

EMERGENCY TOWN COUNCIL MEETING

FEBRUARY 17, 1993

5:30 P.M.

AGENDA

1. Roll Call and Pledge of Allegiance
2. Consider and Approve a Transfer of Funds in the Amount of \$5.000 from Part Time Wages (Landfill) Acct. #001-5060--100-1350 to Salt Acct. #001-5040-400-4550 Dept. of Public Works
3. Consider and Approve a Transfer of Funds in the Amount of \$10.000 from Superintendent Foreman Yardman Acct. #001-5030-100--1200 to Sand Acct. #001-5040-400-4580 - Dept. of Public Works
4. Consider and Approve a Transfer of Funds in the Amount of \$35.000 from Contingency Reserve for Emergency Acct. #001-8050 800 3190 to Wages - Overtime Acct. #001-5040-100-1400 - Dept. of Public Works

SPECIAL TOWN COUNCIL MEETING

FEBRUARY 17, 1993

5:30 P.M.

A special meeting of the Wallingford Town Council was held on Wednesday, February 17, 1993 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order at 5:30 P.M. by Chairperson Iris F. Papale. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall with the exception of Vice-Chairman David Doherty and Councilor Susan Duryea who were vacationing with their families. Mayor William W. Dickinson, Jr. was also present. Town Attorney Janis M. Small and Comptroller Thomas A. Myers were absent.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Part Time Wages (Landfill) Acct. #001-5060-100-1350 to Salt Acct. #001-5040-400-4550 - Dept. of Public Works

Motion was made by Mr. Parisi, seconded by Mr. Holmes.

Henry McCully, Director of Public Works took the opportunity at this time to introduce Public Works employee Joseph DaCunto as the new Foreman of the department.

The Council extended congratulations to Mr. DaCunto.

Mr. Killen asked if this could have been deemed an emergency situation to avoid having to call a special meeting of the Council?

Mayor Dickinson stated that a situation which warrants immediate attention and cannot afford the lapse in time to allow for the normal bidding process to take place is deemed an emergency situation, especially if the immediate expenditure of funds is necessary to protect the health, safety and/or welfare of citizens. Technically, however, funds cannot be spent that are not budgeted for. If a storm had occurred Tuesday evening and continued to Wednesday, the crews would have continued to work and order supplies to allow for the work to continue even though technically it should not be done. He stated that he would have taken full responsibility for the action.

Mr. Killen felt that the particular section of the Purchasing Ordinance that deals with emergency situations is then rendered useless.

Mayor Dickinson disagreed.

Mr. Killen asked if the employees are working without pay?

Mayor Dickinson responded, yes, however we are liable for the pay one week after the hours are actually worked.

Mr. Killen stated that something could happen to prevent the funds from being available making for a very serious situation.

Mayor Dickinson agreed that an argument could be made on that point. The overtime was covered through the weekend, however, with the arrival of Monday's storm the funds were depleted.

Mr. Killen brought this issue up because he felt that perhaps the Charter Revision Commission should review the purchasing practices of the town when they begin reviewing the Charter.

Mr. Parisi felt that the problem did not lie with the Charter but instead with the budget. He felt that perhaps we should be more generous with the sand, salt and overtime accounts during budget time. Historically we should be able to gauge what is required.

Ms. Papale pointed out that the funds allocated this year by the Council were less than was allocated for each of the past three years. She also felt that additional dollars should be budgeted in the accounts.

Mr. John Piazza, 83 Farm Hill Road stated that the Council should not be so quick to increase the allocations in Mr. McCully's budget. He was of the opinion that the Public Works Department's response, at times, to the storms are over-zealous in an attempt to earn overtime. Streets are plowed too frequently in a short period of time and too much sand is spread haphazardly.

Mr. McCully explained that his department prepares the roads for the inexperienced and elderly drivers who are the most likely to be involved in accidents, not the experienced driver.

Ms. Papale stated that Wallingford roads are the best cleared of all the surrounding towns. Other Councilors agreed.

VOTE: Doherty and Duryea were absent; Killen and Zandri, no; all others, aye; motion duly carried.

(It is noted that Mr. Killen consistently votes in opposition of transfers due to his belief that any change to the budget, whether or not it effects the bottom line, should be subject to public hearing. Mr. Zandri voted in opposition of this transfer due to his belief that funds designated as wages in the budget should not be transferred to offset shortages in other accounts.)

ITEM #3 Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Superintendent - Foreman Yardman Acct. #001-5030-100-1200 to Sand Acct. #001-5040-400-4580 - Dept. of Public Works

Motion was made by Mr. Parisi, seconded by Mr. Holmes.

VOTE: Doherty and Duryea were absent; Killen and Zandri, no; all others, aye; motion duly carried.

February 17, 1993

ITEM #4 Consider and Approve a Transfer of Funds in the Amount of \$35,000 from Contingency Reserve for Emergency Acct. #001-8050-800-3190 to Wages - Overtime Acct. #001-5040-100-1400 - Dept. of Public Works

Motion was made by Mr. Parisi, seconded by Mr. Holmes.

VOTE: Doherty and Duryea were absent; Killen, no; all others, aye; motion duly carried.

Motion was made by Mr. Parisi to Adjourn the Meeting, seconded by Mr. McDermott.

VOTE: Doherty and Duryea were absent; all others, aye; motion duly carried.

There being no further business, the meeting adjourned at 5:58 P.M.

Meeting recorded and transcribed by:

Kathryn F. Milano

Kathryn F. Milano
Town Council Secretary

Approved by:

Iris F. Papale

Iris F. Papale. Chairperson

March 9, 1993

Date

Kathryn J. Wall
Kathryn J. Wall. Town Clerk

March 9, 1993

Date

TOWN COUNCIL MEETING

FEBRUARY 23, 1993

7:00 P.M.

1. Roll Call and Pledge of Allegiance
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve a Transfer of Funds in the Amount of \$2,050 from Telephone Acct. #6010-200-2000; \$75 from Rental Table and Chairs Acct. #6010-500-5810; \$859 from Canvass Cards Acct. #6010-400-4010 and \$1,217 from Maintenance of Equipment Acct. #6010-500-5200 for a total of \$4,201 to be Transferred as Follows: \$2,050 to Elections Workers Wages Acct. #6010-100-1350; \$75 to Election Workers Wages Acct. #6010-100-1350; \$859 to Postage Acct. #6010-400-4080 and \$1,217 to Postage Acct. #6010-400-4080 for a total of \$4,201 - Registrar of Voters
 - b. Consider and Approve a Transfer of Funds in the Amount of \$500 from Burial Expense Acct. #001-3060-700-7060 to Telephone Acct. #001-3060-200-2000 - Welfare Department
 - c. Consider and Approve One (1) Merit Increase Approved by the Mayor
 - d. Consider and Approve a Transfer of Funds in the Amount of \$740 from Maintenance of Bldg. - Outside Acct. #2032-500-5110 and \$175 from Maintenance of Equipment Acct. #2034-500-5200 for a total of \$915 to Maintenance of Equipment Acct. #2032-500-5200 - Dept. of Fire Services
 - e. Consider and Approve a Transfer of Funds in the Amount of \$4,000 from Professional Services Acct. #001-1320-900-9010 to Chaconis v. Planning and Zoning Commission Acct. #001-1320-900-9070 - Dept. of Law
 - f. Consider and Approve a Budget Amendment in the Amount of \$1,875 to Revenue (Grant) Highway Safety Acct. #1050-050-5883 and to Police Overtime Acct. #001-2002-100-1400 for Reimbursement of a Labor Day DWI Holiday Selective Enforcement Grant
 - g. Consider and Approve a Budget Amendment in the Amount of \$3,000 to Revenue (Grant) Highway Safety Acct. #1050-050-5883 and to Printing Acct. #001-2001-400-4180 for Reimbursement of the National Incident Based Reporting System Grant - Dept. of Police Services
 - h. Consider and Approve a Budget Amendment in the Amount of \$3,400 to Revenue (Grant) Highway Safety Acct. #1050-050-5883 to Police Overtime Acct. #001-2002-100-1400 - Dept. of Police Services

(OVER)

14. Consider and Approve a Resolution Formally Naming the Members of the Charter Revision Commission to Study the Town Council's Recommendations for Possible Revision and Setting a Date for Presentation of a Draft to the Town Council on May 24, 1993 as Requested by Councilor Geno J. Zandri, Jr.
15. Consider and Approve Establishing a Town Council Subcommittee to Discuss Issues for a Five and Ten Year Priority List as Requested by Councilor Brian M. McDermott

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31. Approve a Transfer of Funds in the Amount of \$200 to Maintenance of Equipment	3
5. Approve with Corrections Minutes of the January 20, 1993 Town Council Meeting	4-5
6. Confirm the Appointment of Alfred J. Namnoum, Jr. to the Position of Commissioner on the Planning and Zoning Commission for a Term of Five (5) Years to Expire 1/8/98	5
7. Confirm the Re-appointment of Patricia Carruthers to the Position of Commissioner on the Zoning Board of Appeals for a Term of Five (5) Years to Expire 1/8/98	5
8. Confirm the Re-appointment of Jeffrey Somers to the Position of Alternate on the Zoning Board of Appeals for a Term of Three (3) Years to Expire 1/8/96	5
9. Approve the Town Council Appointments of H. Lawrence Bourland and Rev. Ray Cooley to the Committee on Aging	5
10. PUBLIC QUESTION AND ANSWER PERIOD - Enforcement of Snow Ordinance; Pay raises for Town Workers; Union Uniform Allowance Benefit; Safety Concerns Regarding the Intersection of Washington and Quinnipiac Streets; St. Casimer's Railroad Crossing	5-8
11. Approve Amending the Personnel Pages of the Water Division for Fiscal Year 1992-93 to Revise the Pay Grade for the Position of Water Treatment and Pumping Supervisor - Water Division	8-9
12. Table a Resolution Rescinding the Previous Fee Schedule Governing the Resident Disposal Program	12-14
13. Withdrawn	
14. Approve a Resolution Formally Naming the Members of the Charter Revision Commission to Study the Town Council's Recommendations for Possible Revision and Setting a Date for Presentation of a Draft to the Town Council	15
15. Approve Establishing a Town Council Subcommittee to Discuss Issues for a Five and Ten Year Priority List as Requested by Councilor Brian M. McDermott	16

Waiver of Rule V

Approve Payment of Invoice for January 1993 Services Rendered for the Dog Pound in the Amount of \$324.	9-12
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TOWN COUNCIL MEETING

FEBRUARY 23, 1993

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, February 23, 1993 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairperson Iris F. Papale at 7:02 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall with the exception of Councilor Holmes who arrived at 7:16 P.M. due to his daughter's championship basketball game. Mayor William W. Dickinson, Jr. arrived at 7:35 P.M. due to a meeting commitment; Town Attorney Janis M. Small arrived at 7:26 P.M. and Comptroller Thomas A. Myers was present.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

Mr. Doherty read correspondence from Nicholas J. Murano, Jr. into the record regarding the purchasing practices of the Town (Appendix I).

Mr. Parisi stated that he has had an extended conversation with Mr. Murano on the telephone last week and it is Mr. Parisi's understanding that a meeting has been scheduled with the Mayor, Council Chairperson, Mr. Parisi and Robert Pedersen, Purchasing Agent within the next week to discuss Mr. Murano's concerns.

ITEM #3 Consent Agenda

All items were removed from the consent agenda.

ITEM #4 Items removed from the Consent Agenda.

ITEM #3a Consider and Approve a Transfer of Funds in the Amount of \$2,050 from Telephone Acct. #6010-200-2000; \$75 from Rental Table and Chairs Acct. #6010-500-5810; \$859 from Canvass Cards Acct. #6010-400-4010 and \$1,217 from Maintenance of Equipment Acct. #6010-500-5200 for a Total of \$4,201 to be Transferred as Follows: \$2,050 to Elections Workers Wages Acct. #6010-100-1350; \$75 to Elections Workers Wages Acct. #6010-100-1350; \$859 to Postage Acct. #6010-400-4080 and \$1,217 to Postage Acct. #6010-400-4080 for a Total of \$4,201 - Registrar of Voters

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Killen asked for clarification on the transfer to Elections Workers Wages account since there were no scheduled elections to be held in the remainder of this fiscal year.

Marjorie Toth and C. Mildred Reig, Registrars of Voters explained that due to the three elections held in 1992 and the mandated sessions required of them, they were in need of extra personnel. They utilized volunteers whenever possible to save the added expense of wages.

One of the Ford representatives have viewed the vehicle and we are awaiting a decision by Ford as to whether or not they will reimburse us to some degree with the cost of repairing/replacing the brakes on the ambulance.

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

ITEM #3j Consider and Approve a Transfer of Funds in the Amount of \$200 from Tires and Tubes Acct. #2036-400-4520 to Maintenance of Equipment Acct. #2037-500-5200 - Dept. of Fire Services

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Frank Wasilewski, 57 N. Orchard Street asked Chief Lefebvre how many Tire and Tubes Accounts the department has?

Chief Lefebvre responded, six spread out over the various volunteer divisions, the ambulance and regular accounts. The amounts vary from department to department depending upon the projected needs of the given year.

Mr. Wasilewski spent Sunday at the Library reviewing the Town Council Minutes and the Tire and Tube Account comes up quite often when funds are being transferred.

Chief Lefebvre agreed, stating that every year the department must have contingencies for tire failures.

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

ITEM #3k Consider and Approve a Transfer of Funds in the Amount of \$190 from Tires and Tubes Acct. #2038-400-4520 to Maintenance of Equipment Acct. #2038-500-5200 - Dept. of Fire Services

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

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

ITEM #3l Consider and Approve a Transfer of Funds in the Amount of \$200 from the Tires and Tubes Acct. #2039-400-4520 to Maintenance of Equipment Acct. #2039-500-5200 - Dept. of Fire Services

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

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

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of \$4,000 from Professional Services Acct. #001-1320-900-9010 to Chaconis v. Planning and Zoning Commission Acct. #001-1320-900-9070 - Dept. of Law

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

The Chaconis case is an appeal from Planning and Zoning Commission granting a change of use of a building on Quinnipiac Street from the bank to the homeless shelter.

VOTE: Killen passed; all others, aye; motion duly carried.

ITEM #6 Confirm the Appointment of Alfred J. Namnoum, Jr. to the Position of Commissioner on the Planning and Zoning Commission for a Term of Five (5) Years to Expire 1/8/98

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Town Clerk, Kathryn J. Wall performed the Swearing-In Ceremony for Mr. Namnoum. It was noted by Mr. Parisi that Mr. Namnoum's father was also a Planning and Zoning Commissioner for the town some twenty or so years ago.

ITEM #7 Confirm the Re-appointment of Patricia Carruthers to the Position of Commissioner on the Zoning Board of Appeals for a Term of Five (5) Years to Expire on 1/8/98

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: Holmes was absent; all others, aye; motion duly carried.

ITEM #8 Confirm the Re-Appointment of Jeffrey Somers to the Position of Alternate on the Zoning Board of Appeals for a Term of Three (3) Years to Expire 1/8/96

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

ITEM #9 Consider and Approve the Town Council Appointments of H. Lawrence Bourland and Rev. Ray Cooley to the Committee on Aging

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Frank Wasilewski, 57 N. Orchard Street asked if the Snow Ordinance is enforced? He felt that the overtime of the Public Works Dept. could be cut back and their job made easier if the ordinance was enforced.

In response to Mr. Wright's comments made earlier encouraging everyone to come to the meetings and call the Mayor and/or Council he had the following comments to make:

He complained that the he calls the Mayor's Office a great deal and never receives a call back from him.

He used to call Mr. Killen but felt as though he was being rushed off the phone. When he leaves a message on Ms. Papale's answering machine she calls back right before the meeting and states that she will

February 23, 1993

She was in possession of correspondence from Richard Doll, Traffic Maintenance Officer in which he states, "...the request for signalization of this intersection seems to have merit, however, as you know for this office to make a solid recommendation a complete traffic study would have to be undertaken to insure that it meets the signalization warrants as outlined in the Manual for Uniform Traffic Control Devices. If this project appears to be feasible and you would like the traffic study to commence it would be started as soon as possible but please bear in mind that collection and analysis of data is very time consuming and the earliest report could be completed sometime in early Fall of 1992." The letter was dated June of 1992 and directed to Chief Dortenzio of the Police Department.

Mr. Holmes stated that this issue was never brought to the attention of the Council.

Ms. Hotchkiss continued, a letter was then addressed by Chief Dortenzio to a Ms. Linda Norgren (?) who lives at the corner of Quinnipiac and Washington Streets. That letter stated, "given the current state of the economy and the Wallingford taxpayer's feelings on reducing the town budget, no monies were budgeted in this fiscal year for new work of this nature. Nevertheless, Officer Doll will continue his technical review of the signalization warrants for this intersection as referenced in his letter. If applicable, financial planning for improvement of this intersection will then commence". This letter was copied to Mayor Dickinson and Officer Doll. She pointed out that a senior citizen complex is located at that corner and that it is also a bus stop for small children. She asked, "is it going to take someone killing someone's children before something is eventually done?"

Mr. Holmes responded that, as members of the Public Safety Committee, Council McDermott and himself will meet with the Police Department to review the situation.

Attorney Small stated that there has been a traffic counter on the corner recently and it is her understanding that Officer Doll has been working on this issue.

Mayor Dickinson informed everyone that in order for a traffic signal to be placed at an intersection there is certain criteria the State of Connecticut dictates must be met. At that point the State can approve or disapprove that a traffic signal be installed. No traffic light can be installed without the State's approval.

Mr. Zandri pointed out that in performing the study of the intersection it must be taken into account that this it is not of the normal design, with right angles to each other, but rather unique in itself which makes it difficult to see the traffic flow. This must be taken into account just as importantly as the traffic count.

Ms. Hotchkiss then responded to a remark made earlier by Mr. Wasilewski regarding how difficult it is to contact a Councilor. She stated that

VOTE: Parisi was absent; all others, aye; motion duly carried.

Motion was made by Mr. Doherty to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Discussing an Invoice for the Dog Pound, seconded by Mr. Solinsky.

VOTE: Parisi was absent; all others, aye; motion duly carried.

Motion was made by Mr. Doherty to Pay the Bills for January 1993 Charges in the Amount of \$324.00, seconded by Mr. Holmes.

Assistant Animal Control Officer, Linda Mercier explained that currently there are several animals at the Veterinarian's; a cat that was injured by a vehicle requiring immediate surgery; cats and dogs that need to be spayed and neutered; animals that need shots in order for them to become eligible for adoption, etc. resulting in a cost for services of \$324.00.

Ms. Mercier went on to explain that any money made from the "Santa Paws" program or any funds donated to the Dog Pound whether in the form of a check or cash, was deposited into a special account under the control of the Animal Control Officer. Those funds are used on a daily basis to purchase what is needed for the dogs. Sometimes the department purchases cat food with the funds, other times it is used in the case of an emergency, i.e., a dog or cat is hit. Last year \$5,500 was used of these funds for services contracted for with the Meriden Animal Hospital.

Ms. Papale stated that perhaps if the doctor was made aware of the circumstances that the Council meets the second and fourth Tuesdays of the month, he could submit his invoices accordingly so that they reach us in time for a Council meeting.

Mr. Zandri pointed out that if these services are part of the operation of the Dog Pound, then they should be budgeted for.

Ms. Mercier responded, they are not services of the Dog Pound.

Mr. Zandri reminded Ms. Mercier that she stated she used in excess of \$5,500 in funds for such services last year. That stands to reason that the Dog Pound should have a line item in their budget in the amount of approximately \$5,500 for these types of services. When the line item is exhausted then the trust funds can be used to replenish them. This is no different then what the Police Department did earlier this evening; spent funds for overtime and then received reimbursement from the Federal Government and, through a budget amendment, replaced those funds.

Mr. Holmes tried to explain to Ms. Gianotti that when people come into the Dog Pound to give a cash donation, that money has to be recorded and has to go through the proper channels.

Ms. Gianotti explained that it has been going through the proper channels for nineteen years, into a bank account. That is where she puts it and takes it from.

not aware what was being formulated or that the fund even existed. Ms. Gianotti and Mr. Myers were the first to bring it forward to the Mayor. The Comptroller is fully aware of how funds should be administered under the Charter. They arrived at a solution that met Charter requirements and other principles and edicts the town uses to administer public funds. It all boils down to the greatest efficiency. When you have a unique situation such as this one where they need to utilize funds on a daily basis it becomes very inefficient to wait two weeks for a meeting.

Mr. Killen stated that everyone understands what Ms. Gianotti is doing and appreciates it but the Council's hands are tied. They have to follow the rules of the Charter. Without rules no one would be paid and the town would not run. The Council does not necessarily agree with the rules but they are the rules.

Ms. Mercier explained that by putting the funds into the Veterinary Fees Account, if the funds were not expended at the end of the year they would be lost in the general fund and not carried over to the next year for the Dog Pound.

Mr. McDermott stated that the Council's action will not only protect Ms. Gianotti and Ms. Mercier but the Council, itself. He added that perhaps the budget for the Dog Pound should be increased if there are not enough funds to operate the department accordingly that the trust funds must be depended upon to supplement the operation. We must go through the proper accounting procedures with the funds received. He pointed out that only \$2,000 was budgeted last year for Veterinary Fees for which \$5,500 was expended. That shows that there was insufficient funds budgeted for in that account.

Mayor Dickinson clarified the issue of excess funds falling into the general fund. This is a trust funds which continues outside of the budget. The protection of Shirley is accomplished by the trust fund. You would not budget revenue because the people are not giving the money to the Town of Wallingford, they are giving it for a specific purpose, the funding of whatever activities Shirley and Linda feel are necessary for the Dog Pound. If we were to increase any line items in the budget it will require money to come from the taxpayer, in general. The issue here is, what mechanism is to be used to get expenditures approved out of this trust fund?

Ms. Gianotti stated that she cannot wait the two weeks between meetings for approval by the Council. It would be much easier to have the Mayor authorize the payment.

Mr. McDermott suggested that the trust fund be accumulated for the capital projects of the Dog Pound. For instance Ms. Gianotti was before the Council last year requesting funds for a new building and a new van. Why can't the funds be used to enhance the housing for the animals or the transportation and leave the day to day operation of the department to the regular budget?

Ms. Gianotti stated that the donors want the money used for the dogs.

the program. The town would continue the current senior program through the term of the bid providing both permits for seniors and free senior coupons which would be paid for by the town at the then current bid rate when collected and redeemed by the vendor. The continuation of the senior program is a requirement stipulated by the low bidder for the three year bid period. The bid prices are to be adjusted when the CRRA tip fee varies from \$71. For example, the tip fee for the next fiscal year is believed to be \$73. There is a \$.02 adjustment in the per bag price for each dollar change in the tip fee. Since the bid fee for the first year is \$1.45 per bag, the tip fee between July 1, 1993 and March 31, 1994 would be \$1.49.

Other changes that would occur are that the hours would be extended on Thursdays from 7:00 A.M. to 4:30 P.M.; there would be no town-issued permits for regular program patrons; there would be additional attendants working at the landfill on Saturdays, and residents would not have to purchase coupons because the operator would accept cash at the landfill.

During the first six months of the current fiscal year, town expenditures for the program have exceeded revenues by nearly \$30,000, not counting the cost of senior usage. A total loss of more than \$50,000 is projected for the year. This is inconsistent with the stated purpose of making the program self-supporting.

Mr. McCully stated that the privatization of the operation would free up one of his staff who mans the site daily as well as freeing up the time of the office staff who sell the coupons. It would also make it much easier for the public since they do not have to be concerned with trying to find the time in their work schedule to visit Public Works to purchase coupons for the landfill. It has been almost impossible for the one employee at the landfill to monitor what is going into the containers that are taken to the trash burning plant. If, for any reason, the load is contaminated it releases the town from any responsibility with a private vendor.

The issue of a possible delay at the sight caused by the collecting of cash at the entrance to the landfill was raised.

Mr. Roe, Program Planner stated the vendor feels that he can keep up with the cash operation due to the additional staff he will provide. He explained that the town will reimburse the vendor for up to one year for coupons he collects that have been sold by the town. The term of the contract is three years with a clause that gives the town the option to terminate after two years if we are not happy with the operation.

Mr. Frank Wasilewski, 57 N. Orchard Street felt that the senior citizens can afford to pay more for the disposal of their trash. In fact, everyone should contribute more.

Mr. Philip Wright, Sr, 160 Cedar Street pointed out that Public Works has gotten by without the use of one employee for two and one half years (by placing him at the landfill) that amounts to an extra employee in the department.

much sand at Moses Y. Beach School. He fears that the children will be hurt running and sliding on the sand.

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

ITEM #13 Withdrawn

ITEM #14 Consider and Approve a Resolution Formally Naming the Members of the Charter Revision Commission to Study the Council's Recommendations for Possible Revision and Setting a Date for the Presentation of a Draft to the Town Council on May 24, 1993 as Requested by Councilor Geno J. Zandri, Jr.

Mr. Doherty read the resolution into the record (Appendix III) listing the following names to be formally entered into the record as the Charter Revision Commission:

Robert Beaumont
Edward Bradley
Dwayne Braithwaite
Richard Gee
Jonathan Gilchrist

David Juliano
Gerald Labriola
Dennie Lewis
Frederick Monahan, Jr.
Thomas Reynolds

Liz Verna

Motion was made by Mr. Doherty to Approve the Resolution, seconded by Mr. McDermott.

The Charter Revision Commission, once empowered, can study and review any part or all of the Charter as they so desire. Their powers are not limited to reviewing the Council's recommendations. The public will vote on the entire package.

Mr. Wright encouraged the public to get involved in this issue by attending the meetings of the Commission.

Mr. Wasilewski asked, if the Commission reviews the Council's recommendations and fails to change the Charter, does the Council have the final say as to whether or not that item should be changed in the Charter?

Mr. Zandri stated, if the Commission meets and all of the recommendations of the Council is voted down then there is nothing presented to the Council and the issue dies at that time.

Mr. Parisi asked if the Council and public have carte blanche over the suggestions and recommendations made to the Commission?

The response was, yes.

Mr. Holmes stated that he will not support this action. The guise of the Charter Revision was very narrow in scope and primarily, in his opinion, to limit the veto power of the Mayor.

VOTE: Holmes, Parisi and Solinsky, no; all others, aye; motion duly carried.

seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Consider and Approve the Hiring of Outside Counsel to Discuss the Interpretation of the term "Budget Ordinance" as requested by Councilor Albert E. Killen.

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Killen felt that he has had his difference of opinions with the Town Attorney on this matter and feels that it is important not only to this Council but to future Councils as well. He would like to take it a step further and have an outside attorney interpret the language.

Mr. Solinsky felt that with a Charter Revision it could be resolved and clarified in the Charter at the same time.

Mr. Killen wished it to be that simple. Suggestions to the Commission can be ignored completely. He felt it has a very important bearing on how the Council conducts its business otherwise he would never take such a drastic step.

Mr. Parisi asked, if the outside attorney interprets the phrase differently from our Town Attorney, what will come of it?

Mr. Killen stated then he would suggest that we take it to court.

The dollars will come from the outside counsel account within the Department of Law budget.

Mr. Wright stated that it is difficult to sit and watch how the Council becomes bottlenecked because Mr. Killen is forced by his principle to say no to things he does not really want to say no to as far as expenditures. He feels very frustrated as he is sure that many other residents feel because there is a log jam that ought to be adjudicated by someone so that it can be put behind us and go on to do business. It is money well spent for the good of the government in this town (applause).

Mayor Dickinson stated that he cannot see where any good can come of this. We are asking other Boards, Commissions and Department Heads to accept the legal advice of the Department of Law Office. If the Council is to question that advice what's to stop the other departments and Boards from doing the same? Unless you can prove that something is totally arbitrary and without substance then that is what should be accepted. That is the purpose of that office. Where does it end?

Mr. Killen pointed out that there is no one in the room that can define the term budget ordinance. There is nothing clear about it. Does it have all the properties of a budget? Does it have all the properties of an ordinance? Are the hindrances on one apply to the other and vice versa? And if it is a budget ordinance, is it an



MURANO CONSTRUCTION SERVICES

219 Church Street
Yalesville, CT 06492
(203) 949-0633

Correspondence

Appendix I

MR. ROBERT PARISI, WALLINGFORD TOWN COUNCIL
45 S. Main St.
Wallingford, Ct. 06492

2/16/92

MR. PARISI; TOWN COUNCIL:

I AM WRITING TO VOICE MY DISAGREEMENT WITH PRESENT POLICIES REGARDING PURCHASING OF CONSTRUCTION WORK FOR THE TOWN OF WALLINGFORD.

I OWN A CONCRETE CONSTRUCTION COMPANY QUALIFIED TO PERFORM WORK PRESENTLY UNDERWAY AT ULBRICH AND MCKENZIE PUMP STATIONS.

I RECENTLY BID THE STRUCTURAL CONCRETE PACKAGE WITH SCIABA CONSTRUCTION, OF REEDVILLE, MASS.. UPON COMPLETION OF BID REVIEWS, JACK BOWDEN, A SCIABA REPRESENTATIVE, INFORMED ME THAT CONCRETE BIDS WERE REJECTED AND THAT THEY WILL USE THEIR OWN FORCES FOR CONSTRUCTION OF THE PUMPSTATIONS.

SCIABA THEN OFFERED ME THE OPPORTUNITY TO QUOTE THE LABOR REQUIRED TO TIE THE REINFORCING STEEL, A PORTION OF MY ORIGINAL PACKAGE. THE UNIT COST OFFERED TO ME OF \$400.00 per TON LABOR IS FAR BELOW THE RATE NEEDED OF A MINIMUM OF \$600.00 per TON NECESSARY TO PAY A MANDATED WAGE TO IRONWORKERS OF \$33.03 per HOUR, AS SPECIFIED, BY LAW, IN JOB SPECIFICATIONS AND CONTRACT DOCUMENTS.

I, AS A TAXPAYER FOR THIS MUNICIPALITY, FEEL THAT PRESENT PRACTICE AND POLICY, ALLOWING OUT OF STATE FIRMS AND OUT OF STATE LABOR FORCES TO WORK ON WALLINGFORD'S MUNICIPAL CONSTRUCTION PROJECTS, IS NON-SUPPORTIVE AND DAMAGING TO THE LOCAL ECONOMIC INFRASTRUCTURE OF OUR COMMUNITY AND SURROUNDING TOWNS. THE POLICY IS ALSO DAMAGING TO LOCAL CONTRACTORS DESPERATELY TRYING TO SURVIVE THE WORST CONSTRUCTION RECESSION EVER.

I REALIZE LOW BIDS ARE IMPORTANT IN ORDER TO MEET YOUR BUDGET REQUIREMENTS. HOWEVER, IF POLICYS DO NOT DIRECT FUNDS SPENT ON MUNICIPAL PROJECTS TO CONTRACTORS AND LABOR IN THIS SPECIFIC AREA, THEN THESE FUNDS, NEEDED TO PROVIDE TAXABLE INCOME TO BUSINESSES AND PEOPLE OF THIS AREA, ARE LOST. IF TAXABLE INCOME IS LOST THEN ALSO IS THE TAX BASE NEEDED TO SUPPORT THESE PROJECTS.

ASK ANY TAXPAYER THIS QUESTION: DO YOU FEEL IT IS IN THE BEST LOCAL INTERESTS FOR OUT OF STATE FIRMS TO BE ALLOWED TO PERFORM MUNICIPAL WORK IN OUR AREA? I'M SURE YOU CAN PREDICT THE MOST POPULAR RESPONSE.

I TRUST YOU WILL TAKE INTEREST IN MY COMPLAINT AND TAKE ACTION THAT WILL BE CORRECTIVE AND IN THE BEST INTERESTS OF OUR COMMUNITY.

SINCERELY,

Nicholas J. Murano Jr.
NICHOLAS J. MURANO JR.

Please include this correspondence on your next agenda to be read into the record.

Please copy all councilors.

N.M.

Honorable William W. Dickinson, Jr.
Mayor, Town of Wallingford

Date: February 22, 1993

Appendix II (con

I. Request for: X Transfer of funds
 appropriation of funds

Fund: 001 General Fund
 Other Title _____

Amount: \$	FROM: Title	Acct. NO.
<u> 26.00 </u>	<u> Stair Chair </u>	<u> 2031-999/9902 </u>
<u> 310.00 </u>	<u> Repairs to Engine I </u>	<u> 2032/999/9904 </u>
<u> 17.00 </u>	<u> Helmets (6) </u>	<u> 2036/999/9906 </u>
<u> 43.00 </u>	<u> Boots (6) </u>	<u> 2036/999/9908 </u>
<u> 58.00 </u>	<u> Radio Pagers (5) </u>	<u> 2036/999/9910 </u>
<u> 14.00 </u>	<u> Helmets (5) </u>	<u> 2037/999/9906 </u>
<u> 133.00 </u>	<u> Portable Radios (3) </u>	<u> 2037/999/9917 </u>
<u> 61.00 </u>	<u> Portable Radios (2) </u>	<u> 2038/999/9903 </u>


"CONTINUED-Next Pg"

Amount: \$ _____ TO: Title _____ Acct.NO. _____

Explanation: PER ATTACHED LETTER AS REQUIRED

Submitted by: Wayne H. [Signature]
Department/Division Head

Certified as to the availability of funds:

Comptroller 

PROVED -- subject to vote of the Town Council:

Mayor

II. CERTIFICATION OF FINANCIAL TRANSACTION:

The transfer/appropriation of \$ _____ as detailed and authorized above and as approved by a vote of the Town Council in session is hereby certified.

I hereby certify that this is the motion approved by the Town Council at its meeting of _____, 19____.

Town Clerk

R E S O L U T I O N

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL, IN SESSION:

1. In accordance with the provisions of Section 7-190 of the Connecticut General Statutes of the State of Connecticut, as amended, the following named persons, to wit:

Robert Beaumont
Edward R. Bradley
Dwayne Braithwaite
Richard Gee
Jonathan Gilchrist

David Juliano
Gerald Labriola
Dennie Lewis
Frederick Monahan, Jr.
Thomas Reynolds

Liz Verna

are hereby appointed as a Charter Revision Commission with power and authority to consider revisions and/or amendments to the Charter of the Town of Wallingford which was adopted June 6, 1961, and amended effective January 1, 1970, January 1, 1974, January 1, 1982, and January 1, 1990, and that such revisions or amendments shall be added to the retained provisions of said Charter and published as a single document to be known as the Charter of the Town of Wallingford.

2. The Town Council hereby recommends that the following proposed revisions to the Charter be considered for approval by the Commission:

a. CHAPTER II Section 9, p.4-5

Removal of Elected and Appointed Officials, Suspension

Proposed revision - Line 98, page 5 - change seven (7) votes to six (6)

b. CHAPTER III Section 7, p.8

Approval of Ordinances and Appropriations by the Mayor; and Publication of Ordinances

Proposed revision - Line 116, p.8 - change seven (7) votes to six (6)

c. CHAPTER VII Section 4, p.15-16

Purchasing Agent

Proposed revision - Line 59, p.16 - review the bid limit amount and make a recommendation to the Council based on the findings of that review.