

June 26, 1984

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|---|-----------|
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Town Council Meeting

June 26, 1984

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order by Chairman Parisi at 7:30 p.m.

Answering present to the roll called by the Council Secretary were Council members Bergamini, Gessert, Killen, Krupp, Papale, Polanski, Parisi and Rys. Also present were Mayor Dickinson, Town Attorney McManus and Deputy Comptroller Carol J. Howard. The pledge of allegiance was given to the flag. Chairman Parisi noted for the record that Councilman Diana was out of town due to business. Mrs. Rascati, Town Clerk, arrived following roll call.

Invocation by the Reverend Gerald Eddy, Church of the Nazarene:

Father, thank you for your blessing and your presence on our community. We expect your spirit to guide and direct the affairs of government. We ask your blessing to be upon our Mayor and all those who serve in this capacity on the Board this evening. Thank you for your presence and your power and your love for all of us, in Jesus' name. Amen.

Chairman Parisi announced that today is Councilwoman Bergamini's birthday and the Council sang "HAPPY BIRTHDAY" to her.

There were no questions from the public and Chairman Parisi closed the public question and answer period.

Mr. Krupp moved confirmation of the appointment of Mr. Charles R. Fields to Regional Planning Agency for a two year term, 11/15/83 to 11/15/85, effective 6/26/84. Mr. Gessert seconded the motion.

Vote: Unanimous ayes; motion duly carried. (Councilman Diana was not present.)

Mr. Krupp moved confirmation of the appointment of Mr. Robert DiPasquale to the Building Board of Appeals for a three year term, 1/2/84 to 1/2/87, effective 6/26/84. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes; motion duly carried. (Councilman Diana was not present.)

Mr. Gessert moved to move item (15) to this point in the meeting, seconded by Mr. Rys.

Vote: Unanimous ayes; motion duly carried. (Councilman Diana was not present.)

424 Mrs. Bergamini moved approval of Day Care Supplement Budget for the year beginning 10/1/84 in the amount of \$19,348, seconded by Mr. Polanski.

Vote: Unanimous ayes; motion duly carried. (Councilman Diana was not present.)

Chairman Parisi noted that there were no names presented for appointment to the Wallingford Housing Authority and the Wallingford Transit Authority and these items would remain tabled.

The public hearing on the Neighborhood Assistant Program could not begin until 7:45 p.m. and the committee to present details for employment of a construction manager for the police station project were not yet present and Chairman Parisi moved to item (9), Viet Nam War Veterans memorial site selection and asked the public to avoid repetitious comments due to the length of the agenda.

Mr. Gessert said the Viet Nam War Veterans Committee has met and voted to approve the site at the north end of Dutton Park, a 7 to 1 vote recommending the site to the Town Council.

Mr. Gessert moved to designate the north end of Dutton Park as a site for the monument to the Viet Nam War Veterans, seconded by Mr. Krupp.

Mr. Gessert stated that Planning and Zoning has met and approved the site plan, as presented. Mr. Parisi commended the members of the committee for working in harmony on this project.

Mr. Anthony Baia, 17 Laurel Drive said that the Viet Nam War Veterans Memorial Committee began because it represented an opportunity to work in a much needed effort to heighten the visibility of and the sensitivity to the contributions and sacrifice of American Viet Nam Veterans. This success far exceeded their expectations and this memorial will hopefully provide a tangible symbol of recognition for the Viet Nam veterans and also will continue to be a catalyst for dialogue leading to reconciliation regarding our country's part in the Viet Nam War.

Mr. Salvatore Falconieri, 281 Grieb Road supported the site selection at Dutton Park and asked the Council to give the Viet Nam Veterans a little piece of earth somewhere if Dutton Park is not acceptable.

Mr. Frank Yasensky, 20 Madison Avenue is opposed to the site location at Dutton Park and read a letter signed by Mrs. Charles Ferraro, 567 North Main Street which indicated that this area of North Main Street has had numerous accidents and locating a monument there would only add to this exposure. Mr. Yasensky read a list of several names of residents on North Main Street opposed to this particular site selection mainly because of traffic congestion. A memorial is favored and will be supported but not at this location.

Mr. Quentin Goodrich of Major Raoul Lufbery Post, No. 591 noted for the record that this Post is fully supportive of this location.

Mr. Harold Dunlop, 39 Spice Hill Road, representing Post 9965 stated that this Post wants this memorial at Dutton Park.

Mr. Leo DelRosso, 19 Martin Avenue is utterly in favor of a memorial to the Viet Nam War Veterans but disagrees with the site selection.

Mr. Robert Berube, 270 Ward Street understands the position from hearing both sides of the discussion tonight. He cried when he came home from Viet Nam in 1968, cried for the friends who never came home and also cried because backs were turned on the Viet Nam vets. He thinks the Dutton site is fitting for one reason-- the Civil War split this country wide open. The Viet Nam War split this country in many, many ways for the same reason. This site is appropriate to bring this country back together again as it was brought back together after the Civil War.

Mr. Edward Musso, 56 Dibble Edge Road feels the Viet Nam veterans deserve a memorial and should have had one immediately after the hostility ended in Viet Nam.

Mr. Tim Shaw, 12 Grantham Road is 100% in favor of a memorial. He questioned what the "eleventh hour" signified and Mr. Kenneth Polanski indicated that the answer was supplied by Mr. Robert Berube. It pertained to the separation that took place between the people of the United States and the boys who were fighting in Viet Nam and basically means that the split of our country and the healing process of our country was very close at that point to destroying many families here. It's a very simple concept--boys were dying and many people were not supporting them as they should have.

Mr. John Birdsey, 135 Cart Path Drive, Meriden, born and raised in Wallingford would be very proud to have his name on a monument in the same park with the Civil War monument.

Mr. David Struzynski made a suggestion that all veterans be honored with various memorials at one park and Councilman Gessert felt it was a very good suggestion and could be a future consideration. Mr. Gessert commented that the memorial in Washington, D.C. described ". . . tragically, upon their return home, they received virtually no recognition because of their service and sacrifice because of the raging controversy over United States policy in conducting the war." This says nothing detrimental and is pretty much a statement of fact. Mr. Gessert pointed out that a petition favoring the location of this monument at Dutton Park contained 686 signatures.

Mrs. Marion Zambory, 153 Cook Hill Road supports the memorial at Dutton Park and feels the Viet Nam veterans have waited a very long time for this.

Mr. Jerome J. Kennedy, 6 Town Farm Road who served in Viet Nam is opposed to the location of the monument and feels Dutton Park should be reserved for the Civil War Monument.

Mr. Peter P. Hale, 1238 Scard Road felt that Dutton Park was given to the town by the Dutton family for Civil War veterans and felt that another location should be considered.

Chairman Parisi thanked the public for their comments and asked the Council for any comments they might wish to make.

Mr. Rys referred to a letter dated 6/25/84 from Edward J. Gryga, Jr. stating his support for the monument. Mr. Rys expressed his thanks to the committee and supported Dutton Park and asked for Council approval for the site and monument to let the Viet Nam veterans know the people of Wallingford are proud of them and support them wholeheartedly.

Mr. Krupp referred to a remark made by a Viet Nam veteran, "I love my country--it was an honor to serve in Viet Nam." Mr. Krupp thinks it is about time to show that our country loves our vets, too.

Mr. Gessert noted a letter dated 6/26/84 from John D. Burns, Director of the Meriden-Wallingford Veterans Service Center indicating the support received for the Dutton Park site. A letter dated 6/25/84 from John D. Knowles, LTC, U. S. Army supports a long over due memorial and a letter of support from Major Raoul Lufbery Post, No. 591.

Mr. Killen indicated that he was the one dissenting vote on the committee. He feels that everyone agrees that a monument is necessary and feels that one of the reasons the memorial should be located at Dutton Park is one of the things least touched upon by the committee.

Mr. Gessert said that the "Main Street route" was considered; Sartori property was considered but this location was felt to be risky for vandalism. Mr. Baia stated that Dutton Park was also considered because the monument located there would be permanent and not be subject to a move in the future.

Mr. Killen requested consideration of alternate sites and felt that site selection should not be rushed since this committee has not been in existence but for a couple of months.

Mrs. Bergamini can understand Mr. Killen's viewpoint but stated that not everybody will be pleased all of the time. This is long overdue and would not even be presented to the Council if it were not for the members of the Committee who are Viet Nam veterans. Postponing this will lead to the same objections and the committee has decided on Dutton Park and Mrs. Bergamini supports it.

Mr. Killen stated that the only objection is the fact that this is the site of another monument--the Civil War Monument. Mrs. Bergamini felt that combining the two monuments at the same park is a good idea.

Mr. Gessert read from the deed conveying the property for Dutton Park and the conditions do not preclude a monument honoring the Viet Nam veterans.

Mrs. Papale indicated that she checked with Attorney McManus and there are no restrictions for such a monument. She was approached by Korean War veterans and asked why something was not being done for them. The Viet Nam veterans came to the Council and expressed an interest in the monument and have worked very hard for this. If any other veterans have anything in mind, they should approach the Council and everyone will be treated the same.

Mr. Polanski expressed support of a park which would honor all veterans and Mr. Parisi also felt that one area in honor of all veterans should be considered. Mr. Krupp hoped that this would be the last monument we would ever need. Mr. Gessert stated that the committee was formed to bring a site selection to the Council and since that was accomplished, continuation of the committee would depend upon a vote of the Council on a future agenda.

Mr. Killen moved to table site designation for Viet Nam War Veterans memorial in view of harmony. (No second or vote.)

Vote: Council members Bergamini, Gessert, Krupp, Papale, Polanski, Rys and Parisi voted aye; Killen voted no; Diana was not present; motion duly carried.

Chairman Parisi called for a five minute recess.

Mr. Krupp noted for the record that item 36 is withdrawn and Mr. Parisi noted that item 18 is withdrawn.

Mr. Parisi read the 6/1/84 letter from Philip J. Hamel, Jr. concerning the Neighborhood Assistance Program.

Mr. Krupp moved a resolution approving summary list of Neighborhood Assistance Programs attached to and made a part of these minutes. (See Exhibit I, page 1 of 3 through page 3 of 3.) Mrs. Bergamini seconded the motion.

Mrs. Bergamini asked how it was decided which programs would be funded and Mr. Hamel replied that it was a first-come, first-served basis. Private agencies seek funds from private industry and the industries know which projects are eligible from a book published by the State of Connecticut. The Town Council must name the project for it to be eligible.

Mr. Parisi asked for comments from the public on the Neighborhood Assistance Program and there were none.

Vote: Council members Bergamini, Gessert, Killen, Krupp, Papale, Parisi, Polanski and Rys voted aye; Mr. Diana was absent; motion duly carried.

Mr. Gessert moved to place item (16) in this position, seconded by Mr. Krupp.

Vote: Unanimous ayes; motion duly carried. (Councilman Diana was not present.)

Mr. Gessert moved the following resolution for a Community Service Program:

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

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

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

- (1) That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapter 133 and 300a of the Connecticut General Statutes.
- (2) That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
- (3) That the filing of an application by the TOWN OF WALLINGFORD in an amount not to exceed \$32,050 is hereby approved, and that the WALLINGFORD CONSERVATION COMMISSION is hereby authorized and directed to execute and file such application with the Commissioner of Human Resources, to provide such additional information, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the TOWN OF WALLINGFORD.

Mr. Rys seconded the resolution.

Mr. Krupp pointed out that the cover letter dated 6/11/84 refers to SCOW but the resolution does not indicate that this will be administered by SCOW. Mr. Hamel pointed out that the grant comes to the town and the town subcontracts to SCOW as the delegate agency for it. Every invoice is signed off by Mr. Hamel's office and the money is controlled by the Comptroller. Mr. Polanski asked why priority is given to one particular group and Mr. Hamel said the program is available to any Wallingford resident who would like to use its services, under State regulation.

Mr. Polanski felt greater publication was needed to enlighten the community at large of the Community Service Program and Mr. Krupp agreed that it is not readily apparent that these services are available to many more members of the community than are currently being served. Mr. Hamel agreed that a publicity program is needed and changes will be made when the booklet is published again for clarification of the program.

Mr. Killen pointed out that he served on the Board of Directors of SCOW and does not believe the program reaches anywhere near the number of people it could reach. Mr. Gessert feels the Council should receive a report on the number of people being served and the services provided, etc. Mr. Parisi felt the Council should be invited to attend the meetings also.

Vote: Unanimous ayes with the exception of Mr. Krupp who voted no and Mr. Diana who was not present; motion duly carried.

A motion to remove from the table discussion of and possible action regarding employment of a construction manager for police station project was duly made, seconded and carried.

Mr. William Fischer introduced Jack Kaestle and Chuck Boos of Kaestle Boos Associates, Inc.

1 27 Mr. Kaestle said that Kaestle Boos has done a number of projects over the years utilizing a construction manager system, some of which have been public projects and very successful, such as Red Cross Headquarters in Farmington, New Britain Public Library major addition and expansion, Middlebury Police and Fire Headquarters, Berlin High School major expansion, New Britain YMCA, etc. This system has been around for 10 to 15 years and a professional constructor is brought on board as part of the team and he manages the project. All subcontracts of the project are bid and assistance in preparing the bids and cost estimates is given by the construction manager. In this case, the contractual relationship of the town would be with each subcontractor for the various aspects of the work and the manager would be managing the job looking out for your interests. In effect, it eliminates the adversary role you had in the past with the general contractor as a theoretical adversary on a construction project seeking to enhance his profit on the job as much as possible and doing just what was absolutely necessary as far as completion of performance. With a construction manager the adversary role is eliminated because he is a private consultant for the building committee or for the town.

The fee that he charges in effect is essentially the same fee as a construction manager would put in his bid for managing and running a job. The construction manager puts a job superintendent on the job the same as a general contractor would but it gives you greater control over the subcontractors because each is bid to you and you have the ability to accept or reject any contract. You have much greater control over the budget pricing of a job because the job can be tailored to the budget in advance. Drawings and specifications are reviewed before going out to bid and suggestions are made in terms of construction systems and materials by the construction manager.

Mr. Kaestle (continued)

The Building Committee could evaluate the construction manager's recommendations and decide whether to go along with the recommendations or not. It is primarily to get better performance because a manager is selected on the basis of interviews and performance. People doing construction management are the top people in the field, qualified, reliable, responsible contractors. There is better control over the subcontractors as each bid is evaluated and better control over the costs of the job and the construction technique.

Mr. Parisi felt there was an element of control at the acceptance stage of the project and also feels that the role of the general contractor parallels that of a construction manager and also that of the architect who is responsible for keeping things in line with the specifications. Mr. Parisi felt a general contractor would submit a bid based on contracts from subs and those prices influence the full price. Mr. Fischer felt that after obtaining a job, a general contractor would ask subs what they really would do the job for.

Many bids are received which are administered by the construction manager through the Purchasing Agent.

Mr. Chuck Boos pointed out that with a general contractor, most towns think in terms of having a Clerk of the Works on the project as well. A construction manager would enable elimination of the cost of a Clerk of the Works, a substantial part of the construction manager's fee.

Mr. Parisi asked what the fee would be for a construction manager who would be assisted by an engineering staff, etc. Mr. Kaestle said the fee would be negotiated and he would have the same operating costs as a general manager--full time foreman on the job, backup staff in house processing drawings, requisitions, etc. Mr. Parisi could not see a big difference in the structure between a general contractor and a construction manager.

Mrs. Bergamini referred to the point made of a general contractor asking subs what the job could be done for after he obtained a contract and asked what precluded a construction manager from such a method of renegotiation behind the scenes. Mr. Boos indicated that a contract signed with a subcontractor indicates the final price for a fixed amount and a construction manager has no leverage to renegotiate that price. A general contractor has taken verbal bids and is free to shop the job.

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Mrs. Bergamini asked who would interview a construction manager and how the selection would be made. Mr. Kaestle would provide a list of suggestions and it would be determined by the lowest qualified bid.

Mr. Polanski asked which method, general contractor or construction manager, provided the most satisfaction. Mr. Boos said most municipalities and private developers are very happy with the process and essentially, it's the type of thing that has been done for years with a negotiated contract.

Mr. Boos said this is being suggested because there are construction professionals available to manage the project and the end result, in their experience, has always been a superior product. Mr. Polanski asked what the cost would be to the town and Mr. Boos indicated that would be negotiated after interviews. Mr. Fischer stated that the Council must waive the bidding process before any interviews can be conducted.

Mr. Krupp is very impressed by the construction manager or what he knows as the project manager concept but the only proposal he has seen to date leaves a very strong reservation in his mind and that is the percentage split of the savings. It was alluded that the contractor has a profit motive and Mr. Krupp contends that under these types of conditions, a construction manager also has a profit motive and the opportunity exists to work with selected subcontractors to provide substandard materials for substandard rate or in order to inflate that savings, therefore inflating the amount that the percentage represents to him. Mr. Krupp is willing to support the construction manager concept on proviso that any agreement between the committee and the construction manager would come back to the Council for approval before finalization. There is no way Mr. Krupp would agree to any type of an agreement that allows that percentage of savings split. Mr. Krupp referred to a document which is a proposal from C. F. Wooding which has that included. Mr. Kaestle indicated that was not standard practice with the people with whom they have dealt and agrees with Mr. Krupp 100% and questions the legality. Mrs. Bergamini asked what prompted that proposal which was delivered to the Council and Mr. Killen stated it was given to them at the request of the Police Station Building Committee. Mr. Fischer said that they were in error in sending the Council that proposal but it was sent because it was all they had to describe a construction manager.

Mr. Fischer stated that the signed, negotiated contract would come from the office of the Town Attorney. The five names given by Kaestle Boos are Associated Construction Company, Wethersfield Avenue, Hartford, CT, Bartlett-Brainard & Eacott, Inc., Bloomfield, ENF Construction Company, Bridgeport, Frank Downs Construction Co., New Britain and O & G Industries, Torrington. Mr. Parisi felt everyone should have a chance to pursue this and doesn't feel it should be by invitation. Mr. Fischer indicated it would go through the Purchasing Agent.

Mrs. Papale indicated that the Building Committee was in charge and this committee was appointed by the Council who has a great deal of respect for what they say and do and the Building Committee all voted for a construction manager. The committee did not like the way the construction manager was presented and Mr. Fischer said the only thing that would be voted for was a flat fee.

Mr. Killen said the document sent to the Council on 5/3/84 was sent as guide and after hearing the presentation tonight, there is a conflict. Mayor Dickinson asked the Council to keep in mind that the booklet they have does not dictate what it has to be. The contract between the town and the construction manager determines that and that contract must be negotiated and signed by either the Purchasing Agent or Mayor.

Mr. Parisi stated that the Council only has the document given to them to go by. Mr. Gessert said he could buy the construction manager concept as long as it comes back to the Council for approval. Mr. Kaestle said that what the Council received is contradictory to what Kaestle Boos would recommend.

Mr. Krupp moved to allow the Committee to investigate the construction manager concept and conduct interviews on proviso that no final contract is signed until it is brought back before this Council. Mr. Rys seconded the motion. (NO VOTE TAKEN)



Mr. Gessert suggested that the wording be "ask them to seek proposals and come back to the Council when they have one they want to accept for approval, obviously with the Mayor's and Town Attorney's." Mayor Dickinson indicated that adoption of this procedure now would slow up in any substantive way the whole project which is already behind time. Mr. Parisi asked if this would slow the project and Mr. Kaestle indicated it would not if they acted quickly and the Council acted quickly. Mr. Howard Marshall felt that the document presented to the Council did not give the proper explanation of a construction manager and this was explained to Mr. Dunleavy and the Mayor and the committee would interview many people before selection is determined such as was done with the architect selection.

Mr. Krupp moved authorizing waiving the normal bidding procedures authorizing the Police Station Building Committee to solicit proposals for selection of a construction manager and negotiate a contract with the final selection subject to the approval of the Council. Mr. Gessert seconded the motion.

Mr. Kaestle stated there is a standard AIA contract form for construction managers which could be forwarded to Attorney McManus to be used as a basis. Mr. Gessert wanted it understood that it would be approved by the Mayor and Town Attorney before coming to the Council.

Mr. Killen asked if the construction manager went out to bid and Mr. Boos said a proposal would be submitted when the interview was conducted. Professional services in general are not bid.

Vote: Council members Bergamini, Killen and Parisi voted no; Gessert, Krupp, Papale, Polanski and Rys voted aye; Diana was not present; motion duly carried.

Mr. Gessert moved to item (10) - Report on binding arbitration - Cafeteria Fund. Mr. Krupp pointed out that in looking over the contract and reflecting on observations made that going to arbitration causes heavy losses, this report seems to be a case in point for the fact that that argument no longer holds water. Mr. Seadale said it was hard to compare this with an award from other units because they work 36 weeks a year and average 29 hours a week.

Mrs. Bergamini pointed out that many fringe benefits are given to these workers in spite of the fact that they are part time and these costs are paid with taxpayers money. Mr. Killen agreed that full time employees should receive fringes but considered these excessive for part timers.

Mr. Seadale asked that item (24) be considered and a motion was duly made, seconded and carried and it was moved to this position.

Mr. Krupp moved acceptance of the job specifications for the position of Electrical Inspector and observed it was the most exact and best statement for experience and training he had seen. Mr. Rys seconded the motion.

Mr. Gessert asked if the former electrical inspector did not have job specs and Mr. Spiteri replied that he did and he also worked full time but was only hired for part time. Mr. Killen pointed out that "Supervision Exercised" is identical to "Supervision Received" and Mr. Seadale said he would change "Supervision Exercised" to read "none, except as designated."

Mr. Killen moved acceptance of the job specifications for the position of Electrical Inspector with the understanding that the correction will be forwarded as soon as possible. Mr. Polanski seconded the motion. (Mr. Krupp accepted this amendment.)

(Mr. Parisi left the meeting at this point and did not return.)

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Gessert read the 6/18/84 letter from Mr. Costello pertaining to the proposed elderly housing project on Martin Avenue and Mr. Costello distributed a map indicating the location of the proposed storm drain. Mr. Nelson explained that the off-site drainage design would connect with the on-site and the architect and engineer have assured him that this can be completed. Mr. Costello pointed out the storm drain route on the map.

Mr. Krupp moved the following resolution:

RESOLVED, the Town Council commits the sum of \$30,000 for the purpose of off-site draining and paving improvements for the elderly housing project on Simpson School grounds, provided that all pending legal appeals are settled. Mrs. Papale seconded the motion. 431

Mr. Gessert asked if this would have to go back to Planning and Zoning and Mayor Dickinson indicated it would and pointed out that from his standpoint, the town is not willing to spend any money until all legal problems have been settled and there is a total green light on this.

Mrs. Bergamini asked what the status was of the Bennett property and Mr. Costello stated he has plans in his files for an extension but is not sure of the present status but noted this will enhance that property.

Mr. Krupp stated that he made the motion because it involves the elderly but he is still not any happier with the site than he was a year ago.

Mr. Gessert commended the Engineering Department for their cooperation and applauded the Public Works Department for their willingness to help with this project.

Mr. Killen pointed out that Public Works Department has more than enough work for the coming year and the \$30,000 for this project is just for material and does not show the labor costs. There is also a concern that there will be more runoff to Wharton Brook, causing many complaints. Mr. Killen also pointed out that a letter was received by the Council asking the status of the ballfields which are now complete but there are parking problems at Moses Y. Beach and there will be numerous complaints about that. Mr. Killen is not happy about this situation.

Mr. Musso still feels that this project should be abandoned and the ballfields saved and proof provided that this project is needed.

Vote: Unanimous ayes with the exception of Mr. Killen who voted no; Messrs. Diana and Parisi not present; motion duly carried.

Mr. Gessert read the 6/6/84 letter from Charles L. Fields, Tax Collector regarding a transfer of \$77,866.48 to the Suspense Book.

Mrs. Bergamini moved the transfer of \$77,866.48 to the Suspense Book, seconded by Mr. Krupp.

Vote: Council members Bergamini, Gessert, Killen, Krupp and Polanski voted aye; Diana, Papale, Rys and Parisi were not present; motion duly carried.

Mr. Gessert read the 5/29/84 letter from John J. Horvath, President of The Wallingford Board of Independent Insurance Agents concerning increasing the Umbrella limit to \$20,000,000.

Mr. Polanski moved to increase the coverage on the Umbrella policy from \$10,000,000 to \$20,000,000, seconded by Mrs. Bergamini.

Mr. Krupp stated that the funds were appropriated six weeks ago for coverage and Mr. Mark Miller felt there would be sufficient funds. Mr. Krupp asked why it is felt that doubling the coverage is necessary and Mr. Miller felt that the \$4,500 premium for this coverage is reasonable. Mr. Gessert felt increased coverage was prudent in view of potential settlements and asked the Town Attorney if he agreed and the Town Attorney did agree. Mr. Killen asked why several companies declined to bid and Mr. Miller stated that most companies prefer not to write municipal business or do not want to get involved in a public bid situation. Aetna declined to bid because they felt the price the town already had was too low.

Vote: Council members Bergamini, Gessert, Killen, Papale and Polanski voted aye; Krupp voted no; Rys passed; Diana and Parisi were not present; motion duly carried.

730 Mr. Horvath indicated that The Wallingford Board of Independent Insurance Agents has not been appointed agent of record and Mayor Dickinson indicated that agent of record is almost a meaningless term as far as the town is concerned but the town has relied upon it over and over again and he is very concerned about doing it again because of the weighty problems confronted and Adam Mantzaris is looking into the situation. Mr. Krupp stated that these people are not at this time and have not been since 12/31/83 authorized agents of the Town of Wallingford and he requested the Town Attorney's office to prepare an ordinance or some coverage but was told it was still under negotiation. There is a concern about insurance coverage expiring on 6/30/84. There was some discussion about going into executive session to resolve this matter and Mayor Dickinson pointed out that the Charter requires the Purchasing Department to purchase the town's insurance and this is very clear in paragraph 7. The bid must be waived to have the purchase of insurance approved. The fact that the town appointed the Insurance Board agent of record for the town does not make the Board agents for the town, in the Mayor's opinion. There was a letter from the Attorney General which was responded to and the Mayor has had meetings with Adam Mantzaris and it has become clear to the Mayor that there has been no procedure.

Mr. Gessert expressed a concern that the matter be handled immediately to continue coverage beyond 6/30/84 and Mr. Krupp agreed some action was urgently needed. Mayor Dickinson has no intention of accepting liability and ending up with the situation Seymour, CT had and suggested that the coverage be bound over but Mr. Krupp was concerned about the time constraint involved should coverage not be bound. Mayor Dickinson felt that the Insurance Commissioner would not allow coverage to be dropped but Mr. Killen expressed concern about the resolution of the problem of continuing the policies. Mr. Gessert and Mrs. Bergamini agreed that a July 1 deadline is approaching and some action is urgently needed.

Mr. Killen moved to waive Rule V to discuss insurance coverage, seconded by Mr. Krupp.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved acceptance of the bid from CIGNA Corporation on the basis that it is the low bid for the insurance and authorize The Wallingford Board of Independent Insurance Agents to write this policy on behalf of the Town of Wallingford for the following amounts: General Liability \$160,286, Automobile \$66,400, Umbrella \$33,000, Town Equipment \$20,183 and VoAg Equipment \$960. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Horvath pointed out that companies were asked to bid for a three year period on these policies. Attorney McManus commented that the Attorney General's Office has recommended that municipalities use risk managers. Mayor Dickinson stated that the service rendered by the Wallingford Board has been excellent and the service they have rendered is to be applauded.

Mr. Rys moved an appropriation of \$550 from Unappropriated General Fund Balance to A/C 701-410, requested by Planning and Zoning. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana, Krupp and Parisi who were not present; motion duly carried.

Mr. Rys read the 6/20/84 letter from Alfred Bruno regarding MacKenzie Dam Construction Supervision. Present from Goldberg-Zoino & Associates were Steven J. Trettel, Senior Associate and William H. Hover, Senior Engineer.

Mrs. Bergamini moved to waive the bidding for construction supervision for the MacKenzie Dam Renovation Project, seconded by Mr. Polanski.

Mr. Polanski asked how many personnel would supervise this project and Mr. Bruno stated there would be one full time resident engineer on site and backup people in the office taking care of submission drawings, doing review and other functions. There is a day to day project manager one-quarter time, senior engineer one-eighth time and Mr. Trettel one-sixteenth time, reviewing the work. Mr. Polanski felt that a more detailed breakdown should have been presented to substantiate the \$155,000 requested for total field supervision.

Mr. Krupp asked how many personnel were represented by the \$81,600 and Mr. Trettel stated one resident engineer full time, one project engineer one-quarter time, one senior engineer one-tenth time and two dam consultants one-tenth time. Mr. Krupp commented that the \$81,600 would cover approximately one and one-half people for a five month period. Mr. Trettel pointed out that the dam consultants are specialists in grouting and relief well installation and their services are provided as a review board for dam safety, a highly complicated and technical process to grout relief wells. Mr. Krupp indicated that the annualized salary works out to about \$120,000 per person. Mr. Gessert pointed out that the general construction supervision salary is approximately \$2,000 per week. Mr. Trettel stated that the figures include overhead of the business and not strictly salaries. 433

Mrs. Bergamini asked Mr. Bruno why he asked the Council to waive the bid and he replied that there are not many people who can supervise the specialty contract portion and the general construction has some degree of specialty. The problem with going out to bid is should a problem arise, fingers are pointed at the designer, supervisor, constructor, etc. and it is difficult to pin down who is responsible and Mr. Bruno feels it makes sense to keep the design and construction supervision the responsibility of the same person for continuity and responsibility in the same arena. Mr. Bruno explained that the salary of the resident supervision must take into account the multiplier and this is not a strict salary figure. Mr. Bruno explained that the variable costs of \$10,500 may not all be needed but are to cover these items if necessary. Mr. Krupp feels that the price involved for a consultant for the specialty contract is exorbitant and works out to \$511 per day and he feels an independent consultant would be more reasonable.

Mr. Polanski asked if this amount was included in the ordinance adopted for the MacKenzie Dam renovation and Mr. Bruno stated it was included and also stated that 10% to 15% of the cost of a project for consulting fees is not abnormal and has been the routine cost for many projects in the past. Mr. Killen asked how long Goldberg-Zoino has been on board and Mr. Bruno stated 1-1/2 years and they were the second consultants hired after the approach to blanket the bottom proved unsatisfactory and they proposed the grouting method. Mr. Killen expressed concern about paying for expert work if it is not given and felt that the experts should have suggested the proper way to perform the work at the outset.

Vote: Council members Bergamini, Papale and Polanski voted aye; Gessert, Killen, Krupp and Rys voted no; Diana and Parisi were not present; motion did not carry.

Mr. Gessert noted that item (18) was withdrawn from the agenda.

A motion was duly made, seconded and carried and a transfer of \$900 from 201P-131 to 201P-428 was removed for the table.

Mr. Krupp moved a transfer of \$900 from 201P-131 to 201P-428, Police Department, seconded by Mr. Polanski. Mr. Krupp commented that the letter dated 6/15/84 still did not answer his question.

Mr. Killen asked if each man was given a specified amount for dry cleaning and Chief Bevan stated that each man was allowed to have so many garments cleaned on a monthly basis.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved to waive Rule V for the purpose of considering a transfer to purchase an additional police cruiser. Mr. Rys seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved a transfer of \$10,266 from 201P-131 to 301P-Capital for the purchase of an additional cruiser to be used for patrol. Mr. Rys seconded the motion.

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Mr. Killen asked why this was before the Council at this time and Mr. Gessert said that the committee felt it was wise. Chief Bevan asked for consideration of two cars with one going to A & I unit. Mr. Gessert felt that the Council would not wish to consider more than one at this time.

Vote: Unanimous ayes with the exception of Bergamini and Killen who voted no; Messrs. Diana and Parisi were not present; motion duly carried.

Mr. Krupp moved a transfer of \$6,000 from 503-130 to 508-646, \$2,000 from 505-130 to 508-646, \$8,900 from Unappropriated General Fund Balance to 508-646, \$70 from 503-300 to 201T-300, \$600 from 521-524 to 520-201, \$300 from 511-540 to 511-201, \$50 from 511-524 to 511-201 and \$1,000 from 514-201 to 503-510, Public Works Department. Mrs. Bergamini seconded the motion.

Mr. Killen questioned a transfer of \$70 from 503-300 to 201T-300 and Mr. Deak stated he signed the transfer because Chief Bevan was not here when the transfer was prepared for the agenda. Mr. Killen felt that this transfer should have been anticipated before this late date. Mr. Killen also indicated that the December printout showed \$20,842 for fuel at Robert Earley School and feels the figures should reflect the actual expenditures as they are incurred since this amount had not been spent on fuel at that point.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Killen asked that the Council pause for a moment of respectful silence for the late Electrical Inspector, Stanley Kolodziej.

Mr. Rys moved to waive Rule V to discuss the J & J janitorial contract, seconded by Mr. Krupp.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved a transfer of \$2,584 from 805-326 as follows: \$108 to 502-629, \$108 to 503-629, \$54 to 505-629, \$1,182 to 509-629, \$351 to 510-629, \$54 to 511-629, \$108 to 512-629 and \$619 to 514-629, transfers to cover the additional expenditures involved in the J & J Custodial Service contract. Mrs. Papale seconded the motion. (MOTION WITHDRAWN.)

Mr. Rys said the Council negotiating committee met with Mr. Kosar and Mr. Dunleavy and a 5.5% increase was requested by Mr. Kosar but a 4.5% increase was agreed upon for a 3 year contract for a total of 13.5% for the 3 years. Mr. Deak indicated that a purchase order could not be issued without the funding in place. Mayor Dickinson pointed out that there was no signed contract and suggested approval contingent upon signing of the contract. There was some discussion about these funds being available in 805-326 and the fact that these transfers were for fiscal year 1984-85 and Mr. Krupp withdrew his motion and Mr. Rys withdrew his second.

Mrs. Bergamini moved to table until July 10, 1984 a transfer of \$2,584 from 805-326 to various accounts as indicated above pending the signing of a contract with J & J Custodial Service prior to 7/1/84 to perform the work as outlined in the bid specifications. Mr. Polanski seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved a transfer of \$50,000 from 555 and \$12,000 from 923-2, total of \$62,000 to 501, \$8,000 from 923-2 to 505-2, \$12,000 from 923-2 to 512-2, \$4,400 from Retained Earnings to 392, \$8,500 from 921 to 586, \$13,000 from 920-2 to 926 and \$1,500 from 592 to 585, a budget amendment of \$500,000 to 442-3 and \$500,000 to 555 and a transfer of \$191 from 506-2 to 505-4, \$200 from 408-1 to 408 and a transfer of \$2,271 from 923-2 to 904. Mrs. Bergamini seconded the motion.

Mr. Polanski asked if the auto accident was the meter reader's fault and Mr. Walters indicated it was. Mr. Killen indicated that the \$500,000 budget amendment should have preceded the other transfers within this group since other transfers were dependent upon approval of this.

Mr. Rys indicated that the Chevette should cost about \$5,900 and Mr. Walters stated that the cost is not obtained with the bid process. Mrs. Bergamini recommended rejecting the bid in instances where a lower price can be obtained without a bid. Mr. Krupp asked the Mayor if in fact dealers are charging the town more for the car than the sticker price if we can investigate whether there is a violation of the Robinson Packman Act involved in that and this is against federal law. It is illegal to charge more than the given list price under a bid situation and this should be investigated. 435

Vote: Unanimous ayes with the exception of Diana, Papale and Parisi who were not present; motion duly carried.

Mr. Krupp moved to waive Rule V to consider a transfer of \$858 requested by Raymond F. Smith, Director of Utilities. This motion was seconded by Mrs. Bergamini.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved the transfer of \$858 from A/C 1-807-135-00 to A/C 1-807-110-00. Mr. Rys seconded the motion.

Mayor Dickinson pointed out that Ray Smith has a contract which specifies an annual salary which is paid on a calendar year basis and as the result of 27 weeks in the first half of this fiscal year, the second half is short for the second half of this fiscal year. Mr. Killen stated that an amount is allocated for an annual salary and the Mayor indicated it was probably broken down incorrectly. Mr. Polanski asked if the full amount of the contract was paid or if this \$858 resulted in an extra week's pay and the Mayor said his W-2 showed exactly the amount contracted and would not result in an extra week's pay. Mr. Krupp pointed out that in the future, a transfer of this nature should be initiated by a PUC Commissioner rather than by the person whose salary is being affected. Mayor Dickinson stated that this is a budget item and not a PUC item and the PUC has no control over this.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved to note for the record the financial statements of the Electric, Water and Sewer Divisions for the month ending 5/31/84. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mrs. Papale moved an appropriation of \$3,952 from 805-326 to 309-135, requested by the Veterans Center Director. Mr. Rys seconded the motion.

Mr. Burns explained that the funding is necessary now to hire a part time person in July. Mr. Krupp verified that the funds were put into contingency during budget workshops.

Vote: Unanimous ayes with the exception of Mr. Gessert who voted no and Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved an appropriation of \$1,100 from 805-326 to 309-120, requested by the Veterans Center Director. Mr. Rys seconded the motion.

Vote: Unanimous ayes with the exception of Mr. Gessert who voted no and Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Gessert read the letter from Alfred J. Cei, Jr. requesting reimbursement of dump fees to A. J. Carting Company in the amount of \$3,421.60 and Mr. Krupp pointed out that there is no formal transfer request attached. Mr. Cei stated this was done by approval of the Council in the past and this must be done by 6/30. Mr. Killen pointed out that A/C 506-890 has a zero balance.

Mr. Krupp asked how exactly the same number of pounds is collected for ten months and Mr. Cei explained that the truck is weighed empty in the summer and filled at each school and then taken back to the scales and weighed again and an average weight is used. Mr. Krupp asked what assurance they had that the pickups included all school trash exclusively. Mr. Cei said that reimbursement is made only for the established, known average load of which they have proof.

4.36 Mr. Krupp moved the amendment of the expenditure budget by establishing an appropriation of A/C 506-890 in the amount of \$3,422 from the Unappropriated General Fund Balance. (WITHDRAWN)

Mr. Killen objected to violation of rules and changing of rules while trying to make a rational decision. Mayor Dickinson suggested placing the item on the next agenda and Mr. Cei stated that the bill must be paid by the end of this fiscal year.

Mr. Krupp withdrew his motion because the point Mr. Killen raised is a good one and since this is past practice, it should have been included in the budget proceedings. Mr. Cei felt it would be automatic for the duration of the three year contract. Several members of the Council felt this matter should have been presented earlier than the 6/26/84 meeting.

Mayor Dickinson suggested transferring money into A/C 506-890 to encumber the funds and try to get an answer for the next Council meeting. The Mayor would like Mr. Deak to be available for discussion on the matter.

Mr. Polanski noted that the reimbursement for fiscal year 1982-83 amounted to approximately \$3,000 and for fiscal year 1983-84 totals \$3,421.60 and asked how the trash increased with the closing of two schools. Mr. Cei said that before the scales were put into the dump, the determination was made by load size or cubic yard contents. The difference is not in the amount of rubbish but in the way of accounting and charging for it.

Mr. Krupp raised the question of protocol of going through the department head whose budget is being affected and the proper procedure in the future would be to have Mr. Cei arrange the necessary transfer.

Mr. Krupp moved to transfer \$3,422 from Unappropriated General Fund Balance to A/C 506-890. Mr. Rys seconded the motion.

Mr. Killen asked if Mr. Cei received a monthly invoice from the trucking firm of what is paid to the town and Mr. Cei stated he was not invoiced for dump fees but was invoiced for pickup of refuse. Mr. Killen pointed out that invoicing the town for dump fees paid for by the contractor for school refuse is part of the bid specs. Mr. Rivers indicated that either the Comptroller or Mr. Deak should have picked this up somewhere along the line. Mr. Krupp suggested that Mr. Cei request Mr. Deak to immediately appropriate funds into that account for fiscal year 1984-85.

Vote: Council members Bergamini, Gessert, Killen and Polanski voted no; Krupp, Papale and Rys voted aye; Diana and Parisi were not present; motion did not carry.

Mr. Krupp moved the establishment of a new line item A/C 132-161 Retirement Sick Leave, requested by the Town Attorney. Mr. Killen seconded the motion.

Mr. Gessert noted for the record he is voting against this because he thinks sick leave is for actual sickness and is not a retirement bonus.

Mrs. Bergamini asked what the balance was in the Unappropriated General Fund Balance and Mrs. Howard would not have the balance until the books were closed. Mr. Killen requested this figure on a monthly basis and Mrs. Howard said that could not be obtained without closing the books every month but of the \$430,000 in June of 1983, \$256,000 has been used.

Vote: Council members Killen, Krupp, Papale and Polanski voted aye; Bergamini, Gessert and Rys voted no; Diana and Parisi were not present; motion did not carry.\*

\*Mrs. Bergamini changed her vote to a yes on page 20 and the motion to establish A/C 132-161 carried.

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Attorney McManus pointed out that this is a contract right and the Mayor said that the Council's action will only send very negative vibes throughout the employees who are entitled to this. Mrs. Bergamini agreed to change her no vote to yes on the condition that Attorney McManus tell the Council how this can be stopped. The contracts don't come to the Council until it is time for approval when it is too late for change. Profit making organizations do not provide the benefits provided town employees with the taxpayers money. Between bonding and raising the taxes, the town will drown for the fringe benefits.

Mrs. Bergamini moved an appropriation of \$6,381 from Unappropriated General Fund Balance to A/C 132-161 Retirement Sick Leave, requested by the Town Attorney. Mr. Krupp seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Gessert and Rys who voted no and Messrs. Diana and Parisi who were not present; motion duly carried.

Mrs. Papale moved to waive Rule V to consider an appropriation of \$7,982 for retirement sick leave for the former Town Clerk. The motion was seconded by Mr. Krupp.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mrs. Papale read Attorney McManus' 6/26/84 letter pertaining to this matter and Mrs. Bergamini referred to the last sentence and asked where the verification was that 90 days unused sick leave was accumulated. Mayor Dickinson stated that Mrs. Massoni's back injury was work related and she was paid under workers' comp and sick leave was not used. Mr. Killen felt that this matter should not be handled under waiver of Rule V and expressed concern about this becoming a precedent. Mayor Dickinson pointed out that she was originally a town employee and she was led to believe by other town employees that she was entitled to this and Mr. Killen felt the Town Attorney should be solicited for an opinion on such matters rather than other town employees. Mr. Killen felt that this matter is important to the town and should not be discussed at 12:30 a.m. under waiver of Rule V. Mr. Krupp supports Bert's idea of considering this at the next meeting but not for the same reason. Mr. Krupp would like documentation representing the fact that payment was made under workmen's compensation because he understood that salary continued to be drawn.

Mrs. Papale moved an appropriation of \$7,982 from Unappropriated General Fund Balance to A/C 603-161 for retirement sick leave for the former Town Clerk. (NO SECOND)

Mr. Krupp moved to table appropriation of \$7,982 for retirement sick leave for former Town Clerk until meeting of July 10, 1984. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved a transfer of \$880 from 603-130 to 603-410, requested by the Town Clerk. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved a transfer of \$300 from 140-140 to 140-570, requested by the Comptroller. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Krupp moved the approval of the following merit increases: Carol J. Howard, effective 5/26/84, \$324, Eva Lamothe, effective 5/8/84, \$162, Jack K. McElfish, effective 6/8/84, \$120, Wendy Kudzma, effective 7/1/84, \$745, John Bruce, effective 7/1/84, \$1,273, Raymond A. Denison, effective 6/20/84, \$1,273 and Salvatore Sandillo, effective 7/1/84, \$862. Mr. Rys seconded the motion.

Vote: Council members Bergamini, Gessert, Killen, Krupp and Rys voted aye; all others were absent for the vote; motion duly carried.



437 Mr. Krupp noted for the record the Ordinance Committee minutes of 6/6/84, seconded by Mrs. Bergamini.

Vote: Council members Bergamini, Gessert, Killen, Krupp and Rys voted aye; all others were absent for the vote; motion duly carried.

A motion was duly made, seconded and carried and AN ORDINANCE AMENDING ORDINANCE #294 ESTABLISHING A "CODE OF ETHICS" FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD removed from the table.

Mr. Krupp moved to set a public hearing on July 10, 1984 at 8:30 p.m. ON AN ORDINANCE AMENDING ORDINANCE #294 ESTABLISHING A "CODE OF ETHICS" FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD. Mrs. Bergamini seconded the motion.

Vote: Council members Bergamini, Gessert, Killen, Krupp and Rys voted aye; all others were absent for the vote; motion duly carried.

Mrs. Bergamini moved to set a public hearing on July 10, 1984 at 7:45 p.m. on AN ORDINANCE CONCERNING THE REGULATION OF FIRE, BURGLAR, HOLD-UP, AND AUTOMATIC TELEPHONE DIALER ALARMS WITHIN THE TOWN OF WALLINGFORD. Mr. Krupp seconded the motion.

Vote: Council members Bergamini, Gessert, Killen, Krupp and Rys voted aye; all others were absent for the vote; motion duly carried.

Mr. Krupp moved to set a public hearing on July 10, 1984 at 8:45 p.m. on AN ORDINANCE PROVIDING FOR THE DEMOLITION OF HAZARDOUS BUILDINGS. Mrs. Bergamini seconded the motion.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mr. Killen moved acceptance of Town Council meeting minutes of 5/22/84 and 6/12/84, seconded by Mrs. Papale.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Mrs. Bergamini moved to table discussion of Council Rules of Procedure, seconded by Mr. Polanski.

Vote: Unanimous ayes with the exception of Messrs. Diana and Parisi who were not present; motion duly carried.

Items 36 and 37 were withdrawn from the agenda.


Mr. Gessert noted for the record a letter dated 6/14/84 from David B. Burghardt.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 12:40 a.m.

Delores B. Fetta  
Council Secretary

Approved

  
Robert F. Parisi, Council Chairman

  
David A. Gessert, Vice Chairman

July 10, 1984

  
Rosemary A. Rascati, Town Clerk

July 10, 1984

RESOLUTION

WHEREAS, pursuant to Public Act 82-469, the State of Connecticut has provided tax incentives for Connecticut businesses that donate to Community programs under certain circumstances; and

WHEREAS, it is required under Public Act 82-469 that any municipality desiring to obtain benefits under the provisions of this Act shall, after holding at least one public hearing and after approval of the legislative bodies, submit to the Commissioner of Revenue Services a list of programs eligible for investment by business firms under the provisions of this Act; and

WHEREAS, it is desirable and in the best interest that the Town of Wallingford submit such a list to the State of Connecticut.

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

1. That after holding a public hearing on the list required under Section 2 of Public Act 82-469, the Town Council of the Town of Wallingford hereby approves the attached list entitled: Summary List of Neighborhood Assistance Programs, June 4, 1984.
2. That the Mayor of the Town of Wallingford is hereby authorized and directed to submit to the Commissioner of Revenue Services the approved list of programs eligible for investment by business firms and to provide such additional information; to execute such other documents as may be required by the Commissioner; to accept on behalf of the Town any funds available for those municipal programs on the list; to execute any amendments, recisions, and revisions thereto; and to act as the authorized representative of the Town of Wallingford.

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SUMMARY LIST OF NEIGHBORHOOD ASSISTANCE PROGRAMS  
JUNE 4, 1984

| <u>TITLE</u>   | <u>AGENCY</u>                                  | <u>AMOUNT</u> |
|--|--|---------------|
| Rehabilitation of building and grounds                                       | Boys & Girls Club of Wallingford               | \$28,000      |
| Energy Conservation Renovations  | Boys & Girls Club of Wallingford               | 22,500        |
| Day Care Playground Renovation   | Wallingford Community Day Care                 | 3,000         |
| Before/After School Day Care   | Wallingford Community Day Care                 | 9,200         |
| Infant/Toddler Day Care Subsidy  | Wallingford Community Day Care                 | 24,000        |
| Counseling For At Risk Teenagers   | Family Service Assn. of Central CT, Inc.       | 10,000        |
| Respite Care For Elderly   | Family Service Assn. of Central CT, Inc.       | 9,170         |
| Adult Day Care Center  | Family Service Assn. of Central CT, Inc.       | 15,000        |
| Client Transportation  | Meriden-Wallingford Battered Women's Shelter   | 9,000         |
| Senior Citizen Center Workshop Improvement                                   | Wallingford Committee on Aging                 | 7,100         |
| Respite Care Program   | Visiting Nurse Assn. of Wallingford            | 12,000        |
| Energy Conservation in Non-Profit Buildings                                  | Wallingford Auditing Technical Team (W.A.T.T.) | 27,876        |
| Energy Audits of Elderly Housing Projects                                    | W.A.T.T.                                       | 12,355        |
| Purchase of equipment for a new Women's Health and Fitness Center            | Wallingford Family YMCA                        | 8,200         |
| Insulation of Nursery School   | Wallingford Family YMCA                        | 35,000        |
| Purchase of a Portable Back-stop   | Wallingford Family YMCA                        | 1,980         |
| Purchase of IBM PC Computer  | Wallingford Family YMCA                        | 7,079         |
| Vocational Rehabilitation Services for the Severely Psychiatrically Disabled | Community Provider Consortium, Inc.            | \$29,890      |
| Support Group for Parents of Handicapped Youngsters                          | Child Guidance Clinic                          | 13,000        |
| Parent Aide Services for Unemployed Families                                 | Child Guidance Clinic                          | 11,400        |

Town Council Meeting

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July 5, 1984

7:00 p.m.

A special Town Council meeting was held in Council Chambers on this date for the purpose of reconsideration of waiver of bidding for construction supervision for MacKenzie Dam Renovation Project and a transfer of \$1,900 to cover emergency repairs to air conditioner in Municipal Building. The meeting was called to order at 7:00 p.m. by Chairman Parisi. Answering present to the roll called by Rosemary Rascati, Town Clerk, were Council members Bergamini, Diana, Killen, Krupp, Parisi, Polanski and Rys. Mr. Parisi noted for the record that Mr. Gessert and Mrs. Papale were on vacation. Also present were Mayor Dickinson, Thomas A. Myers, Comptroller and Town Attorney Vincent T. McManus, Jr. The pledge of allegiance was given to the flag. Mr. Krupp acted as Vice Chairman in the absence of Mr. Gessert.

Mr. Krupp moved the transfer of \$1,900 from A/C 504-140 to A/C 509-521, Public Works. Mr. Diana seconded the motion.

Mr. Killen indicated that \$400 had been transferred recently for airconditioner repairs and Mr. Myers stated that amount was for startup maintenance, a routine at the beginning of the season. Mr. Killen asked why this transfer was not made from the building maintenance account rather than from snow removal and Mr. Cassella indicated they preferred to use this account right now. Mr. Krupp pointed out that if the repairs exceeded \$2,000, it must go out to bid and Mr. Cassella said he was assured it would not.

Vote: Council members Bergamini, Diana, Krupp, Parisi, Polanski and Rys voted aye; Councilman Killen voted no; motion duly carried.

Mr. Parisi asked the PUC Commissioners and Mr. Alfred Bruno and Mr. Raymond Smith forward to answer questions regarding the waiver of bidding for construction supervision for MacKenzie Dam Renovation Project. Mr. Killen pointed out that this matter has been before the Council before and there was no indication made then to have the matter brought up again. Mr. Krupp stated that he asked for the matter to be reconsidered since his vote was negative.

Mr. Krupp moved to reconsider waiver of bidding for construction supervision for MacKenzie Dam Renovation Project; to designate such supervision to Goldberg-Zoino & Associates. Mr. Rys seconded the motion.

Mr. Krupp appreciated the detailed breakdown of costs by GZA but views this industry as non-capital intensive and basically an engineering type and the overhead costs of 104.4% raises some serious questions. He asked for an explanation of the degree of capital intensity GZA has.

Mr. Hover of GZA stated that the overhead is quite high because the product is planned documents and reports and requires a lot of support staff. The resident engineer will file a daily field report, in depth and detailed. Construction will be monitored and field testing done. Mr. Krupp stated that basically this is a G & A type of expense to which Mr. Hover agreed and Mr. Krupp indicated that G & A percentage is normally considered to be in the range of 25% to 35% and the 104% causes question in his mind in an industry that is basically a service industry. Mr. Hover stated the objective is for a 10% profit and direct costs are not marked up at all. Mr. Krupp wondered if some of the profit is built into the 104%. He further pointed out that it continues to average \$1,461 per man week for Contract 1 and \$1,824 per man week for contract 2, just for labor costs and including the overhead and profit. Mr. Hover indicated that this includes the mark-up and all of the multipliers. Under Contract 1, the average hourly rate of engineering labor is \$36.53 and Contract 2 is \$52.00 per hour. Contract 2 requires a higher level of technical staff for the specialty work.

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Mr. Polanski noted that employee fringe benefits are listed at \$6,228 and the charge under Contract 1 is doubled and Mr. Bruno indicated this is strictly a multiplier to cover known costs. Mr. Hover stated this is not just benefits but all of the other costs that go into running an engineering business, such as support people like secretaries and technicians who are not direct billed. Mr. Polanski questioned the overhead costs including the cost of employee fringe benefits. Mr. Parisi stated he felt the company has been quite fair with this presentation. Mr. Hover said the man hours are only estimated and the final costs will be based on what is expended and if things go smoothly, all these man hours may not be necessary. GZA also has other jobs in this area and may be able to have a man covering two jobs at once.

Mr. Killen indicated that without going out to bid, he has no idea of what the overhead costs would be for another company. Mr. Bruno stated that Fuss & O'Neill is working on the Carpenter Avenue tank now and they applied an overhead of 1.7 to their direct salaries, mileage is 22¢ and profit is 10%. Bienstock & Lucchesi uses a multiplier of approximately 1.6. Mr. Bruno feels that these rates are very reasonable and he does not feel that going out to bid is the way this type of a construction program should be approached. GZA has done an in-depth design and are expected to stand behind that design and to put another consulting firm between the designer and the contractor is just looking for trouble on our part and would not be to the Town's advantage. The only way to be sure the design is properly implemented is to have GZA there on a day to day basis and their numbers are reasonable. Mr. Bruno does not see what would be gained by putting this out to bid. Mr. Killen stated that the only thing ever gained by going out to bid is the fact that somebody may come in lower. Mr. Bruno pointed out that the matter of continuity is a major consideration in this project.

Mr. Killen suggested that the Council should have been made aware of the fact that GZA would do the construction supervision and that should have been part and parcel of the entire picture when it was first approached and not two separate entities. GZA is overseeing and judging their own work and in Mr. Killen's opinion, this is not always the best approach.

Mr. Kovacs stated that Goldberg-Zoino & Associates have worked very hard on this project and have been extremely cooperative and he pointed out that we are not bidding for police cars or fire trucks but are bidding on a very, very important project. Should this go out to bid and \$20,000 is saved and something happens and goes wrong on the project, nothing is saved because the PUC Commission would come back to the Council and the Council would ask where the fault lied. In fact, going out to bid may cost more but working with GZA for a year and one-half, staff and the Commission has faith in their decision and more important, should there be a problem with the design, it is easy to point a finger. The Council has every right to question the amount but should something happen, you can point a finger to the designer and ask that it be paid for.

Mr. Diana agreed that there is no guarantee that money could be saved by going out to bid and a price tag should also be put on the value of having a firm supervise who is most aware of the design, an important consideration which leads him to favor this.

Mr. Polanski suggested that in the future, the design and supervision should be presented together. Mr. Parisi felt that this approach would be desirable in an effort to provide continuity. Mr. Krupp thanked Mr. Bruno for the cost breakdown and requested that in the future, all bids received for such projects for engineering costs to include as a separate line item what the supervision costs would be for that project. It would help the Council to know what phase two is going to cost while they are studying the costs of phase one. Mr. Bruno indicated this approach was used in the past and would be no problem.

Mr. Killen stated that the discussion tonight centered around being able to point a finger. When this project did not come in at the price anticipated, a finger could be pointed but that did not do any good and the project still came in at double the price. Mr. Bruno stated there were two consultants involved and that was part of the problem. Mr. Killen reiterated that this firm should have indicated that they could not live with the figure presented and it must be brought up to date and this is what they are being paid for. 443

Vote: Council members Bergamini, Diana, Krupp, Parisi, Polanski and Rys voted aye; Councilman Killen voted no; motion duly carried.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 8:20 p.m.

Delores B. Fetta  
Council Secretary

Approved Robert F. Parisi  
Robert F. Parisi, Council Chairman

August 14, 1984

Rosemary A. Rascati  
Rosemary A. Rascati, Town Clerk

August 14, 1984

Signed by  
Acting Chairman  
David A. Messert  
due to resignation  
of Robert F. Parisi  
on August 10, 1984