

Summary of Town Council Meeting

December 9, 1986

087

	<u>Page</u>
Public question and answer period: Resource recovery discussion; tree branch trimming on private property for visibility purposes.	1-6
Appointed Miss Jean Valenti and Mr. Adam Selesh to Public Celebrations Committee; term commencing immediately and ending 2/1/88.	6
Appointed Mr. Neil Groberg and Mr. Richard M. Heffern to Wallingford Transit Authority; term commencing immediately and ending on 9/16/89. Waiting period waived; sworn in at meeting.	6-7
Approved waiving bidding procedure to purchase new meter reading devices from Radix Corporation, Salt Lake City, Utah for Electric Division.	7-10
Authorized trade in of Director of Utilities vehicle rather than selling through Public Works Garage.	10-11
Withdrew Item 8/discussion and possible action on replacement of Xerox 7000 machine in Central Service Office.	11
Established 001-1420-999-9902 Electronic Typewriter-Tax Collector's Office and approved transfer of \$972 from Accountant Salary to Electronic Typewriter, Tax Collector's Office.	11-14
Established 001-5060-600-6520 Landfill Trailer Rental and approved transfer of \$1,300 from Utilities 701 Center Street to Landfill Trailer Rental.	14-16
Approved transfer of \$1,800 from Utilities Robert Earley to Utilities Parker Farms School.	16
Rescinded action taken on 11/25/86, page 27 of minutes, transferring \$10,000 from Emergency Contingency to Dog Warden Additional Funds-Truck.	16-17
Approved transfer of \$9,000 for Housing Authority architectural design at Simpson School site.	17-18
Discussed road conditions on Cook Hill & North Airline Road.	18-20
Approved job description for Risk Manager, as amended.	20-21
Approved waiving bidding procedure for performance of engineering site work at Parker Farms School, not to exceed \$3,500.	22-23
Waived Rule V and confirmed Mayor Dickinson's reappointment of John A. Shulga to Personnel and Pensions Appeals Board.	23
Adopted resolution authorizing Comptroller to account for receipt of funds representing Med-Way Associated and FIP Corporation costs pertaining to construction of Carpenter Lane.	23-25
Accepted Town Council Meeting Minutes of November 25, 1986.	25
Discussed special meeting to be held December 19, 1986 at 5:30 pm	25
Meeting adjourned.	26

TOWN COUNCIL MEETING

DECEMBER 9, 1986

7:30 p.m.

- (1) Roll call and pledge of allegiance to flag.
- (2) Public question and answer period.
- (3) Consider two appointments to Public Celebrations Committee: Miss Jean Valenti and Mr. Adam Selesh, term commencing immediately and terminating on February 1, 1988, requested by Mayor William W. Dickinson, Jr.

- (4) Consider appointment of Neil Groberg, Esq. to Wallingford Transit District, term commencing immediately and terminating on September 16, 1989. 688
- (5) Consider appointment of Richard M. Heffern to Wallingford Transit District, term commencing immediately and terminating on September 16, 1989.
- (6) Consider waiving bidding procedure to purchase new meter reading devices from Radix Corporation of Salt Lake City, Utah, requested by Charles F. Walters, General Manager, Electric Division.
- (7) Consider authorizing disposal of Director of Utilities vehicle through bid process rather than selling through Public Works Garage, requested by Raymond F. Smith, Director of Public Utilities.
- (8) Discussion and possible action on replacement of Xerox 7000 machine in Central Service Office, requested by Donald T. Dunleavy, Purchasing Agent. (WITHDRAWN FROM AGENDA)
- (9) Consider and approve transfer of \$972 from Accountant Salary to Electronic Typewriter, Tax Collector's Office, requested by Thomas A. Myers, Comptroller.
- (10) Consider and approve two transfers requested by Steven L. Deak:
(a) \$1,300 from Utilities 701 Center Street to Landfill Trailer Rental
(b) \$1,800 from Utilities Robert Earley to Utilities Parker Farms School
- (11) Discussion of road conditions on Cook Hill and North Airline Road, requested by Council Chairman David A. Gessert.
- (12) Consider and approve three job descriptions requested by Mayor William W. Dickinson, Jr.: (1) Deputy Comptroller/Treasurer, (2) Risk Manager, and (3) Assistant Personnel Director.
- (13) Consider waiving bidding procedure for performance of engineering site work in connection with the Parker Farms School renovation, requested by Robert E. Devine.
Waived Rule V for two items--see summary page.
- (14) Consider and approve a transfer of \$9,000 for Housing Authority architectural design at Simpson School site.
- (15) Rescind action taken on 11/25/86, page 27 of minutes, transferring \$10,000 from Emergency Contingency to Dog Warden Additional Funds-Truck.
- (16) Accept Town Council Meeting Minutes of November 25, 1986.

TOWN COUNCIL MEETING

DECEMBER 9, 1986

7:30 p.m.

A regular meeting of the Wallingford Town Council was held on Tuesday, December 9, 1986, called to order by Chairman Gessert at 7:42 p.m. Answering present to the roll called by Town Clerk Rascati were Council Members Bergamini, Diana, Gessert, Gouveia, Holmes, Killen, Papale, Polanski and Rys. Also present were Mayor William W. Dickinson, Jr., Mr. Tom Myers, Comptroller and Town Attorney Vincent T. McManus, Jr. The pledge of allegiance was given to the flag.

Chairman Gessert asked for a moment of silence for Mr. Jerry Lehmann, the Board of Education's food service director for the past 10 years, who recently passed away. A moment of silence was observed by everyone.

ITEM 2. Public question and answer period.

Mr. Zandri asked the Council and the Mayor if they were aware of Mr. Hamel's article regarding the ability of CRA to bring in additional waste from anywhere it wants in the State of Conn., when the contracts were signed.

Chairman Gessert responded by saying that they were aware of the capacity of the plant and how that capacity would be utilized. He added that the Council would look into this to see if there were any changes. 689

Attorney McManus added that based on the numbers that are known now, this is not going to happen.

Mr. Avalone asked if this answer meant that at the time of the Contracts, the Council knew that other towns, other than the five participating towns, could join into this incinerator?

Mayor Dickinson answered Mr. Avalone by saying that it is not a question as to whether the town is joining into the incinerator, it's a question of obtaining garbage or fuel sufficient to operate at capacity to produce steam and electricity as it was designed to produce. We are not talking about other towns becoming members, if you don't have enough garbage to burn, you are going to have to obtain it elsewhere or the plant doesn't operate efficiently. It is not a question of joining, it is a question of where you find the refuse to maintain the optimum level of operation.

The Councilmembers commented that this was explained to them quite thoroughly.

Councilman Diana noted that he remembers asking the question if there was enough room to build on if they needed it for themselves. He added that he does not remember hearing anything about another town being brought into this.

Councilman Diana was corrected by some of the Councilmembers who stated that they are not incorporating another town.

Mayor Dickinson added that they cannot incorporate another town without the Board agreeing.

Councilman Diana commented that he is going by third party here-say and he understands that it was told to the group that they can introduce another town without the votes of the parties involved. From what he understood from Phil that night is that we have to have a vote in order to bring in any additional towns.

Mayor Dickinson added that this was his understanding also.

Councilman Diana agreed with Mayor Dickinson and added that according to what was said the other day, he said otherwise, in fact he said they could do it right now without our permission.

Mr. Avalone asked the Councilmembers again if they were aware that garbage from other towns, other than the five participating towns could be brought in.

All Councilmembers and Mayor Dickinson answered yes.

Councilwoman Bergamini added that we have to meet that capacity.

Mr. Avalone then asked why is there any question of recycling at all, if in fact you are going to look to utilize the capacity of this plant? If Wallingford recycles half of what they normally produce, and then as a result of that, the overall capacity of the plant is not met, and then it will be met by other towns (not of the five towns in deposit), it seems to me that you are always going to be looking to fill that capacity. Mr. Avalone added that he understands this looking at it from an economic point of view. If in fact that is true, then there is no sense, as I see it, for us to get involved in a recycling program.

Chairman Gessert commented that if you bury it or burn it, this is not a perfect solution. Whatever you can recycle means that much less that the environment has to absorb from either a burning or a burying process. So, to the fact that recycling benefits the state as a whole, benefits the environment as a whole, benefits the public as a whole, recycling is encouraged and there is nothing in the Contract that we agreed to, to discourage people from recycling. If people want to recycle bottles, cans, newspapers, that is that much less that ends up in a landfill as the end result.

Mr. Avalone did not agree with Chairman Gessert's comment and stated that Wallingford is the one that is going to get the residue from the burning. He added that Wallingford was not going to benefit from the recycling. 690

Chairman Gessert added that the world consists of other places and towns other than Wallingford.

Mr. Avalone asked if this was the concern of the Council when they entered into this Contract, that it was something to help out the state and not the residents of Wallingford?

Councilmembers answered no.

Chairman Gessert commented that this was debated three weeks in court.

Mayor Dickinson added that now we have somewhere in the range of 36,000 or 38,000 tons a year. We guarantee 23,000 tons for this plan. There is a big volume there that is not guaranteed that we produce. At the point that we are supplying all of this to the plant and the other towns all have minimum guarantees, if everyone is supplying all of the garbage that they produce and send it to the plant, we are going to reach a point where we are going to have to build onto that plant very quickly, to the extent that we can minimize what actually goes there and recycle, it's going to take a longer time to increase the size of the plant. We could be at our capacity now, if all the towns are showing our kind of track record. A lot of these questions are conjectural because, until you operate and know what the track record is, it's estimation.

Mr. Avalone asked if this wasn't the time to discuss this rather than wait till this happens? As an example, let's say that Wallingford recycles 100%, where do we stand? Some other town is just going to bring their garbage into Wallingford and we are going to be responsible for taking care of it and we are going to be responsible for housing the residue of it.

Councilwoman Bergamini commented that when she voted for this she did not take recycling into consideration. My reasons are this, I've been a member of the League of Woman Voters for about 14 years. We had an excellent film about hazardous waste coming the kitchen. We could not get 20 people into this room. We paid to view this film, we had an ad in the paper and could not get 20 people from Wallingford to view it. I was involved with recycling down at the railroad station and it never got off the ground. People brought us our garbage and threw it there. Recycling never entered into my decision because the Town of Wallingford is spoiled and they will have it recycled. That I firmly believe. Mary Mushinsky can try it, she's welcome to try it, but if she thinks back, she was a member of the league, we tried this a long time ago, at least 8 years ago and it was an effort in futility. So, when I voted for the plant, I never took into consideration recycling. That's my vote.

Mr. Avalone commented that he was just trying to inject recycling as a factor to bring out the point that other than the five towns, other towns will or could be bringing their garbage to Wallingford. He added that he doesn't recall hearing this or seeing this in the papers.

Councilwoman Bergamini stated that Mayor Dickinson pointed out earlier that we never anticipated this as a problem.

Councilman Gouveia commented that about a year ago he met with Phil Hamel for an extensive period of time to discuss the Contract. He led me to believe that under a certain section of the Contract, we could actually make changes to the contract. Shortly after that, I wrote a letter to the Mayor and the Councilmembers and requested that we enter into negotiations with the CRRA and I still have a copy of that letter in which five areas were underlined which I thought should be changed. He added that he would like to know why he has not had a response to this letter to date. He would like to know if anything has happened and if there is a possibility that the contract can be changed.

Mayor Dickinson commented that it was awfully late to be changing anything on the contract. The Mayor added that it has already been signed, and added that he does not agree with some of the provisions that Councilman Gouveia is calling for. 691

Councilman Gouveia acknowledged Mayor Dickinson's comment about disagreeing with him but he was just asking to have his questions answered. He added that he met with Mr. Hamel and he said that there were certain things that we could change. At a public meeting our Town Attorney told us that although he could not accept Mr. Diana's request which was to do away with the Contract(void), you could work with me in changing some of the things in the Contract. Mr. Gouveia asked about the tipping fees. My question is that even if you do not agree with these things, did you at least entertain these things, my request to look into these possibilities. Mr. Hamel agreed that certain requests of mine could be looked into. For example, an oversight committee, which I asked for back on 2/4.

Attorney McManus commented that there was a point in the litigation that was just concluded for trying to get someone from the opposition group here in this town. The people against garbage burning didn't want to do this.

Councilman Gouveia added that we only have one vote in five. He suggested that they should have veto power.

Attorney McManus told Councilman Gouveia that after 3 weeks in Superior Court, they determined that we were going to have the cleanest refuse to energy plant in the world. He added that there is a judgment from court in the library right now.

Councilman Gouveia stated that this judgment did not speak on the contract we have now. When you put your contract against any other communities that have a contract with this plan, you will find out that you have a poor contract.

Attorney McManus disagreed with Councilman Gouveia and stated that no other community has this contract or plant. No one else has anything like it in this state.

Chairman Gessert added that if Mr. Hamel did not have to spend the last 6 months in court and preparing for court cases, and preparing 6,000 pages of documentation to back up a 300 page Contract, then he might have had more time to look at those points.

Councilman Gouveia again stated that he was told that things could be changed in the Contract, even four months after he wrote his letter of 2/4.

Attorney McManus added that during those discussions, at no time was the TLP formula discussed.

Councilman Gouveia agreed and added that nothing was ever discussed. That is the point he is trying to make.

Councilman Holmes pointed out to Mr. Gouveia that he had stated back at the meeting in February that if these changes were made would he support the Contract and he said no.

Councilman Gouveia added that he did not want to put the Mayor on the spot and stated that the Mayor asked him if we allow you the things that you ask for, would you vote for this contract? I said no, I will not vote for this contract. That was another question that led me to believe that we could change certain things in this contract. Why else would he ask me?

Mayor Dickinson commented to Mr. Gouveia that if he inferred that kind of position from his question, I am sorry you are totally inaccurate. There is nothing to infer. He added that this was an inaccurate assumption.

Councilman Gouveia again stated that we have a lousey contract.

Mr. Roland Chapo, 579 Ward St. Extension told the Councilmembers that he has been a taxpayer of the Town of Wallingford for the past 30 years stated that when he returned from a trip to Washington (saving this country millions of dollars), he was shocked to find that the branches of his hemlocks were cut off

by some vicious malicious people. The biggest shock was when I was told by the police that these vicious malicious people were the Town of Wallingford. The common courtesy dictates that any chainsaw happy ignoramus should notify the taxpayer before they go out and cut off the branches of the trees that are 25 or 30 years old in the name of visibility. For the past 27 years, no one has ever come to see me. Mr. Chapo added that this is a living question and this has made his Christmas terrible and added that his wife is very upset. He added that town sponsored vandalism should be stopped against the taxpayer and that the taxpayer should be notified if there is a problem. He invited the Councilmembers to view his property and look at the damage. 692

Chairman Gessert agreed with Mr. Chapo and stated that if someone is going to come onto your property because of a sight or vision problem, the property owner should be notified and given the first opportunity to correct it, see what has to be done to correct it, whether it be trim it back 6 inches or a foot, give the property owner that option and see if they want to do it. Obviously, if a property owner continues to ignore a request like that, then you have no alternative. Chairman Gessert added that whoever did this certainly owes Mr. Chapo an apology and stated that he will take a ride out there and see what the town can do to correct it. I think this was handled very poorly. Chairman Gessert assured Mr. Chapo that no-one here gave that order. He added that they will find out who did this.

Mayor Dickinson commented that the correct procedure is to notify the property owner and we will have to find out if it wasn't done in this case, why it wasn't done.

Mr. Chapo apologized for becoming so upset but everyone agreed that he had every right to.

ITEM 3. Consider two appointments to Public Celebrations Committee: Miss Jean Valenti and Mr. Adam Selesh, term commencing immediately and terminating on February 1, 1988.

A motion was made by Councilwoman Bergamini to consider the appointment of Miss Jean Valenti and Mr. Adam Selesh to the Public Celebrations Committee, seconded by Councilman Holmes.

Councilman Killen asked Mayor Dickinson if these were vacancies.

Mayor Dickinson answered that off-hand he did not know.

VOTE: Unanimous ayes ; motion duly carried.

Mayor Dickinson added that these names were submitted by Joanna Fishbein.

ITEM 4 Consider appointment of Neil Groberg, Esq. to Wallingford Transit District, term commencing immediately and terminating on September 16, 1989.

Chairman Gessert read a letter from Mr. Groberg which states that Mr. Groberg is currently Assistant Counsel with Metro-North Commuter Railroad Company. In his position with Metro-North, he performs general corporate legal work. As part of his responsibilities, he interacts with government agencies and assists in policy formation. Such policy formation places heavy emphasis on regional transit and community needs.

Chairman Gessert stated that the Councilmembers met with Mr. Groberg prior to the Town Council Meeting and they are impressed with his background in the area of transit and felt that he would be a valued addition to the Transit Authority.

A motion was made by Councilwoman Bergamini to appoint Mr. Neil Groberg to the Wallingford Transit District, seconded by Councilwoman Papale.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5 Consider appointment of Richard M. Heffern to Wallingford Transit District, term commencing immediately and terminating on September 16, 1989.

Chairman Gessert read a letter from Mr. Heffern which stated that Mr. Heffern is presently employed by Saab-Scania of America in the Scania Bus Division, as a Design Engineer. In his capacity, he is required to know all the latest developments through UMTA, (Baseline Advanced Design Transit Coach Specifications) D.O.T., F.M.V.S.S. and S.A.E. in regards to city buses. 693

A motion was made by Councilwoman Papale to appoint Mr. Heffern to the Wallingford Transit District, seconded by Councilwoman Bergamini.

Chairman Gessert stated that all Councilmembers met with Mr. Heffern prior to the Town Council Meeting and they believe he will be a valuable asset to the Transit District.

VOTE: Unanimous ayes; motion duly carried.

A motion was made by Councilman Killen to waive the two week waiting period, seconded by Councilman Councilman Holmes.

VOTE: Unanimous ayes; motion duly carried.

Town Clerk, Rosemary Rascati swore in Mr. Neil Groberg and Mr. Richard Heffern to the Wallingford Transit District.

(Applause)

ITEM 6 Consider waiving bidding procedure to purchase new meter reading devices from Radix Corporation of Salt Lake City, Utah.

Chairman Gessert introduced Mr. Charles Walters.

Mr. Walters began by saying that he submitted a package to all of the Councilmembers with the pertinent information on the devices that we asked you to waive the bid on. In the package, I thought there would be several items that you would be interested in the price, the other companies throughout the country that use this particular device, our payback period and other information. The Council did fund this several years ago four years to be exact and we did not make this period because of personnel problems and this was budgeted 2 years ago and we carried forward this particular amount. Over 300 companies across the country are using this device. I've seen many devices over the four year period, I have had proposals, tests and so-on. I believe this particular device will serve Wallingford the best than any other device that I have seen. I ask that you waive the bidding procedure so that we may purchase this particular item.

Chairman Gessert asked Mr. Walters if this device was only available from one manufacturer.

Mr. Walters answered that this particular manufacturer holds the patent. There are other manufacturers using a similar device but, not the same. As far as I know, this is the only device that can read the solid state meter, and we are installing solid state meters throughout the town. I have been led to believe by other vendors that this is the only device that can read those meters.

Chairman Gessert asked Mr. Walters if this process will be automated with this type of meter.

Mr. Walters responded that this will lead into several changes in our operation now. The meter man can go out and put in certain information and if his information is not correct, this device will tell him. When this device comes back into the shop, we can automatically down-load all the readings for the day within two minutes.

Chairman Gessert asked if this will improve the meter reading time.

Mr. Walters agreed and explained that there is a problem finding meters. The elimination of the re-reads will be fantastic. Between the two concepts, it will save time.

Councilman Killen was concerned that there was only one spec from Radix and asked if PUC requested that they come up with any other specs other than Radix. 694

Mr. Walters responded by saying that because of the factors that this thing can do, where other devices cannot do, I convinced them that this was the device to use. Reading of the solid state meter is very important. It would be foolish to buy another device and go out there and not be able to read some of our meters.

Councilman Killen was concerned that PUC should have been looking further.

Mr. Walters added that they had another proposal from a vendor but not only was it verbal, it was much higher.

Councilman Killen stated again that he would have liked to have seen more than one proposal.

Mr. Walters commented that he could have gotten a lower bid but, it would not have done the job.

Councilman Polanski was concerned with the repair and maintenance and the only reference he could find was on the payback page costing them \$3,500 a month.

Mr. Walters stated that it is \$298.00 a month. This amount was annualized.

Councilman Polanski asked if this was per item.

Mr. Walters answered that this amount was all of the items. The item that will go bad is the utilicorder itself. It covers it all.

Councilman Polanski made the point that this would be a monthly fee regardless of the amount of maintenance needed.

Mr. Walters agreed with Councilman Polanski's comment. He added that you pay a flat fee per month for maintenance.

Councilman Diana asked that out of the eight pages of listings, one of them is in Ct. Have you called anybody and discussed this?

Mr. Walters said that he talked to most of the ones in Mass. He had not talked to Northeast. Their units are fairly new. They purchased them in the last 6 months. He added that everyone that he has talked to are very happy with the results, and the ease in installing this product.

Councilman Diana asked if this was compatible with our system now and it would not require us to do x, y and z next year?

Mr. Walters stated that this particular concept leaves our data-base alone. The data-base comes down to a personal computer and then you take your data and stir it up, if you will, in your own personal computer and do what you will with it. Then you take it and read the meters and do what you have to do. Then you send it back in the same form that you received it. It does not disturb the main frame at all. That was one of the big problems in this concept early on.

Councilwoman Papale asked if it was unusual for Mr. Dunleavy to say go ahead and waive the bid without asking you to put them out to bid?

Mr. Walters responded by saying that almost everything that he has purchased over \$2,000.00 has been bid. Mr. Dunleavy felt that this should not be bid because of the uniqueness of it.

A motion to waive the bidding procedure and award to Radix Corp. was made by Councilwoman Papale and seconded by Councilwoman Bergamini.

VOTE: Unanimous ayes with the exception of Councilman Killen who voted no. Motion duly carried.

Chairman Gessert added that Mr. Walters did a very thorough job.

ITEM 7 Consider authorizing disposal of Director of Utilities vehicle through bid process rather than selling through Public Works Garage. 695

Councilwoman Bergamini read Mr. Raymond Smith's memo dated December 3, 1986 to Mayor Dickinson regarding his request to waiver this requirement for the vehicle assigned to the Director of Utilities inasmuch as Town Council did not reimburse the monies to the account represented by the trade-in and, therefore a bid recently received exceeded the budgetary figure by that amount. If this cannot be done, he will need an adjustment to the budget for the amount of \$2600 represented by the trade-in of this particular unit.

A motion was made by Councilwoman Bergamini to authorize the trade-in of the vehicle, seconded by Councilwoman Papale.

Councilwoman Bergamini commented that she confirmed that this was done because they went back and checked the budget minutes. Only on the Electric Division's budget they had to dispose of the cars through the Public Works.

Councilman Killen and Councilman Gouveia noted that they also checked the years and mileage, at the time and to see if there was enough money.

Councilman Gouveia asked Mr. Smith if he could get more than \$2600 for it.

Mr. Smith responded by saying that knowing what he does about the car, he wouldn't give you \$2000 for it.

Councilwoman asked Mr. Smith if he was going after the low bid.

Mr. Smith responded by saying that he was going to award it to the low bidder.

Councilwoman Bergamini commented that the middle bidder is giving them a 60 month warranty and 50,000 miles as opposed to 12 month warranty and 12,000 miles.

Mr. Smith responded by saying that this particular dealer is where this unit came from and he was part of the problem and he was even taken off the bidders' list for a short period of time. Mr. Smith added that they also did not meet the bid specifications.

Chairman Gessert commented that you can go out and buy a decent 1 year old car with low mileage on it and it would cost less money. He added that he was wondering why the town had to buy a brand new one. The rental and leasing companies tend to keep their vehicles in good condition. They take trade-ins and give guarantees. You can alot more car for alot less dollars.

Mr. Smith said that they can consider that in the future.

Councilman Diana: Didn't we have luck with the Dodge Diplomats for the Police Department?

Chairman Gessert answered by saying that apparently, if you ordered them with the Police package, they are built a little better than if you order them for utility use. He referred to the fire engine that was bought.

Councilman Killen asked Mr. Smith if the things that went wrong with the car were covered under the warranty?

Mr. Smith answered that on many occasions, they did pay for the towing, even though at one point I did have a fight with them about refusing to pay for the towing. That is why they were taken off the bidders' list for a while.

Councilman Killen commented that all Chryslers can't be lemons or they wouldn't give the five year warranty or they would go bankrupt. We've all gotten lemons, I think that we're all married!

Chairman Gessert asked Mr. Killen if he meant that his wife got a lemon.

Councilman Killen added that because we've had one bad experience, are we forever going to be turned off from this now? 10916

Chairman Gessert: Mr. Smith has not asked us to waive the bids, so the only motion is to allow him to trade the car in rather than sell it at public auction in the public works department.

VOTE: Unanimous ayes with the exception of Councilman Rys, who voted no; motion duly carried.

ITEM 8 Discussion and possible action on replacement of Xerox 7000 machine in Central Service Office.

WITHDRAWN

ITEM 9 Consider and approve transfer of \$972 from Accountant Salary to Electronic Typewriter, Tax Collector's Office.

Councilwoman Bergamini read and moved Mr. Rosow's request for a replacement of his 20 year old typewriter, seconded by Councilwoman Papale.

Councilman Polanski asked Mr. Rosow what the difference was between the two typewriters submitted by A & A Office Systems.

Mr. Rosow responded by saying that everyone of these typewriters has something in common with the ZX-515 typewriter. He added that the three girls that will be using the new typewriter, tested all seven models and felt that this model had all of the options that they will need.

Chairman Gessert added that one of our objectives was to try and get one brand to try and keep the service cost down and the maintenance up. Should we assume that the Olivetti does not cut the mustard with you want it to do?

Mr. Rosow responded yes to Chairman Gessert's question and added that he sat down with Mr. Dunleavy and let him know what he was doing. He had no objection to this because it has an extended carriage and all the features we need are in this typewriter. Mr. Rosow also added that when he originally wrote the letter, he was under the impression that the typewriter was 9 years old. On the day he wrote to Mr. Myers, he had another service call and he asked how old the typewriter was and was told that it was over 20 years old.

Councilman Killen: There are a couple of problems with this in that the money would be coming from a different department that his and in reality you are making an appropriation at this time, the money is within the budget. As you know, I frown on this. I understand Norman's problem. The only other thing I can see is that there has to be some excess cash somewhere around or we have to wait until we get the certified surplus which should be available to us shortly.

Mr. Myers responded by saying that the money is within the Finance Department, I consider the term department to mean any of the departments or offices under the Department of Finance. There are six offices under the Department of Finance. We commonly transfer from office to office in Public Works and in Police. As an example, we transfer from the dump, which is listed as an office under the department of Public Works to the garage, or from Robert Earley to the land fill, the next transfer. So, I consider the transfer to be proper because the Department of Finance, the office is Tax Collector, the office is Accounting and Comptroller or whatever label you want to put on it.

Chairman Gessert noted that we need a motion to establish the account.

Mr. Myers : If you would like to establish the account and then transfer the funds, that would be fine.

Councilman Killen pointed out that Mr. Myers stated some things that bother him such as making transfers within Public Works, Police and Fire. The difference between those and this one is that in each of those cases the department head has all of those particular departments under him. Technically, Mr. Myers does have all of the Department of Finance under him under the Charter, but, there is a separate budget in which each department comes and defends it's budget to us. The Tax Collector does, the Purchasing Agent does, and as I say they are all separate that way. We are going to get to the point where we are going to have 3 or 4 budgets within it. That part of the Charter that says you can only make transfers in the last 3 months of the year is going to go down the drain, not because it was illegal or immoral, but because we found it much easier to ignore. In the final analysis we are going to regret it. 697

Chairman Gessert commented that he has no problem taking it from one account or the other. It doesn't do any harm if after the first of the year, the surplus has been certified.

Councilman Killen added that no money was appropriated for this. You can't transfer to something that isn't there already. You can transfer between line items as long as the line items are there. If there is no line item, you have to create an appropriation. Appropriations can only be made over and above the budget, according to our Charter. This money is within our budget.

Chairman Gessert asked Councilman Killen that if we assume that this typewriter is needed, and that the other one is shot and needs to be replaced, if you had to make a decision to replace it, how would you go about doing it?

Councilman Killen answered that he would ask the Comptroller where we monies over and above our budget, which is according to what the Charter says.

Mr. Myers added that that is just what he certified. He had an open position in the Department of Finance. Therefore, I have the resource of funds available to distribute within the offices under the Department of Finance. The fact that I have each manager come and present a budget proposal to the Council, does not change the complexion or the structure of the department. Any other department heads can bring as many managers as he or she would so desire to make a budget presentation. In the case of the Public Utilities, Mr. Smith has many managers, he brings many people to present his budget. He does not do it by himself. He relies on his management team.

Again, Chairman Gessert asked Mr. Killen how he would go about accomplishing this if he had to do it.

Councilman Killen answered that we would have to find out where funds are over and above our budget. It is very simple. It says very simply there that appropriations over and above the budget. We adopted a budget of \$30 some odd million dollars. Every penny of that is accounted for. If you want money now, you have to find out that you have additional monies elsewhere, you have not counted on at the beginning of the year. You will amend your budget to show that you are appropriating it on the A side, and taking it in on the B side, or visa versa.

Chairman Gessert asked Councilman Killen where he wanted to take it.

Councilman Killen answered by saying that he has no idea.

Councilman Killen asked Chairman Gessert where they were going to get the \$91,000 for the Day Care Center, should they need the money.

Chairman Gessert stated that he did not want to get involved with that and Councilman Killen pointed out that he is only trying to make a point that Chairman Gessert is asking him to come up with \$972 and he is asking Chairman Gessert where he is going to come up with \$91,000.

Councilman Killen added that the vote says that they will loan then up to \$91,000 if they need the money. Do you know where this is coming from?

Chairman Gessert answered yes and added that if you are looking at the revenue side of the budget already, there are a lot of accounts generating more revenue than anticipated, they're running way ahead of the fiscal year, from Rosemary's department with real estate transfers, fees at the dump, a lot of those things that are running ahead. You know that you are going to have additional monies there because half of the year's gone and you know you are going to have additional funds in those areas. 698

Councilman Killen: But you don't know whether the B side might be over-expending at the same time. That's why the wording is the way it is in the Charter.

Councilwoman Bergamini made a motion to establish Acct. No. 001-1420-999-9902, Electronic Typewriter and moved the transfer of \$972.00 from the Accountant Salary Acct. No. 001-1400-100-1200 to the Account just established, seconded by Councilman Rys.

VOTE: Unanimous ayes, with the exception of Councilman Gouveia and Councilman Killen who voted no ; motion duly carried.

ITEM 10 Consider and approve two transfers requested by S. Deak:
(a) \$1300 from Utilities 701 Center Street to Landfill Trailer Rental
(b) \$1800 from Utilities Robert Earley to Utilities Parker Farms School

A motion was made by Councilman Rys to establish Acct. No. 001-5060-600-6520, Landfill Trailer Rental (disposing of papers) and also transfer from Utilities 701 Center St. to the Account that will be established in the amount of \$1,300.00, seconded by Councilwoman Bergamini.

Councilman Killen asked Mr. Myers to explain the new system (data runoffs) because he did not know if the money was available or not.

Mr. Myers stated that he shows an available balance of \$15,000.00 as of December 5, 1986.

Councilman Killen asked Mr. Myers that apparently, \$4500 has been expended and next to it are encumbrances, appropriations and appropriations in force of \$13,000. Are those actual purchase orders gone out?

Mr. Myers stated that those are actual purchase orders, for fuel oil. Also paid out of this account is electricity, water, sewer and maybe gas. So, that would come out of the balance of \$16,000 or \$17,000 showing as the balance would have to account for those utilities which I just named which are not encumbered, there is no purchase order on those utilities.

Mr. Deaks commented that he has about \$2700 left from the fuel.

Chairman Gessert added that he has some information as to the amount of money being spent on oil from the different departments. Copies will be given to all Councilmembers.

Councilman Rys asked Mr. Deaks what the capacity of the trailer was (as far as holding paper). He asked if Mr. Deak knew how much tonnage there was.

Mr. Deak said that he did not know at this time. When the trailer is full, they are going to measure it, take it out, and bring it back. Mr. Deak will have an answer one month from now.

Councilwoman Papale pointed out to the Mayor that the public should be made aware of this trailer.

Chairman Gessert and Mayor Dickinson assured Councilwoman Papale that there will be plenty of advertisements and photographs of the trailer.

Mayor Dickinson expressed interest in Councilman Rys's question about the revenue and tonnage of the trailer and added that whatever money they make, they will credit us on the next month's rental,

Chairman Gessert was concerned about the placement of the trailer, whether it would be outside the fence or inside the fence. (69)

Mr. Deak assured Chairman Gessert that it would be inside the fence.

Councilman Diana asked Mr. Deak if the papers were going to be stacked by man personnel.

Mr. Deaks answered yes. He added that he had this type of recycling back about 10 years ago.

VOTE: Unanimous ayes with the exception of Councilman Killen who passed; motion duly carried.

ITEM 10 B \$1800 from Utilities Robert Earley to Utilities Parker Farms School.

A motion was made by Councilwoman Bergamini to transfer funds of \$1800.00 from Account No. 001-5200-200-2010, Utilities - Robert Early School to Account 001-5210-200-2010, Utilities - Parker Farms School, seconded by Councilman Rys.

VOTE: Unanimous ayes, with the exception of Councilman Killen who passed; motion duly carried.

A motion was made by Councilwoman Papale to move Item 14 up on the Agenda, seconded by Councilwoman Bergamini.

VOTE; Unanimous ayes; motion duly carried.

ITEM 14 Consider and approve a transfer of \$9,000 for Housing Authority architectural design at Simpson School site.

Chairman Gessert read a letter from Mayor Dickinson, Jr. dated December 4, 1986 regarding the transfer of \$9,000 which represents 50% of the money claimed by the architect for the Housing Authority design of housing for the Simpson School site.

Mr. Myers pointed out that in order to approve the transfer of \$9,000, you have to rescind \$10,000 from the Dog Warden Additional Funds - Truck (Item 15).

A motion was made by Councilman Killen to Table Item 14, seconded by seconded by Councilwoman Papale.

VOTE: Unanimous ayes, motion duly carried.

A motion was made by Councilwoman Bergamini to move Item 15 up on the Agenda, seconded by Councilman Rys.

VOTE: Unanimous ayes; motion duly carried.

ITEM 15 Rescind action taken on 11/25/86, transferring \$10,000 from Emergency Contingency to Dog Warden Additional Funds-Truck.

Councilwoman Bergamini read Mr. Tom Myers letter dated December 2, 1986 in which he states that the State check was received by the Town on December 2, 1986, therefore, the transfer may be rescinded, and moved to rescind the transfer; seconded by Councilman Rys.

VOTE: Unanimous ayes ; motion duly carried.

Councilwoman Papale made a motion to REMOVE FROM THE TABLE Item 14, seconded by Councilwoman Bergamini.

VOTE: Unanimous ayes , motion duly carried.

ITEM 14 Consider and approve a transfer of \$9,000 for Housing Authority architectural design at Simpson School site.

A motion was made by Councilwoman to settle the claim to Mr. Rollins in the amount of \$9,000, seconded by Councilman Rys.

Chairman Gessert asked Mr. Richardson what the original amount of the claim was.

Mr. Richardson responded that it was \$30,000, based on the contract price. We negotiated with them and the Housing Authority voted to pay him just less than \$19,000 subject to the State of Conn.'s approval and what account it would be paid out of. That was passed by the Housing Authority and went up to the department of housing and they approved the amount and indicated that the money should come out of the seed money (\$42,000) that the Town had contracted with the State and the Housing Authority, to put up concerning the defunct elderly housing project. So, we have been at a stalemate ever since. Apparently, at the last Housing Authority meeting, the Housing Authority has found \$9,000 to go towards an \$18,000 settlement with Mr. Rollins. 700

Councilwoman asked Mr. Francis if Mr. Rollins agreed on the 50%.

Mr. Francis answered yes to Councilwoman Papale's question.

Mayor Dickinson added that it was his hope that the Town's contribution would be met by a contribution by the Housing Authority.

Mr. Francis added that the Housing Authority has agreed to pay the other 50% and Mr. Rollins has agreed to sign a release.

Mr. Musso was concerned that he did not understand what was going on.

Councilwoman Papale explained to Mr. Musso that if the Town does not pay Mr. Rollins, the Housing Authority cannot continue to bring more housing into the Town of Wallingford.

Chairman Gessert: We had an Architect do some work for us regarding the Simpson Site. We never decided to go with the plan and it was scraped. He claims that we owe him for the work he did even though the project was never built. To some degree, he has a logical argument there. His argument is that we owe him \$30,000 and it has been debated and they have come to an agreement that we should only pay him \$18,000 for the services that we got. The Housing Authority is paying half and the Town of Wallingford is paying half, and we can hopefully put an end to this and get a new start and develop some additional housing for the elderly.

Mr. Musso was concerned about the Town having to pay anything.

Chairman Gessert explained that because he did the work, he is getting paid. The Housing Authority is paying half and the Town of Wallingford is paying half and this will have an end put to it so, hopefully, we can get a new start in developing some additional housing for the elderly. Mr. Gouveia felt that it should be noted that about two years ago, the Housing Authority voted to pay \$17,000 and the architect wanted the full \$30,000 and presumably, the architect went to an arbitrator as suggested by the Housing Authority.

Mayor Dickinson felt that the record should show that the State of Connecticut would not give the Housing Authority permission to pay \$8,000 and the state oversees the financial operation of the Housing Authority. Mayor Dickinson wanted it made clear to everyone that the Housing Authority could not pay the \$18,000 which would not require the Town of Wallingford to pay anything and the Housing Authority feels that they could come up with \$9,000 to match the \$9,000 funded by the Town of Wallingford.

VOTE: Unanimous ayes; motion duly carried.

Item 11. Discussion of road conditions on Cook Hill & North Airline Road

Mr. Gessert said the situation is basically, there is a developer tearing North Airline Road apart and the question is what can be done to get these roads squared away with winter approaching, etc. Mayor Dickinson did not have an answer for North Airline Road right now but on Cook Hill, cold patch was supposedly put down on 12/8/86 and Tilcon-Tomasso is coming out with the final patch today.

Mrs. Bergamini interjected that she gets the phone calls about North Airline Road and the houses there have been going up for at least the past ten months. The whole summer, the road was not touched and sewer and water connections have to be made. Three days before Thanksgiving Day, the people woke up at 7 am and found the whole strip in front of their houses which had been planted with trees and lawn completely ripped up. In the middle of the road, there are two big barrels filled with sand and a light in front of someone's house. Mrs. Bergamini's point is that the entire development is in and why did the developer wait until just before the holidays to rip up the area and make a mess with all the mud? The people who are being disturbed are the people who bought Galati's houses 4 to 5 years ago and there is no recourse according to Engineering Department and Planning and Zoning. It is always the same developer. Mr. Gouveia said he has received more complaints about that road than any other road in town. Attorney McManus explained that the water was done in the spring and what is being done now is road drainage, storm sewers. 701

Mr. Gessert asked what action could be taken with developers? The Council appropriates the money to try to build better roads and to improve roads and developers are making a great deal of money with the housing projects and destroying roads. Mr. Gessert asked if P & Z could pull the bond and have the work done or regulate when the work is done? Mayor Dickinson commented that within limits, you can determine when the work is done but there is no regulation that says a person can't work through a holiday time. Mr. Gessert felt that with the asphalt plants closing and winter weather coming, when does the Town of Wallingford get into a position where they start to say, you must start doing something our way or you don't get building permits, zoning approval, etc. until rules are abided by? Attorney McManus said there is an ordinance book now which has to do with development which is very thick. Mr. Gessert asked if an ordinance should be passed to prohibit cutting up town roads after October 1?

Mrs. Bergamini asked who will pay the bill submitted to the Town Clerk's Office by a man who had damage to a very expensive car and Attorney McManus said it depends on the circumstances--a claim is submitted and then a determination is made. Mrs. Bergamini said the pothole was caused by the developer who didn't properly resurface the road after he made the connection, a gutting of the ridge rather than just a pothole. Mr. Gessert asked if damages of this sort could be deducted from the developer's bond or does the Town of Wallingford have to pay for a problem created by the developer? Attorney McManus said it would depend on the facts.

Mr. Killen said there is a problem on North Plains Highway and the town has not been on top of the people making the cuts and there is an ordinance which states what must be done everytime someone digs, what must go back for backfill, how it will be compacted, when the permanent sealer will go on and attention has not been paid to this ordinance and the Engineering Department is responsible to see that the ordinance is carried out.

Mr. Gessert suggested that perhaps \$300 can be taken off the developer bond for a claim paid by the town because of the developer's mess. Mayor Dickinson said that it would have to be shown that the developer did the work incorrectly; if climatic conditions, storm conditions resulted in the deterioration of what was properly put down and you can't show that it was negligence, then the developer is not negligent if he did not have reasonable time to fix it.

Mr. Gessert said there is no patch on the road and Mr. Killen said the ordinance required patch. Mr. Rys commented that if SNET wanted to dig a hole, they must check with the Engineering Department, he assumes, and in the case of a developer, perhaps there should be an ordinance similar. Mrs. Bergamini mentioned that Mr. Costello has issued an order that this developer is not going to get any more permits to make any connections until all the work he has started with road connections is completed. Mrs. Bergamini felt that the residents of North Airline Road are more upset with the timing of the project than they are that the work is being done and a mess created.

Mr. Rys said this also occurred in the Barnes Park area and there were cars with undercarriage problems, front end problems and the contractor who dug up the road was responsible and he did in fact pay for the repairs involved. Mr. Musso felt that the biggest culprits are the Water Department when lines were run from the mains to the new houses and they are all depressed, causing cars to bump. Mr. Musso felt there should be a pattern to this work and it should be done at the proper time. 702

Mayor Dickinson said it is controlled by Engineering Department issuing an order to ban permits to parties who have existing road repairs to make; Engineering Department has been active on Highland Avenue where there were a series of problems and people were told things would have to be fixed and they were finally fixed but unfortunately, it takes being very tough about it and the Mayor is glad to hear that John is going to do it. Mrs. Bergamini said that the neighbors repaired an area in her neighborhood because they were tired of waiting for the town who had a contract with B & M Construction. Mayor Dickinson reminded the Council that there is one construction inspector within the Engineering Office.

Item 12. Approval of job descriptions requested by Mayor Dickinson.

At this point, Mayor Dickinson wanted the Council to just go ahead with Risk Manager because if the town is going to move ahead with a risk program, a Risk Manager will be needed. The Mayor felt the Council could hold off on Deputy Comptroller/Treasurer and Assistant Personnel Director until he can provide an outline as to the reporting requirements, etc. Stan Seadale is ill with pneumonia and without him present, it is difficult to go over all of this.

Mrs. Bergamini moved, for discussion, approval of job description for Risk Manager, seconded by Mr. Holmes.

Mr. Gessert commented that last year, the Council talked about moving toward self insurance and one of the things that prevented it was that there was not someone on board who could adequately supervise it, write specs and he thinks the Risk Manager's position is overdue. Since the Treasurer who performs some of these functions is retiring, the Risk Manager would be required to assume some of those responsibilities and this is an important position for the Town of Wallingford and hopefully, it will reduce insurance costs.

Mr. Diana asked if this is being funded and Mr. Gessert said a job description must first be approved, advertised and hired. Mr. Diana asked what happened to the Insurance Commission? Mayor Dickinson said he has inquired of some people and he does not have a full committee and there hasn't been a great outpouring of interest to serve. The Mayor would like a Risk Manager since no insurance committee will be able to handle the insurance needs for the Town of Wallingford; it's a full time job, especially if the town is self-insured. The insurance commission would be viewed as being advisory but the Mayor did not know exactly what the insurance commission would accomplish if the town is self insured.

Mr. Diana asked why the town would need a risk manager if there was an insurance commission and Mayor Dickinson asked who would oversee the insurance program if the town is self-insured? Mr. Diana felt that up until now, the town has been spoiled with Charlotte since she has done an excellent job. Mr. Gessert explained several areas of the insurance program which were handled by Charlotte Collins.

Mr. Diana asked if the Mayor sent letters to both Town Committees regarding interest on the insurance commission and Mayor Dickinson said he did not know that was necessary. Mr. Diana asked what efforts were being made to fill the commission and Mayor Dickinson said that the major thing is to have a risk manager and Mr. Diana felt that once the commission is set up, it is no longer the responsibility of the Mayor, whether he agrees or disagrees and Mr. Diana felt that the Mayor should have tried to fill the positions. Mayor Dickinson asked what function the commission would serve prior to having a risk manager. Mr. Diana suggested that the Mayor get the 5 people to serve on the commission and he (Mr. Diana) would inform them of what they have to do and give them their charges. Mayor Dickinson would like to know what the members of the insurance commission will have to do to serve on the commission and Mr. Diana said he would be happy to get the information to the Mayor and Mr. Diana said the entire Council voted to form this commission and they want the Mayor to fill it and if he is having trouble filling it, he should report back to the Council and they will fill it.

Mayor Dickinson asked who is to be advised by the insurance commission; who will set up a self insurance program? When it was voted to go with The Hartford and not the Conference on Municipalities, the whole thing was for a year and the town was going to go into self insurance--who will set up a self insurance program? Mr. Diana said he did not necessarily disagree with this and to have somebody in charge and to give direction to the commission is fine but he would like to have the insurance commission formed. Mr. Gessert said Mr. Diana will get back to the Mayor with the duties of the commission outlined. 703

Mr. Killen referred to the second page of the Risk Manager's job description and the phrase "OR any combination of experience and training which provides a demonstrated ability to successfully perform the duties of a risk manager." The Council will be adopting these particular specs but the Council will not be the ones who decide that the applicants provide a demonstrated ability. Mr. Gessert asked Mr. Killen if he would like to strike that phrase from the job description and Mr. Killen said he certainly would because he would like to know exactly what the town is getting and if we can't get that, it will have to be changed around some other way.

Mr. Killen moved that under "REQUIRED EXPERIENCE AND TRAINING" the description end at the end of the two words "administrative experience." The phrase from "OR" on will be stricken. Mrs. Bergamini seconded the motion.

VOTE: Unanimous ayes; motion duly carried. (vote on amendment)

VOTE: Unanimous ayes; motion duly carried. (vote on job description)

Item 13. Consider waiving bidding procedure for performance of engineering site work in connection with the Parker Farms School renovation, requested by Robert E. Devine.

Mr. Devine presented the Council with a document detailing the history in getting a site survey completed. Mr. Devine said the asbestos study is completed and the roofing people were on site last week. Mr. Musso objected to receiving documentation on this matter at the meeting and not before hand and felt that an addition should be put on the Yalesville School and this money should not be spent on Parker Farms School.

Mr. Devine said that in May, the recommendation was made that the committee talk to the Engineering Department about securing a site survey and perhaps some work had already been done on this since a request had been made to separate the ballfield from the school property. It was felt that this would be a cost effective way of getting this done and the Town Engineering Department was contacted and a survey was requested as outlined in the July 7, 1986 correspondence with Mark O'Connell. Andy Bravo was in constant contact with the Engineering Department and the next correspondence of August 27, 1986 produced the response that nothing of the magnitude required had been done yet and during subsequent conversations, the committee was led to believe that these things were in the final stages. It was requested that the Town Engineering Department do the drawings and then they would be passed to a licensed surveyor to certify the drawings and apparently a drawing was submitted for certification and after Kaestle Boos looked at the measurements, it was found that the measurements did not match with the construction documents for the original plan and it was required that the drawings be redone. Subsequently, a certified copy of the boundary survey was received along with a noncertified topography drawing and when one was laid over the other, the topography did not match up with the boundaries. Based on this ongoing difficulty, it was decided to contact Bill Orsini who had done the certification of the boundary survey (A-2) and Mr. Orsini agreed to do the topography drawing but the cost would be \$3,500.00 because of the fact that he had to do double the work on the original drawing because it was wrong. An attempt was made to secure someone else to do the work for under \$2,000.00 but it was unsuccessful and now, a waiver of bid is being requested to enlist the services of Mr. Orsini or anyone else to get this certified and get the final specifications for the site survey which he realizes has been a sore point with some Council Members because of the associated cost but final cost figures can't be addressed until certified drawings are obtained to develop the construction documents on. Mr. Devine continued that another issue impacting on this whole process is the general nature of the construction industry and the fact that it is very difficult to get anyone to commit for at least two months to perform this work. The only cost received to date

is from Mr. Orsini in the area of \$3,000.00 to \$3,500.00 and he has already done the boundary survey. The boundary certification is done; the topographical is what is required to be certified. Mr. Polanski 704 felt that the Engineering Department should have the topographical certification on file and Mr. Devine said that the documentation sent by the Engineering Department was inadequate for the purposes needed and this is addressed in the July 7, 1986 correspondence. Mr. Killen also assumes that the town should have everything necessary since it is town property that is being discussed and it should be in someone's file and he is very uncomfortable with working on things dumped on the Council at the last minute.

Mr. Gessert felt that Mr. Devine has done everything humanly possible in his power to resolve this matter but the documents are not available and to proceed, the Council must approve this action. Mr. Killen felt that Mr. Costello should be contacted and asked if he has produced all the documents pertaining to this matter and request a letter from him stating that he does not have in his possession the necessary documents nor does he know where to find them--at that point, Mr. Killen will have no problem granting the authority to spend \$3,500.00 to obtain the documents. Mayor Dickinson suggested that the Council pass this action and tomorrow, he will get something in writing from Mr. Costello and if this cannot be obtained in writing, the Mayor will not okay the expenditure of any funds. Mr. Killen would be happy to live with that approach. Mr. Devine wanted it noted for the record that he has not met with Mr. Costello himself and Andy Bravo was working as liaison between the committee and the Town Engineering Department and the matter was assigned to Mark O'Connell.

Mr. Holmes moved to authorize, contingent upon Mayor Dickinson's discussion with Mr. John J. Costello, Town Engineer, waiving the bidding procedure for performance of engineering site work in connection with the Parker Farms School renovation, such cost not to exceed \$3,500.00. Mr. Diana seconded the motion.

VOTE: Unanimous ayes; motion duly carried.

Mr. Gessert explained that the Council received two items this evening to be addressed under Rule V: one regarding Carpenter Lane.

Mrs. Bergamini moved to waive Rule V for the purpose of discussing a request made by Mayor Dickinson pertaining to Carpenter Lane and to include a Personnel and Pensions Committee Member. Mrs. Papale seconded the motion.

VOTE: Unanimous ayes; motion duly carried.

Mr. Gessert suggested taking the Pensions and Personnel Appeals Board first.

Mrs. Bergamini confirmed Mayor Dickinson's reappointment of John A. Shulga to the Personnel and Pensions Appeals Board for a five year term commencing on December 31, 1986 and ending on December 31, 1991. Mr. Holmes seconded the motion.

VOTE: Unanimous ayes; motion duly carried.

Mrs. Bergamini read and Mr. Holmes moved adoption of the following resolution:

Resolved:

Whereas: the Town of Wallingford Engineering Department has entered into contracts with Tilcon Tomasso in the amount of \$66,582.34 and Coresetti Construction in the amount of \$136,494.00 to construct Carpenter Lane

and Whereas: the Town of Wallingford Engineering Department, acting as construction manager of the project, may enter into subsequent contracts as authorized by Ordinance 311, effective July 23, 1983 to construct Carpenter

Lane

and Whereas: Med-Way Associates, F.I.P. Corporation and the Town in accordance with a written agreement are responsible for portions of the estimated costs

Now be it resolved: the Comptroller is hereby authorized to account for receipt of funds representing the Med-Way Associates and F.I.P. Corporation portion of the project costs and to disburse the same to the contractor in accordance with itemized invoices which have been approved for payment by the Town Engineer and which approved invoices must identify the portion of the payment being paid from Town funds and the portion of the payment being paid from Med-Way Associates and F.I.P. Corporation funds.

Mr. Rys seconded adoption of the above resolution.

Mr. Myers explained that the first part of Research Parkway, the Med-Way project, although the town shared 50/50, Med-Way acted as the construction manager and they managed the project and let out the bids. Med-Way paid all the contractors and the town reimbursed Med-Way/FIP. On Carpenter Lane, just the opposite has happened, continued Mr. Myers and the town is acting as construction manager and the town let out the contracts and John Costello is overseeing the project and now the town has to pay the contractor and Med-Way is reimbursing the town for their share of the costs. As you know, Mr. Myers issued bonds for the town's portion and Coresetti and Tilcon Tomasso was paid what was due from the town and now Med-Way is sending checks to the Town of Wallingford and this resolution authorizes the Comptroller to accept the checks, deposit them in a town account and, based on approval of requests from John Costello, to disburse those funds to the appropriate contractor.

Mayor Dickinson explained that the reason that this is handled differently is because this is the portion of Carpenter Lane that the town had a disagreement with FIP; they did not want to do all of Carpenter Lane and the town said the contract covered that and there was a series of meetings and finally, the work is proceeding and that is the reason the town is acting as the general contractor on the project. Mr. Gessert asked what the price of the job was in disagreement and Mayor Dickinson thought it was around \$190,000 and FIP will pick up 50%. Mayor Dickinson said it was able to be done because Ordinance #311 delineated how much funds were available for Research Parkway and how much was for Carpenter Lane and there was in fact a line item within that ordinance. Mr. Gessert asked if these funds will be used to pay off the bonds and Mr. Myers said if there are any funds remaining, they will be used to repay the bonds. Mayor Dickinson said that Mr. Myers told him it was not 50% and he does not want to misrepresent this until he finds out. Mr. Myers said that in the case of one bill, there was additional work and the town's share was higher and Mayor Dickinson felt that it was the cost of the drainage on High Hill.

VOTE: Unanimous ayes; motion duly carried.

Mr. Rys moved acceptance of Town Council Meeting Minutes of November 25, 1986, seconded by Mr. Holmes.

VOTE: Unanimous ayes with the exception of Messrs. Gouveia and Killen who passed; motion duly carried.

Mr. Gessert distributed a letter he received from Tom Chicoski regarding asbestos pipe insulation removal at Rock Hill School and opening of bids and a request for a special meeting on December 18 so the work can be completed during the Christmas school vacation. Mr. Killen asked that all documentation pertaining to this item be sent to the Council before the meeting, two days in advance, because he does not want the documents handed to him at the meeting. Mr. Gessert said the bids will not be opened until 2:00 p.m. on December 17, 1986 and this must be kept in mind.

Mr. Killen still felt that the Council must have information before hand to act rationally. Mr. Gessert said the committee will not know how much money they need until the bids are opened. Mr. Gessert suggested holding the meeting on December 19 to allow more time to review the bids and Mr. Killen felt that this was preferable.

706

Mr. Gessert felt that a meeting at 5:30 p.m. on December 19, 1986 would be the best date since the whole purpose is to remove the asbestos during the Christmas holiday.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 10:35 p.m.

Meeting recorded by:
Susan M. Baron, Council Secretary

Meeting transcribed by:
Susan M. Baron and Delores B. Fetta

Approved

David A. Gessert
David A. Gessert, Chairman

1-13-87
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

1-13-87
Date