

TOWN COUNCIL MEETING

OCTOBER 12, 1993

7:00 P.M.

AGENDA

1. Roll Call and Pledge of Allegiance.
2. Consent Agenda
 - a. Consider and Approve a Transfer of Funds in the Amount of \$625 to Longevity Acct. #001-2001-100-1750 from Various Accounts Within the Department of Police Services Budget
 - b. Note for the Record Anniversary Increases Approved by the Mayor To Date
 - c. Consider and Approve Tax Refunds (#66-87) Totalling \$7,597.33 - Tax Collector
 - d. Consider and Approve the Acceptance of Two (2) Deeds For Highway Purposes - Town Planner
3. Items Removed From the Consent Agenda
4. Approve and Accept the Minutes of the 9/30/93 Special Town Council Meeting
5. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
6. Report Out by the School Building Expansion Committee
7. PUBLIC HEARING on an Ordinance Appropriating \$2,000.000 for the Design and Contract Administration Phase of Town-Wide School System Improvements and Authorizing the Issue of \$2,000.000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose - 8:30 P.M.
8. Discussion and Possible Action on Authorizing the School Building Expansion Committee to Proceed with Hiring an Architectural Firm for Yalesville School
9. Consider and Approve a Resolution Abating Fifty Percent (50%) of Property Taxes of Any Property Assessed as a Dairy Farm and/or Fruit Orchard Maintained as a Business for the Grand List Year Beginning October 1, 1993 - Town Attorney
10. Consider and Approve a Forest Management Plan for Approximately 2,000 Acres of Land Owned by the Town of Wallingford
11. Consider and Approve a Budget Amendment in the Amount of \$22.150 from the Revenue Account of the Forest Management - Special Revenue Fund to the Expenditure Side of the Budget - Program Planner

(OVER)

12. Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Outside Services Acct. #923-000 to Transfer Out - Forestry Acct. #435-000 - Water Division
13. Report Out by the Executive Director of the Boys & Girls Club on the Status of the Plan to Construct a New Facility at Community Lake as Requested by Councilor Susan S. Duryea
14. Discussion and Possible Action on Terminating the Agreement Between the Town of Wallingford and the Boys and Girls Club as Requested by Councilor Susan S. Duryea.
15. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes Pertaining to Strategies and Negotiations with Regards to Pending Litigation

- Caldor Tax Appeal

TOWN COUNCIL MEETING

OCTOBER 12, 1993

SUMMARY

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TOWN COUNCIL MEETING

OCTOBER 12, 1993

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, October 12, 1993 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Vice Chairman David J. Doherty at 7:04 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall with the exception of Chairperson Iris Papale who had a previous commitment this evening and Councilor Robert F. Parisi. Mayor William W. Dickinson, Jr. arrived at 7:20 P.M., Town Attorney Janis M. Small arrived at 7:14 P.M., Deputy Comptroller Eva Lamothe was also present.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consent Agenda

Motion was made by Mr. Killen to Place the Following Items on the Consent Agenda to be Voted Upon by One Unanimous Vote of the Council, seconded by Mrs. Duryea:

ITEM #2b Note for the Record Anniversary Increases Approved by the Mayor to Date

ITEM #2C Consider and Approve Tax Refunds (#66-87) Totalling \$7,597.33 - Tax Collector

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

ITEM #3 Items Removed from the Consent Agenda

ITEM #2a Consider and Approve a Transfer of Funds in the Amount of \$625 to Longevity Acct. #001-2001-100-1750 from Various Accounts Within the Department of Police Services Budget

The funds will be transferred from the following accounts:

\$ 99 from Summer Help	#001-2001-100-1350
\$ 99 from Degree Allowance	#001-2001-100-1950
\$ 99 from Time Lapse Video	#001-2003-999-9910
\$ 328 from No Sick Incentive	#001-2001-100-1620

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

Mr. Killen asked how the department can transfer funds so early in the year from the no sick incentive account?

Deputy Chief Darryl York explained that the department has determined that there are not enough employees to qualify for the funds.

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

ITEM #2d Consider and Approve the Acceptance of Two (2) Deeds For Highway Purposes

- 2 - October 12, 1993

This item was removed from the consent agenda for the purpose of reading the related correspondence into the record (appendix I).

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

ITEM #4 Approve and Accept the Minutes of the 9/30/93 Special Town Council Meeting

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

VOTE: Papale and Parisi were absent; Killen passed; all others, aye; motion duly carried.

Motion was made by Mr. Killen to Move Agenda Item #9 Up to the Next Order of Business, seconded by Mrs. Duryea.

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

ITEM #9 Consider and Approve a Resolution Abating Fifty Percent (50%) of Property Taxes of Any Property Assessed as a Dairy Farm and/or Fruit Orchard Maintained as a Business for the Grand List Year Beginning October 1, 1993 - Town Attorney

Motion was made by Mr. Killen to Approve the Resolution and Append a Copy of it to the Minutes of the Town Council Meeting, seconded by Mr. Holmes.

Mr. Zandri felt that the Town should consider adding a recapture clause to the resolution for the purpose of recouping the abated taxes should the property be sold off to a private developer.

The Town Attorney stated that she needed time to research the State Statute on this item before advising the Council on such action.

Motion was made by Mr. Holmes to Table this Item Until Such Time as the Town Attorney can Research the Statute this Evening, seconded by Mr. Solinsky.

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

ITEM #6 Report Out by the School Building Expansion Committee

Motion was made by Mr. Killen to Hear the Committee's Presentation, seconded by Mr. Holmes.

The School Building Expansion Committee (herein referred to as SBEC) was present in the audience in support of their presentation, however it was Chairman Don Harwood and Vice Chairman Ed Mik along with committee member Roger Rivers who sat before the Council as spokespersons for the committee.

The committee members are:

Don Harwood, Chairman
Ed Mik
Roger Rivers
Dave Routhier
Jon Walworth

Phyliss DiChello
Tom Murphy
Jonathan Gilchrist
Philip Wright, Sr.

Mr. Harwood began his presentation by stating that the SBEC viewed seven (7) sites to gain a better understanding of the needs of each facility, meeting with each principal of the schools and developed a listing of observations, short-comings, etc.

The committee then requested an R.F.P. (Request for Proposal) which it obtained and began exploring the Procurement Policy of the Town working closely with the Purchasing Department through the process.

Seven to eight (7-8) committee members, spent eight hundred (800) man hours to successfully complete their charge as set forth by the Council.

A total of thirteen (13) bidders responded (there were six non-responsive potential bidders) of which the committee, upon review of the proposals, narrowed down to seven (7) firms who successfully bidder the project.

Interviews lasting several hours were conducted with these seven firms. A financial analysis was performed of the seven bidders to insure a parody of the information. Finally, a reference check list was forwarded to and followed up on by the Purchasing Department which then narrowed the field to three (3) candidates.

The SBEC formally recommended the firm of Fletcher-Thompson, Inc. based on the following reasons:

- Full design service
- Breadth of Organization
- Experience in Educational Facilities
- Thoroughness of Proposal
- Quality of Presentation/Interview
- Team Approach Concept
- Conceptual Models and Ideas
- Sensitivity to Teaching Styles
- Detail Oriented
- Interaction of Staff
- Level of Expertise
- Reporting Relationships Project Coordinator
- Smooth Flowing
- Computer Assisted Design Services

Fletcher-Thompson's proposal included allowances for surveying and hazardous materials; Department of Education documentation and submission services; good references; site inspection positive; cost control techniques (master control budget); thorough inclusion of site, civil and landscape as well as code updates throughout all impacted schools (additions and existing). The firm's bid of

\$1,560,000.50 for architectural services would be reduced to \$1,544,449.50 if payment terms were made based on the presumed project scope at this time.

Mr. Harwood explained that Fletcher-Thompson, Inc. is cross-disciplined in architectural services; HVAC systems; construction; site services, etc. They are currently working with the Town of Cheshire on their school expansion projects.

The committee feels, as does Fletcher-Thompson, that the project should be a three team approach with a separate team assigned for the middle schools, elementary schools and Yalesville school, the latter of which will be the driving force of the timeline due to the vastness of the project.

Due to the recent updates of the State of CT. Department of Education regulations, all school buildings are required to be brought up to 100% code compliance for the entire building. The State can, at any time, require code compliance of all existing schools, however, the mandate is primarily on any addition or renovation to the structures.

With regards to Yalesville School a draft comparison needs to be performed to carefully consider the option of new construction vs. old and the financial impact on the project.

One option that was briefly discussed is whether or not a two story structure on the Yalesville School site will give the best footprint on the property.

It was stressed that all seven firms who bid on the project advised moving cautiously on the aspect of installing a new roof on Yalesville due to the fact that it most likely will be breached by construction to the site.

Mr. Harwood impressed upon everyone throughout the presentation the importance of teamwork between the Council, Board of Education, Administration and Committee to make a commitment to move forward at a reasonable and safe speed with the project.

The committee suggested the following course of progression for the project:

- architect selection
- negotiation
- schematic design
- further definition of project scope
- further definition of time lines
- explore alternatives
- statement of probable construction costs
- report back to Council

Vice Chairman Doherty extended thanks to the committee on behalf of his fellow Councilors for the committee's long and arduous task so thoroughly performed.

Mr. McDermott was very impressed with the work of the committee in undertaking such an enormous task. He acknowledged the fact that the committee was first to test the parameters of the new procurement policy recently set forth by the Purchasing Committee. He felt that the community must also be part of the teamwork necessary to accomplish this project.

Mr. Harwood explained that the fee quoted by Fletcher-Thompson, Inc. includes dollars associated with design of a roof for Yalesville School; funds associated with meeting ADA (American Disabilities Act) compliance, fire safety codes, building codes, etc., for 100% of all impacted schools. When computed out to an hourly rate the fees are extremely competitive. Fletcher-Thompson's construction phase projections are significantly different. They clearly identified a vast amount of working time associated with construction to assure completion. There was a diligent effort on the part of the committee to draw a parody between the proposals to assure that Fletcher-Thompson would be the best value for the Town.

Mr. Zandri asked if the dollar amount is based on the entire building project as outlined by the Board of Education?

Mr. Harwood responded, yes.

Mr. Killen asked if the alternative to build a new school included in the bid price?

Mr. Harwood responded that Fletcher-Thompson brought forth the option as part of the conceptual design phase.

Mr. Holmes asked, are we obligated through contract terms to pay \$1.5 million should we decide to change the scope of the project?

Mr. Harwood answered, no.

Mayor Dickinson added that the commission sets the fee for each project. It is already part of Fletcher-Thompson's submittal. The \$1.5 million is broken down by school, by project.

Mr. Holmes asked if the figure is broken out for code compliance?

Mr. Harwood did not have that information at hand.

Mr. Zandri pointed out that we must meet code compliance regardless of what project is done.

Mr. Walworth stated that approximately \$2 million in overall construction cost is designated for code compliance.

Mr. Holmes asked if we have been faced with code compliance in the past?

Mr. Rivers responded that every project performed over the past twenty years within the town has had to meet code compliance.

Mr. Holmes asked if code compliance pertains to portable classrooms?

Dr. Joseph Cirasuolo, Superintendent of Schools responded that the portables are not subject to code compliance due to fact that they are not additions to the building. They are separate stand-alone facilities. When new codes are developed by the D.O.E. they are not developed to be grandfathered in. Should we not choose to undertake a building project the Town can be called upon at anytime to update to code compliance.

Mr. Zandri asked, what is the dollar amount needed to bring the architect on board at this time?

Mr. Harwood answered, approximately \$80,000 for the conceptual design phase for the seven school project as presented in the proposal.

Mr. Solinsky asked, what is the status of the roof at Yalesville School?

Henry McCully, Director of Public Works stated that it will be installed and completed within three and one-half weeks.

Some Councilors as well as many taxpayers in the audience questioned the prudence of spending approximately \$250,000 of Town funds on a structure that may house a second story.

Mr. Harwood pointed out that if the Town invests \$250,000 for the roof today it limits the alternatives in design for Yalesville School. The odds are good that penetration will need to be made to the roof. The possible addition of nine classrooms and one cafeteria to the building will significantly impact the small parcel of land.

Mr. Solinsky asked if the site (Yalesville School) was considered for a new school, was it proposed that the existing school be torn down?

Mr. Harwood answered that a proposal was made to build a new school on the same site. Reimbursement from the State may be greater with a new school vs. old. He stressed that there is nothing salvageable at Yalesville School except the cinder block walls and boiler system.

Mr. Solinsky felt that perhaps the site may not be big enough for code compliance.

Mr. Harwood was not certain of that fact since it was not in the proposal.

The school will house grades K-5 with regulations dictating that grades K & 1 be located on the ground floor.

Mr. Solinsky stated that the Council had finally made the decision to roof the school and now the architectural firms are advising against it.

Mr. Harwood reiterated that all seven firms recommended against the new roof. Many of the thirteen firms who responded did not recommend anything not even a new school.

He reminded the Council that he forwarded a letter to them on September 16, 1993 alerting them to the fact that during the architectural interview selection process extension discussion and

focus was given to Yalesville School. Although all firms clearly indicated that renovation and remodeling of the building was extremely feasible, there was unilateral caution and concern about what actions should be taken regarding the roof at this time. The committee highlighted suggestions reviewed by them as a group and included them in the correspondence. They were as follows:

- It is likely that penetrations through the roof will be made during the construction process to properly address the plumbing, heating, ventilation, air conditioning and electrical needs.
- That complete repair at this time may limit the ability to take full advantage of natural lighting.
- That a complete structural analysis should be conducted to ensure that the degradation resulting from the water has not negatively impacted the decking, structural supports, and walls.
- That a roof utilizing space and height could be an important item to the overall redesign of the school.
- That installing a roof should be done very cautiously and that providing temporary solutions such as a foam roof, diversionary methods, selected patching and repair may be the best course of action at this time.
- That integration of a two story design to accommodate the expansion on an already small parcel of land may provide the best economics of development.

It should be noted that copies of the correspondence were forwarded to the Mayor, Superintendent of Schools, Board of Education Chairman, Director of Public Works and Committee members. No one responded to the correspondence.

Mr. Killen asked, does the rate of reimbursement from the State vary with regards to a new school vs. old?

Dr. Cirasuolo responded that the State will reimburse the Town for 53.87% of the cost of renovations. If we are going to build a new school the Town will have to begin over again by filing a E040 form with the State for reimbursement. The building can be renovated to such an extent that it appears to be new and still qualify under the present approval commitment by the State for 53.87% reimbursement.

Mr. Killen asked, should we now cancel the roof project? It makes sense to put two story building on Yalesville site.

Mayor Dickinson warned, if the roof is not repaired then we will go through another winter and summer with water pouring into the building. We must protect the HVAC system. He also pointed out that elevators for a second story structure will cost approximately \$100,000 to \$150,000 to meet ADA guidelines. With that also comes the standards that the elevators must meet with regards to earthquakes. We have a responsibility to protect the building.

Mr. Harwood responded that the architectural firms stated very clearly that temporary solutions, diversionary methods, selective patching, etc. would protect the building until a decision is made. The boiler could be protected at marginal costs. The roof area specifically above the boiler could be patched. There are many alternatives. In response to the Mayor's remarks regarding earthquake standards Mr. Harwood wanted it noted that BOCA (Building Officials and Code Administrators guidelines for commercial buildings) addresses seismic standards no matter what we do when the code is updated by the DOE. He thought that the \$100,000 - \$150,000 would be a trade-off investment for the two story structure on the footprint of the site.

Mr. McDermott recalled Mr. Harwood coming before the Council on more than one occasion begging them not to go forward with roofing project at Yalesville. He admitted, however, that he voted in favor of the project because the Council is accustomed to everything moving at a snail's pace with this administration and he wanted to protect the new boiler. In his opinion the action was taken to prevent the lack of maintenance so prevalent in many of the Town's buildings. He felt that the roofing project should be held off two months to get as much information as possible before moving ahead.

Mayor Dickinson pointed out that a design could be chosen in two months however there will be no protection in place before the beginning of next summer. In the meantime an additional two months will have passed with water coming in. There is no feasible way to put a temporary roof on Yalesville according to Fischer and Kuegler.

Mr. Harwood asked, was Fischer and Kuegler hired to investigate whether or not the school needed a temporary roof or a permanent one. It is clear that Fischer and Kuegler was performing the job that they were hired for and that was to study whether or not a roof is needed on a permanent basis, not temporary. He reminded everyone that the building was allowed to deteriorate for years.

Mr. McCully stated that he contacted Fischer and Kuegler who stated that tests showed no structural damage to the building. Public Works has tried to temporarily cover the roof with plastic to no avail. He is not familiar with foam temporary roofs such as Fletcher-Thompson, Inc. is proposing. He feels we are caught between architects.

Mrs. Duryea asked, what if the recommendation is for a second story to Yalesville? We will have wasted the money.

Mr. Killen stated that the Council was trying to salvage the building in the past by allocating dollars for the boiler and roof that the Mayor did not budget for. Yes, dollars are saved by putting off projects but the Town pays double in the long run for such ignorance. He felt that the Town Attorney and Henry McCully should be advised to cancel the contract for the roof.

Mr. Solinsky felt that we should only buy what we set out shopping for. The potential for this project to grow in dollars and size is very real.

Mr. Holmes was not sure that the site can handle the school being doubled. Can we expect the site to be safe with double the amount of busing and traffic? Can it still fit the site?

Mayor Dickinson suggested that if we hire Fletcher-Thompson, Inc. why can't we require that they come back before the Council in a week with a report on the condition of the roof situation.

At this time it was recommended by Mr. McDermott that the Council proceed to item #7 on the agenda.

No action taken.

ITEM #7 PUBLIC HEARING on an Ordinance Appropriating \$2,000,000 for the Design and Contract Administration Phase of Town-Wide School System Improvements and Authorizing the Issue of \$2,000,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purposes - 8:30 P.M.

Motion was made by Mr. Killen to Waive the Reading of the Ordinance in its Entirety and to Append a Copy of it to the Minutes of This Meeting, seconded by Mr. Solinsky.

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

The meeting was opened to the public at this point in time.

Edward Musso, 56 Dibble Edge road favors more modular classrooms.

Kelly Hamm, 64 Northfield Road stated that she is concerned about the lack of communication between everyone on this issue. She urged the Council to take the recommendation of the committee. Re-do Yalesville School and keep going. Do not stop there! Help us! (applause). s

Edward Bradley pointed out that the water problem at Yalesville School existed with the knowledge of the administration for three years. Since the mid 1980's nothing has been done with the building. There are many other buildings in the same condition throughout the Town. If the building is not salvageable then go with the committee's recommendations.

Wendy _____ 2 Garden Road urged the Council to take the recommendation of the committee. Cook Hill is presently up to six portable classrooms and they still remain overcrowded. Parents and volunteers are involved just to maintain the crises situation where it is. Presently six hundred (600) students attend the school built to hold five hundred (500). The PTO has to fund every function twice due to the extra one hundred students. Other PTOs fund them once.

Ms. Kovacs, 85 Saw Mill Drive, Co-chair of the Special Education PTO at Cook Hill thanked the Council for taking the time to look at the schools. She stressed that the speech and special education classes need addressing also. She urged cooperation on everyone's part in this important issue.

Robert Avery, 42 N. Elm Street warned the Council to be careful not to waste money. He pointed out that there is a difference of approximately \$500,000 between architectural firms.

Valerie Nolan, 7 Templeton Road, Board of Education Member thanked the committee for going above and beyond the scope of service. She pointed out that she warned of this problem years ago. Many new homes are being built in town and she thought it odd that the town is very careful to make sure there are enough sewers for the new homes but

not that careful to make sure there is enough classroom space for the children occupying those homes. The portables were touted as the solution to the problem identified years ago. They clearly did not solve the problem. We need to deal with Yalesville School now as well as the other projects now. She was at awe at how out of touch some Council members were on this issue. She begged everyone to commit to this important issue.

Susan Wright, 220 S. Whittlesey Avenue urged the Council not to forget the middle schools. We need to understand the problem that we will be faced with in the middle schools, excluding special education classes. Currently there are 1,317 students in the middle schools. That number will rise to 1,783 in 1999, an increase of 466 students. Divide that number by 25 for the average class size and we will need an additional 19 classrooms. Over and above those figures will be the special education classroom needs. She asked the Council to make as concerted a commitment to the middle schools as they have to the elementary schools.

Barbara Beecher, Board of Education Member stated that eight B.O.E. members are present this evening in support of this project. We need the project! Please help us!

Tim Cronin, 47 S. Ridgeland Road asked if any consideration has been given to the thought of spending \$6,000 on computers and software so that the classroom size can increase to 30 students? They can be taught with the right programs.

Dr. Cirasuolo responded that he is not aware of any other model that works. There is no substitute for a teacher.

Mr. Cronin feels that Route 68 is too dangerous a spot for the school.

Sharon DeMott, 184 Mansion Road pointed out that when new developments are built the town puts up stop signs and street signs as needed yet cannot commit to a school project.

Elizabeth Rodenhizer, Co-Chair of PTO stated that we should go with the entire building project.

Dave Cantor, 4 Meadows Edge Drive favors the project and feels it is a high priority but we cannot make a decision in a vacuum. He asked, what will the cost be to the taxpayer? He wanted assurances that if the population projections are incorrect the school buildings will be utilized for other purposes.

Susan Pierson, 25 Mettler Drive urged the Council to go forward with the project.

John Moreno, 55 Mansion Road, Co-Chairman of the Cook Hill PTO feels that the entire project should be done, not piece-mealed. This should have been done years ago instead of ignoring the problem.

David Routhier, 34 Nod Brook Road, member of the SBEC, noted that Wallingford is listed as second or third in the State in housing starts. We must make certain that our schools are there for the children. He remembered that back in March or April the committee asked to be kept informed of the roof situation at Yalesville. He

felt that we should seize the momentum and define the scope of the project which the Town can afford.

Paul Leahy, 58 Nod Brook Road asked that the Council not diminish the quality of the work performed by the committee and Fletcher-Thompson, Inc. in their proposal. He did not want the boilers to hold up the entire project. Take them out and store them somewhere.

Katie Regan, (address unknown), thanked the committee. She was concerned with what will happen with the children if this project does not go through and not as concerned about what the future of the buildings are should the population decline.

Mr. Killen stated that nine people (Town Council) are being asked to make the decision on behalf of 45,000 people. Each and every year there is a Public Hearing on the budget and very few people turn out. He reminded everyone that if the Council fails to act upon something the people still have the option of initiative. They can bring an action to referendum if need be.

Motion was made by Mr. Solinsky to Amend the Amount of the Ordinance from \$2,000,000 down to \$1,607,000., seconded by Mr. Holmes.

There was much discussion on the part of the Council and Mayor over the fact that the ordinance is being approved for nearly \$400,000 more than the bid fee of \$1,607,000. Some Councilors argued that the funds are not appropriated if not needed and it would save on time should the figure for the architect change for whatever reason. A contract is to be signed and the Council will have to approve any additional funds over and above the \$1,607,000 should a change occur. If the ordinance is already in place for \$2,000,000 it will save time.

Some Councilors did not feel comfortable with the additional funds readily available for additional work. They felt it may entice the architects to produce more change orders than necessary.

VOTE: Papale and Parisi were absent; Duryea, Killen and McDermott, no; all other, aye; motion failed.

Motion was made by Mr. Killen to Approve the Ordinance in the Amount of \$2,000,000., seconded by Mr. Solinsky.

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

The Vice Chairman declared a five minute recess.

ITEM #8 Discussion and Possible Action on Authorizing the School Building Expansion Committee to Proceed with Hiring an Architectural Firm for Yalesville School

Motion was made by Mr. Killen, seconded by Mrs. Duryea.

Much of the same discussion held during the previous item was reiterated.

The SBEC proposed the following motion be considered by the Council:

- 12 - October 12, 1993

In recognition of the initial charge given to the School Building Expansion Committee by the Town Council, the committee is directed to negotiate a design fee and commence schematic design services with Fletcher Thompson, Inc. on the seven (7) school projects. The committee shall explore and identify feasible alternatives to optimize cost benefits and to achieve the educational space requirements as outlined in the program objectives and the ED040 submissions to the State Department of Education. The results of said services to be presented to the Town at a meeting targeted for the latter part of December 1993.

Motion was amended by Mr. Killen to Embrace the motion proposed by the SBEC, seconded by Mrs. Duryea.

The Mayor asked that the record show the potential hazard to the Town for backing out of the contract with Fischer Kuegler for the Yalesville School roof. He reminded the committee that the architect cannot be hired for thirty days following the publication of the legal notice on the ordinance.

Mr. Solinsky stated that he is in favor of the expansion project but feels that the roof should go forward.

Mr. McDermott made a motion to Call the Question, seconded by Mrs. Duryea.

VOTE ON CALLING THE QUESTION: Papale and Parisi were absent; Killen, no; all others, aye; motion duly carried.

VOTE ON AMENDED MOTION: Papale and Parisi were absent; Holmes, no; all others, aye; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

No audience participation.

Mr. Doherty read a letter from Nick Murano, Jr. into the record (appendix III) regarding the bidding practices and local vendors.

Mr. Doherty referred the matter to the Chairman of the Ordinance Committee, Mr. Solinsky, for review.

ITEM #9 Consider and Approve a Resolution Abating Fifty Percent (50%) of Property Taxes of Any Property Assessed as a Dairy Farm and/or Fruit Orchard Maintained as a Business for the Grand List Year Beginning October 1, 1993 - Town Attorney

Motion was made by Mr. Killen to Remove Item #9 from the Table, seconded by Mrs. Duryea.

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

Motion was made by Mr. Killen to Approve the Resolution and Attach a Copy of it in its Entirety to the Minutes of this Meeting, seconded by Mrs. Duryea (appendix IV).

Attorney Janis Small, upon reviewing State Statute, informed the

Council that a ten year recapture clause can be added to the resolution that basically says, upon the sale of property the Town can recapture any of the taxes abated to the property for the past ten years. There is no language distinguishing the type of sale whether it be between family members or not. It is up to the Town whether or not they would want to recapture those taxes if the sale is between family.

Due to the November 1st deadline for application for tax abatement the Council must take action this evening. It was suggested by the Town Attorney that the Council pass the resolution this evening and, should they desire to, bring back the item at a later date and change the language.

VOTE: Papale and Parisi were absent; Zandri, no; all others, aye; motion duly carried.

Motion was made by Mrs. Duryea to Move Agenda Items #13 & 14 Up to the Next Order of Business, seconded by Mr. Holmes.

VOTE: Papale and Parisi were absent; all others, aye; motion duly carried.

ITEM #13 Report Out by the Executive Director of the Boys and Girls Club on the Status of the Plan to Construct a New Facility at Community Lake as Requested by Councilor Susan S. Duryea.

Motion was made by Mr. Killen to Hear the Report, seconded by Mrs. Duryea.

Carl Rodenhizer, Chairman of the Board of the Boys and Girls Club was pleased to report that it has been confirmed that there are sufficient funds in place to go ahead with the capital project. A change has been made to the bonding authorization language to include renovations and/or new construction so as not to limit them to solely new construction. He did state that an alternative site has been considered but at this time no final plans have been made. Community Lake remains a viable option at this time and the Board requested continued patience on the part of the Council until a final decision is made.

Mrs. Duryea stated that she had received information from several sources that the Boys and Girls Club had expressed their intentions to utilize another piece of property and were no longer interested in Community Lake. She was upset that no one from the organization had approached the Council to inform them of this. She wanted clarification on the matter. The Town was extremely generous in leasing the land at the price of \$1 per year to the club.

Mr. Rodenhizer acknowledged the generosity of the Town and stated that the organization would not be where they are today with this project without the land as a catalyst. It was not a lost venture on the part of the Town to have been so gracious. He vowed to stay in close contact with the Mayor's office on a monthly basis until a decision is made.

Mr. Killen asked if there was dissatisfaction on the part of the Boys and Girls Club with the lease terms?

Mr. Rodenhizer responded, yes, there was some dissatisfaction with the terms arranged with the Recreation Department pertaining to use of the facility during prime hours. The organization would be losing funds by allowing Park and Rec to use the facility at the time that it is capable of generating the most revenue. He went on to say that he had been negotiating with the Mayor regarding the terms of the contract with the hopes of coming to mutual agreement for everyone involved. The terms of the lease allow for a rental charge/use fee of \$15.00 per hour to be paid by the Park and Rec Department. That fee was renegotiated to \$25.00 per hour.

Mrs. Duryea expressed her disbelief that the Mayor would be negotiating the terms of the lease void of Council input. The Council is the body who ultimately approves the lease for the Town. She was upset that the Mayor left the Council out of the process.

Mayor Dickinson explained that there was no change in the bottom line dollar amount associated with the lease.

Stan Shepardson, Director of Parks and Recreation explained that the \$20,000 requested in his budget for the Boys and Girls Club was later eliminated.

Mrs. Duryea stated that the Council was never informed by Mr. Shepardson during the budget workshops that an increase of \$18,000 in the Wallingford Boys Club account within his budget was due to negotiations in the terms of the lease agreement therefore allowing for a higher use fee paid.

Mr. Killen was also dismayed that the intent of administration was to keep the Council out of the process of negotiating until the terms were arranged. Only when the final arrangements are made is the Council then expected to approve a lease without any other prior involvement.

Edward Bradley, 2 Hampton Trail approached the microphone and stated that he has asked the Mayor numerous times for an update on the status of the building project of the Boys and Girls Club and each time the Mayor has responded that he has no additional information. He asked the Mayor why he was told of the negotiations?

Mayor Dickinson responded that the question was asked regarding the status of the building project of which he did not have additional information. The question was not asked regarding the lease terms.

Much discussion ensued on the issue until such time as Mr. Rodenhizer asked the indulgence of the Council for a short period of time, approximately 90 days, to allow the Board to make a final decision on this matter. He vowed to keep the Mayor's Office informed on a monthly basis and will return before the Council by January 12, 1994 with a final report.

No action was taken.

ITEM #14 withdrawn.

ITEM #10 Consider and Approve a Forestry Management Plan for

Approximately 2,000 acres of Land Owned by the Town of Wallingford.

Motion was made by Mr. Killen, seconded by Mr. Solinsky.

Mr. Joe Shramek of Connwood, Roger Dann, General Manager of the Water Division and Stan Shepardson, Director of Parks and Recreation were on hand for this topic of discussion.

Mr. Shramek began his presentation with an overview of the plan.

The Town of Wallingford owns approximately 2,000 acres of land in Wallingford and adjacent towns. About one-half of this area is controlled by the Town's Water Division and the other half by the Parks and Recreation Department. The Wallingford Water Division properties provide the important function of protecting the quality of water reaching and with the Town's reservoirs. The forested property controlled by the Water Division surrounds Ulbrich, Pistapaug, Lanes Pond and McKenzie Reservoirs.

The Wallingford Park and Recreation properties are valued primarily to provide places for Town residents to recreate in a natural environment. The properties in the plan are the "New Have Water Tract" (which includes Bertini and Vietnam War Veteran's Memorial Parks), Marcus Cook Memorial Park and Lufbery Park.

The purpose of the project was to conduct a detailed examination of the forest resources existing on the Town's properties and to use that information to prepare a ten-year management program to guide forest management activities on the properties.

The plan will be funded with the proceeds of commercial operations and federal cost-sharing funds. Revenues from wood product sales are expected to range between \$77,450 and \$101,850. Revenues derived from the sale of wood products from the Water Division properties will fund watershed improvements on those lands. Firewood will be made available for Town residents as a part of commercial harvesting operations.

On Wallingford Recreation properties approximately 3.67 miles of environmental educational hiking trails will be established on the large New Haven Water tract and a plant identification trail will be re-established at Lufbery Park. An educational trail guide will be created for the former trail, along with a series of three educational pamphlets on natural resource issues. Small game hunting may continue to be permitted for Town residents on certain portions of the New Haven Water Tract in late October and November. If so, that tract would be closed to other uses during the permitted hunting season.

It was suggested by Mr. Shramek that the Town consider very carefully whether or not it wants to continue to allow small game hunting with hiking trails so close by. It may choose to limit the use of the trails or discontinue the permitting of the land for hunting purposes.

Some Councilors felt that since this issue effects the public and it is before the Council at such a late hour that this item should be tabled and rescheduled at a time when the public can have input on it.

Mr. Doherty thanked Mr. Shramek, Mr. Shepardson and Mr. Dann and vowed

- 16 - October 12, 1993

to place them early on the agenda at a future meeting.

Motion was made by Mrs. Duryea to Table This Item, seconded by Mr. Solinsky.

VOTE: Papale and Parisi were absent; Holmes and Doherty, no; all others, aye; motion duly carried.

ITEMS #11 & 12 Motion was made by Mr. Killen to Table Items #11 & 12 Due to the Tabling of Item #10, seconded by Mr. Solinsky.

VOTE: Papale and Parisi were absent; Holmes and Doherty, no; all others, aye; motion duly carried.

ITEM #15 withdrawn

Motion was made by Mr. Killen to Adjourn the Meeting, seconded by Mr. Solinsky.

VOTE: Duryea, Holmes, Papale and Parisi were absent; all others, aye; motion duly carried.

There being no further business, the meeting adjourned at 1:40 A.M.

Meeting recorded and transcribed by:

Kathryn F. Milano

Kathryn F. Milano, Town Council Secretary

Approved by: *Iris F. Papale*
Iris F. Papale, Chairperson

November 23, 1993
Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

November 23, 1993
Date



Town of Wallingford, Connecticut

JAMES C. FITZSIMMONS
CHAIRMAN-PLANNING & ZONING COMMISSION

LINDA A. BUSH
TOWN PLANNER

THOMAS M. TALBOT
ASSISTANT TOWN PLANNER

MUNICIPAL BUILDING
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090

September 29, 1993

Mayor William Dickinson
Town Hall
45 South Main Street
Wallingford, Connecticut 06492

RE: Town Council

Dear Mayor Dickinson:

I would like to request that I be placed on the Town Council's October 12, 1993 agenda to ask that they accept two deeds for highway purposes.

1. A deed for a small sliver of land from Pamela Mrazik abutting 1096-1114 Durham Road, required as a condition of subdivision approval.
2. An exchange of deeds between the Town and Donald Ahearn for Elmhill Drive. The Elmhill Drive subdivision was approved by the PZC in 1969. Elmhill Drive was accepted as a Town Road in 1970. A recent survey of the subdivision indicates that the Town does not own the area on which the road is actually built. It appears the original subdivision map was based on old Borough Maps which contained an error. The recent survey was based on actual monuments and improvements in the field.

I would like to request that the Town Council approve a land swap so that the Town will own the 50 foot right of way where Elmhill Drive is actually located, and deed the remaining land back to Donald Ahearn. Mr Ahearn is the owner of all lots abutting Elmhill Drive.

Mr. Ahearn received resubdivision approval for the corrected road location at the PZC's September 13, 1993 meeting.

Sincerely,
Linda A. Bush
Linda A. Bush
Town Planner

tes

AN ORDINANCE APPROPRIATING \$2,000,000 FOR THE DESIGN AND CONTRACT ADMINISTRATION PHASE OF TOWN-WIDE SCHOOL SYSTEM IMPROVEMENTS AND AUTHORIZING THE ISSUE OF \$2,000,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$2,000,000 is appropriated for the design and contract administration phase of Town-wide school system improvements including feasibility studies, additions and expansions, code compliance, renovations and related improvements to various town schools, and architects' and engineers' fees, equipment, surveying, project management and contract administration, and for administrative, printing, legal and financing costs related thereto.

Section 2. To meet said appropriation \$2,000,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. The total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds shall be determined by the Mayor, the Comptroller, and the Town

Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in a competitive offering or by negotiation, in their discretion. If sold in a competitive offering, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds. If the bonds are sold by negotiation, provisions of the purchase agreement shall be subject to the approval of the Town Council.

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town of Wallingford (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid after the date of passage of this ordinance in the maximum amount and for the

capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration. This declaration shall be made available in the office of the Clerk for public inspection within thirty days of its passage, and any amendment shall be made available for public inspection within thirty days of such amendment.



MURANO CONSTRUCTION SERVICES

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

Wallingford Town Council

45 S. Main St.
Wallingford, Ct. 06492

Town Council:

I am writing in order to request a change in bid policies regarding purchasing of municipal public works projects, as well as purchasing of equipment, goods or services, funded in part or by whole, by the Town of Wallingford.

Present policy allows open bidding by all companies interested in quoting projects, equipment, or services, without preference of purchase directed to Connecticut based vendors.

I request proposal to ammend present bid policies and issue ammendments supporting Connecticut-based vendors.

Support of Connecticut vendors is essential for developing our local economy, supporting our local workforce, and generating taxable personal and corporate income necessary to support our tax base, a tax base providing funding for these very same town purchases.

I request proposal of a " FIVE PERCENT, LAST LOOK POLICY"
This policy would simply give a Connecticut-based vendor, second in bid results won by an out-of-state vendor, LAST LOOK, to win the bid-award by meeting the monetary value of the lowest out-of-state bid, PROVIDED THE IN-STATE VENDOR IS WITHIN FIVE PERCENT OF THE LOWEST, OUT-OF-STATE BID.

Please help support local contractors, businesses, and merchants, by seriously considering action on this issue.

Sincerely,

Nicholas J. Murano Jr.


Murano Construction Services

10/6/93

R E S O L U T I O N

BE IT RESOLVED That pursuant to the authority of Section 12-81m of the Connecticut General Statutes the Town Council of the Town of Wallingford hereby abates fifty (50%) percent of the property tax of any property assessed as a dairy farm and fifty (50%) percent of the property tax of any property assessed as a fruit orchard maintained as a business, for the Grand List October 1, 1993, provided, however, that the original amount of tax so abated shall be paid to the Town of Wallingford if the property granted such abatement is sold within ten (10) years of said Grand List.

BE IT FURTHER RESOLVED That the application for abatement of property tax of property assessed as a dairy farm or of property assessed as a fruit orchard maintained as a business shall be made by the owner of such property to the Assessor on or before November 1, 1993 in order to qualify for such abatement for the Grand List of October 1, 1992. The application shall be recorded on the Land Records of the Town of Wallingford by the Tax Collector upon his processing of such abatement.

CERTIFICATION

Certified a true copy of a Resolution duly adopted by the Town of Wallingford at the meeting of the Town Council held on October 12, 1993, and which said Resolution has not been rescinded or modified in any way whatsoever.

Dated at Wallingford, Connecticut the _____ day of October, 1993.

KATHRYN J. WALL
Town Clerk

TOWN COUNCIL MEETING

OCTOBER 26, 1993

6:30-P.M.

NOTE STARTING TIME OF MEETING

AGENDA

1. Roll Call & Pledge of Allegiance
2. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Regards to Pending Litigation
 - a. Pacific Beach Co. (Caldor's Plaza) Tax Appeal
 - b. Other pending litigation
3. Consider and Approve a Waiver of Bid to Hire Outside Counsel with Respect to Pending Litigation
4. Consent Agenda
 - a. Consider and Approve a Transfer of Funds in the Amount of \$4,620 from Asst. Dog Warden Salary Acct. #2020-100-1200 to Temporary Help Acct. #2020-100-1360 - Animal Control Officer
 - b. Consider and Approve a Transfer of Funds in the Amount of \$920 from Professional Services Acct. #001-1320-900-9010 to Chaconis v. P&Z Commission Acct. #001-1320-900-9070 - Town Attorney
 - c. Consider and Approve a Transfer of Funds in the Amount of \$255 from Portable Radios (3) Acct. #001-5030-999-9916 and \$517 from Weeder Cultivator Acct. #001-5031-999-9908 for a Total of \$772 of which \$719 is transferred to Overhead Door Acct. #001-5190-999-9901 and \$53 to Overhead Door Acct. #001-5170-999-9901 - Dept. of Public Works
 - d. Consider and Approve Tax Refunds (#88-107) in the Amount of \$5,217.33 - Tax Collector
 - e. Note for the Record Quarterly Reports of the
 - Visiting Nurses' Association
 - Wallingford Public Library
 - Senior Citizens Center
5. Items Removed From the Consent Agenda
6. Approve and Accept Minutes of the May 26, 1993 Town Council/Community Pool Renovation Building Committee Workshop

(OVER)

7. Approve and Accept Minutes of the 9/28/93 and 10/12/93 Town Council Meetings
8. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
9. Consider and Approve a Draft Agreement Between the Town of Wallingford and the Community Action Agency of New Haven Which Provides for the Continuation of the Meals on Wheels Program - Program Planner
10. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of Connecticut for Municipal Lighting Grant Funds - Program Planner
11. Reject an Agreement Between the Town of Wallingford and Local 457 - Clerical Unit, Electric Division as Per Arbitration Award 9192-MBA-48 - Electric Division
12. Consider and Approve Amending the Personnel Pages of the Electric Division to Reflect the Arbitration Award to Local 457 - Clerical Unit, Electric Division