

TOWN COUNCIL MEETING

JANUARY 23, 2001

6:30 P.M.

AGENDA

Blessing

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#183 - 220) Totaling \$6,234.49 - Tax Collector
 - b. Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center for Funding Programs to be Carried out by the Day Care Center, Acting on Behalf of the Town – Wallingford Day Care Center
 - c. Consider and Approve a Resolution, Authorizing the Mayor to Enter into a Contractual Agreement with the State Department of Social Services for Funding Associated with Child Care Programs to be Carried Out During The Period of 1/1/2001 to 12/31/2001 – Wallingford Day Care Center
 - d. Consider and Approve a Resolution Authorizing the Town of Wallingford To Advance to the Wallingford Day Care Center Amounts Necessary to Meet Essential Operating Expenses of the Center Until Such Time as Funding is Forwarded from the State to the Said Day Care Center – Wallingford Day Care Center
 - e. Consider and Approve a Transfer of Funds in an Amount Totaling \$867 to Purchased Services – Accounting and Clerical Acct. #1401-901-9007 of Which \$174 is Transferred from Digital Camera Acct. #1401-999-9920; \$459 is Transferred from Mail Opener Acct. #1401-999-9918; \$200 is Transferred from Desk & Chair Acct. #1401-999-9915 and \$34 is Transferred From Duplex Kit Acct. #1401-999-9919 - Comptroller
4. Items Removed from the Consent Agenda

5. PUBLIC QUESTION AND ANSWER PERIOD
6. Consider and Approve One (1) Appointment/Re-Appointment to the Position of Alternate on the Planning and Zoning Commission for a Term Of Three (3) Years to Expire 1/8/2004
7. Consider and Approve a Transfer of Funds in the Amount of \$1,750 from Salaries & Wages Acct. #012-9000-101-1000 to Professional Services – Child Guidance Clinic Acct. #012-9000-901-9006 – Youth & Social Services
8. Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Contingency – General Purpose Acct. #8050-800-3190 to Committee on Aging – Mini Bus Acct. #3070-600-6760 – Committee on Aging
9. Consider and Approve a Waiver of Bid to Award a Contract to Bruce Dave Associates at a Projected Cost of \$4,700 to Conduct a Promotional Examination Process for the Ranks of Sergeant and Lieutenant within the Town's Department of Police Services – Personnel
10. Consider and Approve a Waiver of Bid to Award a Contract to Adkins Printing Services in the Amount of \$2,274 for Election Supplies – Town Clerk
11. Discussion and Possible Action Regarding the Leasing or Demolition of 41 South Main Street a.k.a the Town-Owned Former American Legion Building as Requested by Chairman Robert F. Parisi
12. Discussion and Possible Action on an Ordinance Banning the Sale of Products, Such as Thermometers, that Contain Mercury as Requested by Councilor Mike Brodinsky
13. Discussion and Possible Action Regarding the Removal or Demolition of the MacKenzie Building on Land Adjacent to the Wallingford Public Library
- Mayor
14. Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Real Estate – Mayor
15. Executive Session Pursuant to Section 1-200(6)(A) of the CT. General Statutes Pertaining to Discussion Concerning the Appointment, Employment, Performance, Evaluation, Health or Dismissal of a Public Officer or Employee, or Open Meeting, as may be necessary or appropriate – Requested by Councilor Mike Brodinsky

TOWN COUNCIL MEETING

JANUARY 23, 2001

6:30 P.M.

ADDENDUM TO AGENDA

16. Consider and Approve an appointment to the position of Alternate on the Inland-Wetlands Commission to fill a vacancy in a term which expires March 1, 2002.

RECORDED FOR RECORD 1-22-01
11:30 A.M. AND RECORDED BY
George A. Jones TOWN CLERK

TOWN COUNCIL MEETING

JANUARY 23, 2001

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Correspondence – No items presented	
3. Consent Agenda – Items #3a - #3e	3-4
4. Withdrawn	
5. PUBLIC QUESTION AND ANSWER PERIOD – Ordinance Committee Mtg. re: clearing of snow from sidewalks; Bd. of Ed should have access to school bus drivers' personal records; Department Head evaluation process; Status of vacancy in Gen. Mgr. position in Electric Division; Inquiry re: Law Dept.'s Annual Report; Comments re: Council oversight of departments; Vol. Fire Fighters' tax exemption ordinance; Community Lake & legislator's involvement	4-9
6. Approve Re-Appointing Stephen Bertucio to the Position of Alternate on the Planning & Zoning Commission for a Term of Three (3) Years to Expire 1/8/2004	27
7. Approve a Transfer of \$1,750 to Professional Services – Child Guidance Clinic Acct. Youth & Social Services	9-14
8. Approve a Transfer of \$6,000 to Committee on Aging – Mini Bus Acct.	14-19
9. Approve a Waiver of Bid to Award a Contract to Bruce Davey Associates at a Projected Cost of \$4,700 to Conduct a Promotional Examination Process for the Ranks of Sergeant and Lieutenant within the Town's Dept. of Police Services – Personnel	19-26
10. Approve a Waiver of Bid to Award a Contract to Adkins Printing Services in the Amount of \$2,274 for Election Supplies – Town Clerk	26-27
11. Withdrawn	
12. Withdrawn	
13. Approve Demolishing and/or Removing the MacKenzie House and Contacting Habitat for Humanity to see if they have any Interest in Removing and Items from the Building that they may have a need for – Mayor	27-36
14. Executive Session – 1-200(6)(D) – Purchase, Sale and/or Leasing of Real Estate	36-37

Agenda Item

Page No.

15. Executive Session – 1-200(6)(A) – Discussion Concerning the Appointment, Employment, Performance, Evaluation, Health or Dismissal of a Public Officer Or Employee, or Open Meeting, as may be necessary or appropriate – Councilor Mike Brodinsky 36-37

Addendum

16. Approve Appointing Patric Keogh to the Position of Alternate on the Inland Wetlands Commission to Fill a Vacancy in a Term which Expires 3/1/2002 2-3

Waiver of Rule V

- Approve a Transfer of \$40,000 to Gas & Oil Acct. – Public Works 1-2
- Approve a Transfer of \$40,000 to Overtime Acct. – Public Works 2

TOWN COUNCIL MEETING

JANUARY 23, 2001

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, January 23, 2001 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:39 P.M. Councilors Brodinsky, Centner, Farrell, Knight, Papale, Parisi, Rys, Vumbaco and Zappala answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr., Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

A moment of silence was observed in place of the blessing.

The Pledge of Allegiance was given to the Flag.

ITEM #11 & 12 Withdrawn

Chairman Parisi noted at this time that Agenda Items #11 & 12 were withdrawn from the agenda this evening.

With regards to Item #11, he stated that he has asked the Mayor to come forward with a specific program as to what will be done before the Council takes action and he has assured me that he will do that.

Mr. Brodinsky asked for the opportunity to give a brief reason why the item is being withdrawn, at the time the item would normally be taken up on the agenda. (see p. 36)

ITEM #2 Correspondence – No items were presented.

WAIVER OF RULE V Motion was made by Mr. Rys to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Considering Two Transfers for the Public Works Department, seconded by Mr. Farrell.

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

Motion was made by Mr. Rys to Approve a Transfer in the Amount of \$40,000 from Contingency – Gen. Government Acct. #001-8050-800-3190 to Gas & Oil Acct. # 001-5015-300-3000 in the Public Works Dept., seconded by Mr. Farrell.

Henry McCully, Director of Public Works, explained the need for the transfer is due, in part, to a 90% increase in diesel and fuel prices and also to the fact that we are having a good old fashioned New England winter.

Philip Wright, Sr., 160 Cedar Street asked how much money remained in the Contingency Acct.?

Mayor Dickinson responded, approximately \$171,000. after this transfer

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Rys to Approve a Transfer of Funds in the Amount of \$40,000 from Contingency – Gen. Government Acct. #001-8050-800-3190 to Overtime Acct. # 001-5015-101-1400 in the Public Works Dept., seconded by Mr. Farrell.

Once again, due to the fact that there have been several snowstorms, overtime funds are being depleted. Mr. McCully's budget, over the past three years, has been cut back due to the lack of snowstorms, returning money back to the Town. With an unusually heavy winter such as this one is, the \$25,000 balance in the account can be depleted rapidly. This transfer should carry the department through to the end of the year with regards to overtime expenses.

VOTE: All ayes; motion duly carried

ADDENDUM ITEM #16 Motion was made by Mr. Rys to Move Addendum Item #16 Up to the Next Order of Business, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #16 Consider and Approve One (1) Appointment to the Position of Alternate on the Inland Wetlands Commission to Fill a Vacancy in a Term which Expires 3/1/2002

Motion was made by Mr. Rys to Appoint Patrick Keogh to the Position of Alternate on the Inland Wetlands Commission to Fill a Vacancy in a Term Which Expires 3/1/2002, seconded by Mr. Farrell.

Mr. Keogh, 1282 Scard Road, is a lifelong resident of Wallingford who attends Inland Wetlands Commission meetings regularly and has indicated a desire to serve on the commission.

Mr. Brodinsky stated that Mr. Keogh appeared at 6:00 P.M. to present himself to those Councilors who wanted to meet him. He had the pleasure of meeting Mr. Keogh and, after speaking with him, has every confidence that Mr. Keogh is going to do a fine job. He thanked Chairman Parisi for arranging the gathering stating that it is a very constructive tradition to have people interested in serving on Town Boards or Commissions to make themselves available to meeting with..

VOTE: All ayes; motion duly carried.

Rosemary Rascati, Town Clerk, performed the Swearing-In Ceremony at this time.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#183 – 220) Totaling \$6,234.49 – Tax Collector

ITEM #3b Consider and Approve an Agreement Between the Town of Wallingford and the Wallingford Community Day Care Center for Funding Programs to be Carried out by the Day Care Center, Acting on Behalf of the Town – Wallingford Day Care Center

ITEM #3c Consider and Approve a Resolution, Authorizing the Mayor to Enter into a Contractual Agreement with the State Department of Social Services for Funding Associated with Child Care Programs to be Carried Out During The Period of 1/1/2001 to 12/31/2001 – Wallingford Day Care Center

ITEM #3d Consider and Approve a Resolution Authorizing the Town of Wallingford To Advance to the Wallingford Day Care Center Amounts Necessary to Meet Essential Operating Expenses of the Center Until Such Time as Funding is Forwarded from the State to the Said Day Care Center – Wallingford Day Care Center

ITEM #3e Consider and Approve a Transfer of Funds in an Amount Totaling \$867 to Purchased Services – Accounting and Clerical Acct. #1401-901-9007 of Which \$174 is Transferred from Digital Camera Acct. #1401-999-9920; \$459 is Transferred from Mail Opener Acct. #1401-999-9918; \$200 is Transferred from Desk & Chair Acct. #1401-999-9915 and \$34 is Transferred From Duplex Kit Acct. #1401-999-9919 – Comptroller

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, Items #3a-e, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #4 Items Removed from the Consent Agenda - Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Jack Agosta, 505 Church Street, Yalesville stated that he attended the Ordinance Committee Meeting last week (1/18/01) and was very impressed. It was a well-run and organized meeting; everyone was treated cordially and each had a chance to speak. Atty. Mantzaris had conducted a great deal of research which was presented to the committee. It was the best meeting he had ever been to. One of the items discussed at the meeting was the clearing of sidewalks to a width of 30"-36". He pointed out that some homeowners, such as those who live on Colony Street, will have difficulty doing so once the snowplows make their passes and through a large amount of snow on the sidewalks. The committee may want to take that into consideration when revising the ordinance.

Chairman Parisi stated, that committee works very hard and, I am sure, appreciates your comments. If more people attended those meetings, they would see how well they are run.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he would like the Council, Mayor's Office and Law Department to coordinate with each other and use what ever powers each has to allow the Board of Education access to school bus drivers' personnel files.

Chairman Parisi explained that the matter is out of the hands of the Town Council and should be addressed at a Board of Education meeting since it is their jurisdiction.

Mr. Agosta next spoke to the issue of department head evaluations. He stated that he has learned that the employees can retire with seventy percent (70%) of their salary. Those people making \$100,000 or more can retire with \$70,000 a year income. He felt that the Town has excellent department heads but they should be evaluated on a regular basis. There is no incentive for an employee to do any better than normal. All the budget letters released by the Mayor over the years state that the town has "maintained its normal services". Nowhere does it say services have been or will be improved upon. That means status quo. The Mayor should evaluate employees the same way industry does. If an

employee is rated as satisfactory they don't get a raise. It encourages employees to do better and rewards them when they do. With the retirement dollars they earn, they are here to stay forever. With regards to the current increases, if an employee is doing above average, then they deserve more than a 3.5% increase. If the employee has not improved upon operations, they should receive less. According to recent articles, there is an 8.9% increase in the Board of Ed's budget due to wages and benefits. There is something wrong. We should look at the Town's evaluation process as it pertains to department heads and non-union personnel for the simple reason that we can do better for the town.

Mayor Dickinson responded, they are being evaluated all the time with the judgments that are made as far as what can and cannot be done and whether they are being done properly.

Mr. Agosta stated, they are doing a very good job but are not rated or classified on the type of job they are doing. They should be improving their operation.

Mayor Dickinson replied, I meet with the department heads fairly frequently; we have discussions about what has to be done; how we do it. I am in close contact with them. Anyone who is in steps, of course, is evaluated for pay increase. A person at maximum salary, there is no ability to change the amount they would receive under our Personnel rules and, of course, all of the contracts dictate what any individual is to receive as well. Discipline is always an option but varying salaries is an extremely limited area and the system was set up intentionally that way to avoid arbitrary abuses where a person can be persecuted in salary merely because of unsubstantiated problems. I think the system works well; our departments function in a professional manner and when they don't I want to know about it and we will see that the problems are corrected.

Mr. Agosta stated, I don't think we have a problem with our department heads. But I reviewed past budget books and found that there were only three or four departments that overspent. Two of them had good reasons for it. All the departments saved money; they all did a good job, to a degree. Salary increases should be tied to the department's performance.

Philip Wright, Sr., 160 Cedar Street stated, approximately 6-8 months ago I appeared here with statistics about the number of people who had been evaluated by the Merit Review Committee and everyone was rated above average. I recall making the statement that it was Lake Wobegone; everyone is average or above and I don't believe that to be true. At the time I was looking at that I found that once a person reaches maximum step in their salary range, the employee is no longer evaluated in any way. That is wrong. It is my opinion that everyone who works in this town, except the Mayor who is elected every two

is wrong with what they are doing, if there is anything wrong. Every year we should be telling them whether or not they hit the ball and the employee should be able to go to his supervisor and say, "last year you told me I should part my hair in a different manner; I'm doing that, did you notice it?" There ought to be more to this than just "we talk" as the Mayor stated. I am sure the Mayor won't agree with me on this and he is the only one who can do anything about it so, I am sure I am wasting my time.

Robert Sheehan, 11 Cooper Avenue asked, have we filled Mr. Cominos' position yet (Gen. Mgr. Electric Division) or are we still advertising for someone to fill that position? What is the status?

Mayor Dickinson answered, the position has not been filled and, at this point, I don't believe it has been advertised.

Mr. Sheehan asked, do you intend to promote from within or are we going to advertise for it at some given time?

Mayor Dickinson answered, there has been no decision on it, we are evaluating the structure of the department and determining what would be the best course.

Mr. Sheehan asked, do we have someone performing his duties now?

Mayor Dickinson answered, yes, Mr. Smith (Raymond Smith, Director of Public Utilities).

Mr. Sheehan asked, in all likelihood, would Mr. Smith rise to the position?

Mayor Dickinson answered, the position is below Mr. Smith's.

Mr. Sheehan stated, are you going to define his (Mr. Smith's) duties, is that a possibility?

Mayor Dickinson answered, Mr. Smith is assuming and performing those duties right now.

Chairman Parisi stated, quite frankly, I think you could call Mr. Brodinsky up and I am sure he will be happy to talk to you.

Mr. DeBaise answered, that is true but I think I could add something that some of you folks might be interested in hearing.

Mr. Sheehan asked, when do you propose to actively seek someone for the position?

Mayor Dickinson answered, at this time the structure, as it now exists, is being evaluated; the nature of the duties and there has not been a decision as to what course of action will follow.

Mr. Sheehan asked, you have no answer for me as to when that will be?

Mayor Dickinson answered, I don't have a time, no.

Brant Batzinger, 31 Halsey Drive asked, in Chapter VI of the Charter, it says that the Law Office will produce an annual report on business completed and unfinished business and it will be given to the Mayor and Town Council. I am curious as to when that was done?

Town Attorney Janis Small answered, it is not yet complete. It will be done in about two weeks.

Tony DeBaise, 278 N. Main Street stated, never having addressed this Council before, I am not sure if I can speak on any subject which I feel is important to me. I wanted to address something to Mr. Brodinsky, if that is permissible.

Chairman Parisi replied, through the Chair; through me.

Mr. DeBaise stated, I was interested in this article in the Meriden Record which stated that Mr. Brodinsky was interested in pursuing some Council oversight because, apparently, you are going to discuss this in executive session I thought I could ask, what point Mr. Brodinsky seemed most interested in? I ask because I, too, am interested in that same subject. I thought I would ask Mr. Brodinsky what he means by that? I might want to add something to what you have to say. I respect you for this; this is not something that I am looking to cross-examine you on.

Mr. Brodinsky replied, that is o.k., even if you were.

Chairman Parisi stated, quite frankly, I think you could call Mr. Brodinsky up and I am sure he will be happy to talk to you.

Mr. DeBaise answered, that is true but I think I could add something that some of you folks might be interested in hearing.

Chairman Parisi stated, the item you brought up is going to be discussed in executive session.

Mr. DeBaise asked, in other words, he is not allowed to give us his viewpoint at this point in time?

Chairman Parisi responded, right.

Mr. DeBaise stated, I would just like to add a statement as opposed to a question. My own opinion is, there is an extreme need for oversight on some of the offshoots of the government of the Town of Wallingford; some of the subsidiary areas of this town. I think that there are certain people in management position that feel that they are more important than what they really are. Some of them have lost sight of the fact that they are employees; some feel they own the department; this is all my own views. I feel that there needs to be some interest on the part of the representatives, meaning you folks who represent us; we voted you into office; and I think all of you should pay a little bit of attention to the fact that there is disruption in certain departments in this town. I think you are going to hear about some of it in the near future. To answer your statement, Mr. Parisi, I think I will get in touch with you, Mr. Brodinsky.

Mayor Dickinson stated, with regard to this subject, I think the Council's oversight is over positions that are appointed by the Council. If there are issues regarding classified service, other departments than, of course, my office should be notified.

Mr. Melillo asked, is there any new developments on the volunteer firefighters tax exemption provision?

Mr. Knight, Chairman of the Ordinance Committee explained, the ordinance was passed to the extent legally allowed. In order to provide any other benefits to volunteer fire fighters there would have to be a change in the way the state legislation is worded that enables us to pass ordinances to give them additional benefits. From publicity that I have read, it is my understanding that is being pursued by our state representatives. Upon the passage of said legislation which enables us to further discuss enhancing the benefits for the volunteer firemen, we shall do so.

Mr. Wright stated, a few months ago, during elections, I criticized our local representatives for not doing anything about Community Lake. I can tell you that at the last meeting Rep. Mary Fritz and Rep. Mary Mushinsky were at the meeting and if my comments stirred them up a little bit, I am happy about that.

Chairman Parisi stated, the study is in progress.

Ellen Mandes, the Council's appointment to the Zoning Board of Appeals made on December 19, 2000 was present this evening to be sworn in to her position. Ms. Mandes was unable to attend the meeting, at which she was re-appointed, for personal reasons.

Town Clerk, Rosemary Rascati performed the Swearing-In Ceremony at this time.
(applause)

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$1,750 from Salaries & Wages Acct. #012-9000-101-1000 to Professional Services – Child Guidance Clinic Acct. #012-9000-901-9006 – Youth & Social Services

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

These funds are being requested to facilitate a ten week substance treatment group for adolescence. The Child Guidance Clinic will conduct the program. Currently, they are one of the Youth and Social Services department contract service providers. The cost covers the cost of the group counselor and all the materials. The program is consistent with the prevention and intervention activities through the program we offer through the Program Coordinator and will be held in the Youth and Social Services Department in the evening.

Mr. Zappala wondered why the program was not offered through the Board of Education as one of their programs since the schools were identifying the need for such programming.

Craig Turner, Director of Youth and Social Services replied, the B.O.E. does not offer a group program in the evenings.

Mr. Zappala asked, because it is an evening program your department is facilitating it?

Mr. Turner answered, yes. The education programs of this nature that are offered to groups are predominately in the high school and occur either during or immediately after school. I only know of groups that are offered during the day and they are not specific to substance abuse to the degree that this group will be. This group will be run by a licensed substance abuse counselor which schools do not normally have in their system; they have social workers. The reason that we are running a program primarily is because the social

workers, school psychologists and guidance counselors at the two high schools have indicated a need for this type of program for the students in those schools and they do not provide this type of program within the school day.

Ms. Papale asked, how do you know who to get into these programs?

Mr. Turner answered, the participants will be referred to us through the school system or directly from the students or parents of the students, themselves.

Ms. Papale asked, are the students compelled to go or are they invited? If invited, is the decision theirs to make on whether or not to attend?

Mr. Turner replied, this is not designed to be a mandatory group. It will not be punitive in nature in terms of punishment or discipline process for the school system. It will be a voluntary group. A teacher can refer a student to it or would most likely contact the guidance counselor or social worker at the school to recommend that they be referred to the group.

Ms. Papale stated, then it is really for young adults who want to help themselves.

Mr. Turner answered, yes, or to be encouraged to at least consider participating through intervention of the school system.

Mr. Vumbaco asked, is this a new program?

Mr. Turner answered, to us, yes. To my knowledge, since I have been here there has never been an onsite group of this nature in our department. As to whether it was there before? I am not sure but it is unlikely. Part of the reason we are initiating it is because most groups that we would refer to either through Midstate Behavioral Health or other clinicians have waiting lists so they wouldn't get the service.

Mr. Vumbaco asked, would this be an on-going program that you will need to budget for next year?

Mr. Turner answered, at this point we are going to evaluate the ten week program to see how the participation rate is; determine whether the school system feels that it is a warranted program and, if it is, we might consider recommending a shift in some of our dollars. I don't think it would involve additional dollars but just a shift in some of the dollars that we currently have.

Mr. Knight stated, I am interested in how you will evaluate the success of such a program. How do you quantify whether you have reached the students' recidivism rate, what are you trying to accomplish and how do you measure that accomplishment?

Mr. Turner answered, three different ways; self-report from the student; report from the facilitators of the groups themselves; and through the contacts that we have with the school system, whether it is the guidance counselor, social worker. We exchange that information frequently in terms of whether what they are doing in our department, whether it is meeting with the counselor or some of the groups that we currently have, is actually creating some change, i.e., their attendance goes up in school; their grades; participation in school activities go up; they generally have a better feeling or there is an observable change in their affect in terms of being in school. Those are the things that we will look at for this group of students as well.

Mr. Knight asked, will the parents be involved?

Mr. Turner answered, yes, in terms of being aware. That is another good question in terms of the age. I would think that they would want to permit or not permit their child to participate; that would be an option for them to consider. They would work that either through us or the school system. Will we have another support group for parents? We don't have plans for that at this time but that is also another program that we are looking at for next year.

Mr. Knight stated, I am disturbed by the current educational philosophy which is to separate the student from their parents, based on their supposed rights as sixteen year olds. A program such as this, I would think, would have a much more lasting benefit if the parents had at least some, not necessarily input, but had some connection with the program that their child was in.

Mr. Turner answered, we would not have a child in the program without notifying the parents. They would be made aware that the program runs and we would fully explain to each family what the dynamics were. If there were a student referred to us to participate in the program without the parent's knowledge, we would probably reserve the right to not include that child and then hold a slot open for a child whose parents would know. If there were extreme circumstances where it was in the best interest of the child for the parents not to know, and that is conceivable, we might engage the child at that point.

Mr. Zappala asked if Mr. Turner had any idea what type of enrollment he anticipated with the program?

Mr. Turner answered, we expect to have a waiting list as well. There currently is a tremendous lack of this type of program available for students and youths in this town and surrounding towns. Part of that is because of the managed health care system and the insurance factor and part of it is because of the existing programs. People are just pursuing them so aggressively that there are waiting lists. We know of no program that has no waiting list for students in substance abuse. I am sure we will have ten students without any hesitation at all. We would not have even made the proposal without thinking that we could fill the program.

Mr. Parisi stated, at one point you had said that a child could be admitted to the program without the knowledge of the parents.

Mr. Turner answered, it is conceivable that could happen. If, for some reason, there is a risk of injury or a threat to a child in terms of the parents not being effective in their parenting style, and that would only come through a fairly long comprehensive conversation between both the social worker and the guidance counselor. It is conceivable. It is unlikely for the group that we would be offering but, in the scheme of things, it could happen.

Mr. Parisi asked, if the child was in that much, for lack of a better word, danger, shouldn't other things be triggered also for protection of the child?

Mr. Turner answered, absolutely, depending on what the information is that is shared or the reasons for that, absolutely. It could be a D.C.F. referral.

Mr. Parisi asked, would it work from here up, is my concern. If you had the feeling that you were going to let someone in without the knowledge of the parents, I would think that would require some other agency to be looking into that situation. I would hope that we wouldn't be condoning programs for children without the knowledge of the parents.

Mr. Turner answered, from a legal perspective, it could happen that a child could participate in that group and the parents not know. It is very unlikely. It is not going to be a decision that we make out of pocket. It is going to be a process that involves a discussion or recommendation from other people that are involved with that child. We are not the initial contact for the kids who would be in this program. In all likelihood we are getting those referrals from the school system. They are going to give us the information

and provide the initial recommendation in terms of the kid that is coming to that program and what the issues are. It is very conceivable that you have students in the age range of 16-18 that may request services and are entitled to them by the state statutes, without notifying the parents. It can happen.

Philip Wright, Sr., 160 Cedar Street asked, is this a program that you had over in Cheshire?

Mr. Turner asked, do you mean, did I run a group or was there a program of this type in Cheshire?

Mr. Wright asked Mr. Turner to answer both of the questions.

Mr. Turner answered, I did not run a substance abuse treatment group; I don't have the license to do that. We did have small groups that we coordinated with the school system onsite at the school.

Mr. Wright asked, would all of the publicity we hear about ecstasy (drug) and all these other new designer drugs have anything to do with this?

Mr. Turner answered, not at this point. This is strictly; we are anticipating that the referrals for this group will be alcohol abuse and alcohol use by students.

Mr. Wright asked, if I were to come up to your office would I see something in writing that would describe this a little better than I get from this conversation?

Mr. Turner answered, not at this point but once the approval is made we will put together a brochure that would describe the program and that would be accessible to anyone. We know what we want to do with the group and we have been in contact with Child Guidance and we know what the format of the group will be. The basic fundamental information that you would receive in any printed information relative to this group is that it is going to be offered in the evening, once a week for ten weeks for ten students from the ages of 14-17, that are experiencing a substance abuse problem with alcohol.

Mr. Wright asked, what is the reason for limiting the group to ten participants?

Mr. Turner answered, it is a workable group number for the type of program that we are offering; 8-10 is generally the optimum size group to be able to be effective in terms of the treatment process through the group.

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

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Contingency – General Purpose Acct. #8050-800-3190 to Committee on Aging – Mini Bus Acct. #3070-600-6760 – Committee on Aging

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

Correspondence from Virginia Philips, Exec. Director of the Committee on Aging states that this has been an inconvenient and costly year for the elderly transportation program. The C.O.A's immediate need for an additional \$6,000 is to cover maintenance on the vehicles during the remainder of the fiscal year. The committee will continue to explore various options for the most cost-effective method of operating the program in the coming year to submit in their budget request.

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

Mr. Centner asked, is this transfer request for unforeseen or higher than usual maintenance on vehicles? Did you have some sort of catastrophic failure on one or something?

Ms. Philips answered, we budgeted over \$5,000 for maintenance this current year and have already incurred about \$7,000 in repair costs. We have a bus with a blown transmission sitting in the garage awaiting money for repair. If I knew last year what I know this year, we would have traded the vehicles in last year but, unfortunately, we have had a very bad year with three vehicles.

Mr. Centner stated, it would be easier for me to understand if it was maintenance or repairs. It looks like you didn't do enough maintenance, maybe that is how a repair came forward, but if it is a combination of both, it is o.k.

Ms. Philips explained, one of the requirements by the Greater New Haven Transit District, (GNHTD) through who we get the vehicles, is that they are maintained with a very strict regimen of schedule for check-ups. Every last one of the required maintenance check-ups has been performed.

Mr. Centner asked, along that line, then, because you stated there is a failed transmission; is there any kind of warranty or credit back from the manufacturer we can get on that?

Ms. Philips answered, not at this time. Those warranties only last the first year and we are approaching the sixth year of having the vehicles. We are now eligible to trade them back and get new vehicles. We are stuck with them for the time being.

Mr. Vumbaco asked Ms. Philips to summarize what the immediate and long range challenges are she referred to in her letter regarding her meeting with the Mayor.

Ms. Philips replied, during the meeting at the Mayor's Office, one of the calls the Mayor made on our behalf was to the Council of Governments to see if, perhaps, the C.O.A. could acquire vehicles through them and have a little different financial arrangement. We found out that was not possible. There are various options before us. We are exploring them all and shopping around to find out what would be the best way and what would be the best plan to propose to you in our budget for the next year.

Mr. Vumbaco asked, is it just the purchase of vehicles or are you also looking at lease options, outsourcing of the service to an independent private company? Those are all options you are discussing?

Ms. Philips answered, that is one of the options, yes. We don't own the vehicles, we lease them and we are required to maintain and repair them.

Mr. Brodinsky asked, are one or more of those mini buses out of service now?

Ms. Philips answered, yes.

Mr. Brodinsky asked, is that because you don't have the money to get it back in service?

Ms. Philips answered, that is correct.

Mr. Knight asked, when you talk to the people at the GNHTD, about these buses, obviously, this is not the first set of these vehicles that have met with mountainous maintenance bills; the last set of buses did the same thing. Are they maintaining that they are "spec'ing" these buses correctly? It would seem that with the history we have had with these buses that they are under "spec'd" and that the amount of work that we give them is more than they were designed to give?

Ms. Philips answered, your statements are correct. One of the things is that there has been an amazing turnover of personnel at that GNHTD in the 6 ½ years that I have been here. Many of the people who have "spec'd" and ordered the vehicles are no longer around to

answer for it. There have been problems with this fleet of vehicles, not only with ours but in other communities. GNHTD did a couple of things for us; one was to give us a smaller van at no additional cost to lease to serve as a back up vehicle because of all the extraordinary breakdowns that we had. Another thing they did for us last Fall was open their own garage for the repairs of these vehicles, having hired someone who is totally familiar with them. The difference that made to us was that, rather than pay a fee that was approximately \$60/hr. at private garages, we were only paying \$30/hr. at Greater New Haven. There have been a lot of questions about the specifications that were drawn for these vehicles. We have filed a request for vehicles for next year and they have what they call a "pre-procurement event" that will occur within the next month or two. At that time we can go down to meet the vendor and look at the vehicles. What I have requested and what I would request of any of you here who could help us is, if anyone knows a lot more about these types of vehicles and the specifications that are required, I would not only appreciate their assistance, I would value it. There have been questions about the size of the chassis and the frame.

Mr. Knight stated, there are buses of similar nature that are all over Bradley Airport, I wonder if, as hard as they work those buses, whether they are experiencing the same level of failure that we are. Does the GNHTD have any information to assist anyone with this?

Ms. Philips stated, the fact that they went and opened their own garage tells me something.

Mr. Knight asked that Ms. Philips keep him aware of when the procurement event is occurring. He will make the effort to recruit someone who will be willing to help.

Ms. Philips stated, we are willing to look at everything, including the various sizes of vehicles that are available. Would we best be served with smaller vehicles? I don't know the answer to that.

Chairman Parisi asked, how does this process work? Do you go down there and pick out your own vehicle?

Ms. Philips answered, they prepare a proposal and the low bidder comes in on a particular day and offers his fleet and you order which vehicles you would like and they, at that point in time, will custom order them as much as you may require.

Chairman Parisi asked, they will do what you want them to do within reason?

Ms. Philips answered, yes, as long as you are willing to pay for it because they come a certain way.

Chairman Parisi asked, if you wanted to alter the specification on the bus, you would have to pay the difference?

Ms. Philips answered, we could not alter the specs, we could just have changes made to those vehicles delivered to GNHTD.

Chairman Parisi stated, I was told by someone that the vehicles were not spec'd properly; that the frame was too big for the cab assembly, therefore it has caused a lot of trouble with the drive shafts and what have you.

Ms. Philips answered, that opinion has been around and I am not surprised to hear you say that.

Chairman Parisi stated, if you have the same bus presented to you, again, it is not going to be any good to start with.

Ms. Philips stated, we have the right to refuse them.

Chairman Parisi asked, then what do you get, nothing?

Ms. Philips answered, we shop around.

Mayor Dickinson explained, the reason we go through that process is, it is an 80%/20% cost sharing; 80% is paid through state and/or federal dollars and 20% comes from the Town. It is a very attractive financial approach. We do believe the vehicles are improperly sized. It would probably be better to get a smaller van-type of vehicle that does not have the large superstructure but then it is a question of whether or not it has enough space for people who need to be transported. We will definitely not be looking at getting the same type of vehicle and go through this; continually having problems.

Chairman Parisi pointed out that exiting and entering the vehicles is a matter of consideration because of the elderly people being transported. You had better bring about 30 people down there with you to look at this thing.

Mr. Knight asked, is the pre-procurement meeting held after they bid out the vehicles? What is the point of the meeting if you can't have any input as to what the specs are going to be?

Ms. Philips answered, we have never been invited to participate in that step of the process. The only thing they ask of us is, about three weeks ago we received a request form, in which they were very late in getting to us do to their relocating, asking us if we would be looking for vehicles in the coming year and, if so, what size? That is all they ask us.

Mr. Knight asked, have they given you any indication that they intend to improve the specs and purchase a better vehicle? Otherwise, what is the point of having a meeting and just jaw jacking about what's not going to be?

Ms. Philips answered, they haven't given me that assurance but they certainly have heard a lot from me in the last two years. They know exactly how I feel about the vehicles that we have now.

Chairman Parisi asked, can we be notified of when this is going to take place?

Ms. Philips stated, she will inform the Council, once she knows.

Tony DeBaise, 278 N. Main Street stated, having been in the automotive business for a number of years, he feels this is a very specific much-needed vehicle at the senior center. He has noticed that other communities have real buses, lo-boy buses, with the names of their senior centers on them, not like the vehicles we have. I am not disparaging Ms. Philips in this instance because, obviously, she is not an expert on a truck or motor vehicle. I read the minutes of one of your meetings about 1 year ago and Mr. Knight brought up the point that the chassis was not adequate to take care of the body, since he is involved in the transportation business. Perhaps some assistance can be solicited from automotive business owners in the town. It may help the center wind up with a vehicle that is adequate for the job. I am sure the individual you know, Mr. Parisi, who owns an automobile business in town, would be very pleased to give you their opinion and possibly research what is needed. It is worth it to spend a little more money to purchase a better vehicle, initially, if you are going to use the vehicle for 6-7 years. The money that we will save on maintenance will balance it out.

Chairman Parisi asked Mr. DeBaise if he is going to volunteer to serve on the committee?

Mr. DeBaise asked, which committee?

Chairman Parisi answered, that will go down to look at the buses.

Mr. DeBaise answered, certainly, and I will recommend a couple of other people, if you want, who can approve the specs of these buses, one way or another.

Rev. Ray Cooley, Committee on Aging, stated that the C.O.A. would be very happy to have this kind of expert help. We really need it; there is no one on the committee that has this kind of expertise. Thank you.

Pasquale Melillo, 15 Haller Place, Yalesville stated, since many of the buses are used throughout the year to give rides to supermarkets, the supermarkets should contribute towards the maintenance of the vehicles.

VOTE: All ayes; motion duly carried.

ITEM #9 Consider and Approve a Waiver of Bid to Award a Contract to Bruce Davey Associates at a Projected Cost of \$4,700 to Conduct a Promotional Examination Process for the Ranks of Sergeant and Lieutenant within the Town's Department of Police Services – Personnel

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

Mr. Rys read correspondence into the record from Terence Sullivan, Personnel Director (Appendix I).

Mr. Sullivan added, in speaking with the vendors, we have discovered that we have Bruce Davey Assoc. which is available now to do this. The charge from company to company is about the same. You are basically paying for the consultant's time which is very similar across the board. We have a very high level of comfort with this company; it has a good work product that helps us out. The services of this company were utilized in 1998-99 for a promotional process. He has been used by the Town over the past 5-6 years for different department head positions, including my own. This is not something you buy off the shelf, it is customized.

Mr. Centner asked, what is the rate of overtime dollar consumption we are experiencing during this situation?

Chief Douglas Dortenzio answered, with a retirement already having occurred, you are essentially filling that position five days a week at time and one-half. I don't have the numbers off the top of my head.

Mr. Rys asked, when the test is administered and they come up with a list of eligible candidates in a ranking order?

Chief Dortenzio answered, yes.

Mr. Rys asked, if the testing produces a list of five candidates, is the job offered to the individual who places the highest on the list first? Or do you have your choice of the five candidates?

Chief Dortenzio answered, I have a choice to pick from the top five candidates for each available position which is no different than the 1 in 5 rule for hiring new employees. The vendor will rank order from the top to bottom, the results of the test and transmit that to the Personnel Office where they apply what ever other personnel rules are applicable for seniority, credits and by the time I see the end result it is a composite of the scores from the testing firm and what ever adjustments are made by personnel, pursuant to the personnel rules. No testing procedure will ever account for how the candidates' work performance has been in the past. It may measure their technical expertise but doesn't at all indicate whether or not they are prepared to use it or have a demonstrated track record at a previous rank of success.

Mr. Rys asked, what does this testing do for you?

Chief Dortenzio answered, it is a requirement, we have to go through this. Promotional testing, by its nature, can be pretty litigious. We have not used this firm for probably more than five years. We have had experience with other firms and we have had problems with those previous firms. We selected this one after some careful research of what other police departments in this state had done. Our problems have been resolved by their use. They are very comprehensive. They started off by doing a job task analysis which Mr. Sullivan's memo makes a reference to. Once those analysis are performed by the testing firm, it is a relatively simple process for them to come back and continue to provide the same level of service with a minimum amount of effort being necessary, as Mr. Sullivan has pointed out. IF we were to bring in another firm, they would have to replicate the work that has already been done by this one. That is really where your differential is going to come in in price; it is time consuming, in-depth intricate work that has got to be performed as a pre-requisite to providing the test.

come up with presently, who might be eligible now?

Mr. Sullivan answered, in July of 1998 we hired this firm to do the same thing for the sergeant promotional examination. It was not necessary at that time to do Lieutenant. What happens over time is, things change in the field; new orders issued by the Chief; statutory requirements change; and the list gets stale. My job under the classified service is to take a look at the list and see how valid it is because of time; if our testing instruments

Mr. Rys stated, I have heard people say that a candidate placed at the top of the list but was overlooked and the second or third candidate was offered the job. If we are hiring a firm to do this type of work for us, hopefully they can evaluate and hand the Personnel Director a list that could be used so that the top candidate is #1, and the second is #2.

Chief Dortenzio answered, that is the case sometimes, and sometimes it is not for very good reasons.

Mr. Brodinsky asked, how many promotions do you anticipate within the next year or if there is a more appropriate time frame, you pick it.

Chief Dortenzio answered, the list is good for 1-2 years. We have one person who is left; several others who are already eligible for retirement, have been for a few years, are basically getting to the point where they are going to max out any potential benefit to staying with the Town. Some are already actively looking for work. Whether or not they find what they are looking for is speculative, at best. I would expect that we will see other people retire after 30 years of service; two or three within the next two years.

Mr. Brodinsky stated, I think you said you now have an adequate list for the top five candidates, is that right?

Chief Dortenzio answered, no. Mr. Rys asked if the test results give me the opportunity, pursuant to the personnel rules, to select from the top five candidates. I answered, that is correct; it is the same procedure we use for hiring. We have a 1 in 5 rule embedded in the Personnel Rules that I must follow.

Mr. Brodinsky asked, what system is in place now?

Chief Dortenzio answered, that 1 in 5 rule is not applicable to this test; it is applicable to all of our promotions and hiring.

Mr. Brodinsky asked, is there a test that these people took years ago and that is how you come up with presently, who might be eligible now?

Mr. Sullivan answered, in July of 1998 we hired this firm to do the same thing for the sergeant promotional examination. It was not necessary at that time to do Lieutenant. What happens over time is, things change in the field; new orders issued by the Chief; statutory requirements change; and the list gets stale. My job under the classified service is to take a look at the list and see how valid it is because of time; if our testing instruments

need to change with the times we do that. IF the test changes significantly, we throw the list out, effectively, and start over. Additionally, we have many employees who now qualify to sit for the test; you have to have been here for a certain number of years; been in rank for a certain number of years; we now have many more eligible to take the test. There is a list from 1998 that will be thrown out. When we start this new process, that list becomes void and we will create a new list.

Mr. Brodinsky asked, if this was not approved tonight, then would you use or could you use the old list?

Mr. Sullivan answered, that is not true. The list is stale by virtue of time. We have qualified candidates that need to be tested. Our personnel rules, under the Charter, require us to test. We have to throw the list out. If you didn't approve this waiver, we would have to go to bid and we would probably be testing by May or June.

Mr. Brodinsky asked, Personnel Rules require periodic testing such as this?

Mr. Sullivan answered, no, they require the me to review lists and tests for adequacy or accuracy and when things change substantially, I have the right to institute a new test and when I have a new test I have to re-test. I have the discretion of the Personnel Rules but we also have the obligation, under the Personnel Rules, to allow candidates who are now qualified to sit for the examination, to do so. Therefore we have to re-test.

Mr. Brodinsky asked, if you don't like the results of the 1998 test; you look at the names; you look at the situation; you don't like it; it is in your discretion to have another test?

Mr. Sullivan answered, not really, It is not whether I don't like the results of the test; it's, is the testing instrument valid any longer. If things have changed substantially, we have to have current contemporary testing instruments that will withstand litigation, inquiry. They have to be appropriate to the job.

Mr. Brodinsky asked, what has changed recently that makes a bid waiver so important to do it absolutely now? What has developed?

Mr. Sullivan answered, what has developed, number one is time. Two and one half years have gone by since we tested last. We have many new candidates who are current employees who are eligible to sit for the exam. It would be patently unfair to say to them that they can't take the test nor ever get promoted because we have this list from 2 ½ years ago and you are not on it.

Chief Dortenzio stated, they were not eligible by virtue of the time and grade requirements the last time; they are now. We all benefit from this process. At the very least I may have only one opening but 34 people spending the next month or two studying. That, generally, raises the educational level of the agency. We all benefit by doing that.

Mr. Brodinsky stated, I am voting in favor of this, not because you are comfortable with Bruce Davey Associates, as I have said before in situation such as this, that is the exact time to put it out to bid, when you get comfortable with a vendor. I am voting in favor of this because you have represented that it is going to save the town money and therefore is in the best interest of the town.

Mr. Vumbaco asked, what date was your anticipated retirement?

Chief Dortenzio replied, he notified us in December and I think it took effect within the last 6-7 days.

Mr. Vumbaco asked, if they notified you in December, here it is, almost the end of January. Now you are coming towards us and asking us to waive the bid because of testing needs. You are saying that if we don't pick this one company, it will push us out into April/May. If you knew in December that this person was retiring, why didn't the process to bring these people on board to do the testing begin then? We might not be in this position to waive the bid because, in the beginning of January you could have gone out to this other company. We have wasted five weeks of time.

Mr. Sullivan answered, part of that is, some employees will not necessarily announce their retirement, they will hint at it. We heard rumor and it is not until they actually come in the office and fill out the application for retirement that we start generating the numbers and they think about it more and more. In the holiday period we were in contact with this company and others to see what the price is. If I could do this for less than \$2,000., like we did in 1998, we wouldn't have to go to bid and I wouldn't have to be here tonight. Something happened in late December/early January and we didn't get the information back in time and we, frankly, missed the last Council agenda by a day. We could have been here two weeks ago but we just didn't make it. We lost some time.

Mr. Vumbaco stated, the Chief (of Police) said he was told in December and now you are saying; when did he fill out the paperwork? When was this individual officially retired? Is in December or January?

Mr. Sullivan answered, I don't have the exact date but what happens is, an employee will indicate that he wants to retire but he will run his vacation out. If this person had 5-6 weeks of vacation, he may have told us or hinted back in November or early December but ran it out and stayed on the payroll until the second week in January. The Chief cannot appoint anyone to take that position until he officially has a vacancy. We always have to wait. We will be without that individual because he is burning off his vacation time and we can't fill it until the person is off of the payroll. You cannot book double against that one entry.

Mr. Vumbaco stated, I am a little disturbed that you weren't pro-active. You knew the guy was going to retire. Whether he was running out his vacation time or not, there is a 95% chance that he was going to retire. You heard the hints and he was running out his vacation time. Why wasn't the process started then, even though it wasn't "officially signed" on to? You knew you were going to need to do this anyway. Now it is coming in front of the Council and we are asked to waive a bid instead of going out and maybe checking another company out which, I agree with Mr. Brodinsky, that once you become comfortable with a company, that is the time to go out and start testing it.

Mr. Sullivan replied, when I stated, "comfortable" in the letter, I meant quality-wise. We have no other reliance standard.

Mr. Vumbaco stated, I understand that but there could be another company out there that may be just as equally qualified.

Mr. Sullivan stated, when employees announce their retirement, it is not too uncommon that they re-think it when they look at the numbers and health insurance costs. We have an individual working for the Town for about 44 years who could have retired a long time ago and every time he walks into our office, the joke is, "this is it, he's going to go see Tom Sharkey and fill out the form". One day he may, one day he will. When we here rumor that someone is going to go, we can't just go out to bid because it could be just an inquiry. We get that a lot. It is not until they come in and say, "this is my date" and this happened around early December, if I can recall the facts correctly, but the time it is committed to and we contacted these consultants and got results back it was early January and we missed the Council agenda for the last meeting.

Mr. Vumbaco reiterated that other firms could have interviewed had the process started sooner because it is a sure bet when someone announces and then starts using up their vacation. The testing was going to have to be done anyway because of the age of the list on hand of qualified candidates at the time of the announcement. The Town could always

pull back on its bid request. He would like to see the Town become more pro-active on the process instead of coming before the Council at the last minute seeking a waiver of bid and use the excuse that a department is "under the gun". He asked, is it true that if we used another firm it would cost more than \$4,700?

Chief Dortenzio answered, I think so. There is a component of the work which is referenced in the memo called a "job analysis". That is done by the firm that is going to prepare the actual test. With this particular vendor, that work has already been done. If you were to go out to bid, you would have to ask whoever the successful vendor was to make sure they performed that analysis before they conduct the exam. You will pay for that service.

Mr. Vumbaco reiterated, by going out and testing the waters, you could find that out.

Pasquale Melillo, 15 Haller Place, Yalesville stated that this was a rare occasion, for he condoned the bid waiver in this circumstance.

Philip Wright, Sr., 160 Cedar Street asked, Mr. Chairman, when are you going to speak out against the bid waiver? You have been staunch in opposing waiver of bids for years. What is going to be your position this time?

Chairman Parisi replied, I am going to concur. I did take time to go into the Chief's office and have a rather lengthy discussion with him and Mr. Sullivan about the item and I was convinced that, in this case, it is the right thing to do which will allow us to go forward and take care of these promotions which are important and costly.

Mr. Wright stated, If I were the Chief and/or Terry Sullivan, I would never ever come up here and say that we have to do it because we are under the gun. This is where every time this bid waiver comes up, that is what we hear; if we don't do it now hell will freeze over or some such calamity is going to occur. Chances are this would have gone through much easier had they not mentioned that they were under the gun.

Mr. Knight commented, this is a request for a bid waiver of \$4,700. We do have, in our Charter, a rule that everything over \$2,000 has to be bid. That Charter provision was written in 1960. In 2001 dollars that would be approximately \$12,000. I think it is well worth remembering that what these gentlemen are asking for in 1960 would have been a very significant deviation. But in the 2001, it really isn't when you take into account the inflation that has taken place since this Charter was written. To some degree, that does govern my decision making as to whether the bid waiver is legitimate or not.

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

ITEM #10 Consider and Approve a Waiver of Bid to Award a Contract to Adkins Printing Services in the Amount of \$2,274 for Election Supplies – Town Clerk

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

Correspondence from Town Clerk, Rosemary Rascati states that when the order was placed, she had no idea the order would total more than \$2,000. Previous bills have always been under \$2,000 however, this year the ballot included many more candidates and the Registrars insisted on the long strips that go the length of the boxes, coupled with a small rise in paper prices, the total was over \$2,000.

Jack Agosta, 505 Church Street, Yalesville stated, State Statute (7-148v) says that the Town can enact an ordinance which specifies the amount of money the Town can spend up to without triggering the competitive bidding process (Appendix II). The statute reads that the towns, through an ordinance, can spend up to \$7,500 without having to go out to competitive bidding. Mayor Dickinson stated last year that the Council can adopt a resolution to change the current amount as it appears in the Charter. If we had done that, the Town Clerk wouldn't have to ask for the bid waiver. This should have been placed on the consent agenda for such a small amount. Actually it amounts to \$274 over the bid limit amount.

Chairman Parisi stated that he had given it some thought; placing the item on the consent agenda but didn't because it was a bid waiver, which might generate questions. He would rather place the item on the agenda for discussion rather than give the appearance that he was trying to slide something through.

Philip Wright, Sr., 160 Cedar Street concurred with Mr. Agosta, the bid limit amount in the Charter should be changed.

Pasquale Melillo, 15 Haller Place, Yalesville asked, what would happen if the bid was not waived?

Ms. Rascati stated, to be honest, I would go back to the vendor and tell them to send me two small invoices.

Chairman Parisi answered, you wouldn't do that; she would have to pay the bill and we have to give her the money.

Mr. Melillo pointed out that the Town Clerk has no choice but to pay the bill. He, too, favored changing the amount of the bid limit in the Charter.

VOTE: All ayes; motion duly carried.

ITEM #11 Withdrawn

ITEM #12 Withdrawn

ITEM #6 Consider and Approve One (1) Appointment/Re-Appointment to the Position of Alternate on the Planning and Zoning Commission for a Term Of Three (3) Years to Expire 1/8/2004

Motion was made by Mr. Vumbaco to Re-Appoint Stephen Bertucio to the Position of Alternate, seconded by Mr. Brodinsky.

VOTE: All ayes; motion duly carried.

The Town Clerk performed the Swearing-In Ceremony for Mr. Bertucio. (Applause)

ITEM #13 Discussion and Possible Action Regarding the Removal or Demolition of the MacKenzie Building on Land Adjacent to the Wallingford Public Library - Mayor

Correspondence dated October 3, 2000 from Directors Karen Roesler and Leslie Scherer of the Wallingford Public Library states, "The Library has no use for the building in its present state and would encourage the Town to raze it in order to minimize maintenance and security expenses". The Library Board unanimously passed the motion at its September 26, 2000 Board meeting.

Mr. Farrell commented, when we got the agenda this evening, this was the first that we had heard of this. The last the Council had been informed on the item was that the Library was going to come up with a plan and, at some point, the Council was going to be made privy to it. We have not been made privy to any plan. I noticed the letter is dated October 3rd and I have had a number of calls from people in the neighborhood who want more specifics about what is going on there. I am reasonably upset that no details were

forthcoming about what the Library expansion was going to entail and why we are being asked to move on this without a plan in hand.

Mayor Dickinson responded, as everyone is aware, the purchase was made for the expansion of the Library. The Library Association has indicated that they do not have any need for the building. The expansion has not been designed; they are in the process with the Board of Managers, in dealing with that issue; defining what space is needed and what is the best course for using the additional area. The reason for the item on the agenda is that the building sits there, uninhabited, and it just becomes another problem as far as security and hazards and, given that the Library has no interest in the building and, inevitably, the building will not be an attractive presence on the property with plans for expansion of the physical library, itself, it is timely that we discuss and hopefully make a decision to remove the building and have the area, at the point we are in that position, ready for plans and approval for construction of an addition to the Library. It becomes a security and maintenance issues. At this point, given the Library does not have a need for the building, I would not want to put other uses in there and then deal with what we are going to do once the plans are there and the building has to be removed anyway.

Mr. Farrell stated, I will use the same argument you (Mayor) made in regard to Simpson School; until there is actually a plan in place you don't know whether it is premature to remove the building. With Simpson School we have some idea that there is some possibility that the building coverage could be lessened if the building were taken down. Here, I haven't heard any vision articulated for how the Library building is going to be increased in size. I am not comfortable with voting to go forward with this plan, sight unseen.

Mayor Dickinson replied, there is almost no likelihood of a plan including the MacKenzie building.

Mr. Farrell asked, have you become an architect now, Mayor?

Mayor Dickinson answered, by the time you would have an addition and then maintain the building for what? The Library does not need it. We will need parking there as well. I would think there is a 99.9% likelihood that the building would have to be gone.

Leslie Scherer, Director of the Wallingford Library stated, we had asked the Mayor in December, because we were working on our budget and wanted to know if it would be appropriate to include some sort of seed funds for answering the kinds of questions that Mr. Farrell is asking in next year's budget. I am sorry you did not get this ahead of time

but the Library Board had just received it last night at our meeting; we outlined a process for going forward in an orderly fashion. It is hard to envision a cost-effective use for that property as part of a Library. It would only be useful for office space, most likely, and that is the one thing we don't need more of. We need space for books, children's programming and community meeting space. That will all be identified as part of this process.

At this time Ms. Scherer distributed a handout to all Councilors (Appendix III).

Mr. Brodinsky asked the Mayor, are we absolutely sure that the laws and regulations affecting historic districts and historic buildings do not come into play? Has that been specifically researched?

Mayor Dickinson answered, that building is not on any historic registry and we have no historic district in that area.

Ms. Scherer added, it was built in 1950, it was not an old building.

Motion was made by Mr. Rys to Demolish or Move the Building, seconded by Mr. Knight.

Mr. Centner asked, what is the approximate cost to raze the building?

Ms. Scherer answered, Henry McCully, Director of Public Works, is looking into that.

Mayor Dickinson added, there is an estimate and we are going out to bid on it. It will be in excess of \$25,000.

Mr. Centner stated, I can support the motion on the table for security, safety and maintenance reasons for a building that I know we are not going to have a use for. In your project package, my preference would be to move this item from Town Hall into the Library cost center and then fund that either through, grant sources that can be tied into the project, or through a transfer from Town Hall. My preference would be to let the folks at the Library then raze the building at their own schedule.

Mayor Dickinson answered, the reason we are moving on it is because the length of time that it will be there will probably be at least 1 ½ - 2 years, given all of the design factors and funding issues, etc. The building sits there all of that time and that is why I raised the issue of it being unused. It becomes an attractive nuisance, a maintenance and aesthetic problem. If we had a project now that we were going to be going into construction this summer, we would just fold it into the project, but there won't be a project this summer.

Ms. Scherer added, and if we follow the model that was used when the current building was built, it is really a Town building project. The Library was on the building committee but the building committee is appointed by the Council and the funding is all done through Purchasing as opposed to running the Library which is done through the Library's budget. A project of this magnitude, you wouldn't be giving the money to us, it would be a Town project, if we follow the example.

Mr. Centner stated, maybe then, the financial accounting part of it then, because I know the Library is putting in a significant sum of dollars and the Town is also putting in the difference. Most of the buildings we have that are of maintenance concern are stand alone items. This one is attached to a definite project so I was hoping that we could have put it under your cost center. There might be a grant structure under your budget that might reduce the impact to those dollars. I know what you need it for, I was just looking at how to clean it up accounting-wise. Outside of that, it is fine by me. I support the motion. I do not want to see another building, that we are positive that we don't have a use for, fall into disrepair.

Mr. Zappala asked, is the house inhabited?

Ms. Scherer answered, it was until December. It is in fair condition, according to the appraisers.

Mr. Zappala stated, you do not intend to start any project until July 2004, according to this project sheet you distributed to us.

Ms. Scherer answered, we would be starting sooner than that. The 2004 date would be if we received state funding, we would be required to start by then in order to keep the funding. We could start, under this scenario, as soon as January, 2003.

Mr. Zappala stated, the house is livable and you have three to four years before you start construction; you could probably generate about \$30,000 to \$40,000 dollars in rental fees without being liable for anything. Unless you needed the space for parking, I could see it. But if you don't then we could be getting between \$30,000 to \$40,000 in rental income.

Mayor Dickinson answered, I cannot be supportive of another place where we would have to deal with evictions and all of the issues surrounding habitation, maintenance of heating and all of the other mechanical features. It becomes a nightmare; we are not structured for it.

Mr. Zappala stated, a contract for rental of the building can be drawn up. If you have someone move in you can have them be responsible for maintaining the structure. I don't see a major responsibility on the part of the Town if the papers are drawn up properly. If we needed it next year or the year after, maybe, I would then say, fine, let's take it down. From the way it looks, it will be another four years before anything gets started and I see a waste of an opportunity to gain some revenue which I think the Library Board could possibly use.

Mayor Dickinson replied, the Library Board does not want to rent the building.

Mr. Zappala stated, it would be the Town's responsibility to rent it. I don't see what the big problem is.

Mayor Dickinson repeated, the rental of property has major problems associated with it. Just evictions alone take a lot of time and this is just not a situation which I think we want to get into with a building that we know we don't want and will have to be torn down.

Mr. Zappala felt that legal contracts could be written to address those problems.

Mayor Dickinson stated, all of the laws favor the tenant. It is a very difficult course to follow. It is not something the Library Board wants to do and I am not sure who, in the Town, would be overseeing it.

Mr. Zappala stated, it was just a suggestion, Mr. Mayor.

Mr. Knight commented, with all due respect for my colleague and his expertise in rental, we recently went through an interesting debacle here, in the Town of Wallingford, that I think nobody wants to repeat. I suspect you are going to have a tough time getting a lot of support for that. If we do demolish this building and it doesn't appear to be a situation where we will be using the property for at least a couple of years, would it be possible to at least make it look halfway decent and not like an old hole in the ground with orange plastic fence and junk surrounding it which is exactly what I envision if we don't do something. Can we make an effort to make it somewhat aesthetic?

Mayor Dickinson answered, we will look to landscape it so it is more attractive. We would not leave a foundation hole, no.

Mr. Centner asked the Mayor to contact Henry McCully, prior to demolition, and see if Henry can contact Habitat for Humanity to see if there are any items in there that can be recycled for their use? It would be nice.

Chairman Parisi stated, that is a good point and I would hope that we would do that automatically on any demolition that we have. We should inquire as to whether or not any organization can make use of what is there before the demolition.

Mayor Dickinson suggested that the suggestion be included in the motion.

Mr. Rys added a friendly amendment to the motion that Habitat for Humanity be contacted to see if they have any interest in removing any items from the building that they may have a need for, seconded by Mr. Knight.

Ms. Papale asked Ms. Scherer to give the Council an idea as to what the Library Board has in mind for this piece of property. She stated, I had the impression that the Library needed the acreage for parking. It seems every time I go to the Library, I have a problem parking.

Ms. Scherer replied, they are actually opening the bids tomorrow on the expanded parking lot that will be adjacent to our small parking lot. We had purchased that small piece in the back last March. It was in the Engineering Department's budget this year and the parcel was turned over to the Town. That will give us twenty-nine (29) more spaces which will help a lot. The wonderful thing about the MacKenzie house is, there is a huge rear piece of land. It is narrow as it goes back but it is an L-shaped parcel where a tennis court existed in the back. It is definitely in the plans that when the building is expanded, to make that parking also. We have done some preliminary space needs and we are absolutely at capacity for our books. The building was designed for twenty years and we were frighteningly accurate in that every shelf is just about full. Plus, there is lots of new media such as books on videos, DVDs, books on tapes, the computer work station space, etc., so we are at our capacity right on schedule; it has been twenty (20) years. Our guess is that we need additional stack space and the best way to build that is to do so on grade because it takes less steel. Expanding out front and over towards the MacKenzie house, adjacent to the children's area which is also in need of expansion, it makes a lot of sense. To have all of the public areas on one floor is the most efficient use of personnel. To break areas up into small rooms or on different levels, you have more staffing needs. We are considering a one way traffic loop in and out of the front of the building. Before we acquired that property the only option we had was to expand out over the back parking lot on pillars which is extremely expensive due to the weight of the books; 150 lbs. per sq. ft. is required to hold the books and books are still very much with us. The biggest needs we

see are stack space and space for quiet study. Our building is so busy that a lot of our tables have been taken out to make room for our new book area which was taken out to make room for the videos. Quiet study, individual, small group meeting space and children's stack space are the biggest things we are looking for.

Mr. Vumbaco commented, I will support this because that is why we bought the building. Obviously, there is no chance of renting it which is one of the options I was considering. I would like to encourage those responsible for the property to keep the parcel cleared and mowed so that we don't have six foot tall weeds growing up. We all know what happens to vacant property that just sits there, it starts turning itself back into its natural state. Since it is on the main street in town, next to one of our public buildings, the property should be kept well-maintained, mowed, etc., perhaps giving it a park-like appearance until the Library does decide to break grown.

Mr. Farrell stated, in response to Mr. Brodinsky's comments; my regard for the building was not historic. It is more that the context of the neighborhood, no plans have been presented to give anyone in that neighborhood an opportunity to analyze how this is going to effect them and I am not an advocate of tearing something down until we have a firm vision in mind. We have heard bits and pieces out of Ms. Scherer, but nothing that has really given us anything definitive to work with. I would decline to vote in favor of this this evening for that reason.

Philip Wright, Sr., 160 Cedar Street asked, through the Chairman, that Mr. Knight reveal the debacle that he referred to earlier. He asked, which one of them?

Mr. Knight answered, it is something we discussed in executive session and I am not prepared to discuss it. It was a reference to the executive session subject matter. At such time that it becomes public and settled, I am happy to do that.

Mr. Wright stated, North Haven was just faced with the same problem. They stripped their Library down to just the steel that was there originally and they built up and around it. It looks like it is going to be pretty good. They have as many as three floors there now. I don't know if there is anything below ground but, I would hope that whoever is involved with this expansion would look to what has been done in other towns. I do not, as usual, agree with the Mayor that this would be an insurmountable and terrible thing for us to manage. I suspect that if we gave the building over to Habitat for Humanity for three years, that they might very well be able to find someone to put in there and let them occupy this perfectly useable house for some period of time instead of tearing it down and letting it be open space. We spend a lot of money on open space in this town that we

haven't even begun to digest yet and I think we ought to look kindly on the possibility of doing something with retaining this as a home for some people who need it. I would disagree with Tom (Zappala), I wouldn't do it for money. I would do it because it would be something good for the Town to do and I think you ought to consider it very carefully before you tear that habitable building down.

Frank Wasilewski, 57 N. Orchard Street asked, how much land have you acquired by purchasing this property? How many acres?

No one was able to readily supply that information.

Mr. Wasilewski stated, as I recall, Neal (MacKenzie) did sell some land to the Town for the original Library.

Ms. Scherer answered, that is correct.

Mr. DeBaise answered from the audience, it is approximately 1 acre of land.

Mr. Wasilewski stated, we don't have any plans yet as to what the Library wants to do. How much more land do they need? What are they going to do with the new addition? Where are they going with it? Do we have an architect involved? I am going to tell you what we ought to do with Neal MacKenzie's house; we should make it a children's library. That is what we should do.

Ms. Scherer answered, we can't. We do want to expand to make a bigger children's library but there are so many problems; the house has very small rooms; it is not strong enough to hold the books; it is not handicapped accessible. We would like to use that space to definitely expand....

Mr. Wasilewski stated, all of those things can be taken care of because we are sitting in a building right now that we had the same problems with. This is a very old building yet it is now our Town Hall. We did this building over and we could do the very same thing at the Library but you have to have some plans. Don't say, "we are going to do this three or four years from now." Give us the plans now so we could go ahead with it. Neal MacKenzie's house is one of the best-constructed houses in Wallingford, whether you believe it or not. It is going to be a shame to tear it down. You are going to tear one of the best buildings down in the Town of Wallingford. You could remodel that building and add to it for children's space. Until you have an architect involved to tell you what you can and cannot do, this should be tabled.

Ms. Scherer stated, the land is 1.32 acres.

Pasquale Melillo, 15 Haller Place, Yalesville asked, if you were to change all of your offices over to the MacKenzie house, or at least as many as possible, would that make enough room available for your books?

Ms. Scherer answered, no, it wouldn't. We don't have much office space or a need for office space. There is probably 300 sq. ft. of office space on the main floor so even if we moved that to another building, it wouldn't free up enough space.

Mr. Melillo asked, do you have any definite timeframes regarding the availability of state funds for your project?

Ms. Scherer answered, we have an outline of when we would need to apply for them. You can't apply for them until you have your architectural plans as far as the schematic stage. We have to get an architect involved first. When he is done with his work, then we can apply for the state funds. It is a long process.

Mr. Melillo stated, President Bush has come out in strong support of education. Libraries are in that ball park. Is there a strong possibility that we can be eligible for federal funds?

Ms. Scherer answered, as of now there are no federal funds available for library construction. There haven't been for probably forty (40) years. State funding is available but no where near the extent that it is available for schools. It is a much smaller match.

Mr. Melillo agreed that the item should be tabled at this time.

Tony DeBaise, 278 N. Main Street stated, my interest in this property is, my property adjoins this property. I share the fence at the far end of the tennis court, which is a decent size span. If the Mayor happens to have an extra \$350,000 and if he would like to have an adjacent piece of property that is contiguous to this property, I know where he can find one. In addition to that, I would like to thank a few of you for being concerned about the aesthetics of the final disposition of the property. I must also, for the first time in my life, compliment Mr. Melillo for having come up with a genius idea, or close to it in my view. I also think it would be a good idea to table this item tonight and give some consideration to the conversation that has developed about this house and property. Mr. Farrell explained it in a manner that mirrors, exactly, my feelings. If it is going to be some time before development commences on the property, if there is any way to preserve this house,

I would be in favor of doing so. With the layout of this property, adjoining the present Library, I think you can put in the footings for a new building without interfering with the site line of the present house that is there. It looks to me that you won't be disturbing the house if you begin to construct another building and then, at that point, remove this house. The other point is, I am wondering if there isn't some unit of our government who would be able to use this house rather than rent it out to someone else. As a last resort, I think that if you rented this house to a business person...who would sign a contract for "x" number of months or years that they would occupy this property with the knowledge that at the end of the period they would have to vacate the property. This is one of the most magnificent homes in the area, or once was. This home is well-built with a slate roof. We don't have many like that in Wallingford. If I had ten to twenty more feet frontage...I would discuss purchasing this house and moving it to the front of my property because this house is magnificent or could be with a little tender loving care.

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

ITEM #12 - Mr. Brodinsky stated, this item was to discuss the possibility of drafting an ordinance banning the sale of products such as thermometers that contain mercury. I requested that it be placed on the agenda back in December in response to a newspaper article that I read that highlighted what a hazard mercury was. The article went on to say that New Hampshire had become the first state to ban the sale of mercury and a number of cities and counties across the country had done the same. I thought it was an issue worth discussing. I found out today, however, from our Health Director, that the state legislature is going to address this issue on their level. A bill has been introduced to phase out and eventually eliminate, I believe, products such as this. An ordinance would be premature and a waste of time. This is the reason for my withdrawing the item from the agenda tonight.

Chairman Parisi stated, I had information, myself, from a magazine which states how several New England cities and towns are already moving to implement this.

ITEM #14 Executive Session Pursuant to Section 1-200(6)(D) of the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Real Estate – Mayor

ITEM #15 Executive Session Pursuant to Section 1-200(6)(A) of the CT. General Statutes Pertaining to Discussion Concerning the Appointment, Employment, Performance, Evaluation, Health or Dismissal of a Public Officer or Employee, or Open Meeting, as may be necessary or appropriate – Requested by Councilor Mike Brodinsky

Motion was made by Mr. Rys to Enter Into Both Executive Sessions, seconded by Mr. Mr. Brodinsky.

VOTE: All ayes; motion duly carried.

The Council entered executive session at 9:16 P.M.

Present in executive session pertaining to Item #14 were all Councilors, Mayor Dickinson and Atty. Small.

At 9:30 P.M., the Council entered into executive session pertaining to Item #15.

Present in executive session pertaining to Item #15 were all Councilors.

Motion was made by Rys to exit the executive sessions, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

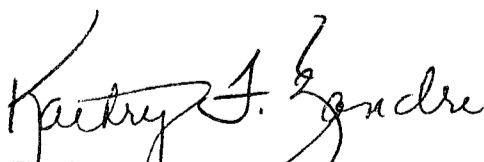
The Council exited executive session at 9:56 P.M.

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

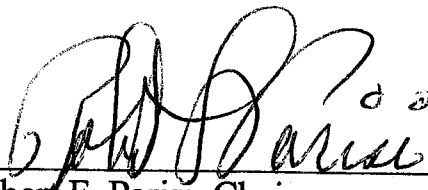
VOTE: All ayes; motion duly carried.

There being no further business the meeting adjourned at 9:57 P.M.

Meeting recorded and transcribed by

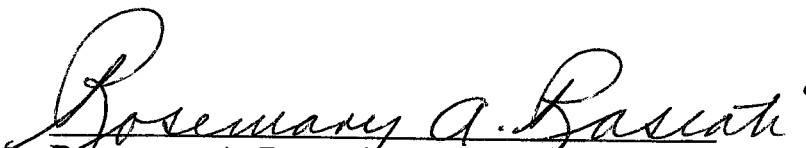

Kathryn F. Zandri
Town Council Secretary

Approved by :




Robert F. Parisi, Chairman

3-2-01
Date




Rosemary A. Rascati, Town Clerk

3-2-01
Date

RECEIVED FOR RECORD 2-1-01
AT 4:35 P.M. AND RECORDED BY
 TOWN CLERK

TOWN OF WALLINGFORD
Personnel Department
Phone: (203) 294-2080
FAX: (203) 294-2073

MEMORANDUM

TO: Mayor William Dickinson
FROM: Terence P. Sullivan, Personnel Director 
DATE: January 16, 2001
SUBJECT: Bid Waiver Request

I would like to approach the Town Council at its January 23, 2001 meeting to request a bid waiver for police promotional examinations.

Due to a recent unanticipated retirement and the potential for additional retirements in the police lieutenant and sergeant ranks, I need to develop a certified register in order to provide the Police Chief with promotional candidates. Currently, 34 Police Officers are eligible to be considered for promotion to the rank of Sergeant and 10 Sergeants are eligible to be considered for promotion to the rank of Lieutenant.

The Town has had excellent experience in recent years with Bruce Davey Associates (BDA) in the provision of a complete promotional examination process for these ranks. The testing consists of a written and oral examination process. The company provides a reading list or bibliography for candidates to study leading up to the examination.

I know of one other vendor in Connecticut that is capable of providing this service. However, since we have not used this company for anything other than entry level police officer recruiting several years ago, it is not prepared to test immediately. If we were to bid this service, other companies would not be in a position to test until April or May or perhaps in the Summer. Other testing services would have to conduct a job analysis of the two ranks which includes interviewing employees and the administration. They would also have to review internal policies and general orders. Finally, they would have to prepare a reading list based upon all of the above. BDA would not have to do this since it has already completed these tasks and is essentially prepared to start within the next four to six weeks.

It is important to note the Police Department is incurring overtime costs to fill one Lieutenant vacancy currently. With other retirements in the near future, those costs will only rise. The sooner I can certify a list of eligible candidates to the Chief, the sooner he can make the appropriate appointments and avoid higher overtime exposure.

With this backdrop, it is my hope to obtain a bid waiver from the Town Council so the Town may hire Bruce Davey Associates to conduct promotional testing at the projected cost of \$4,700. I have the money budgeted so I do not require a transfer. It has been my experience that the Town has been well-served by this company and I recommend we use it again at this time.

If this is placed on the Council agenda, both Chief Dortenzio and I will be at the Council meeting on January 23rd to answer any questions the Town Council may have. Thank you for your consideration.

TPS/

cc: Douglas Dortenzio, Police Chief

MUNICIPALITIES
Title 7

ber of such commission or er, except that replacement uch commission or board y special act or municipal

ll contractors and minority

ibcontractor, manufacturer erness and has maintained its of at least one year prior to action, (B) which had gross e most recently completed s one per cent of the w are active in the daily rrect the management and

all contractor (A) fifty-one ts of which are owned by a ffairs of the enterprise, (ii) l policies of the enterprise, rm is defined in subsection a disability.

idual (A) having a physical f the major life activities of aiment.

l statutes or of any special ice, a municipality may, by to small contractors, on the al contracts or portions of ruction or rehabilitation of e of highways and the pur- such contracts or portions wenty-five per cent of the y the municipality for each ct that may not be set aside shall not be included in the s of having a value. of of all contracts or portions vards to minority business

POWERS
Ch. 98

Encyclopedias
Words and Phrases (Perm.Ed.)

Library References

United States Code Annotated

Disability defined for purposes of the Americans with Disabilities Act, see 42 U.S.C.A. § 12102. Small Business Administration, see 15 U.S.C.A. § 633 et seq.

§ 7-148v. Requirements for competitive bidding

Notwithstanding the provisions of any municipal charter or any special act to the contrary, any municipality may, by ordinance, establish requirements for competitive bidding for the award of any contract or the purchase of any real or personal property by the municipality. Such ordinance may provide that, except as otherwise required by any provision of the general statutes, sealed bidding shall not be required for contracts or purchases having a value less than or equal to an amount established in the ordinance, which amount shall not be greater than seven thousand five hundred dollars. Nothing in this section shall be deemed to invalidate any ordinance enacted by a municipality prior to October 1, 1989. (1989, P.A. 89-136.)

Historical and Statutory Notes

Codification
Gen.St., Rev. to 1991, codified 1989, P.A. 89-136, as C.G.S.A. § 7-148v.

§ 7-148w. Disqualification of contractors from bidding on municipal contracts

- (a) As used in this section, the term "contractor" means any person, firm or corporation which has contracted or seeks to contract with a municipality, or to participate in such a contract, in connection with any public works of the municipality, including professional consultants.
- (b) Notwithstanding the provisions of any municipal charter, special act or home rule ordinance a municipality may, by ordinance of its legislative body, establish a process for disqualification of any contractor, for up to two years, from bidding on, applying for, or participating as a subcontractor under, contracts with the municipality for one or more causes set forth under subsection (c) of this section. Such ordinance shall establish procedures for disqualification which shall include notice and an opportunity for a hearing to the contractor who is the subject of the proceeding. The hearing shall be conducted in accordance with the procedures for hearings on contested cases established in chapter 54. ¹ The hearing officer shall issue a written decision within ninety days of the last date of such hearing and state in the decision the reasons for the action taken and, if the contractor is being disqualified, the period of such disqualification. The existence of a cause for disqualification shall not be the sole factor to be considered in determining whether the contractor shall be

Appendix III

Proposed steps to Library Expansion

January 23, 2001

1. Library staff and Board complete space needs analysis by June, 2001.
2. Librarians and staff write building program, with Board of Managers approval by September, 2001
3. Library goes to Town Council with building program to request appointment of Feasibility/Building Committee, and Council appoints Committee by Fall, 2001.
4. Committee/Purchasing Department draw up qualifications and bid documents for architectural services. Architect selection process is completed by late winter/spring 2002.
5. Committee requests funding for architects, through schematic phase, from Town Council, Spring 2002.
6. Notice of Intent to apply for State Public Library Construction Grant to be filed by June 1, 2002
7. Schematics are drawn, and cost estimates for expansion project are available by summer, 2002
8. State Construction Grant Application submitted, September 1, 2002.
9. State Library Board acts on Grant application, November, 2002.
10. State Bond Commission action on funding grant, January, 2003 (at the earliest)
11. Deadline for initiation of project in order to receive state grant funding, July 2004 or 18 months following Bond Commission approval, whichever is later.