement earlier. It is possible that people can live in houses where the water main was put in before they arrived and by virtue of the fact that the Water Division and Town Council felt that it was to the benefit of the town, they cannot be assessed for their tie-in. There are some people, the majority don't, but there are some people who will tie into the west side project who will not be charged for the water main. The group of individuals effected here are mixed. What ever

you decide.....our well has been tested and has never proven positive. It is not a problem that is affecting me the same way it is affecting my neighbors nor do I want to give \$10,000 to the town. I hope that the people who want to take the gamble on whether this is a serious problem or not can rest easy. They will have to live with that. That is their choice; some of it is because of money and some because of health and I respect that. I hope that as the Council looks at this, that you note that the start of the problem was, in my opinion, that the position taken by the Water Division was not one of, "let's see how easily and inexpensively we can provide this service to our community". On the contrary, on the contrary. What was done was a protective action that loaded as many costs as possible on the homeowners. If we wanted that we could be part of the New Haven Water Regional Supply. I don't know if it is a leadership or town message but what they have done is made a business decision to look at every possible item that we can load onto this to have the people with the problem pay to get water service to them as opposed to, "let's reach out." The Water Division is flush with money; it is financially sound. The reason they are there is not to make money but to provide water services; not to make it difficult or burdensome to do it. This is a community problem. Everyone is beginning to know Wallingford for their water problems. This is an easy one; this is a case where you can direct your public utilities to figure out how to help the members of our community. The Town Council is going to have to set that tone. If your message is to them; treat them business-like, like developers, it is the wrong message. We are not developers; we have lived here twenty-five years. We have paid our dues. We don't want anything for nothing but please don't treat us like developers. Please look at the facts and the precedents that have been set and don't load it on to the next guy who has problems. I implore the Council to do the right thing. We have received a very conservative not community friendly response. I favor having water in front of my house but I will not bring the water to my house because my well is good and I like well water but I like the idea of having a safe, secure water supply even if it does not taste as good as it should. I don't want to do it on the backs of my neighbors. There were many ways that the Town could have chosen to minimize the cost without violating any laws. If we knew that it was only going to cost us \$25 - \$30 per month over the next fifteen years there would not be a lot of people opposed. Wallingford people are good people. They lean in. It is because we are looking at a number like \$10,000 that we suddenly have neighbor against neighbor and everyone is starting to question if we really need to do this. I would like to see it go forward but not at this cost. (Applause)

Mr. Parisi stated, when I referred to the value being in the house when it is purchased, what I meant was, it is a consideration in the formulation of the price of the house that has town water or doesn't have it. It was not necessarily assessed but that is what I meant.

Tom Vitale, 625 N. Elm Street stated that he agrees with Mr. Bonk's letter (Appendix II) stating, my concern that the estimate of \$800,000 is subject to scrutiny. I feel an accurate, fair solution should be provided. (Applause)

Earl Freeland, North Haven stated that there are several reasons why the wells are contaminated. He has been in the business of home construction for thirty-five years, building over two hundred homes, many of which had wells. The Town should not issue any more permits where there is no city water and sewers until they get to the bottom of the present well contamination problem which is easy to do. The Town of Wallingford should re-do one contaminated well in the Seiter Hill area. Re-drill the well with a pounder, pull out the old well case which may be only ten feet long buried into hardpan only. That could be a serious problem. The whole cut through the well casing for the special adapter may be slightly oversized. The well should be re-drilled using an eight inch casing instead of a six inch casing until they strike ledge. At that time a six inch casing should be slipped into the eight inch casing and pounded into the ledge. The eight inch casing can then be pulled out, leaving a large amount of room to seal the six inch casing into the ledge with concrete. This should correct the problem unless the aquifer is polluted. I have seen some wells where casings were only down into hardpan. Drillers came out, did the job and pulled the casing out and that was the problem. Years ago most well drillers always went down with an eight inch casing until they hit ledge. Once they did they slipped the six inch casement inside the eight, pulled out the eight and sealed it with a good amount of concrete and that solved the problem. Everything today is with rotaries; everything is quick for the fast buck.

Dave Gessert, 90 Seiter Hill Road stated, I like the taste of well water better, too. I have had one of those wells that has been good, then bad, now it's good, I'm not sure. I don't test it every week and prefer not to. I feel for the people in my neighborhood; senior citizens and those on fixed incomes alike. When you ask people if they want city water, regardless of the taste, for the comfort level and confidence factor, rather than a bad well, they will say yes. When you tell them the price, the number of people who want the water starts to dwindle. There are some young couples and seniors on fixed incomes that will have some severe financial sacrifices to make in looking at some of the prices that have been thrown out as us so far. Even though my water is drinkable right now, I am willing to pay my fair share of the pipeline because I know there are people in my neighborhood that really need it and for selfish reasons as well. If I decided to put a sign on my house and move, there would not be a lot of people standing in line tonight to buy it. There are people here looking for a solution at a reasonable cost. No one is looking for a free ride; they are not asking for a government handout but they would like reasonable figures. (Applause)

John Sima, Southington stated that he is a professional engineer doing work for the Town of Southington studying their Claudia Drive water problem. He stated that he has drilled some of the wells on Seiter Hill Road twenty or more years ago. He offered some suggestions as to what Southington is doing. As most everyone knows, coliform will not hurt you. Most strains of e-coli will not hurt you; our intestines are full of them. They are an indication. They can indicate that surface water is entering the well or that sewage from a cracked sewer line is getting to the well. The means or avenues where coliform could be getting into the wells are numerous; it could be leaks in the casing; well caps that are buried that should not have been or worked on and not put back carefully enough. It could be casings that were not installed right to begin with where surface water or sewage could be getting into the wells. Finally, it could be blasting. If blasting was done to put in a basement or open a trench line in the neighborhood, a thin mantle of clay rich soil would have been removed from the top of the bedrock. That clay soil acts as a filter for bacteria which is very small. The soil will filter it out. One of the problems that you may be facing in the Seiter Hill area is that blasted rock has been opened up. It is like a scar on our skin. That membrane of clay soil that keeps the bacteria out of the rock is the same as our skin keeping bacteria out of us. This could be a problem forever. In Southington we are looking at six wells in the neighborhood that has been effected; six out of about twelve or fifteen. We are looking for signs that surface water could be getting in. We are also looking at caps, casings that leak, etc. If it is a possibility that the problem can be solved without running city water, the Town (of Southington) would like to check into it first. I offer this as a suggestion that maybe it could be done in Wallingford with the caveat that maybe this is because of blasting in the past, a scar has been ripped open and it won't be a permanent solution. The very best time to look for these problems is in the Spring time when water tables are high. Problems that would be very obvious to find in the Springtime are going to be very hard to find right now. The timing is bad right now in Southington just as it is here. (Applause)

Reginald Knight, 21 Audette Drive stated, we have a situation where people are afraid to wash their children. There was a time when we could point to a factory and blame the pollution on them. Now we have general pollution; chemicals, lawn fertilizers, etc. Is it a temporary problem or is it something that has come to a saturation point in that area? Has it gotten to a point of no return? It is going to take a lot of deep thought and there should be a lot more discussion and experts consulted on this problem. He wished the Council luck. (Applause)

Joe Ferrara, South Main Street stated, I do not live in that area of town; I have town water and sewers but it behooves us to do something pretty quickly because this does effect all of us. I came here thinking, I don't want my taxes going up to pay for a problem that they chose themselves when they bought a house with a well. It does effect everyone in town. Sieter Hill

is a very popular neighborhood and if the values of their homes go down to zero, that effects us all; with their tax structure and assessments and how people perceive Wallingford and how it deals with problems. We need to do something but the people should not be charged the kind of money that you are talking about. Come up with a formula; I can't imagine it being much more than a few thousand and not ten or fifteen thousand. We need to do something for these people; for us; for the whole town.

Robert Mullen, 26 Seiter Hill Road stated, when Seiter Hill was developed in the early 1970s there was not a choice of city water versus wells. If they wanted to live in that area, they had to have wells. There are three different issues present for those in favor of bringing in city water. One is the presence of little children in the home or elderly; the inconvenience of having to get water, and lastly, the affect on property value. I am affected by all three; I have four grandchildren and the quality of life as far as having them over to my home has changed in the last couple of months because of the quality of the water. I am concerned about property value because I am close to thinking about retirement and that is an impact to me. I would ask that you approve bringing city water into our area. (Applause)

Andy Kapi, 6 Deme Road stated, I agree that there is no easy solution to this, especially when neighborhood residents are divided. In wondering if this is a transient problem we make the mistake of thinking it will either go away or it will stay the way it is. We must remember that it could also get worse. I would hate to see the residents put in the situation of making decisions or arguing to you not to go with a plan to provide water and put themselves at risk in the long run or simply defer a loss of property value to years later when they decide to make the move.

Mr. Kapi stated, at the meeting that the P.U.C. attended, it was pretty forcefully stated, it seemed to be implied that there was no other way, statute-wise, that we could do this without assessing these people 100% of the cost. Language in 7-137c loosely translated means, the property owners abutting such water main shall reimburse the municipality his proportionate share at such time and by such rule as the municipality, by ordinance, determines except, that whenever the municipality and the Commissioner of Environmental Protection may concur in determining the need for such extension in response to a community pollution problem, as defined by section 22a-423, the municipality may waive such reimbursement. What follows in the statute next is language about deferred payments for parcels in excess of standard lots. Section 22a-423 provides the definition of a community pollution problem. It states, "Community pollution problem means the existence of pollution which, in the sole discretion of the commissioner, can best be abated by the action of a municipality." We cannot assume what the commissioner's judgment may be but it seems to be the case here. Section 22a-

428, "Orders to municipalities to abate pollution", it reads, "If the Commissioner finds that any municipality is causing the pollution to the waters of the State or that a community pollution problem exists".....that would seem to be taking into account both scenarios of causality or no causality.....

Mr. Parisi interrupted Mr. Kapi to ask Attorney Small if she as familiar with the statute?

Mayor Dickinson responded, I spoke with the D.E.P. Commissioner personally on this issue and sent a letter. I don't have an answer regarding the D.E.P. position. They did indicate that they would look into the problem; they were to contact the local Health Department. This was about two weeks ago. I tried to reach the Commissioner this week and have not been successful. We cannot rule out that there is a possibility of State assistance. At this point, however, I cannot say that the assistance is there. My information is, historically, they have not interpreted community pollution problem as one involving the e-coli or coliform bacteria. It was interpreted as meaning a volatile organic compound or other chemical kind of contaminate where the State would come in and assist through grants and other means. That is not a pending matter; we don't have an answer for certain on that but it is being pursued.

Mr. Kapi continued reading from state statute 22a-428, "If the Commissioner finds that any municipality is causing the pollution to the waters of the State or that a community pollution problem exists or that pollution by a municipality or a community pollution problem can reasonably be anticipated in the future, he may issue to the municipality an order to abate pollution." We are not yet asking him to make that kind of an assessment but I am wondering if a concerned individual citizen could press that case? That same statute does follow through, if such an order to abate pollution were issued, it would contain such steps as requiring the Town to submit an engineering report, contract plans, arrangement of financing, an acceptance of federal and state construction grants which may or may not be there. The last one is 22a-471, "Pollution of ground waters, orders to provide potable drinking water." This is much along the same lines with the concurrence of the Commissioner of Public Health if it is determined that the extent of pollution creates or can be expected to create an unacceptable risk of injury they can possibly issue an order to have us provide potable water on a short term and on a long term basis. Having made all these references, I am concerned.....could a citizen press an issue to look for such an order? If someone were to get seriously ill and you took a vote tonight not to take action, could they press a case on that basis? If we don't do anything are we possibly exposed to any of these potential actions from the Commissioner's office?

Atty. Small stated, as the Mayor indicated we are asking the Commissioner whether or not the statutes that refer to the pollution cover this type of situation because it is their determination

not ours. In our information at this point is that it wouldn't fall within that. We await some direction from the Commissioner but it is out understanding that it will not fall within that type of situation.

Mr. Kapi stated, statute 7-137c states that the municipality may waive such reimbursement.

Atty. Small added, if it falls within that definition as determined by the Commissioner of the D.E.P. To fall within the waiver provision it would be a determination as to whether or not this falls within the State's definition of the pollution that it refers to. The statute states, if you are going to chose to use the assessment method the method for doing an assessment is that statute, 7-137c. That statute explicitly states that the municipality is not supposed to pay for it and that there is supposed to be assessments against the properties. There isn't anything that says that you can do less than that. It is pretty explicit. It says that the Town will recoup all the costs. If the Town did not want to do the assessment method, you could not use the statute and enter into contracts which would have been the Clintonville Road issue. You have no authority to do an assessment other than under that statute.

Mr. Kapi stated, the language that talks about the Town not assuming any of the costs follows from a core sentence which says, "the municipality shall place a caveat on the land records in each instance where an assessment is deferred." That immediately follows the section that followed the reference to waiver. The section that follows the reference to waiver talks about deferred payments in the case of undeveloped or oversized lots.

Atty. Small stated, I am referring to farther down in the statute where it says that if the shares are supposed to be proportioned in such a way as to ultimately leave the municipality free of any cost of the extension of the water main and expenses incidental thereto except if it is used for municipal purpose.

Mr. Kapi stated, I think it directly refers back to the sentence, "such share" and that is a reference to the municipality shall place a caveat on the land records in each instance where an assessment is deferred.

Atty. Small stated, I don't agree.

Mr. Kapi stated, I think there is latitude to read the statute a different way. I would not want the homeowners to place the health of their families in jeopardy because it is cost-prohibitive to some. I don't think it is helpful in this situation to talk in absolute terms that we cannot cut these people a break. I would not want to do that to them. (Applause)

Steve Wells, 38 Seiter Hill Road stated, I like my well but am now afraid of it. I want the city water brought in; I would feel safer. The Town came out with figures on this project too fast. The figures keep rising every time we discuss the matter. Who is going to watch to make sure we are getting the best prices for us? I don't mind paying something but I don't want to be shafted either. Sewers were put in Seiter Hill Road. Why are we drilling Seiter Hill Road now to find out if there is ledge? They made these large trenches; they don't know what is on that street? They built the street twenty-five years ago. You don't know what was put in that street and what was put under it? I want some kind of assurance before I go along with this that we are going to govern what the costs will be. Who is getting the prices? I want the Council to consider helping us where you can. We should be working together to find out what is happening.

Mr. Parisi asked, do you think it would be better to have a price that was approximately 98% accurate presented to you before a decision was made?

Mr. Wells responded, yes I do.

A few members of the audience echoed Mr. Wells' response.

Mr. Parisi continued, do you think then, perhaps, everyone could maybe make a decision as to what they want to do? Do you think the don'ts may be inclined to say they do and maybe everyone can kind of get together and work this thing out? Is that feasible? Because that is all....this is a very difficult situation when you find that people seem to be divided equally. I think my colleagues....it looks like it is close to a 50/50 situation. If we had a specific price, 98% accurate, if it was based on a bid; the bids were put out and received and those prices presented to the homeowners, then they could ballot on what they wanted. It could be a better guide for us. I don't want anyone to get sick but I don't want to ram this down anyone's throat either. Is that more palatable to people?

Mr. Wells responded, yes.

Three residents could be heard on the audiotape agreeing with Mr. Wells.

The audience applauded Mr. Wells upon concluding his comments.

Robert Larson, 22 Seiter Hill Road stated, in June of 1988 I moved to this location. In October of 1988 the Town re-assessed my property. What is being done with my tax money? I don't have any children in the school system and I very seldom see a police car on Seiter Hill Road. I never see fire apparatus on the street either because we don't have any fires; we don't

have hydrants either but, if we have to absorb 100% of the cost of bringing in this water, where are all my taxes going?

Mr. Parisi responded, that is why I asked the question I did.

Mr. Larson stated, I think you are skirting the issue sir, I really do. I want to know, up front, what it is going to cost us to put the water in. I am not adverse to having the water at a reasonable cost but I don't want the people on Seiter Hill Road or Grieb Road or North Elm Street to pay 100% of the cost because it is exorbitant. (Applause) I think we should have a lower, lower cost. The west side is being developed for free. They are getting water for free. Why can't you just bring it over to the east side?

Mr. Parisi stated, no one is getting free water.

Mr. Larson stated, I came from North Haven; twice a week they picked up my garbage free of charge. I have to pay to have it taken away here. What is the Town giving me for my taxes? Nothing. (Applause)

Frank Punzo, 14 Grieb Road stated that Mr. Parisi's comments and suggestions are valid. A lot of people have come to the microphone and the one thing that keeps ringing loud and clear is that we are moving too fast. If we knew the exact cost would be we could make an educated decision. Right now, a petition went around Seiter Hill and many people on Grieb and North Elm Streets did not sign it, maybe they didn't know about it and we are the ones who feel railroaded by this. If there was an exact cost involved, I think people in the other areas that were not on the petition could make an educated decision.

Mr. Parisi stated, what I am going to do based on that statement is, I am going to ask for a motion to continue this public hearing to a meeting in October, probably the second meeting.....

The audience expressed opposition to the suggestion.

Mr. Parisi asked that he be allowed to continue. He stated, at that time what we would like to do is ask the Public Utilities Commission to put this project out to bid and let's determine what the cost is going to be, cold and hard and as close to 98% accurate as we can get it.

Someone from the audience shouted their dissatisfaction with having spent forty-five minutes in the audience and on this topic for it to be put off until October.

Mr. Parisi stated, we would have to go through the bidding process and that would have to be as fast as it could be but it is not going to be in a week or two. I am just trying to give you an option that would develop the price for you because it appears as though we don't have a price locked in yet.

John Beecher, 65 Seiter Hill stated, it is an excellent suggestion but getting the cost is only one element. The real crux of the problem is after the cost is determined. Questions would still remain. Should all the costs be borne by all affected? There is a difference of opinion on the meaning of "municipal share". I appreciate your willingness to try and find the path to solve the problem but a very important part of the formula is, what, if anything, will the Town bring to the table in the process? (Applause)

Mayor Dickinson stated, the ordinance approach calls for the assessments. That is not the only way to do the project. Another method would be by contract, the approach used on Clintonville Road. That approach does not allow assessments, hence, anyone who did not want to participate, did not want to sign a contract, would not pay for the line to be extended which obviously increases the cost for anyone who is then served by that line. That did occur on Clintonville Road. When the State approved 7-137c, the issue was a community that wanted to extend a water main and wanted to assess all the properties along that line. The statute was written to recover 100% of the costs, even incidental costs. It is my belief that it was written that way because it does allow the assessment of all properties. When the Clintonville Road project was pursued we discovered a number of difficulties and problems with them. Some of the issue was formulating contracts, getting everyone to participate, and part of it was the Water Division having the funds to provide for this. Currently, there is no element in the water rates for extension of water mains. We are talking about a facility for water distribution. Under our Charter the utility finances are supposed to stand on their own. At the point that we begin to have tax money subsidize utility rates, no one will know what they are paying for in the utilities. We have tried to keep them separate. If we are to deal with the water main extension issue in the water rates, we will have to look at those water rates and be able to handle what ever future problem may occur anywhere in town. We are aware of several other places that are experiencing problems. After Clintonville Road, the P.U.C. stated that they did not have anything in their rates for extending mains. They recommended from there on out the policy is that the ordinance method be used under 7-137c which triggers the assessment. Fine tuning what those costs may be; there may be amounts of money that you could argue are municipal but I suspect that it is not going to be large amounts of money. I think that there are three methods of going about it; one, the homeowner deals with the water problem; second, the ordinance method; third, by contract. The contract method is fraught

with a great deal of difficulty and those difficulties were experienced on earlier projects and it is the inability to have everyone participate.

Mr. Beecher stated that he absolutely has a difference of opinion with the Mayor regarding this. The Councilors could make a decision that there was some portion of this project that is in the municipal interest and although the Mayor is technically correct and we do run a fine line here when we start crossing over from this strict interpretation of utility cost versus tax dollars but I did not see anything in the statute that would prohibit....it may be the Mayor's opinion or the Water/Sewer Division's opinion, but it does not prohibit you (the Council) as our representatives from making a decision that says, in this instance where this type of problem comes up that you could make some sort of a grant in terms that is in the municipal interest. I could give you five or six ways to make that choice but you will be coming down to the fundamental choice of, does this community want to participate in solving this problem? Is it a really a taxpayer issue or do we want to take this strict interpretation and leave it on the utility table? I respect the Mayor greatly, as you all know, but I have to say in this situation that he is one man. He is the executive of the Town; he is doing his job. He has two people who work for him; the Director of Public Utilities and the Director of the Water/Sewer Division, who work for us. We do have another branch of government for a reason. You Councilors can easily decide that in this instance, as difficult as this is to even think that the Mayor may be incorrect or his judgment may not be the right one for the town at this particular time. That is said with respect.

Mr. Parisi stated, I am not going to try and fool you or anyone else and sit here right now and make a decision. I'm not going to. My proposal was meant to allow us some leeway to look closer at the situation; to look at what the options might be. I would not exclude anything at this time. I have to be given time to do that. (Applause) Wait a minute, I am not saying I am going to do anything. I am just saying that I will look, with all these other Councilors, at everything. That is all we are saying; it does not change.....I don't know what the ultimate decision will be but I am saying we need time to look at this.

Mr. Zandri asked, is the Council going to get an opportunity to speak on this tonight?

Mr. Parisi stated, if we have a motion to continue, that is what we will do.

Mr. Centner stated, I would like to make that motion.

Mr. Zandri asked, are we going to have an opportunity to speak on this issue, tonight?

Mr. Parisi stated, no, we are going to continue this.

A few voices from the audience shouted, it is a public hearing.

Mr. Parisi stated, we will continue the public hearing, that is what we are going to do. If we vote to do that, that is what we are going to do.

Mr. Zandri asked, why can't the Council have some input on this?

Mr. Parisi stated, because this motion will carry, if it carries. That is what it is. That's our rules.

Mr. Zandri stated, but we haven't had an opportunity to talk on this.

Mr. Parisi stated, and we will have an opportunity when we re-convene this public hearing date.

Mr. Zandri asked, why can't we have an opportunity this evening? I am not saying we have to take a vote. (Applause)

Mr. Parisi stated, because there is a motion on the floor.

Mr. Rys echoed, there is a motion on the floor.

Mr. Zandri stated, the people have a right to know where we stand and what other options that might come forward on this from the Council.

Mr. Parisi stated, I don't have a problem with that and I think that at a later date.....when this public hearing is re-convened that certainly could be done.

Mr. Zandri asked, why? Did we run out of time?

Mr. Parisi answered, no. The motion was made and seconded.

Members of the audience shouted that there was no second to the motion.

Mr. Parisi asked, did you make the motion Mr. Centner?

Mr. Centner responded, yes, I moved your proposal to continue the hearing to October.

Mr. Parisi asked, Mr. Farrell, did you second the motion? Or did Mr. Knight? Which one of you did?

Mr. Farrell did not respond.

Mr. Knight did not respond.

A few members of the audience asked to hear the minutes of the meeting.

Mr. Parisi asked, is the motion seconded or isn't it?

Mr. Knight responded, I will second the motion.

Mr. Parisi called for discussion on the motion.

Atty. Small stated, if you move to continue the public hearing you have to specify the date and the time.

Mr. Centner stated, the second regular meeting in October at 7:45 P.M.

Mr. Parisi stated, that date is October 27th. I would like a point of information. If, in fact, the process should change or speed up, would it be possible to re-convene that public hearing earlier Mr. Fasi?

Atty. Small responded, we would do it by re-noticing the ordinance in the same manner you did for tonight's hearing in order to make sure we complied with everything.

Mr. Parisi asked, we have that option to re-convene sooner if we had to or wanted to?

Atty. Small responded, so long as we had enough time to do the proper notices.

Atty. Joseph Fasi, Bond Counsel stated, if adjourned the meeting to October 27th and you decide to meet prior to that, what we would do is simply notice the ordinance again and start again. It would not be a re-convening of this hearing, it would be a new hearing for the same ordinance. When October 27th came we would terminate that hearing. In other words it would start the process again.

Mr. Parisi asked, why wouldn't it just continue?

Atty. Fasi stated, you have adjourned it to October 27th and that is when it would pick up again. If you wanted to start earlier, you would just put the ad in the newspaper and just start over.

Ms. Papale asked, by the motion being made and seconded are you saying that the public hearing tonight....no one else can speak as far as the public?

Mr. Parisi answered, yes.

Ms. Papale stated, there were some people who have had their hand up since 7:45 P.M. and have not been called. You are cutting it off for the public?

Mr. Parisi stated, right. Anyone would be allowed to speak at the continuance of the public hearing.

Approximately one-half dozen voices from the audience could be heard opposing the action.

Ms. Papale stated, I understand what you are doing; we all have this dilemma because at one point we all thought that everyone wanted this and now I am hearing some do and some don't. I know we have to give it a lot of consideration. When we vote on this, is there any way that we can do it so that it is just the Seiter Hill Road development and not have North Farms, Grieb Road and North Elm Street or is this.....

Mr. Parisi stated, that is one of the options that could be looked at.

Ms. Papale stated, after seeing and hearing what I have tonight and after speaking to many people from the two different areas, I came here with mixed feelings.

Mr. Parisi stated, we would have time to explore all the options that we can conceivably come up with and if that is one option that you want explored, then it should be brought forward. Everyone can bring up an option that they think of. It isn't closed to anyone.

Mr. Zandri stated, I have an option. Obviously, if you let Iris talk, I am going to say something, too. I have an option that I can bring forward this evening and I think that a precedent in this community has already been set and that is on Clintonville Road. The

precedent that has been set there was there was a fixed dollar amount for those residents and there is no reason why we can't fix a dollar amount for these residents right here, this evening.

(Applause)

Mr. Parisi stated, we don't know what the price is.

Mr. Zandri stated, it doesn't make any difference what the price is.

Mr. Parisi stated, listen, I am not going to debate this issue here, tonight.

Mr. Zandri stated, I thought that is what this whole system is all about. (Applause)

Mr. Parisi stated, the system is that but right now there is a motion on the floor.....

Mr. Zandri responded, and you asked if there was any discussion so I am discussing it.

Mr. Parisi stated, discuss the motion.

Mr. Zandri answered, to discuss what ever you like, this is all part of it.

Mr. Parisi stated, you can discuss whether you are against the motion or for the motion.

Mr. Zandri stated, I am against the motion.

Mr. Parisi stated, that's fine and when we vote you can cast your vote.

Mr. Zandri added, I will tell you the reason I am against the motion because I think this thing can be resolved here, this evening. That is the reason I am against the motion and I don't understand why we have a public hearing set here tonight and we are cutting this thing short and it is not even a late night. I don't understand the whole purpose behind this whole thing. It makes no sense to me whatsoever.

Mr. Parisi stated, I asked the people what their feelings were and I thought I saw a lot of heads that were telling me that they wanted to get a set price.

Mr. Zandri responded, that's right but the Council never had an opportunity to have any input in this meeting tonight. I think that is wrong.

Mr. Parisi stated, maybe you can but I can't make a decision until I know what the cost is.

Mr. Zandri stated, I can make a recommendation here tonight that we will know what the cost is and if I had known that the Council was not going to have an opportunity to speak tonight I would have sat out in the audience and would have made a statement from out there.

(Applause)

Mr. Parisi called for further discussion on the motion.

Mr. Zappala stated, I am also against the motion because I think that we have everyone who could give us the answers right here; the Water Division and P.U.C. Commission who will be able to answer a lot of questions; how could we make a decision unless we know all of the answers. It won't be just the price that we are going to get that is going to determine whether or not those people are going to be happy. I think what is going to make them happy is knowing that they would not be paying 100% of the project. The only way to find that out is by asking questions of the Water Division to see what we could afford to do for those people. I don't know why we are continuing it. It won't make anyone happy in the end.

Mr. Parisi stated, we are continuing this so that we could find out what the cost of this project is because there hasn't been a clear figure presented to the people. That's all. I would not want to have to buy something if I don't know what it cost.

Mr. Zappala stated, I agree 100%, I think we should have known the price tonight before the meeting. I think we also should know what we could do; to what extent we could help the situation. I think by asking questions of the Department Heads it will give us an answer and we can make a decision on it.

Mr. Parisi stated, I don't think that they know what the cost is, quite frankly. I am pretty sure they don't know.

Mr. Zappala responded, they came up with a number.

Mr. Parisi responded, that is not a firm number, that is what my point is. That is the number that these people have had put to them and there is no set hard number right now because there is no bid. That is what I am concerned about.

Mr. Parisi re-stated the motion to Continue the Public Hearing to the Second Meeting of October.....

A gentleman from the audience requested that he be allowed to speak to the motion.

John Dunnigan, 300 Grieb Road stated that he is as concerned as all the other residents are. He has heard the stories on Seiter Hill and the lower numbers on Grieb Road; how far up does the Town plan on bringing the water?, he asked. Through Grieb Road into Durham?

Mr. Parisi answered, I don't know that.

Mr. Dunnigan asked, have any of you Councilors prepared before you came here tonight?
(Applause)

Mr. Parisi deferred the question to the Mayor and/or Roger Dann, General Manager of the Water/Sewer Divisions.

Mr. Dunnigan stated, when I come to a meeting I come with my paperwork and prepared. It seems like everyone is left in the dark; you don't know where you are going and you want to table the item until October. Meanwhile, I feel sorry for the people on Seiter Hill....

Mr. Parisi stated, you will get an answer to your question.

Mayor Dickinson explained, the water will come from the Grieb Road, the North Farms, North Elm and Seiter Hill area. That is the area in question. It would be coming from Ice Pond and Catlin Streets.

Mr. Dunnigan stated, I see markings on Grieb Road across near Catlin; is that the only affected areas?

Mayor Dickinson responded, that would be the affected areas that would bring the water to Seiter Hill, that is correct.

Mr. Dunnigan asked, what's to say that my well is not going to be affected at 300 Grieb Road?

Mayor Dickinson answered, that is an issue that concerns everyone where else there are water problems but right now before us is the issue of how to extend water mains for this area, principally, Seiter Hill Road.

Mr. Dunnigan asked, why would you extend it to his (using a gentleman from the audience as an example) house and stop and then my house is affected? Then we will have to open up the

street again. I don't understand this. No one has come over and tested my well on Grieb Road but Grieb Road is mentioned constantly. Where does it tie into, Durham Road? I also think it is absurd to have these people wait until October. (Applause)

Raymond F. Smith, Director of Public Utilities stated, at the last meeting we presented the scope of the project which we had envisioned. We have a copy of that map here, tonight to show what we have delineated as the project at this point. It has finite limits; is essentially from Catlin down, across Grieb Road down to Seiter Hill, tying down to Grieb Road. That is what the estimates that we prepared are based upon. They are estimates; we don't have a finite price. Hopefully we will have them by the end of September. We can share that map with you if you would like.

Mr. Dunnigan stated, the public should be able to see that. You are talking about Grieb Road and I live on Grieb Road. I have three small children and I am concerned about this.

Mr. Parisi stated, we are going to deal with the motion now; it is the proper procedure.

Mr. Farrell amended the motion to Move the Date Suggested to October 6, 1998 at 7:45 P.M.
Mr. Knight seconded the motion.

Mr. Farrell explained, we have meetings on October 13th and 22nd. If we came back for a special meeting on October 6th, if Mr. Smith is not prepared on that date, again, we could continue it one more week. I think there is some justification that they don't want to leave it for another two months. At least putting the pressure on, may be a little helpful. (Applause)

Mr. Dunnigan asked to speak.

Mr. Parisi responded, no, we are going to vote on the motion at this time

Mr. Dunnigan asked to speak before the vote.

Mr. Parisi answered, no, we are going to vote on the motion, I am sorry, that is where we are right now.

Mr. Dunnigan stated, it is a public hearing.

Mr. Parisi answered, it is a public hearing but we are going to do this the right way. Right now we are going to vote on the amendment.

Mr. Dunnigan interrupted by saying, I am paying \$20.00 per week for water to give my children. Do you want to go and get water out of your fire hydrant that comes out yellow some days, other days there is rust floating in it? Give me a break. Twenty dollars a week is what I am paying. I happen to be a contractor in town; I happen to do some major work in town. It does not take two or three months to get this stuff resolved. It does not take that at all. I have gotten quotes on my own; the quotes that the Town got, they are very gracious. By the time you wait until October; I am already spending hundreds of dollars every month.....

Mr. Parisi explained, I am not telling you that it is going to take until October, Mr. Smith said it will probably take until September. If the bidding process can move along faster than that, that will be fine. We will adjust the date.

Mr. Dunnigan asked, how does that help us? We are put on the back burner for two months....

Mayor Dickinson responded, Mr. Dann can speak to the issue of why the utilities feel this will take an amount of time to come up with the bid prices.

Roger Dann, General Manager of the Water/Sewer Divisions stated, if you recall, for those of you who were present at the last meeting (meeting conducted by the Director of the Department of Health with the residents of Seiter Hill), I described the process by which we would have to proceed towards construction of a water main. The first course of action was to perform soil borings. We do not have information regarding subsurface conditions and we are in the process of accumulating that information today. Once that information is completed and forwarded to us we can then finalize a bid package and go out to bid for the water main installation, itself. The bid process is going to take a certain amount of time; it has to be advertised, we have to make sure we ensure enough time in the marketplace for as many contractors as possible to evaluate and submit bids. Our interest in this is to move ahead expeditiously as possible, however, at the same time if we proceed too quickly what we will do is simply end up with too few prices and run the risk of driving the cost of the project higher than necessary. The soil borings are being performed by a contractor we have hired; General Borings.

Mr. Dunnigan stated, routes have been marked for two weeks and nothing has happened.

Mr. Dann responded, the bid for the borings was awarded promptly when it came in, we allowed the minimum amount of time for the contractor to mobilize, get out there, do the work

and get the information back to us. He is in the process of doing that work; he started yesterday and he will be working until that is completed.

Mr. Dunnigan stated, I can see this dragging out and it will just keep going.

Mr. Parisi stated, we have to follow a process, I am sorry. We are not allowed to have the flexibility that the private sector is allowed to have.

Mr. Dunnigan asked, what are you going to do when December comes when we can't get water from the fire hydrants? Where will we get water from then? The ground is going to freeze.

Mr. Dann answered, it is correct that the fire hydrant can only remain active until we get into freezing weather. We have looked at the option of finding a site that can be protected from the weather but is as close as possible. Possibly the Recreation Center will be the nearest facility where we can provide that water supply in a protected fashion. We have looked at that as an option if this should carry into the winter. Part of this equation is, wait the time to get better pricing based upon fixed bid numbers. The consequence of doing that in my opinion is that the work, itself, is then not going to proceed in the current construction season. Given the constraints of getting the funding ordinance, the assessment ordinance approved and in place and then awarding the contracts; at that point in time we are looking at going into the Spring construction season. I think it is important that fact be recognized at the same time. Yes, we will get better pricing; yes, it will help in the decision making process but it will ultimately mean that the actual project construction will almost certainly end up being done in the Spring.

Mr. Centner asked, we started the road project on Highland Avenue before....in order to make the season to build Highland Avenue Road, we started that before the bonding funding and all that kicked in. We did that once before on that road. I don't see why we couldn't do that here?

Mayor Dickinson responded, the issue there was the repaving of the road and it is not an ideal way to go because the ordinance had not been approved. Obviously, it wouldn't recover the funds that were spent. In this case you have people for and against the project. If for some reason the ordinance is not approved or there is an appeal of it, there would not be the ability to fund the project. We would not recover the funds that were spent on it.

Mr. Beecher reminded the Council that the Town does have bid waiver procedures. There is a current contractor who is working on the west side and maybe we could talk to him since he is

working in town right now if we really wanted to do it, to see if it is an option. The creative thinking option needs to be looked at. You are only getting what you are handed. He asked the Council to look at other ways to do the project if the town chooses to do it.

Mr. Parisi responded, that is what I am looking to try to do. If the motion carries to continue this, I would be open to all the input I could get.

VOTE ON AMENDMENT: Papale, Zandri and Zappala, no; all others, aye; motion duly carried.

VOTE ON MOTION AS AMENDED: Papale, Zappala and Zandri, no; all others, aye; motion duly carried.

The Chair declared a five minute recess at this time.

ITEM #8 PUBLIC HEARING on an Ordinance Appropriating \$800,000 to Extend Water Lines to Seiter Hill Area and Authorizing the Issue of \$800,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose - 8:00 P.M.

Motion was made by Mr. Rys to Read the Title of the Ordinance and Section 1 of the Ordinance in its Entirety and to Waive the Reading of the Remainder of the Ordinance, Attaching its Full Text to the Minutes of the Meeting, seconded by Mr. Farrell. (Appendix IV).

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

Motion was made by Mr. Farrell to Continue the Public Hearing to October 6, 1998 at 8:00 P.M., seconded by Mr. Centner.

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

ITEM #10 Withdrawn

ITEM #11 Consider and Approve the Purchase of Nineteen (19) Acres of Land for Open Space at 159 Cheshire Road, Wallingford - Town Attorney

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

The NATIONAL ORGANIZATION for WATER AWARENESS

14 Chester Lane, Wallingford, Connecticut 06492-3912

N.O.W.A.

is a non-profit 501 (C) (3) organization... visit us at
<http://pages.cthome.net/NOWA.1/> or see our link at Guidestar.org

This is a bequest from the Executive Officer of N.O.W.A. for supportive donors respectfully. All donors will automatically receive in recognition of their support: free bookmarkers and updates along with dinner passes for two, to interact with NOWA's family, staff and volunteers at a semi-formal forum that is now being scheduled for October in Connecticut. In addition, a 2001 calander of the events along with a year end statement of support for taxes will automatically be forwarded as a benefit.

The mission of NOWA is to pursue conclusive studies on the medical effects of drinking water and achieve practical solutions for safer drinking water to help break the health impact cycle from the natural elements. These elements are equally responsible for the emergence of acute and chronic diseases in humans: cancer, diabetes, pancreatitis and more. Also, they are specter of medical and scientific analysis mostly from abroad. Such analysis in this country are considered pure speculation and not usually used for support to sustain the burden of proof for one's health. Unless, a whole community were to become ill.

Such creditable reports from these analysis should no longer fail to convince the people of this country of what is evident to physical injuries. Health is not an intervention... health is an outcome. NOWA needs YOUR support for this very challenging mission. Whatever it takes to rid our communities of such health problems is worth every cent and is tax deductible!

Mr. Centner stated, I don't recognize this parcel, was it discussed previous with the Council?

Mayor Dickinson answered, I believe so. It is a piece of property that is part of Fresh Meadow Swamp. It abounds Wallingford Land Trust property. It is principally wetlands and we did have an appraisal on it this price is in line with the appraisal. I think there are taxes owed on it as well. Fresh Meadow Swamp is one of the two or three ecologically-recognized areas in Wallingford on the State D.E.P. maps and lists of sensitive and important ecological features in Wallingford and other communities.

Mr. Centner stated, I know that one of our goals in the open space plan is to select parcels fifty acres or larger so this would actually appear as a large tract of land with the forty acres of the land trust adjoining it.

Mr. Farrell asked, on this purchase, it is my understanding that all of the land is undevelopable?

Mayor Dickinson answered, a major portion is. I do have an appraisal here in the amount of \$12,100.

Mr. Farrell was not arguing with the appraisal amount. He asked, could we not accomplish the same goal of preventing development on this parcel by getting a conservation easement as opposed to taking ownership? With ownership comes a certain amount of liability that would not come with owning an easement.

Mayor Dickinson answered, they want to sell the property, they do not want to continue to own it; it is twenty-two acres on the south side of Cheshire Road. They want to sell the property.

Mr. Farrell asked, who is the owner?

Mayor Dickinson responded, Attorney Lendler.

Mr. Farrell stated, I wonder aloud if a conservation easement would not get us where we wanted to go in much better fashion without assuming liability for things that are going to happen on this land.

Mayor Dickinson answered, the Town could always turn it over to the Land Trust who may be interested in owning it in the future.

Mr. Farrell asked, what is the size of the Land Trust's parcels?

Mayor Dickinson answered, forty plus acres.

Mr. Farrell asked, have they indicated a desire for it?

Mayor Dickinson responded, I am not aware of them.....they haven't spoken to me about it but knowing the Land Trust, property of this type that abounds their property, they are generally interested in acquiring.

Mr. Farrell stated, in the future we should consider a variety of tools. Sometimes outright ownership may not be the best route to go. I think given that the Land Trust owns abutting property, it probably does make sense in this case.

Mr. Zappala asked, are we giving this guy \$12,100 because we just want to hold the property?

Mayor Dickinson answered, the appraisal indicates a value of \$12,100 on the twenty-two acres.

Mr. Zappala stated, the property itself, if it is left the way it is, nobody is going to be using it so why should we give them \$12,100 for it?

Mayor Dickinson stated, it is not without possibility that they will find someone to buy it who will look for the potential to develop it in some way; house, driveway, what ever. Could it be a subdivision? No. You can't rule out that there could be development on the property. Is that the reason to buy it? Not necessarily, the real reason is that it is part of a recognized environmental prime area and are we going to protect it or assist in protecting it or are we not? That is the question. There are a lot of restrictions for building on wetlands but I don't know that you can say there is a prohibition against developing a wetland. You just have to have minimal impact. On twenty-two acres you may only get one house but I don't know that I can sit here and say that no one can ever do anything on that property.

Mr. Zappala could not understand the goodwill on the part of this person wanting to sell the Town twenty-two acres for \$12,100. Is there a possibility that the person would want to give it to us?

Mayor Dickinson stated, they wanted more money than we were willing to pay; it has taken months to reach the point that they are willing to deal with our appraisal price. It has been

months and months of discussion; it started last Fall. Attorney Mantzaris has been discussing this; it has not been a short process at all.

Mr. Zappala stated, I find it hard to believe that someone would want to sell twenty-two acres of land for \$12,100 if they had any use for it at all.

Mr. Zandri asked to see the map before voting on the action. He asked if the Land Trust land is on Cheshire Road?

Mayor Dickinson answered, I believe it is off of School House Road. I am not sure that it extends out to Cheshire Road. To my knowledge, the access to the Land Trust land comes off of the cul-de-sac road in the middle of School House Road. At the corner of School House and Cheshire Road, I believe that is property owned by other parties; the Gelko property. I don't believe the Land Trust land bounds Cheshire Road. There may be one other access off of Tuttle Avenue.

Mr. Zandri asked, does the Land Trust land abut two sides of this subject property?

Mayor Dickinson answered, I believe so, yes.

Mr. Knight asked, how long have you been discussing this property with the owner?

Mayor Dickinson responded, May, 1997.

Mr. Knight stated, for the small amount of money that it represents, we have an obligation to protect something as unique as this part of the environment. It is a very easy decision to make, I hope we make it soon.

Mr. Parisi stated, there may not be a referendum on this one.

Mr. Renda asked, how many acres of the twenty-two are swamp?

Mayor Dickinson answered, most of it.

Mr. Renda stated, I have my doubts about buying a swamp.

Mayor Dickinson stated, it is wetland soil.

Wes Lube, 15 Montowese Trail stated, land like this is probably part of the ideal types of things that we should be buying for open space; it provides a habitat for many of the small animals to live in our town. It is an area that is not invaded by communities. This was part of the land that was purchased by Schweke and he developed that portion which was developable and then donated the swamp area to the Land Trust. The frontage on Cheshire Road is across from the dirt road that leads to the service barns of the Farms Country Club where they keep their equipment. What is the amount of frontage on Cheshire Road? If there is no frontage how can they have a Cheshire Road address?

Mr. Farrell stated, a parcel can have an address that is not on a street. What do you do with landlocked plots? You have to give them an address.

Mr. Lube asked, was this property landlocked?

Mayor Dickinson answered, it is off of Old Gate Road. It is twenty-two acres of land located on the south side of Cheshire Road, east of Tuttle Avenue, west of School House Road, north of Cook Hill road. Access to the subject site is from a fifty foot entry off of the easterly side of Old Gate Road.

Mr. Lube asked, how did the nineteen acres end up on the agenda instead of twenty-two?; just out of curiosity.

Mr. Parisi answered, I don't know but the deal is getting better as we go along, isn't it? Is it twenty-two?

Mayor Dickinson answered, according to the appraisal it is twenty-two.

Mr. Lube stated, I wanted to assure Mr. Renda that swamp is good land.

Andy Kapi, 6 Deme Road stated, in referring to notes from a Conservation Commission meeting, as I read through them with all of the descriptions of the eight areas of town they consider priority, this was the only one that I included the note, wetlands habitat. It makes it unique. It is important to ratify what they are doing and take this kind of action to give them a pat on the back. It is a small expenditure to have some little piece of wildlife remain happy for a good number of years. It will undoubtedly be a sanctuary for frogs. I recommend that you buy it.

VOTE: All ayes; motion duly carried.

ITEM #12 Consider and Approve a Transfer of Funds in the Amount of \$12,100 from Contingency General Purposes Acct. #8050-800-3190 to Land Acquisition 159 Cheshire Rd. Acct. #1320-999-9902 - Town Attorney

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

VOTE: All ayes; motion duly carried.

ITEM #13 Report Out on the Status of Town-Owned Land in Durham as Requested by Councilor Tom Zappala.

Mr. Zappala stated, two days ago it was two years ago that this Council voted to sell the property in Durham. We have not done anything. I had a phone call this past week from interested buyers of the land. What is happening?

Mayor Dickinson answered, there is no new news on it. We cannot sell it, to my knowledge, without having the ability to swap other property for that acreage. Until we identify a piece that is similar and petition D.E.P. to allow us to use the proceeds of that land to purchase other land, D.E.P. would not be in a position to approve the purchase. Whether similar means the exact amount of acreage or some other exactness of feature, I don't know. That would be our argument to D.E.P. should we reach that point. We are actively proceeding with several other proposals of purchase. Hopefully, something will come to the floor and a decision can be made. Again, the decision will have to be made with regards to the sale.

Mr. Zappala stated, let's hope we move in the right direction of purchasing some open space in town and to get rid of the property in Durham to keep open space in Wallingford, not in Durham.

Mr. Zandri asked, why can't we get a description from D.E.P. up front of what they consider a similar piece?

Mayor Dickinson answered, we don't have to get something from them, we would go to them and indicate the parcel that we want to swap that we are interested in purchasing. They would then make that determination. We don't have to get from them what they think we ought to get. I think that would be nearly impossible to have them formulate.

Mr. Zandri asked, what is the total number of acres we are anticipating selling?

Mayor Dickinson answered, I believe it is about 150 acres.

Mr. Zandri asked, we have to have something somewhat comparable in size?

Mayor Dickinson answered, somewhat comparable though whether you could argue similar value would make it similar although the acreage would be different? It is an open question.

Mr. Zandri asked, if it was based on acreage would two parcels suffice; say one is 100 acres and the other is 60 acres?

Mayor Dickinson answered, that argument could be made.

Mr. Zandri stated, we do have options available to us, it is just a matter of pursuing them. The dollar amount difference would have to be made up by the Town. Do we have an appraised dollar amount for what we are looking for our piece?

Mayor Dickinson responded, we did have it appraised, yes.

Reginald Knight, 21 Audette Drive asked, how long have we owned this land?

Mr. Zappala responded, since 1956.

Reginald Knight stated, for forty-two years we have been paying taxes to the Town of Durham on this property. Do we have any idea how much per year that amount is? I am trying to determine what the amount is valued at and how much we are paying in taxes every year on something we cannot even sell.

Mayor Dickinson stated, we can sell it. It was purchased for open space purposes. I don't think the taxes we pay are very high at all. We can't sell it unless we have D.E.P. approval and we are using the proceeds we receive from the sale to purchase other like property.

Reginald Knight stated, basically, we are not able to sell it, whatever the cost. We have been paying taxes for forty-two years on a piece of land that we basically cannot sell.

Mr. Parisi said, it can be sold. It has to meet the State's criteria.

Reginald Knight stated, we are not in a position to sell it, let's put it that way. It is a catch-22 position.

Mayor Dickinson explained, the land was originally purchased for watershed purposes with State funds. It had a real purpose. We should not be looking at it as, because property sits there and we pay taxes on it and it is just open that it means somehow that we are not getting value from it. The issue of open space is, where it exists, it is valuable and because of that value you do pay taxes on it. It benefits the environment, it benefits everyone.

Mr. Parisi explained, the land was purchased because, at one time, Wallingford and Durham were going to go in on a reservoir together. The deal fell through.

Mr. Zappala stated, that land does not serve any purpose for the Water Division; it does not provide a buffer to our reservoir because we have other land that is closer which acts as a buffer to our water sources.

No action taken.

ITEM #14 Executive Session Pursuant to Section 1-18a(e)(5) of the CT. General Statutes Pertaining to Strategy and Negotiations with Respect to Collective Bargaining - Bd. Of Education

ITEM #15 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes to Discuss a Claim Involving the Masko Workers' Compensation Matter - Town Attorney

ITEM #18 Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes Pertaining to the Purchase, Sale and/or Lease of Property - Mayor

Motion was made by Mr. Rys to Enter Into the Executive Sessions Listed Above, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

The Council entered executive session at 10:44 P.M.

The Council exited executive session at 11:53 P.M.

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

VOTE: All ayes; motion duly carried.

ITEM #16 Consider and Approve Waiving the Bidding Process for the Purpose of Hiring Outside Legal Counsel to Bring Action Relating to the Masko Workers' Compensation Matter - Town Attorney

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

VOTE: All ayes; motion duly carried.

ITEM #17 Consider and Approve Waiving the Bidding Process for the Purpose of Hiring Outside Legal Counsel to Take Over Pending Workers' Compensation Cases Handled by the Firm of Furniss & Quinn - Town Attorney

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

VOTE: All ayes; motion duly carried.

ITEM #19 Consider and Approve the Purchase of Property Known as 1070 East Center Street for Open Space, Recreation and Town Purposes, Subject to Approval of a Bonding Ordinance - Mayor

Motion was made by Mr. Rys to Approve the Sale of 11.4 Acres with a Fifty Foot (50') Right-of-Way on East Center Street Bounded on the Easterly Side by Town of Wallingford Property which Abuts Land Trust Property, seconded by Mr. Farrell.

Mayor Dickinson stated, the appraisal places the value of the land at \$180,000. The property owner is indicating that \$190,000 will facilitate the purchase. He suggests that since the land is next to and across the street from other Town property, Vietnam Veteran Memorial Park, it is in our interest to purchase the property.

VOTE: All ayes; motion duly carried.

ITEM #20 SET A PUBLIC HEARING for September 8, 1998 at 7:45 P.M. on an Ordinance Appropriating \$195,000 for the Acquisition of Real Property Known as 1070 East Center Street for Open Space, Recreation and Town Purposes and Authorizing the Issuance of \$195,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

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

VOTE: All ayes; motion duly carried.

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

VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 11:55 P.M.

Meeting recorded and transcribed by:

Kathryn F. Zandri
Kathryn F. Zandri
Town Council Secretary

Approved by:

Robert F. Parisi
Robert F. Parisi, Chairman *RR*

10-14-98
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

10-14-98
Date

VNA
Visiting Nurse Association
of Wallingford, Inc.

701 Center Street
P.O. Box 657
Wallingford, CT 06492

(203) 269-1475
Fax (203) 265-5357

August 12, 1998

Councilman Robert Parisi
23 East Main Street
Wallingford, CT 06492

Dear Councilman Parisi:

On July 28, 1998, The Visiting Nurse Association of Wallingford, Inc. entered into an agreement with United Personal Computer Realty Partnership to lease office space at 135 North Plains Industrial Road. Our anticipated move will be on or around September 15, 1998.

In conjunction with the Wallingford Health Department, the Visiting Nurse Association intends to continue to offer the public health and related services that it has provided for the past seventy-nine years to the residents of the Town of Wallingford. To this end, the Agency has leased additional space and has made extensive renovations to the new site in order to ensure that it can meet the State and Federal service mandates with which the Town must comply. Be assured that the VNA will continue to respond to the needs of the community and will provide the programs and health related services which it requires.

On behalf of the Visiting Nurse Association of Wallingford, I thank you and the Town Council for your continued assistance and support. We sincerely appreciate the use of 701 Center Street site for the past nineteen years. We look forward to continuing to serve the Town of Wallingford and to working with the Wallingford Health Department

Very truly yours,



Ellen S. Phillips, MSW
Executive Director



YOUR COMMUNITY HEALTH AGENCY SINCE 1919



UNITED PERSONAL COMPUTER REALTY PARTNERSHIP

51 Seiter Hill Road
Wallingford, CT 06492
August 18, 1998

Robert F. Parisi, Chairman
Town Council
Town of Wallingford
45 S. Main Street
Wallingford, CT 06492

Subject: Water Service on Seiter Hill Road

Dear Mr. Chairman:

Please ensure that this letter is read or placed in the record in my absence at the the Public Hearing concerning the ordinance to appropriate funds and an ordinance to establish assessments on August 18, 1998.

I'm a native of Wallingford with an undergraduate degree in Biology from Tufts University with over 34 years of extensive problem solving experience involving technical issues.

I have been a resident of 51 Seiter Hill Road for 23 years. Preventive maintenance, periodic chlorinating, and testing have been required, but the quality and/or safety of my well water was never questioned until recently. The well was chlorinated in November 1997 and what's disturbing is that I was informed by the town on June 26 that my water was positive for both coliform and e-coli. The well has been chlorinated since and tested negative for both, but it's uncertain that it will remain so for a reasonable period of time. It's not something that one with an autoimmune disease should have to worry about. And there are others in the neighborhood with similar conditions in addition the infants, children, and the elderly.

The focus of testing by both the State of CT. & town Health Departments to determine a source has been limited, narrow, and local. A source has not been identified, but seasonal conditions have changed considerably since discovery; i.e. 13 in. rain in June after a relatively wet late winter-spring followed by a dry July(3 in. rain) and August.

So the source has not been identified and finding one is unlikely. But the cause is readily apparent. The Town has zoning, but planning has been

inadequate and developers have had a "free reign". Numerous developments have sprung up around us since the mid 1970s:

- Laurelwood
- Farm Hill
- Farm Meadows
- Catlin Estates
- individual homes on E. Main St & Grieb Rd.
- Fairlawn Farms
- Saddlebrook

With more to come; i.e. Maplewood Rd. And granting a Special Permit to a proposed auto auction would only add more fuel to the fire. We're literally being drown by the surface water from the various sources. And the following additional facts should be considered:

- State owned North Farms reservoir contains coliform & e-coli too numerous to count. (see appendix 1)
- elevation of reservoir is 331 ft (see appendix 2-Wallingford Quad map)
- elevation of Seiter Hill Rd. is 220-240 ft.
- elevation of Leigus Rd. is 340 ft.
- elevation of upper Grieb Rd. is ~300 ft. & protected by a 300-350 ft. ridge
- elevation at corner of No Farms & Grieb Rd. is 242 ft.
- elevation of Farm Hill is 300 ft.

Bedrock/ledge is ~16-20 ft. below the surface so there's a definite north to south flow from the reservoir to Seiter Hill. Other maps are reportedly available the show that there's not a lot of opportunity for natural filtration along the way.

And then there's Catlin Brook to consider. It use to be a gentle stream, but now resembles a raging torrent at certain times of the year causing erosion and destroying wetlands, nature's water cleaning systems. The Saddlebrook & Fairlawn developments, and perhaps others, discharge surface water containing Canadian goose feces and other animal waste into Catlin Brook which is a "fast track" during the late winter & spring to the wetlands behind 38 & 42 Seiter Hill. It contains a high numbers of both coliform and e-coli even in late July(see appendix 4)

One word about escherchia(e.coli): it's a species of fecal coliform and is a good indicator because it's easy to culture in the laboratory. Its presence indicates that sewage material may be present, and if so, bacteria such as salmonella and viruses may be present. The test is gram negative for e.coli 0157:H7 which is the pathogen that we hear about in the news. The Town could have communicated such months ago instead of panicking everyone.

Conclusion: A safe, reliable water source is needed on Seiter Hill Road. Municipal water meets this criteria. Homeowners should not have be accountable for 100% of the cost and the town should at least meet us "half way" because we are clearly the victims of extensive development and poor planning. Hopefully you'll be able to muster the political courage to do the right thing which is provide town water to and split the cost because the funds are available to do so.

Options that should be considered:

1. Bring water directly to Seiter Hill Rd. from the corner of No. Farms & Catlin instead of via Grieb Rd. where it's unwanted.
2. Supply Seiter Hill Rd. from East Main Street via a 20 ft. drainage easement. See appendix 4.

Yours truly,

Henry W. Bonk
Henry W. Bonk

cc: Willam W. Dickenson, Jr. Mayor
Richard Centner-Town Council
Steven W. Knight
Iris F. Papale
Frank A. Renda, Sr.
Raymond Rys
Geno Zandri
G. Thomas Zappala
Rep. Mary Mushinsky
Sen. Brian McDermott

John Farnel, Jr.

Appendix 1

* * REPORT OF LABORATORY RESULTS * * *

for

S.P.M. RESEARCH

EML Project ID: 986460 - 729

Your Reference: See below

Report Date: 07/30/98

Date Sampled: 07/29/98

Date Submitted: 07/29/98

All Values Presented in mg/L Unless Otherwise Noted

Analytical

Parameter

North Farms Res.

Total Coliform (cfu/100mL) *

*TNTC

Too Numerous To Count

E.coli (cfu/100mL) *

*TNTC

*Too Numerous To Count

End of Report

Technical Reviewer

Title

Transcript Reviewer

Title



ENVIRONMENTAL MONITORING LABORATORY, INC.

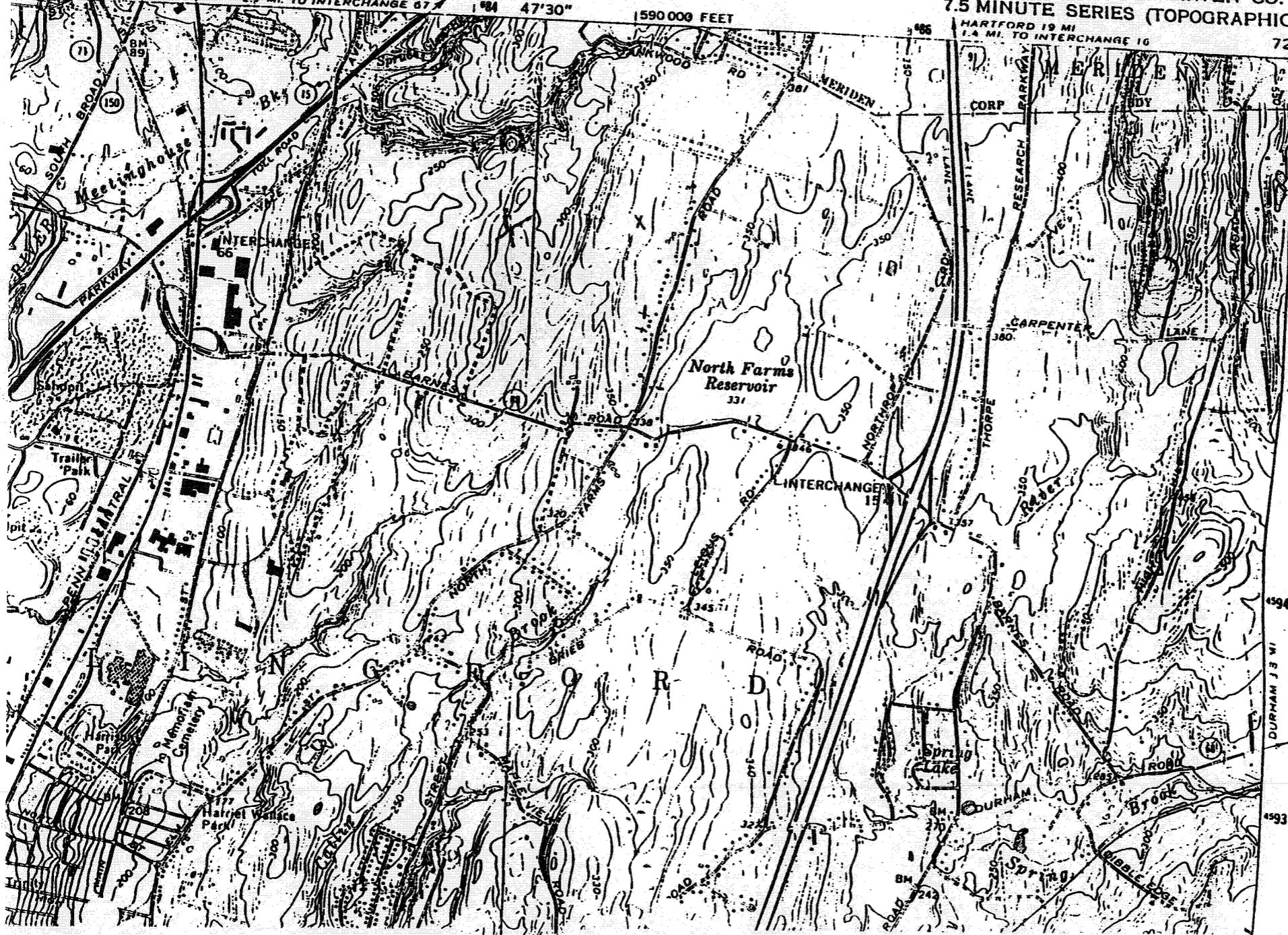
STATE OF CONN ICUT
HIGHWAY DEPARTMENT

MERIDEN U.S. 641 2.1 MI.
6467 III SE (MERIDEN)
HARTFORD INT. 911 17 MI.
2.3 MI. TO INTERCHANGE 07

WALLINGFORD QUADRANGLE
CONNECTICUT-NEW HAVEN CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

HARTFORD 19 MI.
1.4 MI. TO INTERCHANGE 16

6467 II SW
(MIDDLETOWN)



Appendix 2

Appendix 3



Town of Wallingford, Connecticut

ROGER M. DANN
GENERAL MANAGER

DEPARTMENT OF PUBLIC UTILITIES
WATER & SEWER DIVISIONS
P.O. BOX 725
WALLINGFORD, CONNECTICUT 06492
TELEPHONE (203) 949-2666

RECEIVED
AUG 04 1998

WALLINGFORD WATER AND
WASTEWATER LABORATORY

SAMPLE LOCATION: Catlin Brook

SAMPLE DATE: 7/28/98
Sampler: George Yasensky

TOTAL COLIFORM: 62,800 coliforms/100 ml
E. coli: 900 colonies/ 100 ml
Heterothrophic Plate count 2000 cfu/ 1 ml

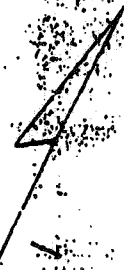
Log # 830

ANALYST: D. Halpin
ANALYSIS DATE: 7/28/98
REPORT DATE: 8/3/98
AUTHORIZATION: K. Maloney

STATE OF CT DEPARTMENT OF HEALTH CERTIFICATION #PH-0485

On town property, south side of bridge on Jones Rd, where container
could be disposed.

Appendix 4

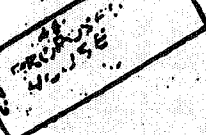


SEITER HILL RD

R=185'00"
L=100'00"
D=30°36'00"

17

W Bldg Line



169'54"
N 30°53'29" W

15

16

34,123 S.F.

20' W. of 1992 E. of 1992
369'20" 57' E

250'41"

S 63°45'40" N

360 E Main St

N/F France A. & Eve E. Czechowski

354

Ref Map By
Philip A Merian, L.S.
File No. 1039
Ref Map By
Empire Associates, Inc.
Highlands East Development
Sept. 15, 1972



PLOT PLAN
LOT NO. 16
SEITER HILL ROAD
WALLINGFORD, CT 06495

I hereby certify this map to be substantially correct.

Date 3.21.78

Appendix III

AN ORDINANCE ESTABLISHING ASSESSMENTS FOR
THE SEITER HILL WATER LINE EXTENSION PROJECT

Whereas the Public Utilities Commission ("PUC") has received a request to extend its water lines to the Seiter Hill area of Town, specifically, Seiter Hill Road and portions of North Farms Road from Catlin to Grieb Road; Grieb Road from Ice Pond Road to North Farms Road; and North Elm Street from Seiter Hill Road South approximately 690 feet to an existing water main (hereafter the "Project" or "new main");

Whereas section 7-137c of the Connecticut General Statutes provides that the owner of property abutting a water main extension shall reimburse the municipality its proportionate share of Project cost as the municipality by ordinance shall determine;

Whereas the PUC has recommended a methodology of levying assessments pursuant to section 7-137c to pay for the cost of the Project;

Now therefore, be it ordained by the Town Council of the Town of Wallingford:

Section 1. The PUC shall levy assessments pursuant to this ordinance and section 7-137c. The PUC shall follow the assessment procedures of section 7-250 of the general statutes with respect to filing the proposed assessments with the town clerk, public hearing and notice regarding the proposed assessments, filing the final assessments with the town clerk and newspaper publication of the final assessments. The assessments shall be determined and levied upon completion of the Project. Except as provided in section 2, the assessments shall recover 100% of the cost of the Project as set forth in section 7-137c of the general statutes.

Section 2. Properties are to be assessed on a per unit basis for all properties which can be serviced by the Project, as follows:

- A. One unit of assessment for each single family house abutting the Project that cannot tie directly into an existing main as determined by the PUC.
- B. All vacant land shall be assessed one or more units plus deferrals pursuant to sections 7-137c.
- C. One unit of assessment for each single family house or lot able to tie directly into the new water main through easements, rights-of-way, etc., and also able to tie into

- an existing main, but does not tie directly into an existing main.
- D. For each tap of the new main used to extend the main to service other properties, one unit of assessment.
 - E. Property owners wishing to tie their homes to the new main prior to the establishment of a final assessment amount (i.e. final completion of the Project) can sign an agreement with the PUC on behalf of the town to pay the final assessment as determined by the PUC. The notarized agreement to pay will require all owners of record of the property to sign and pay a deposit of \$100.00. The deposit will be applied against the first payment of their water assessment. The agreement must be fully executed, and payment of the deposit received, prior to the submission of an application to service for their property.
 - F. The PUC shall file a notice of pending assessment upon the effective date of this ordinance.

Section 3. The assessments shall be calculated and be subject to the following terms:

- A. The total amount of all assessments (including the assessments on town land and assessments whether or not deferred) shall be equal to 100% of the cost of the Project. 100% of the cost of the Project means all costs paid to plan, construct and issue debt to finance the Project, including temporary service if installed minus the differential in cost between the standard 8" pipe size and any larger pipe size which the division chooses to install, as determined by the PUC and minus grants received by the Town for the Project.
- B. The full assessment is due and payable when levied. The property owners may elect, however, to amortize their payment over the same amortization schedule as that of bonds issued to finance the project; provided such payment shall not exceed a term of fifteen years. Property Owners electing to amortize their principal payments shall pay the applicable interest rates and fees described in "C".
- C. The rate of interest applicable to amortized payments shall be equal to and calculated in the same manner as the interest on the bonds sold for the project. Such rate shall be applied as of the date of issuance of the bonds, in the event the assessments are levied prior to the issuance of the bonds.
- D. The rate of delinquent interest shall be 12% APR using simple interest by month.
- E. A lien shall be filed with the town clerk with all rights delineated by CGS Chapter 97, Section 7-137d.