

TOWN COUNCIL MEETING

86

February 13, 1985

7:30 p.m.

MOTIONS

Agenda
Item No.

MOTION

- Waiver of Rule V to consider appointment of Mr. Tim Reardon to Board of Tax Review. Moved by Mrs. Papale; seconded by Mr. Polanski.
VOTE: Unanimous ayes; motion to waive Rule V duly carried.
- * Motion to approve appointment of Mr. Reardon to Board of Tax Review. Moved by Mrs. Papale; seconded by Mr. Diana.
VOTE: Unanimous ayes; motion to approve appointment duly carried.
- * Motion to waive waiting period on above appointment. Moved by Mr. Killen; seconded by Mrs. Papale.
VOTE: Unanimous ayes; motion to waive waiting period duly carried.
- 20 Motion to advance Item 20 (consider reappointment of Gilbert Hunter to the Board of Tax Review (3-year term). Moved by Mr. Krupp; seconded by Mr. Rys.
VOTE: Unanimous ayes; motion to advance Item 20 duly carried.
- 20 Motion to approve reappointment of Mr. Hunter to the Board of Tax Review and waive the waiting period. Moved by Mr. Krupp; seconded by Mr. Rys.
VOTE: Unanimous ayes; motion to approve reappointment of Mr. Hunter duly carried.
- Motion to waive Rule V to consider acceptance of roads as requested by Mr. Piscitelli, P&Z. Moved by Mr. Holmes; seconded by Mrs. Papale.
VOTE: Council members Diana, Gessert, Holmes, Papale voted aye; Council members Killen, Krupp, Polanski and Rys voted no. Motion to waive Rule V did not carry.
- 3 NO ACTION
- Motion to waive Rule V to discuss Council procedures. Moved by Mr. Diana; seconded by Mrs. Papale.
VOTE: Unanimous ayes; motion to waive Rule V duly carried.
- 4 Motion to adopt the following resolution, moved by Mr. Rys; seconded by Mr. Holmes:

Under Waiver of Rule V

Agenda
Item No.

MOTION

(cont'd)

RESOLVED, That the Town Council authorize Mayor William W. Dickinson, Jr., to request the Commissioner of the Department of Environmental Protection for Advice and Assistance in Initiating a Small Watershed Protection and Flood Prevention Project for the Quinpiac River Watershed.

VOTE: Unanimous ayes; motion to adopt above resolution duly carried.

Motion to authorize the Mayor to enter into negotiations for a site for relocation of Gopian's Trailer Park subject to any final approval by the Town Council. Moved by Mr. Krupp and seconded by Mr. Holmes.

VOTE: Unanimous ayes, with the exception of Mr. Diana and Mr. Krupp who passed; motion to authorize Mayor as stated above duly carried.

into an agreement with new tenants, Mr. & Mrs. Corriere, at Railroad Station, as requested by Mr. Donald Roe in February 5, 1985 letter to the Council. Moved by Mrs. Papale; seconded by Mr. Polanski.

VOIE: Unanimous ayes; motion to adopt above resolution duly carried.

NO ACTION....

Noted for the record financial reports of the Visiting Nurses Association, Wallingford Public Library, and Senior Citizens Center, as requested by Mr. Myers, Comptroller. Moved by Mr. Krupp; seconded by Mr. Killen.

VOIE: Unanimous ayes with the exception of Mr. Polanski who was not present for the vote; motion duly carried.

Motion to approve transfer of \$1,000 from A/C 521-540 to A/C 504-481, Public Works. Moved by Mr. Krupp; seconded by Mr. Holmes.

VOIE: Unanimous ayes with the exception of Mr. Diana who was not present for the vote. Motion to approve transfer duly carried.

Motion to approve appropriation of \$10,000 from A/C 805-319 to A/C 504-140. Moved by Mr. Holmes; seconded by Mrs. Papale.

VOIE: Unanimous ayes with the exception of Mr. Diana who was not present for the vote; motion to approve appropriation duly carried.

Agenda

Item No.

MOTION

11a & 11b

Motion to approve transfer of \$3,200 from A/C 505-130 to A/C 504-455 (11a) and transfer of \$3,000 from A/C 503-300 to A/C 504-455 (11b) - Public Works. Moved by Mr. Krupp; seconded by Mrs. Papale.

VOIE: Unanimous ayes with the exception of Mr. Diana who was not present for the vote; motion to approve transfers 11a & 11b duly carried.

12

WITHDRAWN

13

Motion to approve transfer of \$600 from A/C 401-135 to A/C 401-201 - Park & Recreation. Moved by Mr. Krupp and seconded by Mr. Holmes.

VOIE: Unanimous ayes; motion to approve above transfer duly carried.

14

Motion to adopt RESOLUTION AMENDING THE BUDGET TO PROVIDE FOR THE PURPOSE REVENUE RECEIVED FROM THE WOODCUTTING PROGRAM - Park & Recreation. Moved by Mr. Krupp and seconded by Mr. Holmes.

VOIE: Unanimous ayes; motion to adopt resolution duly carried.

15

Motion to approve transfer of \$975 from A/C 159-903 to A/C 159-520 - Personnel. Moved by Mr. Holmes; seconded by Mr. Krupp.

VOIE: Unanimous ayes; motion to approve \$975 transfer duly carried.

16

Motion to approve transfer of \$2,150 from A/C 396 to A/C 392 - Electric Division. Moved by Mr. Krupp; seconded by Mr. Rys.

VOIE: Council members Diana, Holmes, Killen, Papale and Polanski voted aye; Council members Gessert, Krupp and Rys voted no. Motion to approve transfer duly carried.

17

Motion to adopt the following resolution as requested by Mayor Dickinson. Moved by Mr. Krupp; seconded by Mr. Diana.

VOIE: Unanimous ayes; motion to adopt resolution duly carried.

18

Motion to table request to note for the record the financial report for the Town of Wallingford for month ending 1/31/85. Moved by Mr. Krupp; seconded by Mr. Holmes.

VOIE: Unanimous ayes; motion to table duly carried.

19

Motion to accept Town Council Meeting minutes of 1/22/85 and 1/24/85. Moved by Mr. Krupp, seconded by Mr. Rys.

VOIE: Unanimous ayes; motion to accept minutes duly carried.

Summary/Town Council Minutes

88

February 13, 1985

	<u>Page</u>
Moment of silence observed in honor of Mr. John Gallagher-----	1
Item 12 - request for approval of job description for Foreman/Public Works - WITHDRAWN-----	1
Waived Rule V to consider appointment of Mr. Tim Reardon to Board of Tax Review-----	1
Approved appointment of Mr. Tim Reardon to Board of Tax Review and waived waiting period-----	1-2
Approved appointment of Mr. Gilbert Hunter to Board of Tax Review and waived waiting period-----	2
Swearing in of Mr. Hunter and Mr. Reardon-----	2
Motion to waive Rule V re: acceptance of roads as requested by P&Z did not carry-----	2-5
Report from Beautification Committee-----	5
Special Meeting announced set for Tuesday, February 19 re: acceptance of roads as requested by P&Z above-----	7
Waived Rule V to discuss Council procedures regarding agenda - discussion-----	7-12
Adopted resolution re: Initiating a Small Watershed Protection and Flood Prevention Project for Quinnipiac River Watershed-----	12-16
Motion to authorize Mayor re: relocation of Gopoian's Trailer Park-----	16-24
Adopted resolution authorizing Mayor to enter into agreement with new tenants at railroad station - Mr. & Mrs. Corriere-----	24-25
Presentation by Ms. Muriel J. Lemay, Director - Visiting Nurses Association-----	25-26
Noted for the record the financial reports of VNA, Public Library and Senior Citizens Center-----	26
Approved request for transfer of \$1,000 from A/C 521-540 to A/C 504-481- Public Works-----	26-27
Approved appropriation of \$10,000 from A/C 805-319 to A/C 504-140 - Public Works-----	27
Approved transfers of \$3,200 from A/C 505-130 and \$3,00 from A/C 503-300 to A/C 504-455 - Public Works-----	28
Approved transfer of \$600 from A/C 401-135 to A/C 401-201 - Park & Rec.-----	28
Adopted resolution AMENDING THE BUDGET TO PROVIDE FOR THE PURPOSE REVENUE RECEIVED FROM THE WOODCUTTING PROGRAM - Park & Rec.-----	28
Approved transfer of \$975 from A/C 159-903 to A/C 159-520 - Personnel-----	28
Approved transfer of \$2,150 from A/C: 396 to A/C 392 - Electric Division-----	29
Adopted resolution re: construction of public restroom at Parker Farms-----	29-30
Tabled financial report for Town of Wallingford for month ending 1/31/85-----	30
Accepted Town Council Meeting minutes of 1/22/85 and 1/24/85-----	30
Correspondece-----	31
Adjourned-----	31

TOWN COUNCIL MEETING

February 13, 1985

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:35 p.m. by Chairman Gessert. Answering present to the roll called by Town Clerk Rascati were Council members Diana, Gessert, Holmes, Killen, Krupp, Papale, Polanski and Rys. Councilwoman Bergamini was in St. Louis attending her son's wedding. Also present were Mayor Dickinson, Town Attorney Vincent McManus, and Comptroller Thomas Myers. The pledge of allegiance was given to the flag and the following invocation was given by Rabbi Manson:

89
Lord, we are grateful for two great leaders whose birthdays we celebrate these days--one a champion of equality and one a champion of freedom. May equality and freedom remain in our country and may Your blessing rest upon us. We stand before You, Master of the universe, praying for Your blessing and Your protection over all of us. Grant us the wisdom of might and power, to listen to and understand and feel the needs of others. May we make our decisions guided by good sense, justice and kindness. May we succeed in our mutual goal to make our beloved town, state and country a better place to live in. Guard and protect all those in office, grant them good health and happiness and reward them for all their acts of loving kindness and self-sacrifice. Amen.

A moment of silence was observed in honor of Mr. John Gallagher, who recently passed away, and who had been Director of Public Utilities.

Chairman Gessert announced that Item 12--consideration and approval of job description revision for Public Works Department Foreman--has been withdrawn. It was Chairman Gessert's understanding that Mayor Dickinson intends to look at this further and to come back to the Council with a recommendation.

PUBLIC QUESTION AND ANSWER PERIOD

No questions.

Mrs. Papale moved to waive Rule V in order to consider and approve the appointment of Mr. Tim Reardon to the Board of Tax Review.

Mrs. Papale read a letter from Mr. Stanley J. Rosick, Chairman of the Democratic Town Committee. She stated that this Board will start meeting on Thursday night to review the people who have problems with their taxes and it is very important that Mr. Reardon be on. Mr. Polanski seconded the motion.

VOTE: Unanimous ayes; motion to waive Rule V duly carried.

Mrs. Papale moved to nominate Mr. Tim Reardon to fill the vacancy on the Board of Tax Review. Mr. Diana seconded the motion.

VOTE: Unanimous ayes; motion to nominate Mr. Reardon duly carried.

Mr. Killen moved to waive the waiting period for Mr. Reardon's appointment. Mrs. Papale seconded the motion.

VOTE: Unanimous ayes; motion to waive the waiting period duly carried.

Mr. Krupp moved to advance Item 20--consider reappointment of Gilbert Hunter to the Board of Tax Review (3-year term). Mr. Rys seconded the motion.

VOTE: Unanimous ayes; motion to advance Item 20 duly carried.

Mr. Krupp moved to approve appointment of Gilbert Hunter to the Board of Tax Review and to waive the waiting period. Mr. Rys seconded the motion.

VOTE: Unanimous ayes; motion to approve Mr. Hunter's appointment and waive the waiting period duly carried.

Mr. Hunter and Mr. Reardon were sworn in by Town Clerk Rascati at this time.

Chairman Gessert announced that Planning & Zoning asked that the Council waive Rule V to consider acceptance of certain roads.

Mr. Holmes moved to waive Rule V; Mrs. Papalé seconded the motion.

Mr. Killen felt that this item should not come under Rule V and that there should be publicity so that people who have something to say will have a chance to do so.

Chairman Gessert replied that Mr. Killen's point was well taken and asked that Mr. Pat Piscitelli comment on this matter at this time.

Mr. Piscitelli commented that people have been coming in within the last few days to have the streets accepted. He stated that all the paperwork necessary to accept the roads has come in, and has gone through proper channels, and it is now up to the Town Council to accept the streets.

90

Mr. Killen felt that if the Council accepted the roads now and there were defects, it would later be asked why they accepted the roads. He said that the developers who built these roads had plenty of time to get the paperwork done and now they are asking the Council to rush the paperwork.

Mayor Dickinson commented that Mr. Piscitelli has letters from John Costello signing off on the streets and that they have been inspected and are in condition for the Town to accept them. He urged the Council, where the paperwork is in order, to accept the streets. He said that the Town was anxious to plow them and maintain them. He added that it was good news that things were moving along in the right direction.

Mr. Krupp stated that the Council was not elected by the Townspeople to accept things on faith. He said that the Council's role was not to question, but to oversee the activities of this Town. He felt that, in this case, he did not feel comfortable walking in tonight with no advance warning. He felt that it was incumbent upon the Planning & Zoning Commission, if they felt that this was urgent, to bring it to the Council's attention immediately after their Monday night meeting.

Mr. Piscitelli stated that after their Monday night meeting was a holiday and that the following date was tonight's meeting. And that today they had received two letters from Mr. Costello finalizing the paperwork.

Mr. Holmes stated that he understood that it was not a question of workmanship involved here, but of paperwork. He said he knew that when there are streets open for acceptance not everyone on the Council goes to see the street due to time limitations. He felt that, since the Mayor's Office and P&Z is satisfied and so were other concerned departments, he would vote for this.

Mayor Dickinson stated that he felt they were losing sight of the fact that in ideal world this issue would not be before the Town Council. In an ideal world these streets would have been accepted years ago. It is not an ideal world and, for that reason, time is of the essence. It is important because every storm causes problems and that Mr. Deak and he had been out the other night around 6:30 to determine if the developer had been out on it and whether the Town should then go in and plow. Someone had to do this--in that case, it was Mr. Deak and the Mayor. No one is assigned to that task and it becomes an extra burden for the Town to be going out, checking whether it has been done within 8 hours and then assigning a truck to go out and plow. He stated that the owners of unaccepted roads have been encouraged to come in with their roads, and that the Town Engineer's office has indicated that it is satisfied, both orally at the Monday night meeting and now in writing tonight. He felt that, lacking solid evidence that there is a problem, and given the stormy conditions and the ice and the added burden on the Public Works Department and the Mayor's Office to undertake review of these roads, he felt that the roads should be accepted tonight. He added that some of these are very small portions of roads that have already been accepted. He thought that reason would dictate to get these things out of the way and get some of these things behind us, and accept the roads.

Mr. Piscitelli pointed out that most of the owners involved were under the impression that these were accepted roads and that is the problem.

Mr. Diana stated that, until Mr. Costello shows that there is no reason to believe in his judgment, the Council should vote for acceptance. He stated that the discussion was out of order since there had been no waiver of Rule V and the issue had been discussed

Mr. Piscitelli stated that the procedure is that for most of these streets the Town holds a bond, and until the improvements are made, the bonds are not released. Once these are done, it is a matter of just paperwork. He stated that they have the deeds for these streets, a letter from John Constello stating that everything has been met and is now ready for acceptance by the Town Council.

Mr. Piscitelli stated that the streets involved were:

1. W. Dayton Hill Road
 - a) Regent Court
 - b) Fox Run Drive

2. Wildwood Subdivision - Schoolhouse Road
a) Jeremy Wood Drive
3. Nod Brook Subdivision, Section 4
a) Nod Brook Rd.
b) Woods Edge Circle Drive

91

Mr. Krupp felt that it was not appropriate to discuss the matter since Rule V had not been waived.

Chairman Gessert asked if there was anyone in the audience who had any problems with these roads. Mr. Cannata said that there were manholes sticking up in one of these areas.

Mr. Piscitelli commented that the Town Engineers are very careful in recommending that these roads be accepted and the onus is on them.

Mr. Killen felt that the person who could tell them what is wrong with these roads---Mrs. Bergamini---is missing. He said that it was the first time he had heard of people asking the Town to hurry up and accept their roads---because the streets have not been plowed.

Mr. Piscitelli said that the Town Engineering Department has stated that everything has been done on these streets to make them acceptable and that either the Town believes them or they don't. If the Town does not believe them, where do they go from there?

Mrs. Papale felt that the important thing to consider is the safety of these streets and that the Town pays their department heads a good amount of money and that Mr. Costello must have been very careful in making this decision.

Mr. Piscitelli stated that the problem is who paves and maintains unaccepted roads. He said that their regulations are very specific about what happens until the road is accepted and also states that if the roads are not cleared within eight hours after a snowstorm, the Town would take care of it because they must be accessible in case of emergencies. He felt that the objective here was to get as many roads on the books as Town roads.

VOTE: Council members Diana, Gessert, Holmes, Papale voted aye.
Council members Killen, Krupp, Polanski and Rys voted no.
Motion to waive Rule V did not carry.

Chairman Gessert asked that this item be put on the February 26 agenda.

Chairman Gessert introduced item 3--a report from the Wallingford Beautification Committee which was requested by Christine Bolio. Mrs. Bolio stated that it was one year since they had come before the Council and advised of their goal to prepare landscaping plans for downtown Wallingford. Mrs. Bolio stated that they had put in hundreds of hours reviewing plans, interviewing architects, talking to other communities as to what plans they made, how they raised money, attending seminars, etc.

She introduced the representatives from Johnson & Richter, a landscape architectural firm in Avon--Dean Johnson and David Payne. Mr. Johnson discussed the background and processes that were gone through. He stated that their firm has done four street schemes in New Haven and are working on several others. He said that these were done for very little seed money up front and the return was not only physical beauty but also psychological improvements as well as actual returns in money. Mr. Payne presented the actual plan for viewing by the Council and the audience. He pointed out that what was seen immediately was that there are two major streets connecting and anchored on one side by the railroad station and on the other by the Town Green. The concept they have developed is to enhance those areas and the streets in between, to beautify and bring together the downtown area. He said that some elements to be included are meant to be historical reminders to Wallingford. Street trees, street lights and paving patterns and street furniture are elements which are repeated throughout Main Street and Center Street to unify and beautify the area. Mr. Payne stated that they have planned for special paving patterns on the pedestrian crosswalks on Center Street. Moving up to Main Street, they plan to replant all along the town green. He felt that this was probably a parade ground once and can be used for this again. He stated that Simpson Court will be enhanced to show this shopping area nucleus through the use of special paving patterns and concentration of trees.

92
With regard to the parking areas behind buildings along Center Street which they felt were disorganized and in need of some repair, they plan to reorganize them, and in some cases repave them, to make them more usable by motorists and pedestrians.

He summarized that their intent is to create a more safe, organized and attractive unified downtown center. He added that it is a conceptual plan and all the details have not been worked out and hoped that the Town would be able to phase the development.

Mrs. Maryann Dickinson stated that the reason they are starting with trees in this project is that it is a very large project and that what they need to do is first show the people of Wallingford that they are serious about this project and that within 10 or 15 years they will have a downtown area that the Town can be proud of. She felt that if the Town does this, the business merchants and building owners may eventually follow suit. She stated that this was the reason they have retained Johnson & Richter. Mrs. Dickinson felt that they are the best in the State.

Mrs. Dickinson stated that they have raised \$10,000 to date in donations and pledges. She pointed out that the handout passed out to the Council shows that this \$10,000 does not come close, even with the \$5,000 that had been budgeted by the Town. She felt that this project must be done in stages as they can be afforded. She asked that the Town Council consider budgeting money for these phases so that they can begin. She stated that if they were to do everything as shown in the handouts, the figure would be approximately \$750,000. The Committee would like to ask the Town Council to budget \$75,000 for 10 years for this project, with the promise from the Committee that they would continue their fundraising to defray as much of that appropriation as possible. She stated that some industrial representatives have indicated that they would pledge \$5,000 if the Town would match it.

Mr. Gessert stated that this would have to be in the capital budget. Mr. Krupp stated that he did not have any problems as a member of the Council but that the Council is elected for a two-year term and he felt that he could not answer for a 10-year commitment. He felt that the alternatives would be to capitalize each year or to bond the entire amount and spend it over a ten-year period.

Mr. Polanski asked if the Committee were to get the \$75,000, where would it go. Mr. Johnson replied that there were several discussions about this and they had decided that if they were to plant trees along Center Street, they could accomplish this for a sum of about \$50-60,000, and that this would be a fairly large area that would affect a lot of people. Another possibility that was being considered was the gazebo and that would make sense to do the construction around the railroad green as well.

Mr. Polanski referred to the figures for Center Street (\$82,500 plus \$12,000 for contingency) and for the Gazebo (\$29,000). Mr. Johnson stated that there are breakdowns for these where they can to the trees for \$50-60,000.

Mrs. Dickinson stated that their original plan was to have trees in the ground by this Spring, but they would have to have the money for this up front.

Chairman Gessert said that getting started and the more visible your initial investment definitely has an impact and will build enthusiasm.

Chairman Gessert said he would be happy to put the Committee back on a future meeting agenda and asked that the items be broken down into \$75,000 brackets based on a priority and impact basis.

Killen asked that each item have a value so that if they were to drop one, they could include another of similar value.

Mrs. Papale asked if they could be present during the budget workshops as other departments do to discuss the budget. Mr. Johnson agreed to do so.

Chairman Gessert said that he would put them on a March agenda.

Mr. Krupp commended the committee and Ms. Bolio's participation. The committee members in the audience were asked to stand and were applauded for their work.

Chairman Gessert announced that there will be a special meeting on Tuesday, February 19, at 7:00 p.m. to discuss and consider acceptance of the five roads as requested by P&Z tonight.

93

Mr. Diana moved to waive Rule V to discuss Council procedure as pertains to agenda. Mrs. Papale seconded the motion.

VOTE: Unanimous ayes; motion to waive Rule V duly carried.

Mr. Diana expressed his annoyance that Mr. Gessert, as Council Chairman, had seen fit to censor his agenda item because he ostensibly felt it was not in the best interest of the present administration. He stated that, according to Council rules voted upon and accepted on January 10, 1984, Mr. Gessert is clearly in violation. He asked Council secretary to pass out copies of the reference page from the 1/10/84 minutes. He pointed out that midway down the page he had questioned Item VI of Council rules which states that "...it would be at the discretion of the Chairman whether the item is considered as an agenda item or an item of general correspondence of the Council." His comment then was that he was just looking for some safeguards for the public as to censorship on the part of the Chairman. Mr. Diana stated that Mr. Krupp had said at that meeting that one of the changes incorporated in these rules is that the Chairman cannot deny any items requested by any Council member.

Mr. Diana said that he thought he had followed all the rules and regulations and that he wanted to get this item on board and it had to do with signs as everyone had been reading about for the last two months. He wanted to get this on the table, over and done with, so that they could stop dragging people's names through the press, etc. He said that this was not done and he felt that this was something that should not have happened and was clearly a delaying tactic by this administration. He said he would like the Council to discuss this at this meeting so that he could have assurances that it will not happen to him or any other Council member in the future.

Mr. Polanski asked if the letter went to Ms. Bush before he had asked to have the item on the agenda.

Mr. Diana responded that there had been some question by Councilman Rys that Mr. Diana had acted inappropriately. He said that he did send a letter to the Chairman asking that Linda Bush come to the next meeting and explain her actions on the sign issue. The letter was sent to Mr. Gessert, as Council Chairman. He then followed it up a few days later with a letter directly to Ms. Bush and that request was more of a courtesy letter than a demand. He stated that he does not badger department heads. It was a courtesy letter extended to her and telling her pretty much the information he was looking for and that if there was any reason she could not attend, she could feel free to call the Council and that other arrangements could be made and also that if she had a problem that night, and there was any way the Council could see fit to put her on the agenda either early or late--depending upon what her needs were--that we could acquiesce to her needs. He felt that he did everything properly and in spite of what was done, his item still did not get on the Council agenda. He said that this was something that should be discussed to be sure it does not happen again. He thought that no one had a right to censor anybody on the Council, whether it be a minority or any of the Republicans, for that matter.

Mr. Krupp referred to the 1/10/84 minutes and stated that this dealt with resident elector letters and that his response referred to that portion which stated "submitted by noon of Wednesday prior to the meeting; all items so requested must be on the agenda." He stated that at the time he had no question in his mind about whether it should be on or not, but the question Mr. Diana had raised dealt with correspondence from resident electors.

Mr. Diana commented that the wording is there, that the Chairman cannot deny any item that is requested by a Council member. The fact that the wording is there and the fact that everybody on the Council, with the exception of Mr. Holmes, was sitting in on that meeting and the fact that they all voted unanimously to accept the minutes as they discussed, he felt that it all came back to haunt them a year later and that he has in fact been censored by trying to get something on the agenda. He stated that there is probably nothing wrong with Mr. Gessert's wanting to postpone it but he felt that he should have had the courtesy extended to him first rather than just arbitrarily decide what goes on the agenda and what does not go on the agenda.

Mr. Gessert stated that when he got the request he was informed that P&Z Commission, along with the Director of P&Z - Ms. Bush, were working on developing a solution to the problem. He stated that there were a lot of people in town that were concerned about it, be they businesses, churches, schools, and he had gotten a number of calls from people that were concerned about it. He felt that to put it on the agenda before they had a solution would only beat up the problem and have a lot of people here and he did not think they would be able to walk away with any answers. P&Z is writing up a

94

regulation regarding signs and will have a public hearing on it on March 4 and they will be present at the February 26 meeting to discuss the situation with the Council as to what action they are going to take. He felt that to argue about the problem would solve little and that to discuss the solution would solve much more. He added that, as far as the rights of the minority, he sat on the minority side of the Council for many years and he assured that he would never treat the minority in the manner that he was treated for the nine years he sat in the minority. He said that he would never make someone wait six months to get something on the agenda, nor would he make them wait eight months, as Mrs. Bergamini waited, to get something put on the Council agenda. He stated that he would neither delay an opinion from the Town Attorney's office or a request for an ordinance for 2½ years. Mr. Gessert stated that another thing he would not do, which was the policy in the past - if anyone had a request of a department head, the previous policy was to write your request to the Council Chairman who would then write a letter to the Mayor, the Mayor would then contact the department head to gather the appropriate information and he would write a letter back to the Council Chairman and then the Chairman would direct a letter to the individual Council member. Mr. Gessert felt that that was abridging of Councilman's rights at that time. And he would never impose that on a Councilman. He thought that this administration has encouraged any Council member - whether they have a question of Engineering, Public Works, Comptroller - to go and ask them. He also stated that no department head in the past 13 months had been told not to talk to a member of the Town Council. This was a policy in effect several years ago and a memo was posted in the different departments instructing department heads not to converse with members of the Council. He said that this Council has no intention of putting that policy back either. He said that they are trying to keep things open as much as possible and he was sorry if Mr. Diana took offense to the fact that it was put on for two weeks after his request but that he felt it would be more appropriate and that the Council would have a better discussion at that time and would allow for a better solution of the problem. He added that, as far as he was concerned, he thought it was solutions that they ought to be looking at.

Mrs. Papale asked if, when Mr. Gessert decided not to put it on tonight's agenda and Mr. Gessert probably having more insight being in touch with P&Z, Mr. Diana had received an answer as to why it was not put on or was he just told no.

Chairman Gessert read the letter he sent to Mr. Diana which he felt satisfactorily explained and he apologized to Mr. Diana if he was offended by the two-week delay. Mr. Gessert stated that his interpretation of the Council rules was that a Council member has a right to request something be placed on the agenda and it will be done. He felt he was complying with this because he got his letter and three weeks later his item was scheduled for an agenda. It certainly was not buried and it was not delayed indefinitely and was immediately put on an upcoming Council agenda. He regretted that it was not on as recent an agenda as Mr. Diana had requested, but he disagreed with the timetable and felt they would solve the problem better the other way.

Mr. Diana referred to Mr. Gessert's comments regarding the past administration and stated that if Mr. Gessert had allowed those things to happen to him then shame on him. He said he would not pay for the sins of the past administration, whether it be the most recent or going back twenty years. What he is concerned about was what he was elected to do and that is to represent the public of this town. He said he tried doing something which he felt was best to resolve the problem, get it out in the open, and end it, but "we continue to badger, and badger and badger." He said that Mr. Gessert talked about the past administration, but he remembered in recent history, a few months ago, Mr. Killen asked for something

from the Electric Division and he did not want to bring up the subject other than to say that the Electric Division's report was done within six weeks and, from what Mr. Diana understood, that report sat on the Mayor's desk for three months before anybody had an opportunity to see it. That's one charge. The plan of action that P&Z is taking, as far as Mr. Diana is concerned, is nothing but one big mass cover-up and he agreed with Mr. Gessert's analogy of the mole. Mr. Diana stated that this was something that was started by a Republican member of this Council; it was festered and kept on growing and growing before this thing became such a coverup over something so ridiculous as signs. That the Town actually sent letters to the Board of Education to take down their signs, letters to some major institutions in town to take down their signs, when all they had to do was to send a letter to everybody and say it was under investigation and that they would be notified of what is going to happen. He said that people were told to call up the P&Z, the ZBA, call the Mayor, etc. He said that he was not going to sit there and listen to anything that has happened in previous administrations and that this has no relevance.

Chairman Gessert stated that sometimes one can learn from history.

Mr. Killen stated that what they really had to debate was whether or not the Chairman was within his rights on this and Mr. Killen did not believe that he was. He said that he wanted to hear from the other Council members if it does say that if a person wants an item on the agenda, it will be on the agenda, and that it assumes that it will be on the next agenda or it would not have been worded the way it was. Mr. Killen said that the way he reads it does not leave any discretion for the Chairman.

Mr. Polanski said that he did not see anything in there that says an item has to go on the next agenda and he went along with Mr. Gessert. He said if they want to put in there that it must be on within two weeks of the request, that was one thing. But it is not there now.

Mr. Killen referred him to the fact that it says the Wednesday prior to the meeting. Mr. Killen said that one cannot interpret it any other way than meaning for the next meeting.

Mr. Diana asked for a courtesy vote from the Council, either yes or no.

Mrs. Papale said that the Chairman and Mr. Diana each had their own opinion but Mr. Rys' action by putting it in the paper just made it more political than it should be. She felt that it should have been something decided between the Chairman and Mr. Diana and that now it has been brought up in front of everyone. She felt that Ms. Bush is really the one that is getting the flack for something that really is not her fault. She felt that this should have been done at a meeting and not through the press.

Mr. Rys stated that one of the reasons he had gone to the press was that he had received a copy of the letter to Ms. Bush dated February 1 from Councilman Diana, and he had not known anything about this coming up on the agenda - which he knew was up to the Chairman, and that just going back to one of the articles in the Record-Journal - that the Council has oversight over Planning & Zoning commissioners - Mr. Rys stated that the Council has oversight in that they appoint those commissioners but that as far as the department head is concerned, that falls under the Mayor's supervision. When he received the letter he felt that it was wrong that the letter should be sent by Mr. Diana rather than the Council Chairman. But that upon looking at the Council rules and listening to the arguments tonight, he would say that the item should have been on the agenda.

Mr. Holmes did not feel that a consensus should be taken from the Council members but that the passage should be read into the record. Mr. Diana said that this would leave it to interpretation.

Chairman Gessert said that if the Council would like to decide that every item requested by every member of the Council be on the next possible agenda, it would make writing the agenda very easy. However, it might mean having 48 items some nights.

96
Mr. Killen said that they had heard both sides of the coin and that both sides make sense, even though they got a little political being it is election year but what they need is a little more dialogue. Mr. Killen said that just a few minutes before Mr. Diana waived Rule 7, the Chairman had asked if they could meet Tuesday for the P&Z matter and everyone had said fine. He said that this group has been working fine for a year and that they should try to keep it going for another year. Mr. Killen felt that if someone asks to be put on when they must be put on. If the Chairman feels that it should not be on, then he should pick up the phone and give the reasons why not. He felt that the Town Council has that much intelligence that they will go along with that and that there will be no problem.

Mr. Krupp stated that he had found himself in the same situation (as Mr. Diana) a couple of times before, not under Mr. Gessert's chairmanship, but he said he was afforded the courtesy of a call before the agenda was final. He said that if he were in the same situation (as Mr. Diana) he would be upset at finding out only after the agenda was finalized, and that probably is more perhaps the issue with what they're involved with right now than the fact that it was moved to another agenda - without any pre-knowledge and without any agreement with the author. He stated that he wrote the Council rules and he knows what they say and he knows what they were intended to say because he remembered sitting there 1½ years ago and listening to Andy Mezzi scream bloody murder because Chairman Hayden refused to put the item on the agenda regarding the boarding up of the houses in Oakdale. The wording that is in there was done deliberately and intentionally so that situation would not occur again.

Mr. Diana said that he still wanted a consensus from the group, as to whether or not the Chairman has the right to censor a letter given on time.

Chairman Gessert explained again that if the Council feels that they have an item and it should go on the next agenda, then it is all right with him. He said that since this was the feeling of Mr. Killen, Mr. Krupp and some other Council members, then he would go along with it.

Chairman Gessert introduced the following resolution, as requested by Mayor Dickinson. Mr. Gessert also read the letter, which contained the resolution, from Mayor Dickinson dated February 5, 1985.

RESOLVED, That the Town Council authorize Mayor William W. Dickinson, Jr., to request the Commissioner of the Department of Environmental Protection for Advice and Assistance in Initiating a Small Watershed Protection and Flood Prevention Project for the Quinnipiac River Watershed.

Mayor Dickinson introduced Mr. David Lord from the Soil Conservation Service. He stated that Mr. Lord could better explain this than he could but commented that it was an important project for the Town because they can begin looking at some flood containment possibilities on the lower area of the Quinnipiac in the Town of Wallingford.

Mr. Lord distributed copies of the Central Coastal River Basin Watershed Investigation Report - Quinnipiac River, Wallingford, Ct. Sept. 1984 (since an insufficient number of copies were submitted to the Council with the agenda packets).

Mr. Lord said that the first several pages of the report were on background information on flooding problems and flood history along the Quinnipiac River in Wallingford, with a map on page 7

of the watershed area which runs from Route 68 south to the USGS Stream Gauging Station below Quinnipiac Street and that this particular stretch of the stream has been divided into three reaches and the issue this evening is Reach No. 1. The next page shows the flood damage and cites June 1982 as the flood of record for Wallingford. He stated the dollar value in damages for the three reaches.

He referred to page 9 in which two alternatives were looked at to solve problems in Reach 1, which is just downstream of the Gopoian's Trailer Park and extending to the Stream Gauging Station. The first alternative consists of three earthen dikes to prevent the Quinnipiac River from inundating the developed area upstream and downstream. Alternative 2 consists of improving the capacity of existing earth channel that flows through Silversmith Park. This channel would be replaced by a concrete channel portions of which would be covered. The bridge over the canal at Quinnipiac Street would be replaced and one building would be removed.

97
He referred to page 11 which is a comparison of the alternatives. He stated that in order for his agency to provide flood protection under their small watershed program, the ratio has to be a minimum of 1:1 on the benefit/cost ratio line. Reach 1/Alternative 1 has a greater benefit/cost ratio than 1:1 and it was the findings of this report that a more detailed investigation was warranted to look at protecting the buildings in the area of Reach 1. He stated that this report was sent to Mayor Dickinson and that was the reason for requesting that the Town Council authorize the Mayor as stated in the resolution. He added that State statutes require that DEP be the sponsor for all flood control projects with a Federal agency.

Mr. Rys moved to adopt the resolution as stated in Mayor Dickinson's letter of February 5. Mr. Holmes seconded the motion.

Mr. Krupp asked about page 8 with regard to the June 1982 flood. Mr. Lord said that the figures shown are for the damages resulting from that flood and that it was considered the worst case of flood damages for this particular part of the watershed. He said that this 1982 storm was considered a "150-year frequency storm."

Mr. Krupp then asked about removing a building, as was indicated in Alternative 2. Mr. Lord stated that all of the alternatives are very preliminary. He said that they made a preliminary determination that it looks feasible for a Federal project in this particular area. He added that there is no commitments for taking a building and it would strictly be on a volunteer basis.

Mr. Krupp asked what building they were talking about, since there are some pretty fair-sized buildings in Silversmith Park. Mr. Lord said he was not sure what building that would be.

Mr. Polanski asked if the funding was all Federal and State without local funding. Mr. Lord replied that all of the flood control portions of the project would be Federal costs. The flood control costs for the project would be Federal and, although it has not yet been determined if there would be any, any utilities such as sewer lines, water mains, electrical lines, or roads or bridges that would have to be relocated for the project would be a local or a non-Federal cost. He added, however, that it did not look like there would be any of these.

Mr. Polanski asked if after this was approved and a Federal fund allocated would they then find out what the cost would be to the taxpayer.

Mr. Lord explained that if the Council were to authorize the next step, this would be a detailed plan which would specifically state what is a feasible project and what they can do and what they cannot do. At that time, they would be coming back to the Council for their concurrence in the project for it to go ahead. He said that what they would be doing today (by authorizing the Mayor) is "Yes, we'd like to see a detailed plan." The Council is not committed to the plan and would have at least two more opportunities to see more detailed information.

Chairman Gessert stated that he had seen too many times were the Council had been under "no obligation" and then turn around and find that they could not get out of it.

Mayor Dickinson asked Mr. Lord, regarding the reference to dikes being built for Reach 1, why dikes would be possible in this area and not in the Gopoian Trailer Park area. Mr. Lord did not know the answer and deferred to Chuck Burger from DEP who was in the audience. Mr. Burger said that he would imagine the dikes at Gopoian Park would have to be much higher. Mr. Donald Roe stated that the dikes would have to surround the Park because of the fact that it is keyed to that 150-year flood and water from the 150-year flood comes up and over Main Street and beyond that - so you are talking about incredibly extensive diking for the Gopoian's project versus the diking required in the lower reach.

Mr. Holmes stated that any relief they can provide to businesses or homes along that river is going to be a benefit and he certainly favored giving the Mayor the power to start negotiations and that for the time being it was "no strings attached."

Mr. Rys asked, with reference to the map, regarding the branching of the river between Rt. 68 (Church St.) and the dividing line at the end of reach 2. He said that the original run of the river used to be the fork to the east. Mr. Lord said that he believed that at one time the west branch was once a raceway for a water power facility. Mayor Dickinson concurred. 98

Mr. Rys said he wondered if they would ever consider doing something at that upstream location to eliminate the necessity for the river to run down that west side, and that it might possibly eliminate the need to move Gopoian's Park.

Mr. Roe stated that they had looked at that but it is not feasible for this Park, which is the next item on the agenda. It would not solve the Gopoian problem.

Mr. Killen stated that the east branch meandered all through the area there and that in the past when they had spoken about straightening it out, it was brought out that it was inland wetland and they did not want to touch it.

Mr. Lord pointed out that that entire area up through Rt. 150 is all within the 150-year storm area and they would need a dike or something of extremely high nature to keep the Quinnipiac in that particular area and this is not feasible with the economic balance needed for a Federal project.

Mr. Krupp made reference to page 12 and the fact that some habitat value for birds, amphibians and small mammals would also be lost and that mitigation for the above habitat is possible. Mr. Lord stated that this was for the alternative that was not economically feasible (Alternative 2).

Mr. Gessert stated that he was fascinated with the term "150-year storm" and that he had lived to 40 and seen three hundred-year storms. Mr. Lord stated that this was a common problem with that term and that the term refers to the fact that it should only happen once in a hundred years, or a 1% chance in a year, and that you can have three 1% chance storms in a month, but heaven should forbid that would happen.

Mr. Killen stated that he was surprised that the Toelles Road Bridge was destroyed. He asked if they were going to be undertaking a study of the lake and the dam if they go forward with this project. Mr. Lord replied that they would be and that the detailed planning that would take place for Reach 1 would encompass the entire area of Reach 1 and all the alternatives in that area would be looked at in much more detail than in this report. He added that the Reach areas are not set in concrete and can be altered upstream or downstream.

Mr. Killen asked if the cost of replacing the dam would be part of the Federal cost, if that was their suggestion. Mr. Lord said that this would be so if it would serve as a flood control first.

Mr. Killen asked if Mr. Lord was aware that around 1962 the whole area was studied by a firm from New Haven and that the Town Engineer might have a copy of that, and this was a plan for the whole Community Lake area. Mr. Killen stated that it showed the whole layout of the river, what had been there originally, how the river had changed its course, where the outflows used to come in, where the sewer lines were, etc. Someone from the audience said that another one had been put out. Mr. Killen agreed but said that the 1962 one was more detailed. Mr. Killen felt that this could serve as very good background, and the purpose of it at that time was to find out what could be done with Community Lake so they went back to what it had originally been and what type of wildlife was there, and outlined a plan and what the costs would be for doing it over.

Mr. Edward Musso, 56 Dibble Edge Road, commented that people put up buildings along that area and then they expect the taxpayers to shoulder the burden of rescuing their land. He stated that the Gopoians knew that the area was flood plains when they bought it. But they kept filling in with trailers and now they are building a shopping area there.

Mr. Gessert stated that they were not talking about the Gopoian Trailer Park yet, but further downstream.

Mr. Musso continued discussing the issue and was called out of order.

VOTE: Unanimous ayes; motion to adopt resolution authorizing Mayor duly carried.

99

Mr. Gessert introduced Item 5--regarding a request for motion authorizing the Mayor to undertake negotiations for a site for relocation of Gopoiian's Trailer Park as requested by Mayor Dickinson. Mr. Gessert read a letter from Mayor Dickinson dated February 5 regarding this.

Mr. Rys moved to authorize the Mayor regarding the above. Mr. Polanski seconded the motion.

Mr. Roe introduced Mr. Ben Warner, Director of Water Resources, and Mr. Chuck Burger from DEP. Mr. Roe said that the previous agenda item dealt with one part of the Reach and that this item deals with another part, the Gopoiian's Trailer Park area. Mr. Roe said that they did very extensive feasibility study and that they seemed to have overturned every stone. Based on that study, the only option that made sense dollars-wise was relocation; the other options do not net the benefits that relocation would. In order for the next step to move ahead - a really detailed analysis and engineering - there is need for a site to be selected and secured. The Corps will not commit the resources, the manpower that it takes to do a detailed engineering analysis unless the site is secured. For one thing, it is site-specific--they begin to look at that piece of property and actually do the design work for the Park or have the design work done--and has to be in order for them to come up with final costs analysis and assessment. This is where they are at this point.

Mr. Warner said that it boils down to the fact that the Town of Wallingford has to make the commitment and select a site and secure it in some manner so that it is available for engineering design and follow-through. They won't really know the cost figures until the design is completed. It is his understanding that the Council will make a decision tonight and that they are there to answer any questions the Council might have.

Mr. Gessert stated that something must be done with this Park because when it floods it is a rescue situation and not a solution to the problem. He said that it is something that they have been talking about for a long time and certainly a long-term solution was overdue.

Mr. Gessert asked who pays for the new site and what is the potential use for the old site, and does it belong to the Town.

Mr. Warner stated that the old site could be used for recreation, such as a baseball field, etc. The Federal cost of the new site will be 80% and the balance of 20% will be borne by the sponsors, which would be the State and the Town of Wallingford. He said that they were not encouraged to work on projects where the Town does not contribute any resources at all because they only have so much money to go around. He stated that funding could be done with in-kind services as well. Mr. Burger expanded regarding in-kind services and said that that is what they are asking the Town to begin with, although it may not be counted from a Federal point of view towards the non-Federal share, the looking for a site and getting whatever approvals are necessary for the development down the road--these are what the Town will have to take a lead in.

Mr. Warner said that this is what the Town will have to do--find a site and retain it. The Town would have to take a risk on this, although it is almost 100% sure of follow-through from the State and Federal government since they usually don't go this far unless they are sure.

Mrs. Papale said that she had been following this quite closely and had attended both meetings in Sheehan High School. Mrs. Papale asked if she was correct in understanding that the Town will provide some financing but that it would be reimbursed. Mr. Roe stated that the Town part is to avoid any cash cost to the Town and that the reality is that the State and Federal government feel that the third party ought to ante up to be at the table and make this project go. Mr. Roe stated that there is a lot of legwork involved and that it is going to take a lot of in-house resources that were appropriated to that. He said that they found the State was receptive in viewing that as the Town's contribution. He said that it is too early to know what the extent of that is going to be.

Mrs. Papale asked who would own the new piece of property if the Park gets relocated through this project; who do they pay the rent to; what happens to the Gopoians. 100

Mr. Roe stated that they do not have a firm answer yet and that it may very well be that they would end up being the new owners of the park (the Gopoians). He said it could be on a swap basis but this is not entirely clear as to how that deal would be cut.

Mrs. Papale commented that this would cost over \$2 million and that the people who own the Park will just go in and collect the money for a swap. She felt that they were getting an awfully good deal.

Mr. Warner stated that, although this is true, the Federal government has ascertained that this is a feasible way to solve the problem. Mrs. Papale stated that she knew the situation with these people when the area floods, but she felt it was unfair for the owners to profit from it.

Mr. Roe said that this was one of those tough questions that they don't really have an answer on yet and they are still looking at it and studying it. He felt that the issue of the windfall profits to the current owners is not one that has not been identified in their deliberations. He said that they are really looking at the economics of this project.

Mr. Warner suggested that the Town Council take an option on a piece of land and identify it for this purpose because if anything should go wrong, the land values are so that they would not lose anything.

Mr. Krupp asked if --notwithstanding the fact that they are being asked to forfeit the power that is vested exclusively to the Council with Chapter III, Section 5 of the Charter, and notwithstanding the fact that nobody seems to know how much money they are talking about or what percentage, or what the Town is going to acquire, or what the degree of certainty is, and notwithstanding the fact that there always exists the possibility that they could acquire this property and then the whole thing falls through--when they use the word "acquisition", are they precluding the use of current open space in the Town. He said that he asked this question because he would hate to see any recreational property or open space purchased for the purpose of maintaining open space converted into private housing--whether for this purpose or any other. Or is the intent to acquire existing private property.

Mayor Dickinson responded that they cannot use any of the Federally-funded open space by deed restriction and any use of current Town property would have to be approved by the Council. Mayor Dickinson also stated that they could enter into negotiations but that any final agreement would have to be agreed to by the Council. He said that there is no authorization here to spend any money.

Mr. Krupp stated that they did not have a detailed resolution in front of them and did not even know what the motion was that was made in regard to this.

Mayor Dickinson said that all he was looking for was authority to look for a site, identify it, speak with owners to determine what kind of a purchase price and ramifications would be entailed and then come back and ask for approval. He felt that it would not be appropriate to go out looking for a site without sanction from the Council and then end up with a possible deal and then have the Town Council feel that the Mayor's office should not have been looking in the first place.

Mr. Krupp moved to authorize the Mayor to enter into negotiations for site for relocation of Gopoiian's Park subject to final approval of any purchase or options by the Town Council. Mr. Holmes seconded the motion.

Mr. Polanski asked who will determine what the present Gopoiian's Park is worth versus what they would be getting and why would they have to run it.

Mr. Warner stated that some of these are calculations that are being prepared by the Corps and this takes time.

Mr. Holmes said that he shared the concern over whether the present owners would benefit from the planned relocation of the park, but that his main concern was the safety of the people who live in the park and if the people of the Park are behind the project, then he is too. 101

Mr. Diana said that he felt as Mr. Holmes did, but that there is a concern regarding spending public money for private interest, if that in fact is the case here.

Atty. Mcmanus said that there is not enough definition to this yet and he could not comment. He said that there are many problems even before that - zoning, etc.

Mr. Gessert said that they have \$1.2 million for FIP Industrial Park Road and this is for private interest also, but they are also looking at the municipal benefit side.

Mr. Warner said that this is the first solution of its type which is non-structural, in the State of Connecticut, for which a Federal agency is participating--by taking the people out of the land that is being flooded and using that piece of land for some purpose that is not affected by flooding.

Mr. Killen asked what will they do if they have no land that is zoned for a trailer park; are they going to tell P&Z that they like a particular piece of land and therefore they have to change the zoning.

Mr. Warner said that if they want to solve the flooding problem, this is something the Town will have to come to grips with.

Mr. Killen said that there is more to it than authorizing the Mayor to go out and look for a piece of land. First of all, they have to find out if they can do it in the Town of Wallingford.

Mr. Warner said that the Town holds in its hands the ability to change and to govern what happens to the Town in the best interests of the citizens of the Town, and it all depends on what the priorities are.

Mr. Killen said that what bothered him was that the State puts up the money for their elderly housing and they could put up a lot more if they had put in trailer parks and the land could always be reverted back to what it was if there were no longer any need for elderly housing. He said the State is twenty years behind and now they are telling the Town to do something different.

Mr. Warner said the reason for this was that the trailer parks don't develop the tax base. Mr. Killen replied that they don't get much out of the elderly housing.

Mr. Killen wanted to know how much the Town is expected to bear in costs. Mr. Burger stated that the best estimates for the total project cost was \$2.3 million, as per the Army Corps of Engineers - of which the Federal will pay 80%, and 20% is non-Federal which is \$560,000 of which DEP has earmarked right now \$250,000.

Mr. Warner said this will take time and that the Town will have time to get another appropriation from the legislature and that he did not think they would have too much trouble doing that.

Mr. Warner stated that one of the things that was discussed at their meetings was that they acquire a piece of land so that the Corps could get started on their part of it, and if they find the land that they put up the option on it say for six months and that they probably could go to the Bond Commission to get the reimbursement money for the Town. What they will expect the Town to do is cover all of the costs--legal fees, title searches, etc.--all of which could be State expense but could be accounted for on the score sheet as part of the 20%.

Mr. Killen asked Mr. Polanski's question again which was not answered--who is going to ascertain the value of the present Gopoian's Park.

Mr. Warner stated that it was not worth as much as they might think because a good number of the trailers are there illegally because they are encroaching. He felt that a fair and reasonable price could be negotiated with the Gopoians under the circumstances.

102

Mr. Rys commented regarding the time of movement of the Trailer Park and the possibility of legal problems in relocating in that someone might feel offensive and take them to court to challenge their going into that particular area. He said that if that happens it might be two or three years before it gets settled. He asked how long is the State of Connecticut and DEP willing to continue on this particular project with figures already out of \$2.3 million, because two or three years down the road the money will be worth a lot less. He said that one of the biggest questions the people of the Park have is when are they going to move, and that some thought it would be 10 or 12 years.

Mr. Warner said that they could not guarantee that the money would be increased for the project if it goes two or three years longer but that if it is a reasonable amount, it could be done since the Corps and the State would be committed to their shares once the assurances are signed, nor will the Town be able to back out.

Mrs. Papale asked, if for some reason this project does not work out, what would happen to the people living in the Park and is it mandated to be closed because of the flood area. Mr. Warner replied that for some of them if they were flooded enough, they could say that they were damaged and not let them go back in there but they need the cooperation of the Town to do that and they would have no place to live, which does not solve the problem.

Mrs. Papale commented that it would mean getting behind this and working together or those people would have no place to live. Mr. Warner said that it was a difficult problem to solve and that if it were simple they would have done it years ago. Mrs. Papale said that, if it were simple, the Gopians could have done it themselves. Mr. Warner pointed out that the simple matter would have been not to put it there in the first place.

Mr. McManus said that he assumed that the Council would be authorizing the Mayor's office to look into properties to option and that they would not be buying them. The Council agreed. Mr. McManus asked how long of an option should the Mayor take when he finds a piece of land for this purpose. Mr. Warner stated that they would need a minimum of three months. Mr. Roe said that Mr. McManus was not asking in terms of the payment but in terms of the study. Mayor Dickinson felt they would need a year for the detailed study.

Mr. Warner commented that if they go out and find three or four places that might be suitable for this and then people would be competing for the sale of property and they get a short-term option and get extension to the option.

Mr. McManus stated that they would then need three months with perhaps another nine months added in there, the three months would be for the funding.

Mr. Krupp stated that 20% of \$2.3 million is \$460,000 not \$560,000. He realized now as he looked at the figures, that the Town contribution would come to \$210,000+ ("+" defined as the cost of the bonding that is going to have to occur because they know what happens on State reimbursements, the cost of the miscellaneous services that are going into this) and it seemed to him that they are playing guessing games at this stage without any great degree of certainty. He said that as he listens to that \$210,000 number and he keeps tacking on somewhere in his mind what the rest of the potential would come to and the numbers start with 3's and 4's and his enthusiasm starts to wane.

Mr. Roe said that if he felt that the Town was going to be kicking in \$210,000, his enthusiasm would wane also. He said that he hoped that nothing he said and no discussions that he had been party to had ever indicated at any time any kind of contribution. He said that, historically, the State has had such a priority on this that they began allocating money for this project several years ago or designating funds for this project. He said that that was not necessarily tied to project costs and that what is before the Town is the need to get the additional balance of that from the State. And they think that there is very strong support for that, certainly within DEP and within their own legislative delegation for that.

Mr. Krupp asked Mr. Warner if it was not right that the non-Federal share was \$460,000 and that the State had \$250,000 for that and that the Town would therefore have a cost of \$210,000. Mr. Warner agreed but added that the Town has the opportunity to get this from the legislature and that they also have the opportunity to provide these funds through in-kind services for the development of the recreation area and expended enough money that the Town would normally expend for recreation in the Town budgets anyway.

Mr. Krupp asked how recreation got into this and Mr. Warner replied that the land can only be used for recreation (because of the flooding problem).

Mr. Polanski asked how many units were involved. Mr. Roe stated there were 85 units and that each unit was worth about \$25,000. Mr. Gessert commented that if they offered each of these people \$26,000 to take their trailer and leave town it would be cheaper. Mr. Roe said that you would have to pay for Gopoian's business and you would have to factor that cost into the equation. Another thing is that trailer park spaces are at a premium, according to a State study done recently.

Mr. Killen asked when the \$2.3 million figure was arrived at. Mr. Burger stated that this was in December. Mr. Killen asked if there was a bill in Hartford seeking the balance of \$210,000. Mr. Warner replied that it was his understanding that their legislative representatives were ready, willing and able to put in a bill, which would not be ready for this year. But they have enough money to cover any acquisition costs that the Town would have to incur.

Mr. Killen said that they have not covered the full amount, the 20%, and that is the part that bothers him because the State has not been very forthcoming when the Town has done business with them. The Town owns its own Electric Division and the State wants that money right on the line on the money that is made, but when they owe the Town money, they have to keep pounding on the doors. Their reputation is not the greatest. He said, as Mr. Krupp said earlier, the Council is not in the business of faith.

Mr. Diana said that if anyone thinks that this is not going to cost the Town money, they are wrong. One of the things he is concerned with is, first of all, the support of the Gopoian people who live there and what their feelings are, and that he is also equally concerned with the surrounding people here where they will potentially be moving these people. He felt that it was a lot broader than just the Council just saying yes, that their intention is to move them. He would like to see what the public reaction is going to be.

Mr. Warner stated that before he can get that public reaction, they have to locate a site and have the ability to develop a park there. Then the Town will have the Corps of Engineers tell them how much it will cost and have plans drawn up to show what it will look like and will know what the sewer tie-ins, etc., will be, and also know what can be done with the costs in what can be done with the part that is left over.

Mr. Diana asked if it were possible to rephrase the terminology of this request so that they would know what the Town Council's responsibility would be. Mr. Warner felt it was unrealistic because the State will put up the 20%, except for that part which the Town will put up in in-kind services, so a very costly project is being borne mostly by other than the Town but the one thing that only the Town of Wallingford can do is find a place to move these people to.

Mr. Holmes summed it up by saying that the Town is at Point A and to get to Point B, they have to determine where they are going to put the park. If they don't determine this, all the discussions up to this point have been of no value because they cannot determine what the costs will be, what the State will pick up and what will come out of our pockets until we move ahead and determine the site. He felt that the Council should at least do that and then they can get a full picture.

Mr. Ray Hugo, 88 S. Main St., said it seemed to him that the Town has a multi-faceted problem, one of which is the dire need of the people living there and another involving the possibility of a windfall profit and a third problem, once the people are moved to another place they will be much more comfortable and without the possibility of flooding and that whoever is running or owning the

10
park can request increases in rent from the tenants. He felt that they should consider, as with North Haven, each owner might be given the opportunity to sell their home and be relocated with the profit into another home. He felt that the motion on the floor was to authorize the Mayor to look for a piece of land with the Council having final say, and he did not see any difficulty with passing that.

Mr. Edward Musso asked if it was necessary to find a piece of land in Wallingford. He was advised that it was. He said that they should phase the park out. He felt that Gopoiian should pay for it since they made this "Frankenstein." He said that Gopoiian should find a site for them. He said that the Town would like to help the people but it is not the Town's responsibility to take care of them. He said transferring ownership of the new park to Gopoiians was "a nice golden goose egg."

Mr. Gessert felt that Mr. Musso's remark regarding the Gopoiians' helping out with some of the costs was a good one and that the Town would welcome their input.

VOTE: Unanimous ayes with the exception of Councilmen Diana and Krupp who passed; motion to authorize Mayor as indicated duly carried.

Mr. Gessert introduced a request to adopt resolution as requested by Mr. Donald Roe, Program Administrator, with regard to authorizing the Mayor to enter into an agreement with new tenants, Mr. & Mrs. Corriere, at the railroad station. Mr. Krupp read the resolution (copy attached).

Mrs. Papale moved to adopt the above resolution. Mr. Polanski seconded the motion.

Mr. Roe stated that Mr. Burton, the current owner of the business at that site, and Mr. & Mrs. Corriere were present tonight. Mr. Roe stated that Mr. Burton entered into a sales agreement with them and that they wish to continue the business at that site, and in an administrative review with the Recreation Dept., Public Works and the Mayor's Office, they recommend that they continue to have the facility used in exchange for the services that the Town receives which are important services which helps the Town use and protect the facilities.

Mr. Diana stated that the work for the last fourteen months has been good but he complained that he had called Park & Rec to use the facility on Saturday mornings and it was brought to his attention that the community center would be closed on Saturdays and Sunday because the new owners requested that they not be responsible for the building on weekends. Mr. Burton said that anytime that building was requested for Saturdays or Sundays, it was always open.

Mr. Diana said that he was referring to the future usage. Mr. Roe said that they had problems with some weekend users. Mr. Roe said the provisions of the lease do not call for having it closed.

Mr. Roe stated that Mr. Shepardson had wanted to avoid regular usage on Saturdays and Sundays but that for special occasions during holidays, etc., or celebrations. Mr. Diana felt that anything that is organized and keeps kids out of trouble is good and that Mr. Shepardson, as Recreation Director, should not be putting the Town in the position of denying children any activities.

Mr. Diana felt that it is a community center and it should be opened up.

Mr. Roe said that they should look into it.

Mr. Krupp asked if Mr. & Mrs. Corriere were aware that the conditions of the resolution was that their residency could be terminated on 30 days notice. Mr. & Mrs. Corriere said that they did not have any problem with that.

Mr. Rys asked Mr. Roe if he knew about the business being up for sale. Mr. Roe said that the present owner did inform him some time ago, but that the exact ad he was not aware of. They were taking steps to address Mr. Rys' concern when in fact the sales agreement was concluded with the Corrieres. Mr. Rys stated that

he wanted to make sure that there were no legal ramifications with regard to the thirty days notice, since perhaps not with this Council but with the next, there could be the possibility that the new tenants would be given thirty days notice to be out. Mr. & Mrs. Corriere said they understood that and that they went into the lease with good will. 105

Mr. Corriere stated that they were willing to be open on Saturdays but that on Sundays they go to Church and they could reopen after Church. Mr. Diana said he was not concerned with Sunday and that if they were going to open on Saturdays that they should also open the business. Mr. & Mrs. Corriere stated that they would do that also.

Mr. Burton stated that the problem had been with a group that had a 21-year-old supervisor originally and now the group wants to take out a permit with a 15-year-old supervising and this was not allowed.

Mr. Musso asked what the area was going to be used for. He was advised that it was a gift shop with newspapers.

VOTE: Unanimous ayes; motion to adopt resolution as stated duly carried.

Chairman Gessert introduced Ms. Muriel J. Lemay, Director - VNA, who made a presentation regarding the Visiting Nurses Association. Ms. Lemay gave a summary of the services being provided and provided the Council with a pamphlet listing those services. Ms. Lemay stated that a hospice service would be started in one or two months. She spoke about the advantages of using the VNA services. She stated that the VNA sees about 23% of the population over age 65, as opposed to the national average of 10%, possibly do to the five elderly housing projects and the senior center located in town.

Ms. Lemay stated that they are looking for a pediatrician to deal with the Child Health Clinic.

Ms. Lemay discussed how the services are paid for and pointed out that Medicare has cut back drastically and that more of the Wallingford funds are used to pay for expenses not covered by Medicare and other organizations. She handed out the Annual Report of the VNA for fiscal year July 1, 1983 through June 30, 1984 to give the Council an idea of the revenue and expenses. She stated that communities twice the size of Wallingford do not have the services that are offered by the VNA, due to the funding provided by the Town. She stated that new mandates have come in but that the VNA is already doing most of these.

Mr. Krupp asked Ms. Lemay is she intended to come back to the Council to ask for an increase. Ms. Lemay stated that they had submitted their budget to the Mayor's Office and that last year they had not asked for an increase. She stated that during budget time they do not have time to go over what the VNA does and the services provided and she wanted to take this time to do so.

Mr. Krupp stated that Ms. Lemay had indicated significant cutbacks and she said that last year they did pretty well but that the cutbacks were with Medicare this year and todate they were not doing as well as last year.

No action was required on this item.

The possibility of ending the meeting was discussed and it was decided to continue with the meeting.

Mr. Krupp moved to note for the record the financial reports of the Visiting Nurses Association, Public Library, and Senior Citizens, as requested by Mr. Myers. Mr. Killen seconded the motion.

VOTE: Unanimous ayes with the exception of Mr. Polanski who was not present for the vote; motion to note the above reports for the record duly carried.

Chairman Gessert introduced a request for transfer of \$1,000 from A/C 521-540 (PWD-Parker Farms School, Maint. of Heating System) to A/C 504-481 (PWD-Snow Removal, Ice Control & Sand Pickup - Meal Allowance), as requested by Stephen Deaks, Public Works.

Mr. Krupp moved to approve the above transfer; Mr. Holmes seconded the motion.

Mr. Krupp commented with regard to Monday night's meeting, whether it was being "penny-wise and pound-foolish" in turning off the heat at Parker Farms School and if it would accelerate the deterioration that would occur by allowing that building to go below freezing. 106

Chairman Gessert commented that it was a valid point but that he did not see this as a major problem since most of the walls were made of masonry. Mr. Krupp said he was more concerned about moisture getting into the masonry and freezing which may cause cracking.

Mr. Killen asked what the balance was in the A/C 504-481. Mr. Deak said all the money in the account was used up with the last snow storm. Mr. Deak said he had \$642 as of February 8, and the last snow storm used this up.

Mr. Killen asked why the plows were not down at the same time that the snow is a slushy surface since it seemed to him that the stuff would melt over and accumulates again. If the plows were down, it would melt this surface slush.

Mr. Deak said he told his staff to put down the plows and that he had no complaint about this.

Mrs. Papale asked if when Public Works did their budget, did they ask for more money in the account and did the Council refuse it. Mr. Deak indicated no and Mrs. Papale suggested that next time they should ask for more money.

Mr. Killen said that last winter was a mild one and every year is different.

Unanimous ayes with the exception of Mr. Diana who was not present for the vote; motion to approve transfer of \$1,000 duly carried.

Mr. Holmes moved to approve appropriation of \$10,000 from A/C 805-319 (Emergency Acct. Reserve for Emergency) to A/C 504-140 (Snow Removal Control Wages), as requested by Public Works. Mrs. Papale seconded the motion.

Mr. Killen asked if there was no money elsewhere in Public Works accounts to come up with this. Mr. Deak said no.

Mr. Killen said some of the accounts for repairs have unencumbered balances and shouldn't those accounts be totally encumbered at this time. Mr. Deak stated that all the money this year is very tight. Mr. Killen pointed out that they had \$15,000 for A/C 504-332 (Repair Factor #46) which showed an unencumbered balance of \$5,763. Mr. Deak pointed out that this account is for the sweepers and compactors, and not for the compactor, and the sweeper season is just starting.

Mr. Killen asked how much money is in A/C 504-140. Mr. Deak replied they had \$19,514 and the balance as of February 6 was \$1,881. In the past weekend they had two trucks out and the balance was expended. His payroll for February 6 shows \$17,632.83.

Mr. Gessert commented that this meant \$17,000 in overtime in the past weekend. Mr. Deak concurred and said that some men worked 90 hours, the last storm.

Mr. Killen asked if the cars were off the streets would that cut down the number of hours. Mr. Deak said it would not.

Unanimous ayes with the exception of Mr. Diana who was not present for the vote; motion to approve appropriation duly carried.

Mr. Krupp moved to approve Item 11a and 11b: transfer of \$3,200 from A/C 505-130 (Wages-Central Garage) to A/C 504-455 (PWD-Snow Removal Salt Supplies) and \$3,000 from A/C 503-300 (PWD-Gas & Oil) to A/C 504-455 (PWD-Snow Removal Salt Supplies) as requested by Public Works. Mrs. Papale seconded the motion.

Mr. Deak stated that he had four loads of sand on hand and that the money requested is for future needs and if he can save it, he will try.

Mr. Gessert asked what the dollar value of sand was. Mr. Deak said it was \$32 a ton.

VOTE: Unanimous ayes, with the exception of Mr. Diana who was not present for the vote; motion to approve transfers 11a and 11b duly carried.

107

Mr. Krupp moved to approve the transfer of \$600 from A/C 401-135 (Part-Time Personnel) to A/C 401-201 (Utilities), as requested by Ivan S. Shepardson, Park & Recreation Director. Mr. Holmes seconded the motion.

Mr. Killen asked if the budget had been originally cut. Mr. Shepardson stated that it had just come in higher than was expected.

VOTE: Unanimous ayes; motion to approve transfer of \$600 duly carried.

Mr. Krupp moved and read a RESOLUTION AMENDING THE BUDGET TO PROVIDE FOR THE PURPOSE REVENUE RECEIVED FROM THE WOODCUTTING PROGRAM, as requested by Mr. Shepardson (copy of resolution attached). Mr. Holmes seconded the motion.

Mr. Killen asked if the only reason Mr. Shepardson was doing this now was so that it could go out to bid. Mr. Shepardson said they had the money now but if they don't spend it now they will lose it. According to the State and open space, all the money has to be put back into the property and also the contractor is supposed to get 22% with the contract they have.

Mr. Killen asked what he meant by losing the money and Mr. Shepardson stated that it goes into the General Fund. Mr. Killen said that the Town does not lose the money and the Council could make it available to Park & Rec again.

VOTE: Unanimous ayes; motion to adopt resolution duly carried.

Mr. Holmes moved to approve transfer of \$975 from A/C 159-903 (Pers.-Labor Rel. Actuary) to A/C 159-520 (Maintenance of Equipment), as requested by Stanley Seadale, Personnel Director. Mr. Krupp seconded the motion.

VOTE: Unanimous ayes; motion to approve \$975 transfer duly carried.

Mr. Krupp moved, for discussion purposes, approval of \$2,150 from A/C 396 (Power Operated Equipment) to A/C 392 (Transportation Equipment) as requested by Charles F. Walters, General Manager, Electric Division. Mr. Rys seconded the motion.

Mr. Killen stated that he had a question on the previous item. He asked Mr. Myers how this money can be transferred from A/C 159-903 when the account shows a balance of only \$500 according to the January statement. Mr. Myers replied that the encumbrances will be changed because the Segal contract was awarded on October 1 so the \$7,500 on the encumbrances is high and some of that will be cancelled. He believed that the paperwork for this is in process. He added that Segal will not get the \$7,500 because they did not work from July to October 1.

Mr. Krupp asked why they were replacing the vehicle (Item 16). Mr. Walters stated that the vehicle was on rounds and was driven into another vehicle and the vehicle was totalled. He stated that the driver just came back to work. Mr. Walters stated that the car is about 5 years old and the value is \$2,700 and the policy has a \$1,000 deductible on all vehicles, which leaves \$1,700 covered by the insurance.

Mr. Krupp asked if the driver was given disciplinary action and Mr. Walters said it was in the works.

Mr. Rys asked Mr. Walters if that vehicle was listed in the list Mr. Walters had given to him. Mr. Walters replied that the accident took place on January 4 and may have been prior to the list. A discussion took place regarding meter readers and meter men and the use of vehicles by them.

Mrs. Papale asked if all the cars have a \$1,000 deductible. Mr. Walters stated that all the cars and trucks have that deductible and to have a lower deductible would cost them more.

VOTE: Council members Diana, Holmes, Killen, Papale and Polanski voted aye; Council members Gessert, Krupp and Rys voted no. Motion to approve above transfer duly carried.

Mr. Krupp moved and read the following resolution as requested by Mayor Dickinson. Mr. Diana seconded the motion.

108

RESOLVED, to authorize the Town of Wallingford to construct with volunteer assistance a public restroom addition to a concession stand at Parker Farms.

Mayor Dickinson stated that it was basically the footing, foundation and hook-up for water and sewer. Mrs. Papale asked who would pay for the water and sewer. Mayor Dickinson said that it was Town property and he said that what he thought was possible was that whoever uses it would have the responsibility of cleaning it. Mayor Dickinson said this would not only be for the Little League but also would enable the Town to have a football field. He said that Planning & Zoning would like to put in a football field but they need a bathroom facility in order to utilize it for football. Mayor Dickinson said the reason this was on tonight, and he thought the Council should be informed, is that Public Works would be using bits and pieces from other jobs and obviously using labor to bring this project into reality. He said they would like to have it up by the end of March or April.

Mayor Dickinson stated that they are planning a connection to the sanitary sewer and he does not think it is a long distance, and there would not be a real problem with the connection. The Town would be providing the connection up through the floor but all of the other items - the toilet, sink, etc. - is going to be supplied. He believed Engineering had supplied a drawing for the construction in order to meet codes.

A discussion followed Mr. Krupp's question regarding the property split which they have been waiting to hear about. Mr. Diana stated that he had sent a letter to Ms. Bush just recently with regard to this.

Mayor Dickinson asked, given the last report, if they want to go too fast on splitting that property. Mr. Krupp stated that they are talking about two years plus before that school becomes operational again, and that the report does not necessarily mean that a recommendation to reopen the school will be forthcoming from the Board of Education. He said that nothing would be harmed since it is designated for recreational purposes and he did not see any reason not to go ahead with the split. He said he would want to have a separate recreational area in case it is decided to sell the property.

Mr. Killen said that instead of the Little League putting up the building he would like to have them police it. He said the Town always ends up repairing buildings more than constructing them. He said the vandalism is terrible. It was mentioned that with a Little League and football field there would be less chance of that.

VOTE: Unanimous ayes; motion to adopt resolution duly carried.

Mr. Krupp moved to table the financial report for the Town of Wallingford for the month ending 1/31/85 until the next meeting on Tuesday. Mr. Holmes seconded the motion.

VOTE: Unanimous ayes; motion to table duly carried.

Mr. Krupp moved to accept the Town Council Meeting minutes of 1/22/85 and 1/24/85. Mr. Rys seconded the motion.

VOTE: Unanimous ayes; motion to accept those minutes duly carried.

Council secretary noted that the minutes of 1/8/85 were tabled. Chairman Gessert asked that these be put in the next meeting's agenda.

Chairman Gessert noted the following correspondence:

1. Letter from the Fire Fighters Local expressing their appreciation for the Council's and Mayor Dickinson's help and consideration in the purchase of new equipment for their members.

- 2. Letter from Sergeant David Calabrese, dated February 9, 1985, notifying the Council that he has been relieved of his duties as Crime Prevention Officer and assigned as Sergeant within the Patrol Division, and notifying that Patrolman Curran is his replacement, and thanking the Council for its support and assistance in the Crime Prevention Program.
- 3. Letters from Senator Eaton and Representative Robert Ward indicating their support of the resolution regarding binding arbitration.
- 4. Letter from Mr. J. Ronald Denney of ORFA, dated Jan. 21, 1985, regarding reports which were positive in nature, and the fact that they have acquired the rights to four sites.
- 5. Letter and petition from the residents of Maple View and Laurel Wood, expressing their concern about tree removal.

A motion to adjourn was duly made, seconded and carried and the meeting was adjourned at 12:15 a.m.

Respectfully submitted,

Carmen L. Gonzalez
Council Secretary

APPROVED: *David A. Gessert*
David A. Gessert, Council Chairman

2-26-85
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

2-26-85
Date

NEW WESTON
APR 26 1985
LINEA RECORDS