

Summary of Town Council Minutes

March 27, 1984

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Town Council Meeting

March 27, 1984

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

Answering present to the roll called by Rosemary A. Rascati, Town Clerk, were Council members Bergamini, Diana, Gessert, Killen, Krupp, Papale, Parisi, Polanski and Rys. Mayor Dickinson was also present. The pledge of allegiance was given to the flag and Rev. Steve Baker of Heritage Baptist Church led the meeting with a prayer.

Public Question & Answer Period

Mr. Edward Musso, 56 Dibble Edge Road commented on the apartments the Housing Authority was going to build for the elderly and wanted to know if it is simply a want for them or truly a need for them. He felt Wallingford residents should have priority for this type of housing rather than out of town people.

Mr. Musso also commented on the Board of Education hiring a consultant instead of relying on the administration to study matters. He also recommended contacting State legislators regarding mandated L-D programs and asking the State to fund these programs.

Mr. George Soltesz, 7 Russell Street stated that the bridge on East Main Street and Old Durham Road is in very poor condition and the entire road in that area needs to be repaved. He stated that \$50,000 was appropriated for the repair of Clintonville Road and East Main Street and perhaps some of that money could be used in this area.

The Public Question & Answer Period ended at 7:45 p.m.

Mr. Krupp moved approval of an additional 10 day sick leave to Welfare Caseworker Patricia Wiedenmann, such leave to be repaid under the pay back procedure. Mrs. Bergamini seconded the motion.

Mr. Killen asked how the pay back procedure works and stated it would be helpful to include the form agreeing to the pay back with the request.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read the March 5, 1984 letter from Donald Roe, Director, Wallingford Youth Service Bureau concerning an application for Youth Service Bureau funding for FY 1984/85 and Resolution attached thereto.

Mr. Gessert moved adoption of the following Resolution:

CERTIFIED RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD
FOR A YOUTH SERVICE BUREAU GRANT

WHEREAS, in compliance with Sec. 17-443 of the Connecticut General Statutes as amended, the State Department of Children and Youth Services is expected to offer the Town of Wallingford a grant for Fiscal Year 1984-1985 for purposes of operating the administrative unit and service program of the Wallingford Youth Service Bureau, and

WHEREAS, it is desirable and the best interest of the residents of Wallingford to accept said grant;

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 Section 17-443.
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 \$25,000 is hereby approved, and that the Mayor of the Town of Wallingford is hereby authorized and directed to execute and file such application with the Department of Children and Youth Services, to provide such additional information, to execute such other documents as may be required by the Department, 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 motion.

Mr. Polanski asked Mr. Roe the total cost of the program and Mr. Roe stated we received about \$20,326 from the State currently and add to that about \$55,000 of general revenue sharing dollars.

Mr. Krupp asked what the cost was to the Wallingford taxpayers and Mr. Roe stated it was about \$50,000 to \$55,000, total budget, and the Town must fund a minimum of 50%.

Mr. Killen: This particular money is earmarked for youth who have been in some form of trouble, correct or incorrect?

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Mr. Roe: Historically, the development of Youth Service Bureau goes back to 1967 when the original model started. Our State picked up on it during the late 60's and early 70's to divert youth from juvenile court and juvenile institutions. That has been and still is a guiding principle in the nation and in other states, there are approximately 600,000 children incarcerated. There is a serious question as to (a) whether or not it is needed and (b) the expense involved. Long Lane costs in excess of \$50,000 per year, per child.

Diversion was the buzzword then but the current buzzword is prevention and most Youth Service Bureaus are moving in the direction of programs oriented toward the population at large and younger kids.

Mr. Killen: Is this program aimed at those who have already been in trouble?

Mr. Roe: We run the Host Home Program for kids who have run away. Another program we contract for is Big Brothers/Big Sisters to match kids with adult volunteers. Another program is our job hunt program. I'd be happy to come back in April for a more detailed discussion about the programs. The job bank program is open to all kids 14 and above.

Mr. Roe will return to the Council at a later date to give a more detailed presentation to the Council about various programs.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert read the letter dated March 21, 1984 from Mayor Dickinson regarding the bequest of Helen C. Prageman to be used for the general upkeep of Prageman Park as long as said park is designated as Prageman Park.

Mr. Krupp moved acceptance of the bequest of Helen C. Prageman and expressed gratitude for her generosity to the Town. This motion was seconded by Mrs. Bergamini.

Mr. Killen expressed a concern that the income from this bequest be used specifically in relation to Prageman Park and Mr. Myers stated that no funds have been expended to date but all monies would be accounted for and the specific purpose for which they were expended, under Generally Accepted Accounting Principles.

Mayor Dickinson stated there is separate trust account for this and monies would not be spent without vouchers relating to the park upkeep and the Comptroller's Office would not pay out the money without these vouchers specifically indicating Prageman Park expenditures. At the request of the Council, Mayor Dickinson will send a letter of appreciation to the family of Helen C. Prageman.

Mr. Krupp raised the point about the fact that there has been mention of resurfacing and reseeding at Prageman Park and he is in agreement with the concerns raised by Mr. Killen and would like to see a report come from the Comptroller's Office indicating the disbursement of funds at Prageman Park which report should be submitted to the Council on a regular basis.

Mr. Myers will be happy to submit such a report to the Council.

Mr. Killen stated that the Town Attorney's Office must look this over and be sure it is being handled correctly. He noted that a letter was received which was dated March 10, 1983 from Attorney Robert M. Luby regarding the Last Will and Testament of Helen C. Prageman and a letter was sent to former Mayor Rocco Vumbaco from Town Attorney Brian Farrell on April 21, 1983 and there was a significant lapse of time before this matter was presented to the Council.

A suggestion was made that the Mayor receive a plan from the Recreation Department detailing plans for Prageman Park.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read the March 21, 1984 letter from Mayor Dickinson concerning the funding of the Pond Hill Pump Station sewer project and the proposal arrived at after meetings with the Public Utilities Director, Sewer Division Manager and Comptroller.

Mrs. Bergamini moved to accept the funding formula as described from the Public Utilities Commission, seconded by Mr. Polanski.

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Pond Hill Pump Station (Sewer)
Funding Worksheet

3/19/84

The following calculations are estimates based on information available on 3/19/84.

COST:

Construction	\$	510,000.
Engineering		100,000.
Administrative (Bonding Costs, Interest)		135,000.
Contingency		40,000.
Total	\$	<u>785,000.</u>

GOVERNMENT CONTRIBUTION:

Construction Cost (Eligible)	\$	510,000.
Engineering Cost (Eligible)		100,000.
Total		610,000.
Contribution Rate		<u>55%</u>
Total Contribution	\$	<u>335,000.</u>

BONDING REQUIRED:

Cost	\$	785,000.
Government Contribution		(335,000.)
Total Bonding	\$	<u>450,000.</u>

DEPRECIATION:

\$785,000.00 for 20 year life =	\$	<u>39,250.</u>
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BOND PRINCIPAL PAYMENT:

Calculated to maximize the use of depreciation to fund principal payments.

Total Bond	\$ 450,000.	= 11.46 yrs.
Annual Depreciation	39,250	

Use 12 years

Total Bond	\$ 450,000.	=	\$ 37,500.
Term	12 yrs		

INTEREST PAYMENTS:

(Estimated @ 9%)

1st year	(\$450,000 x 9%) =	\$ 40,500
10th year	(\$112,500 x 9%) =	10,125
Total Years 1 - 10		<u>\$ 253,125</u>
11th year	(\$75,000 x 9%) =	\$ 6,750
12th year	(\$35,000 x 9%) =	3,375
Total Years 11 & 12		<u>\$ 10,125</u>
Total Interest		<u>\$ 263,250</u>

Staff recommends:

- A. Bonding for 12 years
- B. Sewer Division pay all bond principal payments
- C. Town pay all bond interest payments thru the 10th year.
- D. Sewer Division pay bond interest payments for 11th & 12th years.

IMPACT ON RATE:

Estimated Additional Revenue Required for F.Y. 1986/87	\$ 39,250.00	
		= 3.6% Increase
Estimated Revenue for F.Y. 1986/87	\$ 1,107,100.00	

TOWN/SEWER DIV. RATIO:

Sewer Div. Principal Payments	\$ 450,000	
Sewer Div. Interest Payments	10,125	
Total Sewer	\$ 460,125	64.5%
Town Interest Payments	253,125	35.5%
Total	\$ 713,250	<u>100.0%</u>

Mr. Krupp: I am going to bring up the question of ratepayer vs. taxpayer. I have an item on this agenda on the same topic pertaining to the Levitsky & Berney audit report attached to the December 27, 1983 Town Council Meeting Minutes. I don't argue that Levitsky & Berney's observation is technically incorrect because they are the professionals in this area and I am not.

One looks at a question of whether an individual in this community is better off paying this as a ratepayer or a taxpayer. The initial reaction might be that it really doesn't make that much difference because it's a dollar one way or a dollar the other. That is not really the case because to the ratepayer, a dollar spent is a dollar gone. To the taxpayer, a dollar spent is x¢ of that dollar because the amount which is paid on real estate taxes is deductible on the federal income tax, based on itemized deductions. Therefore, that individual in a 25% tax bracket is only paying 75¢ of each dollar that goes into it. I am sure there are many counter arguments to this but I offer that viewpoint.

I am also going to offer one other thing on this that I would like to see and my understanding is this in the past has not been necessarily practiced on major projects in the Sewer Division and that is the establishment of a budget for that particular project delineating the expected expenses for any individual elements, such as we receive for major Town projects. The Library is a good example with estimated costs for engineering fees, bonding costs for initial construction, etc. all broken out into separate elements and the total expenditures for that project tracked like individual line items. I think this is a significant enough expenditure that it warrants that type of attention.

Mr. Nunn: I believe we track expenditures currently and Mr. Bruno will elaborate on that.

Mr. Bruno: All our major projects are tracked at monthly finance meetings which is part of the financial report submitted to the Council through the Comptroller's Office. These are broken into individual expenditures by elements of the projects. This was worked out at the Comptroller's Office about a year and one-half or two years ago.

Mr. Polanski: What will be the increased cost to the average user?

Mr. Bruno: We estimate that we will have to increase the rate for our share approximately 3-1/2%. The average sewer use bill is about \$45 for six months and the increase in a bill on a yearly basis will be about \$3.50.

Mayor Dickinson: Initially, there will be no rate change to handle this project. Ultimately, when there is a rate change to handle the funding of the new sewer plant, then this project will be included in any rate change.

Mr. Nunn: That is basically correct to this point. The PUC a year and one-half ago initiated a rate increase which was to be implemented over a three year program. We are currently in that second year of increase on sewer rates, with a 3-1/2% increase which would be anticipated if this particular plan were adopted. It does not appear, at least for the next couple of years, that we would have to have an increase to cover it. When the sewer plant comes on line, that is a totally different story. Depending on how the allocations are between the Town's share and the Sewer Department's share, there would be a rate increase no matter what the share of the breakdown was if the Sewer Department had to pick up any of the share.

I mentioned when we voted on the Pond Hill Pump Station that the method of approaching the share cost was going to be carried mutually between the Town and the Sewer Division. The ratio is going to be determined by whatever project we happen to deal with at the time, depending on the cost, the length of term of the bonding and we will do this in very close conjunction with the Comptroller's Office. If we set up a ratio on this particular project, it does not mean that this ratio will be recommended from now on with all projects. Each project must be examined in its own respect.

In summary, that 3-1/2% increase would probably not mean an increase in the rate--it would mean a reduction in profitability, the bottom line, at the end of that particular year. There is no additional increase other than next year's rate which is the third year of the three increments discussed earlier.

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Mr. Gessert: We are getting approximately \$335,000 back from the State and the interest, because we are going to bonding on it, is equal to the State funds.

Mr. Bruno: The bonding would be higher if the State did not pick up a share. If you did not bond the project, you would be looking at a substantial increase in sewer rates.

Mr. Nunn: Also, there was a compromise arrived on at that. The bond was to be for 20 years originally and was reduced a number of times. I want to mention that our staff and Mr. Myers' staff put a great deal of work into this and finally came up with a 12 year bonding plan with the first 10 years covered by the Town and the last two by the Sewer Department.

Mr. Bruno: On the Funding Worksheet (page 4 of minutes), under cost, the total is \$785,000 and that is three-quarters of our present sewer budget so it is an impossibility to ask that it all be paid off without long-term bonding.

Mayor Dickinson: I want to emphasize that we looked at three major things in working this out:

- (1) What we are facing in large term projects and how the Town is going to handle the financing, not only of this project but also the sewer plant, water plant, etc. Major dollars.

Mayor Dickinson (continued):

- (2) We are looking at the Charter and what it requires in terms of enterprise accounting.
- (3) We are looking at general accounting principles.

When you look at all of those with the parties involved together, this looks for this project to be the best way to proceed with all those areas of concern taken into consideration.

Mr. Killen: I would like to commend all responsible from the PUC, Mayor's Office and Tom Myers who has worked very closely on this. This is not the complete answer but it is a very good step in the right direction.

Dave's point was brought up on the capital and non-recurring fund. When building schools, the State's share, after bonding for 20 years, was what you got from the State and you were right back at square one again. That is why we have a capital and non-recurring fund.

This Town for too long has had no innovative financing. There are many methods available to us and this is a very good step in the right direction. We have many forms of financing available to us but everyone must work together and decide it's all for the good of the Town. I commend all of you for your part in this.

The figures on the original Ordinance #313 have changed slightly-- 5% was for contingency of the original amount and 5% on this would have reduced the amount by about \$10,000. Do you know why the contingency was jumped to \$40,000?

Mr. Bruno: That Ordinance was put together very quickly last summer to comply with the State requirement to get it in place prior to being awarded the grant. Perhaps at that time, not enough time was devoted to that cost. Regardless of what numbers we show in that Ordinance, the actual numbers will be what governs. We are aware of the costs and try to do the best we can to hold the line.

Lloyd Cooper, 150 George Washington Trail: I'm a little concerned about the thinking here with regard to our utilities. We expect our Electric Division to show the Town a profit, not to work at a loss. We seem to expect the Sewer Division to work at a loss and have general taxation pay the difference. I don't know what the plans are for the Water Division.

My reasoning for questioning the cost on the utilities is this-- the outskirts of this Town have people with their own sewer and water supply. We are expected to install it and maintain it, at no cost to the Town. Yet, these people are taxed for sewer utilities by the Town and have no recourse.

Lloyd Cooper (continued):

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There are two outfits who will make out like bandits if we go this way. Choate School is probably one of the richest prep schools in the nation and is tax-exempt. Student body is around 1,200.

When you put the sewer funds back to general taxation, that means Choate has a freebie and the outskirts who pay for their own system pick up the difference for 1,200 people.

I'm concerned about Bristol-Myers who has a 70% tax deal. When the utilities are taxed, Bristol-Myers pays 70%. Is that what you intended when you gave them a 70% tax break--that it would go for the utilities also?

I'm concerned about Mr. Nunn's thinking on future expenditures and how much the Town is going to pick up because I think we are talking about over \$50,000,000 of water and sewer costs over the next few years. I think the people who are paying for their own water and own sewers are going to have to pick up a portion of this and I see no reason for it.

Mayor Dickinson: Lloyd, I recognize your concerns and maybe I misunderstand your comments but I am not sure you understand what is happening here. In the past, the Town's taxation has funded entire projects. With this proposal, we are going to be splitting the cost between the Town and Sewer Division. Instead of the Town picking up all the cost through taxation, now the user of the sewer will be paying a portion of it. We are improving upon what you have said. It is not a total pickup of cost because the revenues coming into the Water/Sewer Division are not sufficient to meet the bond payments and interest payments that must be made. The depreciation is not enough to meet it so the taxation is necessary. Over a period of years, maybe that will change. The core thought that taxation should not fund all these projects is what we are departing from. That is what has been done and this is a departure from that historic approach.

Lloyd Cooper: I recognize what you are saying and I also recognize we have a new administrative organization in this Town. When you throw utilities back against general taxation, you are establishing a precedent and we are going to play games with all appropriations from here on in. I haven't seen any bashfulness within the Electric Division with their rates and I see no reason why the Sewer and Water Division cannot support themselves.

Mr. Killen: Lloyd, it has been paid in the past from general taxation and we are now taking it away from general taxation and are doing what you seem to be saying and moving in the direction you want.

Lloyd Cooper: I agree with what you are saying but you are only going half way.

Mr. Nunn: Of the total cost, 64-1/2% will be borne by the Sewer Division where, in the past on a project like this, the total history of the Town in the past, 100% of that would have been borne by the Town. Now, only 35-1/2% is being borne by the Town. Again, it is a direction that we are taking.

I indicated that it is not my intent to use that 65/35 ratio on all the projects. Each project will be looked at as it comes along.

Dean Hall, 1260 Whirlwind Hill: Do I understand correctly that the approximate increase in user cost will be \$3.00?

Mr. Nunn: Per year, per average bill which is \$90 per year and 3-1/2% on \$90 is about \$3. That is what the Sewer Department must raise their rates to cover the 65% that we will bear.

Dean Hall: It doesn't seem fair that people who are not getting anything should be charged for it. An increase of even \$5 does not seem insurmountable. It is a step in the right direction but at the same time, why don't we look at making the PUC independent instead of sharing these costs?

Dan Peavey, 145 George Washington Trail: Instead of going 65/35, I think you should go all the way. If the users paid 100%, even a \$15, or \$20 increase--I can't see having people who don't use it paying the price.

Claude Tremper, 595 Woodhouse Avenue: When the Town and Borough were merged a few years ago, one of the ideas was self-sufficient, self-sustaining water and sewer. (The tape was totally unaudible at this point and did not record the rest of Mr. Tremper's speech as well as that of Mr. Sal Falconieri, 281 Grieb Road.)

Mr. Killen: Some of the people who lived in the Borough years ago paid for their own sewers 100%, as well as their sidewalks and curbs. Somewhere in the past, someone lost track of the formula and nobody can go back and show where it was established that this system would come about. The State Statutes show very clearly that when you take out a bond issue and are going to use the revenue, you shall change your rates accordingly to take it all in. The fact that we did not follow Statutes does not mean that they are wrong. What we are trying now is innovative and we get a feel for what is correct. When we set up the utilities and enterprise system, it was understood that they were going to break even, if not make a slight profit for the Town. It was not that general taxation was supposed to keep the enterprise system going. If you do not keep putting your charges where they belong, you could end up with everyone in the PUC having 100,000,000 people working for them and as long as they brought in enough dollars, nobody would say you could charge it off to anybody. You must charge where it correctly belongs. In this particular case, those who are going to get sewers must pay for them. It may seem unfair in some particular instances but nobody ever said life was fair.

Vote: All Council members voted aye with the exception of Mr. Krupp who voted no and the motion was passed.

Mayor Dickinson noted that the Comptroller must be authorized for proper accounting procedures on Ordinance #313, Pond Hill Pump Station.

Mrs. Bergamini moved to authorize the Comptroller to institute necessary internal accounting procedures to facilitate the funding formula on the Pond Hill Pump Station Ordinance #313. This motion was seconded by Mrs. Papale.

Mr. Killen: Wasn't this Ordinance adopted subject to that resolution? Within 21 days, the Ordinance could be taken to a referendum and what we are doing tonight really has an impact on that and people have lost their chance to take it to a referendum. I hope we don't get into this in the future. The Ordinance cannot be made contingent upon a resolution which will take seven or eight months and this must be clear.

Mr. Myers: I would hope that this is all discussed up front on the next project. It was stated several times tonight that nothing here is precedent setting. Each project will be analyzed on its own merits, on an individual basis.

Vote: All Council members voted aye with the exception of Mr. Krupp who voted no and the motion was passed.

Mr. Gessert moved to note for the record the Report of the Director of Utilities for the month of February, 1984, seconded by Mr. Krupp.

Mr. Krupp: At the last meeting when we received this report, I raised the question of what disposition will be made with the excess profits of the Electric Division and was told at that time it would be considered at the next meeting of the PUC. What is the current plan for the disposition of the excess profits of the Electric Division, minus the \$200,000 recently appropriated?

Mr. Nunn: Let me answer that in a broad sense and then I would like to refer it to staff people to be more specific as to the numbers. I sure there was a misunderstanding that the decision would be made by the next meeting. Our profitability is an ongoing, cumulative matter where you can increase or decrease your profits on a month-to-month basis. We have enjoyed an increase as far as revenues to the division have been concerned over the last several months and anticipate that there will be an excess in profits realized by the division by the end of the year. The PUC has not taken any action and the recommendation by staff is to hold off on any decision making until the last 2 or 3 months so we can get a fairly accurate determination as to what the profitability will be.

Mr. Nunn (continued):

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The budgeted profitability is in the total amount of approximately \$1.3 million. Of that, 55% is returned to the Town. Our current profit is well in excess of that. It has been the general consensus of the Commission to return in the way of rebate to the ratepayer monies in excess of budgeted profit. We don't know whether that will be \$1.3 million or \$1.5 million or \$1.6 million, what we consider acceptable profits for the division but the way we are going, it is apparent there will be a rebate of some magnitude. I'd like to refer this to Mr. Smith who is tracking this on a month-to-month basis.

Mr. Raymond Smith: According to my report to the end of February, it is somewhat over \$2 million through 8 months. Sales have continued to be far in excess of what we ever expected. In March, despite the ice storm and loss of revenues from those sales which would have occurred, we are still experiencing approximately a 10% increase over last year. Obviously, if sales are up, it will hold the line on some of the expenses of purchased power, etc. We anticipate through the end of the year a continuing rise in the estimated income, a guess at this point between \$2.4 and \$2.6 million, as a bottom line the end of June. As each month goes by, we have a better handle on the number obviously.

The discussion the PUC had on this topic back in January indicated that if we could exceed that budgeted figure (\$200,000 over \$1.3 million, about 14%), then the remainder should be returned to the ratepayers.

Mr. Krupp: I am not arguing that it should go one way or the other. I don't have a problem with that solution because the ratepayer is the one who paid the excess profit in the first place. This is guaranteeing 100% return of that excess to that ratepayer.

Mr. Killen: I don't want to debate that but I don't know whether to commend the Electric Division who is \$2.5 million ahead or commend the Sewer Division who is within \$200 of their budget. Who are the better bookkeepers?

Mr. Gessert: When we reviewed your budget carefully last year, a bucket truck was excised. Considering your financial situation is better than anticipated, perhaps that type of purchase can be considered.

Mr. Nunn noted that this request is in the current budget but the request could be accelerated. It will be discussed.

Vote: (Report of the Director of Utilities, month of 2/84)
All Council members voted aye with the exception of Mr. Parisi who was not present for the vote and the motion was passed.

Mayor Dickinson stated that it was important to keep in mind that we are dealing with some extra money at this point but there are areas that must be addressed which are very important. There are some bad debts which should probably be written off and there is worker's comp reserve account which should be funded. We want to handle these areas before talking about other things.

Mr. Krupp moved to waive Rule V to consider a transfer which was presented at the last Council meeting but could not be considered because it was a special meeting. This motion was seconded by Mr. Killen.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp resolved to amend the budget of the Electric Division in the amount of \$10,000 to the following accounts: #584 Underground Lines Expense and #442-3 Industrial Sales. This motion was seconded by Mr. Killen.

Mr. Raymond Smith noted this was not a transfer but a budget amendment.

Vote: All Council members voted aye and the motion was passed.

Mr. Polanski moved to set a public hearing on April 10, 1984 at 7:45 p.m. on AN ORDINANCE TO AMEND ORDINANCE #299 CONCERNING RESERVE ACCOUNTS FOR WORKERS' COMPENSATION AWARDS. This motion was seconded by Mrs. Bergamini.

Vote: All Council members voted aye with the exception of Mr. Krupp who voted no and the motion was passed.

Mr. Parisi read the letter dated March 8, 1984 from Raymond A. Denison regarding a budget transfer for chemicals for the Sewer Division.

Mr. Krupp moved the transfer of \$3,000 from A/C 635-000 to A/C 647-001, requested by the Sewer Division, seconded by Mrs. Papale.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read the letter dated March 8, 1984 regarding a budget amendment for funding from Mr. Bruno, Water & Sewer Division.

Mrs. Papale resolved to amend the Water & Sewer Division operating and capital budgets as follows:

Reduce A/C 635-000 by \$600 from \$155,600 to \$155,000 to increase Budgeted Net Income by \$600 from \$35,675 to \$36,275 and

Appropriate \$600 from Budgeted Net Income to A/C 127-084 to increase that capital item from \$4,000 to \$4,600.

This motion was seconded by Mr. Krupp.

Mr. Krupp inquired about Crestview Drive being one of the streets on which manhole covers will be raised and Mr. Bruno will check his list.

Mr. Killen: Will the funds in miscellaneous office equipment be utilized this year?

Mr. Denison: Yes, we expect to do some upgrading on our computer and will be using those funds.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert moved to waive Rule V for a request received this evening from Charles Fields, Tax Collector, regarding a temporary clerk-typist for his office. This motion was seconded by Mr. Krupp.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert read the letter dated March 27, 1984 from Mr. Fields.

Mr. Parisi expressed displeasure with the fact that this request must be handled under waiver of Rule V, considering the length of this evening's agenda.

Mr. Gessert moved to establish a new line item A/C 142-901, seconded by Mr. Krupp.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert moved a transfer of \$1,428 from A/C 142-130 to A/C 142-901, requested by the Tax Collector. Mr. Krupp seconded the motion.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read the March 16, 1984 letter from Thomas A. Myers concerning two resolutions necessary for the proposed methane venting system at the landfill.

Mrs. Papale moved the following resolution:

RESOLVED:

that the Comptroller be authorized to advance general fund cash to the Landfill Methane Venting Project Fund until temporary financing is secured.

Upon issuance of temporary bond anticipation notes, such funds shall be returned to the general fund.

Such transactions will be reported on the general fund monthly financial statements using the following accounts:

1098 Repayment of Methane System Fund Advance
900-798 Advance to Methane System Fund

Mrs. Bergamini seconded the motion.

Vote: All Council members voted aye with the exception of Mr. Diana who voted no and Mr. Rys who was not present for the vote and the motion was passed.

Mrs. Papale moved the following resolution:

RESOLVED:

To amend the General Fund Revenue Budget account 920 Transfer from Landfill Venting System Project for Public Works Overtime Wages in the amount of \$10,000

To amend the General Fund Appropriation Budget account 506-141 Overtime Wages-Landfill Venting System in the amount of \$10,000

Mrs. Bergamini seconded the motion.

Vote: All Council members voted aye with the exception of Mr. Diana who voted no and Mr. Rys who was not present for the vote and the motion was passed.

Mr. Parisi read a letter dated March 6, 1984 from the Registrars of Voters concerning a transfer of \$2,000.

Mrs. Bergamini moved authorization of part-time positions to work additional hours, not to exceed \$2,000, seconded by Mr. Polanski.

Mr. Killen: A/C 601-525 was established for computerizing the voting list and is this the purpose for which it is being used?

Mrs. Goodrich stated that it was and the money is there.

Vote: All Council members voted aye with the exception of Mr. Krupp who was not present for the vote and the motion was passed.

Mrs. Papale moved a transfer of \$2,000 from A/C 601-525 to A/C 601-135, requested by the Registrars of Voters. Mrs. Bergamini seconded the motion.

Vote: All Council members voted aye with the exception of Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Gessert read a letter dated March 18, 1984 from Linda Bush, Town Planner, regarding an appropriation for Secretary Overtime.

Mrs. Papale moved to establish a new line item A/C 701-140 Secretary Overtime, requested by Planning & Zoning. Mrs. Bergamini seconded the motion.

Miss Bush requested the Council to waive Rule V to discuss an agenda item concerned with this item.

Mrs. Papale withdrew her motion and Mrs. Bergamini moved to waive Rule V to discuss an item for Planning & Zoning. This motion was seconded by Mr. Killen.

Vote: All Council members voted aye with the exception of Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Parisi read the March 27, 1984 letter from Linda Bush, Town Planner, requesting a \$750 transfer for a Court Stenographer.

Miss Bush explained the nature of her request which was presented to Mr. Parisi immediately before the meeting.

Mayor Dickinson had no knowledge of this request and stated that any agenda item requests should be directed through the Mayor's Office and the Charter is clear on this. It is a matter of procedure but promotes effective use of the Council's time and the necessary knowledge from the Comptroller's Office.

Miss Bush stated that this request would be withdrawn at this time and requested that the transfer request of \$362 on item 13 be reduced to \$150.

Mr. Killen asked Miss Bush if the minutes were part of the job specs of the secretary in their office and was told yes and this transfer was to pay for overtime.

Mrs. Bergamini withdrew her motion.

190 Mr. Krupp moved the establishment of a new line item A/C 701-140 Secretary Overtime, P & Z, seconded by Mr. Gessert.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp moved the transfer of \$150 from A/C 701-130 to A/C 701-140, P & Z, seconded by Mr. Gessert.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read the 3/20/84 memo from Mr. Deak, item 14(a).

Mr. Krupp moved the transfer of \$3,000 from A/C 503-130 to A/C C503-02, Public Works, seconded by Mr. Diana.

Mr. Rys asked Mr. Deak if the Public Works crew was considered for this work and Mr. Deak stated that they do not have the proper equipment. Protective equipment is necessary and the bridge must be power brushed or sand blasted. State specifications are being used for this work.

Mr. Gessert stated that the painting necessary on the above ground portion of the Quinnipiac Street bridge could probably be done by college students during the summer. There is a coating called Flaxoil which entails less surface preparation, goes on easier and protects better against rust. This product has been tested and might be considered as an alternative.

Mr. Deak noted that in the coming budget he has 8 additional bridges to paint and would be happy to try this. State specs are simply a guideline and are not required to be used. This painting can be completed under the current budget with this transfer.

Mr. Gessert suggested tabling this item for 2 weeks but Mr. Deak stated that the item would have to be rebid. Mr. Diana suggested proceeding on this bridge and if Flaxoil is acceptable, a switch can be made for the other bridge painting.

Mr. Deak noted that Public Works has painted the railing of the bridge but cannot paint underneath which is the largest portion of the bridge and that is why it was put out to bid. The lowest bid was \$8,000 and the highest \$46,000, four bids. Mr. Killen noted there was a wide discrepancy in bids and he hoped we were getting our money's worth.

Vote: All Council members voted aye with the exception of Mrs. Bergamini and Mr. Krupp who were not present for the vote and the motion was passed.

Mr. Parisi read the 3/20/84 memo from Mr. Deak, agenda item 14(b).

Mr. Polanski moved the transfer of \$1,500 from A/C 503-130 to A/C C503-01, Public Works, seconded by Mr. Rys.

Vote: All Council members voted aye with the exception of Mrs. Bergamini who passed and Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Parisi read the 3/20/84 memo from Mr. Deak, agenda item 14(c).

Mr. Polanski moved the transfer of \$1,200 from A/C 510-201 to A/C 511-201, Public Works, seconded by Mrs. Bergamini.

Mr. Killen asked if the thermostats were checked daily because of the extremes in temperature and Mr. Deak stated they were.

Vote: All Council members voted aye with the exception of Mr. Gessert who voted no and the motion was passed.

Mr. Parisi read Mr. Deak's 3/20/84 memo, agenda item 14(d).

Mrs. Papale moved the transfer of \$1,000 from A/C 503-130 to A/C 513-201, Public Works, seconded by Mrs. Bergamini.

Mr. Krupp: I am not sure of the accuracy of this statement but I have been told that either the heating system or the thermostats at the Washington Street building are tied into the housing project. Are we paying for the heating for that project which falls under the Housing Authority?

Mr. Deak: This problem goes back years and years and was never resolved.

Mr. Killen: It was a situation whereby the Town had to guarantee the community room of the Senior Citizen's Center to be built and it was never spelled out who was going to pick up what proportionate share in that community room and this is why Steve has been saddled with the bills. The State insisted that the Town had to supply the heat.

Mrs. Papale: Bert and I were on the committee and met with them about 4 years ago and spent 2 hours with State representatives from Hartford and they said that was their understanding.

Mr. Krupp: I object to providing this heat at our expense for a project which does not fall under our purview and, further, because of a decision of a prior Council, for a project which we see no revenue from in light of the fact that payment in lieu of taxes on that project has been waived.

Mr. Gessert: I'd like to point out that the Senior Citizens probably get less use from this room than Boys' Club, PAL and others.

Mr. Deak noted that the heat does not tie into the apartments, just the community building and utility room.

Mr. Killen asked Mr. Deak about the \$3,000 unencumbered at the end of last month in this account and Mr. Deak stated that the gas bill has since been paid from that account.

Vote: Council members Bergamini, Gessert, Killen, Papale, Polanski and Rys voted aye, Diana passed and Krupp voted no. Mr. Parisi was not present for the vote and the motion was passed.

Mr. Gessert read Mr. Deak's 3/20/84 memo, agenda item 14(e).

Mrs. Bergamini moved the transfer of \$1,000 from A/C C503-01-05 to A/C 520-510, seconded by Mr. Diana.

Mrs. Bergamini: Mayor, have you received any phone calls about damage to Robert Earley which I referred to your office? The Mayor stated he did and is inquiring into the situation.

There was some discussion about giving people the privilege of using the school who damage it and perhaps the privilege should be taken away.

Vote: All Council members voted aye with the exception of Mr. Parisi who was not present for the vote and the motion was passed.

Mr. Krupp moved the transfer of \$1,000 from A/C 503-130 to A/C 520-540, Public Works, seconded by Mrs. Bergamini.

(The tape was totally inaudible on discussion on this item.)

Vote: All Council members voted aye with the exception of Mr. Parisi who was not present for the vote and the motion was passed.

Mr. Gessert read Mr. Deak's 3/20/84 memo, agenda item 14(g).

Mr. Krupp moved the transfer of \$4,000 from A/C 515-201 to A/C 514-201, Public Works, seconded by Mrs. Bergamini.

There was some discussion about a problem with the heating system at the Senior Citizens Center and Mr. Deak stated that he took care of the problem as soon as he was notified. With the installation of the new heating system, \$4,000 was saved there on fuel.

Vote: All Council members voted aye with the exception of Mrs. Papale who was not present for the vote and the motion was passed.

Mr. Parisi read Mr. Deak's 3/20/84 memo, agenda item 14(h).

Mr. Krupp moved the transfer of \$800 from A/C 505-130 to A/C 514-510, Public Works, seconded by Mr. Rys.

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Mr. Killen asked Mr. Deak if this transfer was for damage at Simpson School and Mr. Deak stated money was needed for repairs to doors and general maintenance, not damage.

Vote: All Council members voted aye with the exception of Mrs. Papale who was not present for the vote and the motion was passed.

Mr. Parisi read Mr. Deak's 3/20/84 memo, agenda item 14(i).

Mr. Krupp moved the transfer of \$400 from A/C C504-01 to A/C 517-201, Public Works, seconded by Mr. Diana.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read Mr. Deak's 3/20/84 memo, agenda item 14(j).

Mr. Krupp moved the transfer of \$400 from A/C C504-01 to A/C 511-510, Public Works, seconded by Mrs. Bergamini.

Mr. Gessert asked how much was budgeted for the spreader and Mr. Deak stated \$3,200 and it cost \$2,600.

(The recording machine malfunctioned at this point and all discussion was inaudible for several minutes.)

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read Mr. Seadale's letter of March 21, 1984 relating to the Fact Finder's Report - Police Pension.

There was some discussion regarding the Fact Finder's interpretation of items in this report which appeared to be a lack of understanding of the King's English on the part of the Fact Finder.

Mrs. Bergamini moved to accept the Fact Finder's Report - Police Pension - between Town of Wallingford & Local 1570, Council 15, AFSCME, dated 2/2/84. Mr. Seadale noted that the preferred wording for the motion was reject and the motion was amended as follows:

Mrs. Bergamini moved to reject the Fact Finder's Report - Police Pension - between Town of Wallingford & Local 1570, Council 15, AFSCME, dated 2/2/84. This motion was seconded by Mr. Rys.

Vote: All Council members voted no and the motion did not pass.

Mr. Parisi read Mr. McElfish's memo dated 3/12/84 regarding contractual unused sick leave pay due fire fighter J. D. Freschi.

Mr. Krupp moved an appropriation of \$9,656 from the Unappropriated General Fund Balance to A/C 203R-161, seconded by Mr. Rys.

Mr. Gessert asked if there was money left in the wage account due to the fact that Mr. Freschi was not immediately replaced and Mr. McElfish stated it was not sufficient for this purpose. Mr. Killen inquired about money in item 17 and the possibility of some left there but the Chief said that \$69,000 would be needed for the purpose intended.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read Fire Chief Jack McElfish's letter dated 2/27/84 to Mayor Dickinson regarding a new cab/chassis for the 1948 American LaFrance Ladder Truck.

Mr. Krupp moved authorization of the purchase as requested for the Fire Department, seconded by Mr. Rys.

Mr. Krupp: With this same \$69,000 instead of reburshing a 1948 truck, we will have a 1981 truck and I understand some fire fighters are not totally happy with LaFrance trucks to begin with. After reading some of the newspaper reports, I would like to go on the record with a commendation to Don Dunleavy who invested the time in coming up with this alternative and who, in the published reports, I feel did not receive the credit he deserved for engaging in this. I think he has done a superb job in getting this deal for the Town of Wallingford.

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Mr. Gessert asked how many calls this ladder responded to and Chief McElfish estimated 50 calls per year and it fills in when the main ladder is out of service. It runs on all second alarm fires and special alarms, not on a first due basis.

Mr. Gessert asked what was wrong with the truck and Chief McElfish stated it was in very good shape and the personnel are taking good care of it. It is a 1948 vehicle with a certified ladder.

Mr. Gessert: We are spending \$69,000 on a vehicle which is basically in good condition and what we are doing is replacing a convertible for this money and I have very strong feelings to that effect. You mention that at the end of 10 years when this unit is due to be replaced, this cab and chassis will still be in excellent condition. In a memo dated 3/15/84, you mention repairs to a 1982 GMC Rescue Truck due to the age of the vehicle.

Chief McElfish: I thought repairing was a good way to go but I have reservations now and feel this is the best deal. We do know now that in next year's budget or the year after, the ladder on the 1974 LaFrance needs extensive rehabbing and will be out of service for 6 to 8 months.

Mr. Parisi stated he checked this out and it is a very good deal.

Mr. Polanski asked if the entire \$69,000 budgeted for this would be completely used and Chief McElfish said that could not be determined at this time. Mr. Rys wanted to know if the engine would be guaranteed and the Chief stated there might be a 5 year warranty from Caterpillar since the vehicle has never been titled and is basically new.

Mrs. Papale noted that this was approved for the 1983/84 budget and we are nearly into the 1984/85 budget. Chief McElfish stated it had gone out to bid but the bid was not approved because they felt the bidder was not responsible. Mayor Dickinson has approved this concept.

Mrs. Bergamini: I don't want to prolong this discussion. What this Council is trying to tell you tonight is not to look for ways to spend the entire \$69,000. Spend only what you absolutely need and if you can give money back to the General Fund, we would greatly appreciate it. End of discussion.

Mr. Gessert: What will happen to the 1948 vehicle?

Chief McElfish: We can trade it in, store it at Public Works, or keep it for the engine.

Mr. Gessert: We sold 1962 Walters over 10 years ago which are still plowing snow in Vermont. When we get this vehicle, will it be insured for its current replacement cost value? The Chief stated it would be insured under the current policy in this manner.

Mr. Killen stated that a breakdown of costs for this project would be helpful because the \$69,000 is the absolute limit and a request for more funds for this cannot be submitted and he also wanted assurance that the job would be completed 100% with these figures. How was the \$23,500 price agreed upon and what was used for comparative purposes?

Chief McElfish: The figure was negotiated upon between the bank and Mr. Dunleavy. The cab and chassis listed for \$32,000 or \$33,000.

Mr. Killen: Why did we get the bargain?

Mayor Dickinson: Don Dunleavy was aware of it and felt it was an opportunity the Chief might be interested in and proceeded from there. The Purchasing Agent is a professional dealing with purchasing equipment for the Town and the Fire Chief deals with equipment necessary to protect life and limb against injury and fire. Who else do you want to have involved in the process to protect the Town's interest? I was informed on a steady basis and we have letters indicating that the vehicle was fully checked out by licensed mechanics and I don't know what else we can supply in the way of documentation.

Mr. Gessert: We've heard a lot of professionals over the years say, this is the best way to go and we once spent \$1,000,000 on the best way to go and we turned it off after the money was spent and it's still sitting there.

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Mayor Dickinson: I understand your caution and applaud you for not spending money in worthless pursuits but we are purchasing a new vehicle and on balance, the whole thing seems to come out in the Town's favor.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read the 3/15/84 memo regarding agenda items 18(a) and 18(b).

Mrs. Papale moved a transfer of \$400 from A/C 203NF-452 to A/C 203NF-500, Fire Department, seconded by Mr. Killen.

Mr. Gessert asked what the problem was with the 1982 GMC Rescue Truck and the Chief stated it was having alternator problems.

Vote: All Council members voted aye with the exception of Mr. Gessert who voted no and Mr. Krupp who was not present for the vote and the motion was passed.

Mrs. Bergamini moved the transfer of \$400 from A/C 203CH-452 to A/C 203NF-500, Fire Department, seconded by Mrs. Papale.

Mr. Gessert asked if Ladder I was out of service and Mr. Hacku stated it had a fuel tank leak, part of normal every day problems and it was being repaired at Public Works.

Vote: All Council members voted aye with the exception of Mr. Gessert who voted no and Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Parisi read the 3/16/84 memo regarding a \$3,000 transfer for the Fire Department to fund the extra work account.

Mrs. Papale moved a transfer of \$3,000 from A/C 203R-132 to A/C 203R-140, Fire Department, seconded by Mr. Diana.

Vote: All Council members voted aye with the exception of Mr. Rys who was not present for the vote and the motion was passed.

Mr. Krupp stated that agenda item 21 was withdrawn.

A motion was duly made, seconded and carried and agenda item 25 moved to this position. (Final discussion on the Taber House.)

Mr. James Kennedy apologized for not getting the final proposal for the preservation of the Taber House in the agenda packets. Mr. Tom Sharkey is also present from the Chamber of Commerce.

Mr. Ronald P. McKeown, Jr. is present from the architectural firm of Frid Ferguson Mahaffey & Perry, 54 Forest Street, Hartford, CT, representing Ralph M. Phillips, CPA, 26 Cedar St., New Britain, CT.

Mr. McKeown: Mr. Phillips is a client of mine who has had considerable experience with historic structure partnerships and has restored a number of houses in the historic district of New Britain and put together tax shelters and limited partnerships as well.

Mr. McKeown referred to the preservation proposal which is attached to and made a part of these minutes, page 1 of 8 through page 8 of 8.

Mr. James Kennedy: As part of our effort to serve as a catalyst for a realistic proposal for the Town, we did a sample mailing to measure community support for the project and to measure support for a community resource center and this information is presented on page 6 of 8 of the attachment.

Mr. McKeown: The advantages of accepting the preservation proposal is a long-term financial benefit to the Town and the Library. During the 10 year option period, there is a minimum of a \$16,000 guarantee to the Town which is negotiable.

Mr. Krupp: It's a very nice report, nicely packaged but it is a lot to drop on us so suddenly. It looks reasonable at first glance but I would hate to try to make a decision on this tonight without having a chance to consider and review this. I'd be curious to have an opinion from our Town Attorney's Office as far as the terms of the legalities of the proposal and I'd like to know if this is an allowable legal use for this property. I would like to see this item tabled until we have a chance to consider it. 195

Mrs. Papale mentioned that Attorney Mantzaris was present and Mr. Krupp suggested he could render an opinion.

Attorney Mantzaris: On March 24, 1983, I rendered an opinion in response to the question, "Can the Taber House be used for other than public library purposes?" It was my opinion then and is now that so long as Mrs. Taber is alive, it cannot be used for any purpose other than free public library service for the Town of Wallingford.

Mr. James Kennedy: I've discussed this with some legal scholars in the field and they indicate that the definition of what constitutes library service is expansive and by relieving the library of an obligation to maintain the house and by providing a community resource center would be considered library service.

Given a determination that the house is there and it should serve public library purposes, are those interests better served by having the house not there or are they better served by providing this use which could provide a long-term financial benefit to the library.

Mr. Parisi: I am using the Town Attorney's legal opinion and what you are giving me is more or less philosophical.

Mrs. Williams read from page 4 of the lease which states, "the demised premises shall be used to provide free public library services for the inhabitants of the Town of Wallingford."

The preceding paragraph deals with Mrs. Taber's quitting the site. . . "Such residence shall, however, become a portion of the demised premises after Margaret Taber has ceased to occupy it."

It is firmly located in our leasehold and I have consulted with our attorney, Donald Lunt, who was also involved in drawing up this lease and he has suggested that should this thing be approved, the way to go is a sublease which would be drawn up to our satisfaction as well as those who were leasing it.

For instance, I've heard things such as fill in the back which would bring a berm of some sort up against the windows in the children's room.

Also, a legal opinion was rendered in these Chambers that this is a mutual decision between the Town Council and the Wallingford Public Library Association.

Mr. Robert L. Carmody: I agree with Mr. Krupp--we saw an outline of this proposal on March 22, 1984 but this is the first we have seen of the complete proposal and it is difficult to address this type of thing immediately. The Joint Committee should be able to discuss this and come back to you with a recommendation.

Mrs. Bergamini: I don't want to table this item until I've heard what everyone has to say because I don't intend to go through this another time. In two weeks, I hope that a decision is made, one way or the other. We would like to hear anyone and everyone with a viewpoint on this situation this evening.

Mr. Robert L. Carmody: We had reservations about this and part of our reservations were about funding and funding has somewhat been addressed.

196 Mr. Ronald P. McKeown, Jr.: I represent Mr. Phillips; he is my client and he has the funding. Under either scheme, the second floor is guaranteed right away. If the fund raising drive works, it will fund the first floor; if it doesn't, we will take that project on and guarantee it as well.

Your point in regard to the fill in the back is very well taken. It would be our intent that since the Taber House and the library are close together, in terms of a relationship to the library, that can be worked in within the proposal to make sure that people do not misuse your parking spaces, in fact.

Mr. James Kennedy: The original library was a gift of Samuel Simpson to the Town and there was a charitable trust created in perpetuity and was meant to benefit the Town of Wallingford by providing library services. At some point, it became not feasible to maintain the library there and they went to court and it was determined that if the funds from selling the library were to benefit the library, that would approximate the restriction put on that property. It's called the principle cy pres. If the original intent cannot be filled because of some economic reason, you approximate that intent and that's how it was done with the old library and the same kind of thing can apply here with the Taber House. If the only recourse you have is to tear down the house, then you can approximate that by creating this community resource center and provide a financial benefit to the Town in the same way that the sale of the old library provided a financial benefit to the Town. It can be argued that tearing down the house is less beneficial to the library than maintaining it and providing long-term financial gain for the library.

Mrs. Williams: I don't see how this can provide financial gain for the library--you have been talking about a lease with the Town and the Town being able to sell the building. You are taking away from us the very protection that was built into our lease so that we would have some say over something that was done with something that was rightfully ours to begin with.

Mr. Ronald P. McKeown, Jr.: The situation before you is not unique and many towns throughout the country have the same problem. This proposal attempts to address all the major issues. The purposes of the Presidential Tax Incentives Acts were to maintain and restore our past history and still make it economically valuable. Twenty years ago, this would have been done with federal grants and President Reagan's attitude is let private enterprise do it because they have a tendency to get things done a little quicker and more successfully and let private enterprise put up their own dollars first and we'll give them benefits farther on down the line.

Mr. Sharkey, Chamber of Commerce: We are basically interested in all this because we believe it could work. We are under a time constraint because the final arrangement of all this was not known until Sunday, March 25, 1984. The Chamber of Commerce is in favor, assuming it does get approved. If this building is saved, we want to be a part of it.

Mr. Gessert: I notice that the groups who want to use it and the groups who want it saved are not listed as contributors.

Mr. Ronald P. McKeown, Jr.: The groups who want to use it are prepared and interested in participating in that fund raising drive. Those groups have contacts within the community who will also help. You are looking at some groups who have some vested interest and want office space and they have manpower and contacts in the community and those are marketable.

There is a guarantee in the proposal that if the community effort did not succeed, the partnership would assume all the cost of the project.

Mr. Parisi: I interpret this to mean the businesses listed who want the residence saved will contribute. Are you telling me they will or they won't contribute?

Mr. James Kennedy: Our mailing card asked the question, "Might your company support financially or with an in-kind contribution the effort?" They said "yes" and signed it. I was not in a position to negotiate in terms of the actual dollar amounts. Most of the firms will contribute money but the money is not in the bank but let me ask you this, how can it be in the bank?

Mr. Parisi: This is not concrete. I have a concern about that because it weighs very heavily. 197

Mrs. Williams: I think it has been established that if the library goes along with it, it's a library purpose. It is not a library purpose into which we want to put library man hours because our purpose is to bring good library service to the Town and information to the people of Wallingford.

We have passed two resolutions, one saying that we do not have a use for the house and another saying that we favored moving it. That is our position up to now. Obviously, we have contributed members to this committee and we are listening but the deadline has passed I would also like to remind you. (See Town Council Minutes of December 13, 1983, pages 1, 2 and 3.)

Mr. Parisi: I am aware of that and we are reaching, hopefully, a final and fair conclusion.

Mrs. Williams: Unfortunately, we didn't move soon enough to take up the one real salvation which was a proposal made by a man who wanted to buy the house and move it but he wanted to move it to Simsbury and that seemed unfashionable at the time.

Mr. George Mushinsky, 445 South Main Street presented the Council and audience with a history of the library site property and noted that the house on this site should remain as the residence of Margaret T. Taber and her husband Herschel as long as they jointly or individually desire. It was generally understood that the house at 216 North Main Street, once vacated, be removed from the site and that the area be used for library purposes.

Mr. George Mushinsky (continued)

I would be happy to answer any questions anyone might have.

My closing remark to which I cannot attribute to anyone is, "A building is beautiful only when and if it serves the purpose for which it is built." I think this Taber House as it now stands on a parcel of land that is insignificant is not worth salvaging. The original plan was for the demolition of the house. If it does have historical value, I can appreciate it being moved and put on a site which is far more attractive.

Mr. Peter Hale: I've been a resident here for 56 years, my family for 233 years, plus or minus. I'm founder and long-time Chairman of the Planning and Zoning Commission, member of the Conservation Commission, President of the Historical Society at the moment, architect and traffic engineer so I am aware of the traffic problem too. My wife is a former member of the Board of Managers and I wish she still were--it would make quite a difference.

Drawings were presented of the Taber House.

Mr. Hale commented that he would like to spend his declining years in an upstairs apartment at the Taber House to look after the property. Very recently, we talked to the Police Department about lighting the property who agree it should be lighted. Students at Lyman Hall and Wilcox Tech agree that it is a wonderful opportunity to use the students to put this back together and repair it.

Parallel to the organization which has been suggested to you tonight, there is a very reliable group in Town who are prepared to set up the town house foundation to take this over and use it for community services with apartments on the upper floor.

The records I brought contain all the necessary material to back up the statement that in the last 16 months, over \$6,000 of time, material and cash has been subscribed by various people and organizations in the Town of Wallingford to keep the house the way it is. We've done the best we can.

Mrs. Williams: It is my understanding that there is an agreement between the neighbors and the Town that the lights will not be allowed to shine into their windows. We have adequate lighting in back of the library. With all due respect to Mr. Hale, person or persons unknown, as the saying goes, set up flood lights which abrogated that agreement and which were gratuitously plugged in running into the library light sockets. These were removed.

198
Sally Coleman, 56 Fair Street: Former Board of Managers President and member of the Library Building Committee. As a member of the building committee, we had a very close relationship with the MacKenzie family in regard to the fence to be erected and lighting. The driveway mentioned for the side of the Taber House was allowed for Mrs. Taber's guests, just to allow a car off the street.

I would like to point out once and for all that Henry Austin did do some work on that house but did not build the entire house. The porch that this committee who is interested in preserving the house intends to take down to make room for parking is part of the original Austin design.

Mr. Robert L. Carmody: Apart from this proposal, I think it is only fair to mention that the committee did meet on one other proposal and the Joint Committee unanimously felt that the other proposal was unacceptable.

John Wooding, Jr., 424 North Main Street: The Jaycees have put a lot of time and effort into that building in helping to restore it a few years back and we would be more than willing to participate in any donations of our time and probably money also and we do support the refurbishing of the Taber House.

Karen Roesler, Co-Director of the Wallingford Public Library: Lack of parking is one of the biggest complaints at the library right now and to imagine a building used for community groups with 7 parking places, 2 of which will be used for apartment dwellers, it is hard to imagine that people won't be tempted to use the library parking places.

Mr. McKeown: We feel there are reasonable people on both sides of this issue. The elements of parking, lighting can be worked out with people of reasonable minds. The real issue before you is whether or not you want the house to stand.

Mrs. Williams: The neighbors most closely concerned are in Florida right now and I could not find their phone number but at my house a number of months ago, I asked Mr. MacKenzie how the MacKenzies really felt about the house because they have been very quiet. They said that they would like to see it come down. This, for what it is worth, is not going to be a neighbor who will march up and down and say, "Why didn't you save the house?"

Mrs. Bergamini moved to table disposition of the Taber House until April 10, 1984. This motion was seconded by Mr. Krupp.

Vote: All Council members voted aye and the motion was passed.

Mr. Parisi read a March 19, 1984 letter from Councilman Rys regarding the posting of signs at park entrances in an effort to prevent vandalism by informing the public of park rules and regulations.

Mr. Rys suggested having Stan Shepardson place signs at the park entrances due to the fact there are none present stating the rules and regulations of the parks. Mr. Killen inquired about the cost and type of sign. Mayor Dickinson will follow up on this with Stan Shepardson and Steve Deak and Mr. Krupp recommended having Police Chief Bevan work on this with them to determine the sign wording which would be governed by Town Ordinances. Mayor Dickinson will let the Council know how this will be handled by the next Council meeting.

Mr. Parisi read Councilman Krupp's March 8, 1984 letter regarding the setting of a public hearing for an ordinance proposal. Mrs. Bergamini suggested that the Council read this particular ordinance very carefully.

Mr. Krupp: I'd also like to recognize the speedy response the Ordinance Committee has been getting from the Town Attorney's Office who has done a tremendous job of turning these things over in a timely manner.

Mrs. Papale moved to set a Public Hearing on April 10, 1984 at 8:00 p.m. on AN ORDINANCE TO AMEND ORDINANCE #294 ESTABLISHING A 'CODE OF ETHICS' FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD. Mrs. Bergamini seconded the motion.

Vote: All Council members voted aye with the exception of Mr. Gessert who had left the meeting and the motion was passed.

Mr. Krupp moved to note for the record the Ordinance Committee Minutes dated February 1, 1984 and March 7, 1984, seconded by Mrs. Papale. 199

Vote: All Council members voted aye with the exception of Mr. Gessert who had left the meeting and the motion was passed.

Mr. Krupp moved an appropriation of \$15,200 from Unappropriated General Fund Balance to A/C 804-828, Town Attorney, seconded by Mr. Rys.

Vote: All Council members voted aye with the exception of Mr. Gessert who had left the meeting and the motion was passed.

Mr. Parisi read the March 15, 1984 letter from Attorney McManus regarding appropriation of funds for second legal secretary for a two-month period.

Mr. Krupp moved to establish a new line item A/C 132-126, Temporary Legal Secretary, seconded by Mr. Rys.

Vote: All Council members voted aye with the exception of Mr. Gessert who had left the meeting and the motion was passed.

Mr. Krupp moved an appropriation of \$2,837 from Unappropriated General Fund Balance to A/C 132-126, Temporary Legal Secretary. This motion was seconded by Mrs. Bergamini.

Vote: All Council members voted aye with the exception of Mr. Gessert who had left the meeting and the motion was passed.

Mr. Parisi read the request of \$5,000 for the Loyalty Day Parade to be held on May 6, 1984. Mr. Quentin Goodrich, Commander, VFW Post 591, presented the details to the Council and stated they would only need \$3,000 to \$3,500 instead of \$5,000.

Mr. Krupp: Has this been considered or approved and/or reviewed by the Public Celebrations Committee and why isn't this request coming through the Public Celebrations Committee? VFW is not a registered agency of the Town of Wallingford and at this stage of the game, there are no funds available or budgeted, etc.

Mr. Killen stated that funding was obtained for the last Loyalty Day Parade from the Council and not through Public Celebrations Committee. Do you expect to pay for police protection, etc. with the money given to you from the Town? We should have an overall picture.

Mr. Parisi suggested setting up an account on a draw basis with a cap and Mr. Killen noted that we have the same situation here now that we had earlier with Planning & Zoning. This should go to the Mayor's Office first.

Mrs. Papale suggested that Quentin make an appointment with Mayor Dickinson and bring his letter there so a proper transfer form can be submitted to the Council.

There was some discussion about setting up a new line item for this and the manner in which the bills would be handled. Mr. Killen noted that the bands who would be playing could be paid on that day and did not need payment beforehand. Mr. Parisi noted that Mr. Goodrich will handle this with the Mayor's Office and all vouchers will be submitted to the Comptroller's Office.

Mr. Goodrich stated that he would like some of the Council members present at the parade and they will be happy to be present.

Mr. Krupp moved that the meeting go into Executive Session for the purpose of discussing litigation, seconded by Mrs. Bergamini.

Vote: All Council members voted aye with the exception of Mr. Gessert who had left the meeting and the motion was passed. Executive Session began at 12:10 a.m.

A motion to move out of Executive Session was duly made, seconded and carried and the meeting moved out of Executive Session at 12:20 a.m.

Mr. Krupp moved authorization of payment of \$6,000 in claims as presented by the Town Attorney in the case of Kenneth Mita, John Iannini and James Iannini. This motion was seconded by Mr. Rys.

Vote: All Council members voted aye with the exception of Mr. Gessert who had left the meeting and the motion was passed.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 12:25 a.m.

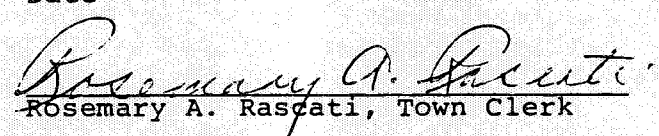
Delores B. Fetta
Council Secretary

Approved


Robert F. Parisi, Council Chairman

4-10-84

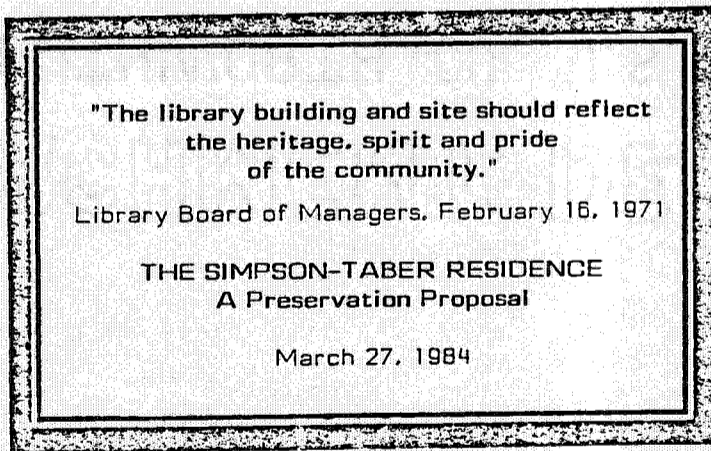
Date

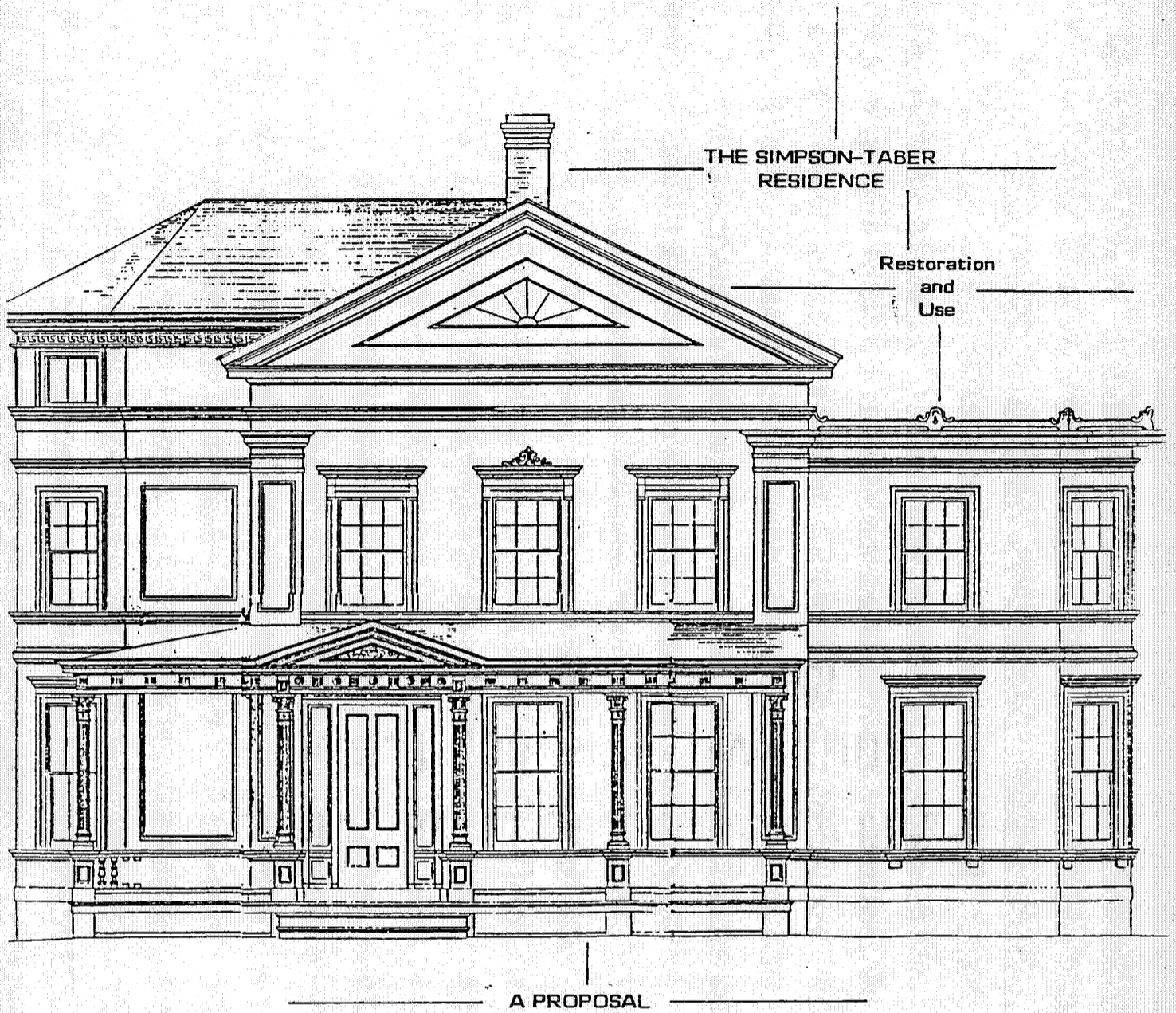

Rosemary A. Rascati, Town Clerk

4-10-84

Date

Attachment to
Town Council Minutes
March 27, 1984
Page 1 of 8 through
Page 8 of 8





RESTORATION AND USE OF
THE SIMPSON-TABER RESIDENCE
A PROPOSAL

Proposal by:

Taber House Preservation Partnership (THPP)
Mr. Ralph M. Phillips, C.P.A. - General Partner
26 Cedar Street
New Britain, CT

in cooperation with:

The Wallingford Chamber of Commerce, and
The Simpson-Taber Residence Preservation Committee (STRPC)

THE
PROPOSAL

The proposal before the Wallingford Town Council is that the Simpson-Taber residence be restored by private and community interests at no cost, nor any liability to the Town of Wallingford, while at the same time creating: a first-class office/meeting space for the Chamber of Commerce; a Community Resource Center for groups and citizens of the town; and preserving a valuable historical asset of the community, with the potential of long-term financial gain to the Town.

The
First Floor

The back section of the house, with entry off the large side porch, will serve as the offices of the Chamber of Commerce. This space will be considerably larger than the Chamber's present facility, with ample space for meetings and conferences. Such a location will serve as an excellent private meeting area when the Chamber hosts potential new corporations interested in Wallingford.

The front section of the first floor will be renovated into a Community Resource Center (CRC). The Chamber will provide for the maintenance and operation of the CRC. The CRC will provide valuable space for civic and community groups in Wallingford, and will augment, not supplant or duplicate, services already provided by the Wallingford Public Library. The following list highlights some of the ways in which the CRC would be used by the people of Wallingford:

- * A Cultural Center. Site for occasional cultural events, dance performances, chamber music recitals, literary readings and art exhibits. The ornate surroundings are particularly conducive to smaller-scale events.
- * Lectures & Forums. Everything from a travelogue to a political debate could be held in the CRC. Community forums sponsored by elected representatives would be comfortably held.
- * Office Space for Civic & Community Groups. The potential is present for several smaller offices to be created on the first floor to provide desk and file space for several civic and community groups.
- * Catered Luncheons/Banquets. The Chamber and/or Town's leadership could entertain business leaders interested in moving to Wallingford. Such an event, followed by a musical presentation, or Wallingford slide show in an adjoining room, would make a lasting impression on the visiting dignitary, giving them a flavor of the town's history and cultural identity.

The
Second Floor

The second floor will be renovated and maintained by the Taber House Preservation Partnership. The space will be converted into two or three living units, with separate utilities and entrances than that of the first floor.

FINANCING

The lease between the Town of Wallingford and the private investment group, The Taber House Preservation Partnership, will be for the entire house and property. This general/limited partnership, led by Mr. Ralph Phillips, C.P.A., will assure the Town that the house will be restored and maintained. The lease will be finalized and signed within 30 to 60 days of Town Council/Library Board approval.

First Floor
Financing

The first floor will house the Chamber of Commerce and the Community Resource Center. The Chamber of Commerce and the Simpson-Taber Residence Preservation Committee — working with other civic and community groups, such as the Wallingford Historical Society — will conduct a community-wide drive to solicit funds, materials and labor for the restoration of the first floor. The cost of this portion of the house's restoration if it were done commercially would be approximately \$80,000 to \$100,000. The actual cost will be substantially less, given the donation of in-kind contributions of materials and labor.

The Chamber/STRPC/Community fund raising effort will have six months from the date of the lease signing to implement the restoration plan for the first floor. Should this effort not meet expectations, the private investment group (The Taber House Preservation Partnership), will assume all financial responsibilities for the restoration. In such an event, the first floor space would be used for professional office space in order to recoup the private investment construction capitalization.

Second Floor
Financing

Financed completely by the Taber House Preservation Partnership, with Mr. Ralph Phillips, C.P.A., General Partner. It will raise funds from private sources, and will take advantage of the historic tax credits and deductions made available to such partnerships by legislation initiated by Presidents Jimmy Carter and Ronald Reagan specifically for the restoration of old and/or historic structures (a credit of up to 25%, as well as accelerated depreciation, is available).

Brief Outline
of Terms of
Lease

Lease between the Town of Wallingford and the private investment group, the Taber House Preservation Partnership, Mr. Ralph M. Phillips, C.P.A. - General Partner; length - 20 years at \$1 per year. Option for additional 10 year lease at \$16,000 a year.

Upon the successful completion of the fund-raising drive, the Chamber of Commerce and Community Resource Center will be assured its restored space for the length of its lease. The Chamber — working with other civic & community groups that make use of the space — will assume responsibility for the maintenance of the first floor. It is expected that most of these minimal costs will be met through an annual fund-raising event.

In the event that the Chamber of Commerce and/or the Community Resource Center no longer has use for the Simpson-Taber residence, the Taber House Preservation Partnership will renegotiate the yearly lease payment with the Town in light of either other non-profit or private professional usage.

Should the Taber House Preservation Partnership dissolve prior to the completion of the 20 year lease, or added 10 year option, the Town of Wallingford would be in the advantageous position of owning for sale or lease a major commercial income-producing property 100% restored.

Parking

The problem of parking is one which must be solved regardless of what use is made of the Simpson-Taber residence. More than adequate space can be identified for the uses described above.

A "cutaway" of the curb, similar to that which exists in front of the Library, would provide space for up to three cars. Space exists on the north side of the residence for a driveway to the rear. Such a driveway was envisioned in the contract between Mrs. Margaret Taber and the town, wherein it states: "It is further agreed that the present iron fence fronting the house within the bounds of the seller's retained use shall be retained with the exception of a twelve foot section on the northern end which shall be removed to make space for a driveway for the seller's use on the northern side of the existing house." By dismantling the small porch on that north side, two to three cars can be parked adjacent to this driveway along the residence's north side (landscaping would insure the privacy of the neighbor to the north). In addition, space for two to three cars can be made in the rear of the residence, particularly if the pantry is removed. These steps would provide between seven and nine on-site parking spaces for the Simpson-Taber residence, without taking any away from the Library.

In addition, there are spaces off-site that can be reserved for people using the residence. A survey of business lots along North Main Street in the vicinity of the residence reveals more than 75 spaces in existence. Not all the businesses make use of every space. It is possible for them to "donate" use of certain spaces to the Chamber of Commerce and be eligible for a tax deduction equivalent to the market value for leasing these spaces (such a donation would not put them out of compliance with zoning regulations). Also, initial contact has been made with Choate-Rosemary Hall regarding evening and weekend use of up to 10 spaces in their lot off North Main Street.

These on- and off-site parking spaces, coupled with the general availability of the east side of North Main Street for public parking, provide ample room for cars of people using the Simpson-Taber residence. To further guarantee that Library space will not be used, access to the Simpson-Taber residence from the north side could be structurally barred.

Contract/
Lease
Restriction

The "demised premises," which now include the Simpson-Taber residence, are to be used "to provide free public library services for the inhabitants for the Town of Wallingford." Discussions with legal scholars in the field reveal that by (a) removing the burden of maintaining the vacant building from the library; (b) making space available for a non-profit organization which benefits all town residents; and (c) providing a community resource center to the people of Wallingford, this proposal would meet the requirements set forth in the contract and lease. It would constitute a more appropriate fulfillment of that provision than would the destruction of the building and the construction of rose gardens.

The definition of "public library purposes" is expansive; the town and the library made such an argument in court regarding the disposition of the old library building. That building was restricted to public library purposes, and note the suggested use for it by a committee of the Library Board of Managers (issued 3/13/72): "The possibility of using the present Wallingford Public Library building for meeting rooms and auditoriums should be considered. This use would fill many community needs, provide very attractive quarters for cultural activities, and preserve this fine old landmark for years..."

SUPPORT FOR THE SIMPSON-TABER RESIDENCE

The Simpson-Taber Residence Preservation Committee contacted a segment of the Wallingford business community, as well as civic and community groups to measure the level of support for saving the Simpson-Taber residence.

Civic/Community Groups That Want The Residence Saved

Knights of Columbus	D.A.R.	Wallingford Art League
Four Seasons Art Council	Welcome Wagon Club	Am. Assn. of Univ. Women
Boys and Girls Clubs	PTA-PTO United	Junior Women's Club
Over Eaters Anon.	La Leche League	Soc. of Amer. Magicians
Bus. & Prof. Women's Club	Wifd. Radio Control Assn.	Kiwanis Club
Yalesville Fife & Drum	Visiting Nurses Assoc.	A.A.R.P.

Civic/Community Groups That Want To Use The CRC

Four Seasons Art Council	D.A.R.	Wallingford Art League
Boys and Girls Clubs	Welcome Wagon Club	Am. Assn. of Univ. Women
Over Eaters Anon.	Junior Women's Club	Soc. of Amer. Magicians
Kiwanis Club	A.A.R.P.	

Businesses That Want The Residence Saved

Times Fiber Communic.	Caldor, Inc.	Ulbrich Stainless Steels
Valenti Auto Sales	Quantum, Inc.	Century Fireplace Furnish.
J.C. Boardman & Co.	C.F. Wooding Co.	Home Bank & Trust
Auburn Service Corp.	Colony Lumber	Keer's Shoe Store
Yankee Silversmith	R. Frank Printing	Tom's Seamless Gutters
Gallagher Travel	Wifd. Flower Shoppe	Gelo Aluminum Products
Mercury Travel	Goodrich Pkg. Store	Bolio Sporting Goods
Loughlin & Noonan	Schiavone Construction	SNET

Most of the businesses above also indicated an interest in providing financial or in-kind contributions to the effort to restore the residence. This list of supporters, gleaned from a very limited mailing, will be considerably expanded once a wider appeal is made.

THE SIMPSON-TABER RESIDENCE PRESERVATION COMMITTEE

Charles Clulee	Alison Codington	Jay Fishbein
Peter Hale	Jeanne Holmes	Richard Hudson
Jim Kennedy	George Lane	Gary Lynch
Dick Nunn	David Scott	John Wooding

CREDITS

A diverse group of citizens, businesses and local and state organizations have joined forces in an effort to preserve the Simpson-Taber residence for the benefit of the people of Wallingford. Together with the Simpson-Taber Residence Preservation Committee, they have put in hundreds of hours and hundreds of dollars in the last three months to serve as a catalyst for the proposal before the Town Council. Some of those involved include:

CT Trust
for Historic
Preservation

A non-profit organization created by the Connecticut legislature in 1975 to promote the preservation of the state's unique and diverse architecture by encouraging and supporting local preservation activities.

Frid,
Ferguson,
Mahaffey &
Perry

Hartford's oldest architectural planning firm, having been in business since 1926. Representative projects include: State Capitol Restoration/Renovation (master plan), Hartford Times building restoration, and major projects at Meriden-Wallingford Hospital, Masonic Home and Hospital, Aetna Insurance, Allstate Insurance, Travelers Insurance. The firm has been acclaimed on PM Magazine, in The Hartford Courant and The New York Times.

Melchiori,
Fisher &
Kuegler

Electrical, mechanical, structural and civil engineers in Wallingford. Willing to work as consulting engineers for the project. Currently involved in a major restoration project in Middletown. Clients include: Sikorsky Aircraft, the U.S. Navy, Colonial Bank and Trust, and Perkin-Elmer.

HENRY AUSTIN
Architect of the Simpson-Taber Residence

Henry Austin's [1804-1891] architectural practice spanned fifty-four years, during which we produced a large volume of work in varied popular styles in Connecticut and beyond.

Austin's earliest designs were small Greek Revival homes. His first building to win acclaim was the Yale College Library (now Dwight Memorial Chapel).

In 1848, Austin won the commission for the first New Haven Railroad Station, which ranked among the most fanciful buildings in New England until its destruction by fire in 1894. Austin's most distinguished use of oriental elements was in the house built for New York Sun publisher Moses Yale Beach in Wallingford (1850). The house was demolished in 1960.

In 1861, Austin designed the New Haven City Hall, one of the first High Victorian Gothic buildings in the country. The clock tower has been reconstructed, and the facade stands overlooking the New Haven Green.

Henry Austin's exceptionally creative works over a long span of time have given him the reputation of being the most outstanding of New Haven's notable architects.

(excerpted from Encyclopaedia of Architects, MacMillan & Co.)

THE PARTNERSHIP OF LYONS • MATHER • LECHNER *Architects*

March 12, 1984

Mr. J. E. Kennedy
250 North Elm Street
Wallingford, Connecticut 06492

Re: Simpson-Taber RPC

Dear Mr. Kennedy:

The following comments are in response to your request for a few thoughts with regard to the Simpson-Taber Residence and the neighboring new Library, which we designed.

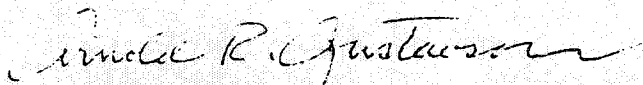
The "Simpson-Taber" Residence was always a very important consideration when initial designs for the new Library were considered. The south elevation of this residence had never been "crowded" by any other structures and we were reluctant to cause this effect with the new Library. By keeping the Library facade set back from the existing buildings along Main Street, we feel we have also succeeded in minimizing the impact of its size on the area. At the same time, the Library "frames" the Taber Residence along its northerly side.

We believe the design of the Residence and the Library serve to highlight each other by their contrast and at the same time emphasize the open plaza in front of the Library.

We have no knowledge of the physical condition of the Taber Residence, but feel sure your Committee has already looked into that.

It was a pleasure to work with the Town and its Building Committee for the Library. We hope your efforts with regard to the Taber Residence will be successful.

Sincerely,


Arnold R. Gustavson

Summary of Town Council Minutes

March 30, 1984 Special Meeting

	<u>Page</u>
Approved a transfer of \$4,000 from A/C 503-130 to A/C 504-140 for Public Works for snow removal wages	1
Approved a transfer of \$4,000 from A/C 504-455 to A/C 504-140 for Public Works for snow removal wages	1
Approved an appropriation of \$1,750 from A/C 805-319 to A/C 202-450, Dog Pound, installation of methane gas warning system	1-4
Meeting adjourned	4