

TOWN COUNCIL MEETING

SEPTEMBER 14, 1993

6:30 P.M.

AGENDA

NOTE EXECUTIVE SESSION STARTING AT 6:30 P.M.

1. Roll Call and Pledge of Allegiance
2. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Regards to Pending Litigation
  - Tax Appeals
  - Miserendino v. Flis
  - Recent Claims
3. Recognition of the Town Clerk's Recent Designation of Certified Municipal Clerk by the International Institute of Municipal Clerks
4. Consent Agenda
  - a. Note for the Record Mayoral Transfers Approved to Date
  - b. Note for the Record Anniversary Increases Approved to Date
  - c. Consider and Approve a Lease Agreement Between the Town of Wallingford and the Visiting Nurses' Association for Space at Simpson School for the Sum of One Dollar for a Term of One Year - Mayor's Office
  - d. Consider and Approve Tax Refunds (#18-22) in the Amount of \$5,045.63 - Tax Collector
  - e. Consider and Approve Tax Refunds (#23-37) in the Amount of \$8,052.45 - Tax Collector
  - f. Consider and Approve a Transfer of Funds in the Amount of \$400 from Election Supplies Acct. #001-6030-400-4060 to Maintenance of Equipment Acct. #001-6030-500-5200 - Town Clerk
  - g. Consider and Approve a Transfer of Funds in the Amount of \$526 from Election Supplies Acct. #001-6030-400-4060 to Maintenance of Equipment Acct. #001-6030-500-5200 - Town Clerk

(over)

- h. Consider and Approve a Transfer of Funds in the Amount of \$272 from Partner K-1200 Saw Acct. #2037-999-9910; \$63 from Firewalker Leather Boots Acct. #2037-999-9911 and \$262 from Door Locks Acct. #2039-999-9918 for a Total of \$600 to Refrigerator Acct. #2032-999-9952 - Dept. of Fire Services
  - i. Consider and Approve a Transfer of Funds from F.Y. 1992-93 in the Amount of \$8,600 from Power Purchased for Pumping Acct. #623-000 to Employee's Pension and Benefits Acct. #926-000 - Sewer Division
  - j. Consider and Approve a Transfer of Funds from F.Y. 1992-93 in the Amount of \$22,754 from Depreciation Acct. #403 to Uncollectibles Acct. #904 - Electric Division
5. Items Removed from the Consent Agenda
  6. Approve and Accept Minutes of the 5/26/93 Town Council/Community Pool Renovation Building Committee Workshop
  7. Approve and Accept Minutes of the 8/10/93 Town Council Meeting
  8. Consider and Approve Four Re-Appointments to the Transit District
  9. Consider and Approve Waiving the Two Week Waiting Period to Perform the Swearing-In Ceremony for the Transit District Appointees
  10. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
  11. Consider and Approve the Use of Storage Space at the Electric Division for the Purpose of Housing a Connestoga Wagon for the Conn. Connestoga Wagon Assoc. (CCWA)
  12. Report Out by the Committee to Review the Establishment of a New Recreation Center and Ice Rink
  13. Report Out from Phil Hamel on the Operation of the Wallingford Trash Plant Regarding the Influx of Out of Project Waste as Requested by Councilor Geno J. Zandri, Jr.
  14. Report Out from the Golf Study Committee as Requested by Councilor Steven B. Holmes
  15. Report Out by the Community Pool Renovation Building Committee
  16. Consider and Approve an Appropriation of Funds in the Amount of \$80,200 to Allow for the Survey Phase and Design and Bidding of Renovations to Community Pool by TPA Design Group (source of funding to be determined)

(next page)

17. SET A PUBLIC HEARING for September 30, 1993 at 7:00 P.M. on a Proposed Ordinance Entitled. " An Ordinance Concerning Rapid Entry Into Multi-Dwellings, Commercial and/or Manufacturing Buildings within the Town of Wallingford"
18. SET A PUBLIC HEARING for September 30, 1993 at 7:15 P.M. on an Ordinance Regulating Vehicle Towing Service on Behalf of or for the Town of Wallingford Police Department (together with Towing Regulations)
19. SET A PUBLIC HEARING for September 30, 1993 at 8:15 P.M. on a Proposed Ordinance Establishing Traffic and Parking Regulations, Violations. Penalties, Enforcement, Collection and Hearing Procedures
20. SET A PUBLIC HEARING for September 30, 1993 at 8:30 P.M. on an Ordinance Repealing Ordinance #352 Entitled, "An Emergency Snow Removal Parking Ordinance"
21. SET A PUBLIC HEARING for September 28, 1993 at 7:45 P.M. on an Ordinance Appropriating \$150,000 for the Design and Contract Administration Phase of Town-Wide School System Improvements and Authorizing the Issue of \$150,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose

TOWN COUNCIL MEETING

SEPTEMBER 14, 1993

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
Consent Agenda - Items #4b, 4d & 4e	1-2
2. Executive Session - 1-18a(e)(2) of the CT. General Statutes Regarding Pending Litigation	1
3. Recognition of Town Clerk's Recent Designation of Certified Municipal Clerk by the International Institute of Municipal Clerks	1
5. Items Removed From the Consent Agenda	
4a. Note for the Record Mayoral Transfers Approved to Date	2
4c. Approve a Lease Agreement Between the Town of Wallingford and the Visiting Nurses' Assoc. for Space at Simpson School	2
4f. Approve a Transfer of Funds in the Amount of \$400 to Maintenance of Equipment - Town Clerk	2-3
4g. Approve a Transfer of Funds in the Amount of \$526 to Maintenance of Equipment - Town Clerk	3
4h. Approve a Transfer of Funds Totalling \$600 to Refrigerator Acct. - Dept. of Fire Services	3
4i. Approve a Transfer of Funds in the F.Y. 92-93 Budget in the Amount of \$8,600 to Employee's Pension and Benefits Acct. - Sewer Division	3
4j. Approve a Transfer of Funds in the F.Y. 92-93 Budget in the Amount of \$22,754 to Uncollectibles Acct. - Electric Division	3
6. Fail to Approve and Accept the Minutes of the 5/26/93 Town Council/Community Pool Renovation Building Committee Workshop	3-4
7. Approve and Accept the Minutes of the 8/10/93 Town Council Meeting	4
8. Approve Five Re-Appointments to the Transit District	4
9. Approve Waiving the Two Week Waiting Period to Perform the Swearing-In Ceremony for the Transit District Re-Appointees	4

Agenda Item

10. PUBLIC QUESTION AND ANSWER PERIOD - No participation
11. Approve Contingent Upon P.U.C. Approval an Indemnity Agreement between the Town of Wallingford and CCWA for Storage Space at the Electric Division for the Purpose of Housing a Connestoga Wagon 4-5
12. Report Out by the Committee to Review the Establishment of a New Recreation Center and Ice Rink 5-6
13. Report Out by Phil Hamel on the Operation of the Wallingford Trash Plant Regarding the Influx of Out-of-Project Waste 6-10
14. Report Out by the Golf Course Study Committee 10-12
15. Report Out by the Community Pool Renovation Building Committee 13-19
16. Approve a Transfer of Funds in the Amount of \$21,950 for the Continued Services of TPA Design Group Pursuant to the Existing Contract and Amended Fee Schedule to Complete a Survey Phase and Preliminary Design Phase for Repair of Community Pool 13-19
17. SET A PUBLIC HEARING for September 30, 1993 at 7:00 P.M. on a Proposed Ordinance Entitled, "An Ordinance Concerning Rapid Entry Into Multi-Dwellings, Commercial and/or Manufacturing Buildings within the Town of Wallingford 19
18. SET A PUBLIC HEARING for September 30, 1993 at 7:15 P.M. on an Ordinance Regulating Vehicle Towing Service on Behalf of or For the Town of Wallingford Police Dept. (together with Towing Regulations) 19
19. SET A PUBLIC HEARING for September 30, 1993 at 8:15 P.M. on a Proposed Ordinance Establishing Traffic and Parking Regulations, Violations, Penalties, Enforcement, Collection and Hearing Procedures 20
20. SET A PUBLIC HEARING for September 30, 1993 at 8:30 P.M. on an Ordinance Repealing Ordinance #352 Entitled, "An Emergency Snow Removal Parking Ordinance" 20
21. SET A PUBLIC HEARING for September 28, 1993 at 7:45 P.M. on an Ordinance Appropriating \$150,000 for the Design and Contract Administration Phase of Town-Wide School System Improvements 20

TOWN COUNCIL MEETING

SEPTEMBER 14, 1993

6:30 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, September 14, 1993 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairperson Iris F. Papale at 6:38 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall with the exception of Councilor Holmes who had a previously scheduled business commitment and Councilor Killen who was vacationing out of the country. Mayor William W. Dickinson, Jr. arrived during the executive session as did Comptroller Thomas A. Myers. Town Attorney Janis M. Small was also present.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Regards to Pending Litigation

Motion was made by Mr. Doherty to Enter Into Executive Session, seconded by Mr. Parisi.

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

Motion was made by Mr. McDermott to Exit the Executive Session, seconded by Mrs. Duryea.

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #3 Recognition of the Town Clerk's Recent Designation of Certified Municipal Clerk by the International Institute of Municipal Clerks

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

Mr. Doherty read correspondence into the record from the International Institute of Municipal Clerks congratulating Ms. Wall on her personal pursuit of professional excellence.

Ms. Papale also extended congratulations and much appreciation on behalf of the Town Council for the assistance that Ms. Wall provides the Council on an ongoing basis (applause).

ITEM #4 Consent Agenda

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

ITEM #4b Note for the Record Anniversary Increases Approved to Date

ITEM #4d Consider and Approve Tax Refunds (#18-22) in the Amount of \$5,045.63 - Tax Collector

ITEM #4e Consider and Approve Tax Refunds (#23-37) in the Amount of \$8,052.45 - Tax Collector

Mr. Zandri requested that Items #4a, 4c, 4f, 4g, 4h, 4i and 4j be removed from the Consent Agenda due to the fact that he will be voting in the negative on these items. He asked that it be noted for the record that he votes in opposition of the Mayor's transfers to prove the point that no budget, whether it be the Council's or Mayor's, is perfect. The numerous transfers on the agenda this evening so soon in the new fiscal year proves that fact to be true.

VOTE: Holmes, Killen and McDermott were absent; all others, aye; motion duly carried.

ITEM #5 Items Removed from the Consent Agenda

ITEM #4a Note for the Record Mayoral Transfers Approved to Date

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

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

ITEM #4c Consider and Approve a Lease Agreement Between the Town of Wallingford and the Visiting Nurses' Association for Space at Simpson School for the Sum of One Dollar for a Term of One Year - Mayor's Office

Motion was made by Mr. Doherty to Approve the Lease Agreement and Append a Copy of it to the Town Council Minutes, seconded by Mr. Parisi (appendix I).

Mr. Zandri stated for the record that he is voting in opposition of this item due to the fact that although he recognizes the vital role this agency plays in our community, there is a severe overcrowding issue at Simpson School due to the Park and Recreation Department programs which must be addressed. It would better suit the agency and Town to find a different location for the VNA.

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

ITEM #4f Consider and Approve a Transfer of Funds in the Amount of \$400 from Election Supplies Acct. #001-6030-400-4060 to Maintenance of Equipment Acct. #001-6030-500-5200 - Town Clerk

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

A surplus remains in this account due to the fact that no primary was conducted this year. This transfer is required to repair the map viewer equipment in the Town Clerk's Office.

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

ITEM #4g Consider and Approve a Transfer of Funds in the Amount of \$526 from Election Supplies Acct. #001-6030-400-4060 to Maintenance of Equipment Acct. #001-6030-500-5200 - Town Clerk

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

This transfer is requested to pay for expenses incurred due to an increase in copier usage.

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

ITEM #4h Consider and Approve a Transfer of Funds in the Amount of \$272 from Partner K-1200 Saw Acct. #2037-999-9910; \$66 from Firewalker Leather Boots Acct. #2037-999-9911 and \$262 from Door Locks Acct. #2039-999-9918 for a Total of \$600 to Refrigerator Acct. #2032-999-9952 - Dept. of Fire Services

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

The department is requesting this transfer to pay for a new refrigerator due to the failure of a compressor motor in the existing refrigerator.

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

ITEM #4i Consider and Approve a Transfer of Funds in the F.Y. 92-93 Budget in the Amount of \$8,600 from Power Purchased for Pumping Acct. #623-000 to Employee's Pension and Benefits Acct. \$926-000 - Sewer Division

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

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

ITEM #4j Consider and Approve a Transfer of Funds in the F.Y. 92-93 Budget in the Amount of \$22,754 from Depreciation Acct. #403 to Uncollectibles Acct. #904 - Electric Division

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

Mrs. Duryea asked Tom Sullivan, Office Manager of the Electric Division to explain the Depreciation and Uncollectibles accounts for her benefit.

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

ITEM #6 Approve and Accept Minutes of the 5/26/93 Town Council/Community Pool Renovation Building Committee Workshop

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



VOTE: Holmes and Killen were absent; Doherty, Parisi and Zandri passed; Solinsky, no; all others, aye; motion failed.

ITEM #7 Approve and Accept Minutes of the 8/10/93 Town Council Meeting

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

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #8 Consider and Approve Five Re-Appointments to the Transit District

Motion was made by Mr. Doherty to Approve the Re-Appointments of Ann Pikor, Eugene Dauplaise, Daniel Lucas, Richard Heffern and Stephen W. Knight to the Transit District, seconded by Mr. Parisi.

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #9 Consider and Approve Waiving the Two Week Waiting Period to Perform the Swearing-In Ceremony for the Transit District Appointees

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

Ron St. Clair, 69 Gopian's Park requested an explanation as to why the Council chose to waive the waiting period.

Mr. Parisi explained that it is the prerogative of the Council to waive the waiting period. With the current controversy over whether or not to continue transit service in Wallingford the Council felt it wanted the district to proceed along smoothly without any interruptions of duties on the part of its members.

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.

There was not participation on the part of the public during this segment of the meeting.

ITEM #11 Consider and Approve the Use of Storage Space at the Electric Division for the Purpose of Housing a Connestoga Wagon for the Conn. Connestoga Wagon Assoc. (CCWA)

Motion was made by Mr. Doherty to Approve the Indemnity Agreement Subject to Approval by the Public Utility Commission and Append a Copy of it to the Town Council Minutes, seconded by Mr. Parisi (appendix II).

Randall Stack, Guardian of the Connestoga Wagon; Johanna Fishbein, Public Celebrations Committee and David Gessert, P.U.C. Commissioner were on hand for this discussion.

September 14, 1993

Mr. Stack explained that the wagon was built for the American Revolution Bicentennial National Wagon Train Project. Wagons from each state traveled to Valley Forge, Pa.

The wagon is owned by the State of CT. under guardianship of Mr. Stack. The CCWA was organized by Mr. Stack and Mr. Baldelli to restore the wagon to its 1976 condition. CCWA is a non-profit and educational association. CCWA plans to show the wagon in selected parades and major state fairs. The wagon will be restored without cost to the State or Town. CCWA estimates it will take two to six months to restore. CCWA would like to store the wagon in a vacant garage area at the Electric Division on John Street while restoration takes place. A list of local volunteers have been submitted for inclusion to the indemnification agreement to release the Town of all liability while the wagon is stored on our property.

It was recommended that any additional names of volunteers be submitted by Mr. Stack to the Town Attorney's Office to be added to the indemnification agreement prior to their taking part in the restoration of the wagon.

Mr. Gessert commended Mr. Stack for his dedication and applauds this project. He did, however, state that this issue has never been brought before the P.U.C. and would appreciate the Council's approval contingent upon P.U.C. approval.

The Council approved the agreement subject to approval by the Public Utility Commission.

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #12 Report Out by the Committee to Review the Establishment of a New Recreation Center and Ice Rink

Motion was made by Mr. Doherty to Hear Discussion, seconded by Mr. Parisi.

Thomas Wall, Chairman of the Committee stated that all eleven members wished to remain on the committee. He informed the Council that the committee will be meeting with Robert Pedersen, Purchasing Agent; Tom Myers, Comptroller and Stan Shepardson, Director of Parks and Recreation to discuss the feasibility study. A site committee has been established to review town-owned property.

Upon reviewing the COP (certificate of partition) program the Committee felt that it may be worth looking into and pointed out that it is the same type of financing used by the State for the Hartford Whalers.

Mr. Wall asked what the status of the Boys and Girls Club was for that parcel of property being considered by them at Community Lake would be ideal for the Recreation Center. He contacted Representative Fritz to inquire whether or not the Town could take advantage of the \$500,000 grant offered by the State for the Boys and Girls Club

September 14, 1993

should they decide not to go forward with their project. He was informed the Town could not utilize those funds.

David Cantor, 4 Meadows Edge Drive stated that he was opposed to the ice rink due to the fact that there are too many high priority items that are being ignored for too long.

Edward Bradley, 2 Hampton Trail felt that the piece of property at Community Lake was a valuable one that would be ideal if the Boys and Girls Club were not going forward with their project. He urged that the organization be contacted for an update. He reminded the Council that Adult Education is in need of space.

Mayor Dickinson was in favor of selling Simpson School due to the fact that there will be a large cost incurred with a new Recreation Center which should be offset by the sale of Simpson School.

Mr. Bradley reminded the Mayor that the real estate market is severely depressed at the moment and was not certain it would be wise to sell now. He doubted that the Town would have a buyer for the property.

Mrs. Duryea asked everyone to keep in mind that other agencies housed in Simpson School will need to be relocated. She suggested that the Wooding building would be useful for this need.

Mayor Dickinson stated that if the site at Community Lake is identified by the Town as viable then the Town could notify the Boys and Girls Club of our intentions to utilize the property.

Mr. Wall stated that he would be in need of funds for secretarial services and asked that a transfer be placed on the next agenda for such purpose.

Mrs. Duryea suggested the committee solicit a volunteer for secretarial services.

No action was taken.

ITEM #13 Report Out by Phil Hamel on the Operation of the Wallingford Trash Plant Regarding the Influx of Out of Project Waste as Requested by Councilor Geno J. Zandri, Jr.

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

Mr. Zandri explained that the reason he has brought forth this item was due to a newspaper article on the subject of a probe by a legislative panel of CRRA operations. The panel will be investigating the differences of tipping fees from trash plant to trash plant and also from town to town. This project was a concern to many Wallingford residents when it first began operation several years ago. Some of the concerns were the costs of the tipping fees. They were presented initially to the residents as being in the neighborhood of \$23.00 per ton. Those fees are now in excess of \$70.00 per ton. Another concern residents had was additional communities using the facility that were not originally in the project as well as the fact that we would be

giving away our landfill which was a valuable piece of property. The residents were told that we had only a few years left before the landfill was filled to capacity and, yet, here we are six years later and space remains to be utilized.

One of the questions, therefore, Mr. Zandri asked Mr. Hamel was, "Are there other communities that are not in our project that are utilizing our facility?"

Philip Hamel, Resource Recovery Project Coordinator for the Town read into the record a Report to the Town Council on Spot Waste (appendix III).

Mr. Hamel explained that the waste-to-energy plant operates most efficiently when processing waste at capacity level. Due to the downturn of the economy and the increase in recycling there has been a declining amount of waste delivered to the plant by the project towns. In order to operate at capacity, spot waste (waste delivered as needed from towns outside of the project area) is sought to make up for the shortfall of waste delivered by project towns. If, in this fiscal year, project towns were to deliver as much waste as they did last year and the project did not accept spot waste, the tip fee to the project towns would have to be increased by \$4.00 to \$5.00 per ton.

Mr. Zandri read into the record a list of other communities who brought in spot waste for fiscal year 1993. This waste was bypass waste from the Connecticut project in the amount of 2,000 tons. Those communities are as follows:

Massachusetts	-	1,125 tons	New Haven	-	9,684 tons
Branford	-	2,069 tons	Waterbury	-	8 tons
West Haven	-	51 tons	New York	-	79 tons

Mr. Zandri explained that this information was provided by CRRA to him. He then asked, "Did these out-of-project communities pay less tipping fees than the residents of Wallingford who burn their trash there?"

Mr. Hamel responded, in general, no. Nearly two-thirds of the waste came in at or above the standard tipping fee. About 5,000 tons did come in at a lower rate during the winter when there is an increased competition for waste because of a lower generation rate. At that time CRRA will drop the rate. The acceptance of the spot waste manages to keep the project tip fee down.

Mr. Zandri asked if it is a possibility to take on additional communities in the project to stabilize the rates?

Mr. Hamel answered, at this time there has been no attempt to take on another community as a contract community.

Mr. Zandri reminded everyone that one of the sales pitches for this waste-to-energy plant was that if the town did not get on board when we did that we would be paying an exorbitant amount of money to dispose of our trash. One of the cities that decided against the

trash plant was New Haven and here they are bringing their trash to us of which potentially some of that waste was at a tipping fee lower than what the Wallingford residents are paying.

Mr. Hamel stated some may have been but a lot of it was at the same tip fee. New Haven's tip fee at their landfill was \$98.00 per ton so there was an incentive for them at \$71.00 per ton to bring their trash here.

Mr. Zandri stated that it is a concern of his if anyone is paying less than the residents of Wallingford to dispose of trash at our plant. Especially since we were the community that had to host the facility. He then asked, "Is CRRA applying for an expansion to the landfill in Wallingford?"

Mr. Hamel responded that he is not aware of any application for expansion. They may be looking at that option but he is not aware of any application. The information given to him by CRRA's Policy Board is that the ash landfill will be filled in two and one-half years and the municipal solid waste area may go another five years because they have been taking in under 2,000 tons per year.

Mr. Zandri asked if there are any plans for what they will do at that point?

Mr. Hamel answered that he assumed they will close the landfill and they will go into a post-closure care mode which will consist of ground water monitoring and periodic inspections of the final cover for a period of over thirty years.

Mr. Zandri asked, "Is there any site for the future ash, where it will go at that point?"

Mr. Hamel stated, he is not personally familiar with a site. CRRA has indicated at meetings that they have two different sites in mind for new ash landfills. They are negotiating and attempting to get the best deal on them. They have not publicly released the location of any potential site.

Mr. Zandri thanked Mr. Hamel for appearing this evening and presenting the information to the Council.

Mr. Parisi asked if we brought in 1,600 tons of waste to the plant under the going rate?

Mr. Hamel answered, yes.

Mr. Parisi asked, what was the estimated tonnage of waste to be generated by the project towns per year at the onset of this project?

Mr. Hamel referred Mr. Parisi to paragraph three of the report which states that the project towns delivered about 175,000 tons in F.Y. 1990 which was way over capacity. We had to ship waste out to other waste-to-energy plants at great cost to the project.

Waste is not delivered in a constant flow. Volumes vary dramatically in different seasons. The largest volumes are delivered in the spring, next highest in the fall and summer and the lowest amounts in the winter. The ability to keep the plant operating at capacity during December, January and February is often limited by reduced generation of solid waste during the winter months. Mr. Hamel stated, as the economy improves we will increase the waste flow from the five project communities.

Mr. Parisi asked if that will lower the price of the tipping fees?

Mr. Hamel was not sure if it would. He warned that there are new expenses coming up such as a new lined landfill. He does not anticipate a reduction in price. When the ash landfill runs out the project will have a couple of choices, i.e., the recycling of ash; shipment of ash out of state to another landfill; construct a lined ash landfill which carries a price tag of \$500,000 per acre for construction costs. As it looks now there is going to be an increase because of the need to dispose of ash and the increased cost of that. The Policy Board has made some provisions to try and offset that. There is no prediction as to what that will be but there are going to be increased costs for the ash landfill.

Mr. Parisi asked if there are any projected figures for that increase?

Mr. Hamel stated that he has heard projections in the neighborhood of between \$40 and \$55 per ton to dispose of the ash. He is not certain what the tip fee will increase to.

Mr. Doherty asked, "What does the Town of Wallingford, as a host community, receive from this particular contract in the way of money?"

Mr. Hamel responded that the Payment In Lieu of Taxes (PILOT) is somewhere over \$900,000 per year.

Edward Bradley, 2 Hampton Trail asked, who determines where spot waste is disposed in Connecticut?

Mr. Hamel answered that, in Wallingford, the project manager calls around to see if any waste is available. Much of the spot waste has been brought in here at the project tip fee. Some haulers will call the project. The other plants that would generally compete for spot waste would be the Bridgeport and Preston plants. They both have less than one-third capacity. Bristol, like Wallingford, is a very small plant that does not bring in much waste.

Mr. Bradley asked what Bridgeport's and Preston's tip fees were compared to Wallingford?

Mr. Hamel responded that Bridgeport is \$1.00 less than Wallingford and Preston is close to \$100 per ton for member communities. The spot rates range from \$35.00 per ton in the winter to \$50 or \$60 per ton in the summer when more waste is available. He went on

to explain that the Hartford plant, on occasion, takes spot waste from New York. Four trailers brought waste into Wallingford's project as an accident. Hartford was diverting waste at that time to this plant because of some problems and the New York waste ended up there. It was only 80 tons out of 128,000 tons. It was not a significant quantity.

Mr. Bradley felt that if disposing waste in Wallingford is so attractive to other states then perhaps we should consider adding on a surcharge. He felt that the \$900,000 that the town receives in PILOT payment is just a drop in the bucket compared to what the town has to deal with. If we must accept spot waste then perhaps it is time to renegotiate that clause in the contract. Maybe some of that money can be used to offset some of the projects the town needs completed so badly.

Mr. Doherty reminded the Council that the contract contains a clause that allows for the Council to review the PILOT payment periodic basis.

Mr. Zandri stated that it would most likely have to be approved by the Policy Board and there are five communities that are not going to want to pay more money to give it to the Town of Wallingford. He thanked Mr. Hamel for his update on this issue.

Mr. Doherty asked what the tipping fees are at some of the other plants.

Mr. Hamel answered that Bristol and Hartford tipping fees are in the \$50's per ton.

Mr. Doherty asked if they were bigger plants with more communities involved?

Mr. Hamel stated that Hartford is a 2,000 ton per day plant and Bristol is not much larger than Wallingford. It is not, however a CRRRA plant, it was put together by a local operating committee. Bridgeport is the same as Wallingford and Preston is substantially higher. Wallingford has an average tip fee for the State of CT.

No action taken.

ITEM #14 Report Out by the Golf Course Study Committee as requested by Councilor Steven B. Holmes

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

Since Councilor Holmes had a business appointment, Mr. Parisi and Mrs. Duryea, Golf Committee Members read a report from Mr. Holmes into the record as follows:

Mr. Parisi: The construction of a golf course in Wallingford hinges upon the plans of our Water Division. To review: the land is within a watershed area for a reservoir that may or may not ever be constructed. As such, the reservoir site and surrounding watershed

area is included in the Town's water supply plan. By this inclusion the State of CT.'s Department of Health has jurisdiction over this land. The State does not want development as long as the reservoir site is a possibility no matter how remote. However, this area has already been partially developed as a recreational area with soccer fields, baseball fields and a parking area (continued by Mrs. Duryea).

Mrs. Duryea: The question that must be answered is the following: Is a reservoir in the Tyler Mill area a distinct possibility? To this end the Water Division has put out to bid a request to study this question. The bids are scheduled to be in within the next two weeks. In my discussion with the Director of the P.U.C., Raymond F. Smith, he has informed me that the bids should be awarded within the next few weeks. Until the study has come back I feel it is inappropriate to forge ahead with a course design. I am confident that a golf course can be ecologically compatible and also would be economically self-sustaining. However, the reservoir issue must be resolved to justify further expenditures by this committee. I regret that this process has been this time consuming. Respectfully,  
Steven Holmes.

Mr. Parisi stated that both Mrs. Duryea and himself have been involved in many meetings as Mr. Holmes has been at many more, and find it quite a disappointment but it is an obstacle that must be dealt with. Many meetings were held to try and find a way around this restriction, to no avail.

Ms. Papale recalls attending a meeting in the Mayor's Office where it was determined that the Water Division should conduct this study. It seemed very long ago and understands the frustration of the Golf Course Committee as evidenced in their letter requesting a report out on the status of this issue.

Lester Slie, 18 Green Street expressed his frustration with the delay on this issue. He stated that he notified Mr. Holmes many times of their request to place this item on the agenda. Approximately six or seven meetings were held with Mr. Holmes. If the Council voted the golf course in back in 1979 when it was first proposed it would have cost only \$75,000. Fifteen years later it will now cost \$150,000 per year to build, according to Mr. Slie.

Albert Tuccio, 996 E. Center Road asked if Schiavone has been approached regarding his 100 acres or more of land to see if he is interested. If this project fails he asked if the two private golf clubs in town would have one public day every few days of the week for those residents who cannot afford to join? He pointed out that Myrtle Beach has a patronage of over 1,000 customers per day. It costs approximately \$50.00 or more for eighteen holes of golf. There is money to be made on this investment. He urged everyone to get down to business, vote either yes or no and get it done with.

Salvatore Falconeri, 71 Putter Drive pointed out that ninety percent (90%) of all golf courses are built in watershed areas. Ninety-nine percent of all reservoirs are unfit for human consumption unless the water is treated. In our case we have to treat every gallon of



water going through the pipes. Authorize the construction of the golf course then we will worry about tackling the State of CT.

Mr. Parisi wanted it made clear that the residents were not being given an excuse. The committee is reporting out what they have been told by the State of Connecticut. If the State has any ulterior motive, he cannot answer that. He can tell the residents that they (the State) are the ones that are standing in the way of this project and the Town must have the study done before anything can go forward. The Mayor has echoed the same position so Mr. Parisi has no reason to believe otherwise.

Ted Platt, 297 N. Airline Road was opposed to the construction of a golf course on this piece of property. There are many other uses for the land i.e., jogging/hiking trails, Boy Scouts, Girl Scouts, walking, biking, riding, etc., do not turn it into a lawn area. If you ever need a reservoir you will not have the area for one. You cannot deny everyone else in town the beauty of this land if you turn it into a golf course. The golfers have options, they can golf other places (applause).

Kenneth Polanski, 36 Pomeroy Avenue was also opposed to the construction of a golf course. In 1984, being one of four co-founders of the Vietnam Veterans Memorial Committee, his responsibility was to serve the community as project director and designer of the memorial, itself, which symbolizes the war in Dutton Park. Faced with opposition then today that project represents one of the finest examples of public art in the State of CT. On the basis of preserving that original concept, he stood before the Council, of his own accord, to voice objection for the public record. On June 26, 1984 the Town Council, by vote of 7-1 approved plans for a Vietnam Memorial to be built at the north end of Dutton Park and a 140 acre public area to be named the Vietnam War Veterans Memorial Park. Set aside in East Wallingford for the purposes of establishing soccer fields, ball playing fields, hiking trails, cross-country skiing and horse trails. In addition, the remainder of that park was to be left in its natural state of environment for the enjoyment of all citizens and not just a selected few. He stated that he hereby voiced his opposition to the development of a municipal golf course or any other sports facility on any part of the 140 acres known to the citizens of Wallingford as the Vietnam War Veterans Memorial (applause).

Mr. Slie reiterated his argument in support of the golf course. He was disgusted with the fact that this town has a list of projects that are not getting down. He listed Community Pool, Yalesville School, etc., as projects that are not being addressed yet taxes are increasing every year. He felt that someone should put together a list and tackle the projects one at a time (applause).

The Council will wait for the results from the bidding process and a report out by the Water Division on said issue.

No action taken.

The Chair declared a fifteen minute recess.

ITEM #15 & 16 Report Out by the Community Pool Renovation Building Committee

Motion was made by Mr. Doherty, seconded by Mrs. Duryea to Hear Discussion and to Consider and Approve an Appropriation of Funds in the Amount of \$21,950 to Allow for the Survey Phase, Design and Bidding of Renovations to Community Pool by TPA Design Group with the Funds to Come From Contingency Reserve for Emergency #8050-800-3190. seconded by Mrs. Duryea.

Mayor Dickinson wanted to clarify that \$3,200 is for the Survey Phase and the Schematic Design Phase of the Design and Bidding Phase will cost \$18,750. While this work is being done we can look at the complete financing of the remaining work.

Steven Knight, William Choti and Salvatore Falconeri were on hand for the discussion. Jon Walworth, Chairperson of the Committee was busy interviewing architects for the School Expansion Committee.

Mr. Knight informed the Council that State legislation has enabled the committee to re-design the pool to accommodate the objections that some people had to the lack of a zero depth feature and the required separation of the wading and main pools. The committee would like to proceed with the design of the pool. The original purpose of meeting with the Council this evening was to request an appropriation for the survey, design and bidding phases of the project. He has noticed that the Mayor has scaled back the committee's original request and asked for an explanation of the action.

Mayor Dickinson responded that TPA Design was hired in 1990 or 1991 to perform some initial work which came to a standstill due to the issue over what design should be incorporated into the pool. Because of legislation we are now at a point that the design work can move forward again. TPA has submitted a letter indicating costs for the continuation of their services. The transfer before the Council is for \$21,950, \$3,200 which would cover the cost of the survey phase. The reason for the survey is because the buildings were never surveyed by TPA originally.

Mrs. Duryea referred to correspondence from the Community Pool Committee to the Chairperson of the Council (appendix IV) which states in paragraph two, line six that "The Mayor noted his support for this renovation program so long as the community was not, and I paraphrase, beset with an unanticipated revenue loss or expense." She then asked the Mayor, "Are you or are you not in support of this project? I am quite confused by this statement".

Mayor Dickinson responded that this letter speaks to a meeting of June 3, 1993. At that time the past fiscal year had not yet ended and for him, at that time, to tell the committee that there was absolutely no question, no way that this will not move ahead, is not possible. He could not know then what the situation would be now. We are now at a point where we actually need money and he was evidencing support. He would not, however, give unqualified support without knowing what the conditions will be at the time that a

project comes forward for money. He was very supportive of repairing the existing facility.

Mrs. Duryea visited the pool today and took photographs of it while empty and made them available to the Mayor and Council for review. She pointed out the desperate shape the pool was in.

Mayor Dickinson stated that there is no question that the surface is in bad condition that is why the process was started in 1990. There is no question that the facility needs repair.

Mrs. Duryea stated that there is a good size piece of property behind the pool area that can possibly be developed.

Mr. Zandri stated that if we are committed to seeing that we have a pool for the community then it will cost major dollars that will take either bonding or other creative financing to accomplish. He was supportive of restoring Community Pool but he would also like to see that whatever funding mechanism is used that the dollars taken from the Contingency account is refunded back to it.

Mr. Myers was under the impression that the IRS did not allow the reimbursement of the Contingency Account with funds that were bonded.

Mr. Zandri suggested that the other alternative is to go out to bonding immediately.

Mr. Myers agreed that the town can do that if it so chooses or it can authorize an appropriation for bonding.

Mayor Dickinson did not have any objections to reimbursing the account if it is at all possible. The ordinance process is a two month process. While this work is being done (survey and schematic design phase) we can develop a finance plan and if reimbursement can be part of that then it will be.

Mr. Parisi asked if there was any effort to make any minor repairs to the pool?

Mr. Knight responded that the committee visited the pool in an advisory capacity. The committee was not asked to approve any repairs this year.

Mr. Parisi stated that some of the problems can be corrected merely by covering the drains with covers. He was under the impression that the Recreation Department did not make any effort to repair any of the minor problems with the pool.

Mr. Falconeri stated that repairs were performed to the pool prior to it opening this year.

Mr. Parisi felt that it was a very large sum of money to spend for such little use of the pool.

Mr. Solinsky asked if the figure still stands at approximately \$1.5 million to completely renovate the pool?

Mr. Knight responded, it may come in less than that.

Mr. Solinsky was uneasy about locking ourselves into a situation where such a large sum of money can be spent to repair the pool when the use of it to the public is minimal.

Mayor Dickinson reminded everyone that upon completion of design there should be schematics that can be shared in order for people to view the proposed finished project. He was not sure that he could support having a new pool where we did not have one. But we are talking about repair to an existing facility. That is a different question. Do we allow an existing facility to reach a point when it can no longer serve the public? At this point he is not willing to say that we should not repair an existing facility.

Mr. Parisi asked if he understood correctly the fact that upon expending this \$22,000 the Council will then know approximately how much the pool will cost to repair? Is it going to be a fairly realistic figure that we will be comfortable with as far as an anticipated cost?

Mr. Choti responded that it is entirely up to the Council, they will have to vote for that appropriation.

Mr. Parisi asked again, for the approximate \$22,000, will TPA Design Group be able to tell us what it is going to cost?

Mr. Choti responded, we are anticipating that, yes.

Mr. Parisi: No anticipating, you will know?

Mr. Choti: Yes.

Mr. Parisi: We will know if it is \$2.5 million or \$1.5 million?

Mr. Choti: Yes.

Mayor Dickinson: You will know subject to bidding. This will be an estimate provided by TPA Design Group. There will not be contract documents or specifications drawn up to go out to bid. You will never know the actual cost of it until it went out to bid. They will give an estimate of what they think it would cost.

Mr. Parisi: That is the problem that we (the Council) have right now. We are going to sit here and decide to go on to phase II and that is based on \$120,000 and then if we say no, brother, hold onto your seat! Now you have spent \$120,000 to find out exactly how much it is going to cost which may be too much.

Mr. Falconeri stated, upon spending \$21,950 the report from the design engineer will give you an approximate cost of what the pool will cost within 5% to 10%. You never know what the bid will come in at but

you will have a ball park figure. At that time you can decide whether to let the project go ahead or not. You will not know anything until you expend this money.

Mr. Parisi commented about the irony of government. We had a group of people before us who wanted a golf course and we cannot give it to them. There is no one here tonight (in the audience in support of this project) and we want to go forward with a pool. That is the irony of government.

Mrs. Duryea pointed out that we have an existing pool. We do not have a golf course. We may like all of these things but we do have a problem that we have to deal with right now. It is one of two choices, either fix it or close it.

Mr. Parisi responded that it was alright with him to close it.

Mr. McDermott referred to Mr. Parisi's remarks regarding the irony of government. He stated that he has seen a lot of irony in the two years he has been on the Council. Part of the irony is that government is not doing anything. We have talked about a lot of things, Community Lake has been on the books for discussion for ten years now. The golf course has been discussed many times, Community Pool for three, four possibly five years now and many of the people have come out for Community Pool issues. He felt that the public is getting tired of coming out to Council meetings as he assumes the Golf Committee is getting tired of coming out banging their heads against the wall with a Town that refuses to move forward. We have to get off dead center. We all realize that this is a problem that needs to be addressed, we have talked about it for years. Community Lake, Community Pool, a Municipal Golf Course, Recreation Center, Ice Rink, etc., are just some of the things that we need to address. It is time to get off dead center and move forward. We need to obtain price quotes and make government work. He looks forward to the bids coming in and hopes that we can move forward on this issue.

Mr. Parisi commented to Mr. McDermott that he (Mr. McDermott) is part of Town government too. If it doesn't happen Mr. McDermott shares as much of a part of it as everyone else.

Mr. McDermott retorted that that is precisely why he is speaking forcefully in support of moving forward and not speak with a timid tongue and hold back the progress. He vowed to push to move forward as his part of serving government.

Mr. Parisi responded, you cannot push forward on everything.

Mr. McDermott answered, I am making my statement as being part of this government.

Mr. Parisi responded, you are not running again so you don't have to worry.

Mr. Doherty withdrew his original motion and Mr. Parisi withdrew his second to substitute the following motion in its place:

you will have a ball park figure. At that time you can decide whether to let the project go ahead or not. You will not know anything until you expend this money.

Mr. Parisi commented about the irony of government. We had a group of people before us who wanted a golf course and we cannot give it to them. There is no one here tonight (in the audience in support of this project) and we want to go forward with a pool. That is the irony of government.

Mrs. Duryea pointed out that we have an existing pool. We do not have a golf course. We may like all of these things but we do have a problem that we have to deal with right now. It is one of two choices, either fix it or close it.

Mr. Parisi responded that it was alright with him to close it.

Mr. McDermott referred to Mr. Parisi's remarks regarding the irony of government. He stated that he has seen a lot of irony in the two years he has been on the Council. Part of the irony is that government is not doing anything. We have talked about a lot of things, Community Lake has been on the books for discussion for ten years now. The golf course has been discussed many times, Community Pool for three, four possibly five years now and many of the people have come out for Community Pool issues. He felt that the public is getting tired of coming out to Council meetings as he assumes the Golf Committee is getting tired of coming out banging their heads against the wall with a Town that refuses to move forward. We have to get off dead center. We all realize that this is a problem that needs to be addressed, we have talked about it for years. Community Lake, Community Pool, a Municipal Golf Course, Recreation Center, Ice Rink, etc., are just some of the things that we need to address. It is time to get off dead center and move forward. We need to obtain price quotes and make government work. He looks forward to the bids coming in and hopes that we can move forward on this issue.

Mr. Parisi commented to Mr. McDermott that he (Mr. McDermott) is part of Town government too. If it doesn't happen Mr. McDermott shares as much of a part of it as everyone else.

Mr. McDermott retorted that that is precisely why he is speaking forcefully in support of moving forward and not speak with a timid tongue and hold back the progress. He vowed to push to move forward as his part of serving government.

Mr. Parisi responded, you cannot push forward on everything.

Mr. McDermott answered, I am making my statement as being part of this government.

Mr. Parisi responded, you are not running again so you don't have to worry.

Mr. Doherty withdrew his original motion and Mr. Parisi withdrew his second to substitute the following motion in its place:

September 14, 1993

Transfer \$21,950 from Contingency Reserve for Emergency Acct. #8050-800-3190 to Community Pool Professional Services Design Phase Acct. #4010-900-9000. The transfer is for the continued services of TPA Design Group pursuant to the existing contract and the amended fee schedule to complete a survey phase and preliminary design phase for repair of Community Pool, seconded by Mrs. Duryea.

Mr. Zandri addressed Mr. Parisi's previous statement regarding that the Council is part of Town government. He agreed with Mr. Parisi that the Council is but the Council is also limited to what business they can conduct. The Council can only make recommendations they cannot initiate action. That is where it is very difficult to move forward when you don't have the ability to do so as a body. Even though the Council is part of government they are very limited in what they can do. The Council can vote today to go ahead and repair the pool and it would not go anywhere until dollars are available to do that and the Council cannot come up with dollars as a body.

Mr. Parisi responded: We found a way to do it across the street, though (88 S. Main St.). You were able to come up with the money for that!

Mr. Zandri: We did not come up with the money for that! The money only comes from the Mayor's Office in this Town. Just remember that.

Mr. Parisi: Yeah, Yeah, check the minutes.

Mr. Knight wanted to make sure that the Council reviewed the Committee's proposed alterations to Community Pool and asked if there were any comments on the proposal? The committee tried to provide a list to serve all the purposes of Community Pool while still maintaining the essential character of the facility.

Mr. Doherty questioned the liability of having a flume.

Mr. Knight explained that a flume is considered much safer than a slide due to the fact that the flume has higher sides and is designed so that the patron will enter the water at below water level. A slide has shorter sides and projects the patron at a level much higher than the water increasing liability and the risk of injury.

Mr. Doherty asked that research be conducted regarding injuries related to flumes.

Mr. Knight was sure that it will be researched whether by the committee or TPA Design Group.

Ron St. Clair, 69 Gopian's Park felt it was not a good investment to spend \$1.5 million on a project that approximately 5,000 residents utilized at its best season. There are schools that are in need of roofs, drug problems, etc., it does not seem as though Town government should be wasting time and money on this issue.

Mr. Solinsky asked the committee if they have checked with Traffic

Maintenance at the Police Department regarding the committee's suggestion of additional parking on Beaumont Road? He felt it would be a hazard to have people crossing the road to the pool.

Mr. Knight responded that it was merely a proposal that will be thoroughly researched. The committee did not feel there would be enough parking for the new facility. It would have to be re-figured (parking).

Dave Cantor, 4 Meadows Edge Drive asked if the essence of the design that is being looked into to restore the pool to its original condition or is it to change it into something else?

Mr. Knight responded, basically, to restore it to the original condition of the pool.

Mr. Cantor was in favor of the project because there are very few places to swim that are not polluted, Lake Compounce does not open regularly any longer and there are very few places to go for clean, fresh water swimming. The longer this project is delayed the more it will cost. If restored to original condition, the usage will increase.

Edward Musso, 56 Dibble Edge Road felt that the committee should speak with pool retailers such as Namco for assistance and stop spending so much money on experts.

Edward Bradley, 2 Hampton Trail stated that he is surprised that he is hearing some real positive comments this evening. The Mayor has made a statement that we have to make a decision, he stated that he almost fell off his chair upon hearing that. We have to repair it. He agreed with Mr. McDermott is saying, we have to move off center. It has nothing to do who is or who is not running for re-election. The list keeps growing and growing and growing...Community Pool, Community Lake, Simpson School, Recreation Center, Golf Course...we keep talking about them, studying them and we go nowhere with them. He realized it is taxpayer's money but he asked everyone to keep in mind how much the taxpayer gets back on their dollars. Recreation is a key issue. He asked that you look closely at the recreational needs of the Town and give it due consideration along with the other issues. The Council knows what has to be done. It has to be prioritized which is a duty of the Mayor. The dollars come from the Mayor. People keep beating up on the Council as far as these projects. The Council initiates them but unless the Mayor supports the issues, they go nowhere! That is why we have a long list of projects. He pointed out that the Mayor had to sign for the money to be spent on 88 S. Main Street. He asked what we are doing with the Wooding Property that the Mayor authorized spending \$1.5 million on? The Electric Division Study proved that over \$2 million could be turned back to the Town for capital projects. Yes, we are getting money back in rebates but the \$7 per month should be taken and put towards the projects. The Council and Mayor have to sell these projects to the public. Give something back to the people in recreation.



- 19 - September 14, 1993

Mayor Dickinson responded that it is very necessary to be cautious in what we undertake. With regard to the pool project, however, this would be under construction if the earlier design, proposed by the committee, had been approved. It was not approved. As a result legislation was necessary. Legislation was passed in the last General Assembly and the committee is now coming forward with another design pursuant to that legislation which exempts Wallingford from the State Health Department health regulations. Yes, this dates back to 1990 because the earlier design was not approved (by the State Department of Health). We are not in an economy where we should go rushing into projects and spending money to say that we are providing the community something. It is necessary to show the public that we are very well aware of the cost to them and we are trying to show the prudence and reasonableness necessary to exercise good judgement.

Charles Johnson, 10 Holly Lane, Chairman of the Parks and Recreation Commission and Member of the Community Pool Committee. Due to a previous commitment Mr. Johnson apologized for his late arrival. He clarified that the new design will allow the installation of a new filtration system to meet new filtering requirements. Our present filter completes one water change every twenty-four hours. The new system will complete one water change every six hours although the State requirement is every eight hours. To accomplish this the entire distribution system needs changing. The bottom of the pool will need to be excavated for this to occur. The committee, itself, questioned whether or not it should propose spending \$1 million for this project for the amount of people who use the pool currently? The committee added attractions such as a flume, volley ball courts, picnic area, upgraded bath houses, to hopefully make it appealing enough to attract more people to make the expense worthwhile.

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

ITEM #17 SET A PUBLIC HEARING for September 30, 1993 at 7:00 P.M. on a Proposed Ordinance Entitled, " An Ordinance Concerning Rapid Entry Into Multi-Dwellings, Commercial and/or Manufacturing Buildings within the Town of Wallingford"

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

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #18 SET A PUBLIC HEARING for September 30, 1993 at 7:15 P.M. on an Ordinance Regulating Vehicle Towing Service on Behalf of or for the Town of Wallingford Police Department (together with Towing Regulations)

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

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #19 SET A PUBLIC HEARING for September 30, 1993 at 8:15 P.M. on a Proposed Ordinance Establishing Traffic and Parking Regulations, Violations, Penalties, Enforcement, Collection and Hearing Procedures

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

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #20 SET A PUBLIC HEARING for September 30, 1993 at 8:30 P.M. on an Ordinance Repealing Ordinance #352 Entitled, "An Emergency Snow Removal Parking Ordinance"

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

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

ITEM #21 SET A PUBLIC HEARING for September 28, 1993 at 7:45 P.M. on an Ordinance Appropriating \$150,000 for the Design and Contract Administration Phase of Town-Wide School System Improvements and Authorizing the Issue of \$150,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose

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

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

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

VOTE: Holmes and Killen were absent; all others, aye; motion duly carried.

There being no further business, the meeting adjourned at 10:22 P.M.

Meeting recorded and transcribed by:

Kathryn F. Milano, Town Council Secretary

Approved by: Iris F. Papale 9/28/93  
Iris F. Papale, Chairperson Date

Kathryn J. Wall 9/28/93  
Kathryn J. Wall, Town Clerk Date

LEASE AGREEMENT

THIS AGREEMENT made this \_\_\_\_\_ day of September, 1993, by and between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter called "Town," and THE VISITING NURSE ASSOCIATION OF WALLINGFORD, INC., a Connecticut corporation with its principal office located in the Town of Wallingford, County of New Haven and State of Connecticut, hereinafter called "VNA;"

W I T N E S S E T H :

1. For and in consideration of the mutual agreements contained herein and subject to the terms and conditions hereinafter stated, Town hereby leases to VNA and VNA hereby leases from Town the entire first floor of the original building known as Simpson School located on Center Street, Wallingford, Connecticut. The duration of this Agreement is for the term of ONE (1) YEAR, commencing September 1, 1993, at the annual rate of ONE AND 00/100 (\$1.00) DOLLAR.

2. VNA shall have the right to occupy and use said premises for offices and for other usual and necessary uses of the VNA.

3. In addition to the rent hereinabove stated, VNA agrees to hold the Town harmless and to indemnify it from all loss, damage, liability, or expense incurred, suffered or claimed by any person

by reason of VNA's negligence or use of the leased premises or use of the building of which the leased premises are a part or of anything therein. The VNA agrees to provide verification by certificate of insurance on the following coverages:

- (a) General liability with a combined single limit of \$1 million; and
- (b) Workers compensation insurance.

The VNA will list the Town of Wallingford as an additional insured on the general liability policy.

4. As additional rent, VNA agrees to pay all utilities as they apply to the area leased by VNA, and in the event bills are rendered covering the premises in this lease and other premises, such bills will be prorated on the basis of square feet occupied by each tenant.

5. Town covenants and agrees that it has good right to lease said premises, and that so long as the VNA complies with the terms of this Lease, Town shall not interfere with the use and enjoyment of said premises by the VNA.

6. Town shall be responsible for the repair and maintenance of the structural portion of the building and the grounds, such as the roof, furnace and other equipment affecting the total building.

7. Town agrees that it will provide insurance or self-insurance for all parts of the premises not covered by this Lease.

8. VNA shall have the right to alter the first floor to suit the necessary needs of the VNA, all of said renovations to be at the expense of the VNA.

9. VNA shall be responsible for all repairs not the responsibility of the Town as hereinabove stated and agrees to properly maintain and clean the first floor.

10. This Lease may be terminated by either party hereto upon 180 days notice to the other, which notice shall be in writing.

11. In the event the building of which the leased premises are a part is sold, the Town agrees to use its best efforts to offer similar quarters to the VNA.

12. The Town hereby grants the VNA the right of first refusal should the Town desire to sell the property during the term of this Lease.

13. This Agreement contains all the conditions agreed upon between the parties and any alteration must be in writing, signed by both parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their

hands and seals to this and a duplicate of like tenor the day and year first above written.

Signed, Sealed and Delivered  
in the presence of:

TOWN OF WALLINGFORD

BY: \_\_\_\_\_

William W. Dickinson, Jr.  
Its Mayor  
Duly Authorized

THE VISITING NURSE ASSOCIATION  
OF WALLINGFORD, INC.

BY: \_\_\_\_\_

Appendix II

TOWN ATTORNEY  
JANIS M. SMALL  
ASSISTANT TOWN ATTORNEY  
GERALD E. FARRELL  
CORPORATION COUNSEL  
ADAM MANTZARIS  
DEPARTMENT OF LAW  
WALLINGFORD TOWN HALL  
45 SOUTH MAIN STREET  
WALLINGFORD, CT 06492  
TELEPHONE (203) 294-2140  
FAX (203) 294-2073



*Town of Wallingford, Connecticut*

September 8, 1993

William W. Dickinson, Jr., Mayor  
Town of Wallingford  
45 South Main Street  
Wallingford, Connecticut 06492

Dear Mayor Dickinson:

Appended is a copy of an indemnification agreement to protect the interests of the Town during the period the four named individuals are occupying Town premises for the purpose of storing and restoring a Conestoga wagon. The wagon is owned by the State and the termination date of the agreement, upon advice, is the date the State's permission to Randall Stack dba Conestoga Wagon Association to possess and restore the wagon expires.

I did not provide a requirement that the individuals provide proof of insurance to secure their agreement to hold the Town harmless because the wagon should be insured by the State as its property and any likely damage or injury would most probably be to the wagon itself or the individuals themselves caused by their own inattention or negligence.

The wagon should, of course, be kept separate from other Town owned vehicles or equipment and the wagon's immediate area should be off limits to Town personnel.

Very truly yours,

  
Adam Mantzaris  
Corporation Counsel

AM:da

Enclosure

INDEMNIFICATION AGREEMENT

INDEMNIFICATION AGREEMENT made this \_\_\_\_\_ day of September, 1993, between the TOWN OF WALLINGFORD, a municipal corporation organized and existing under the laws of the State of Connecticut, hereinafter "Town," and RANDALL STACK, LAWRENCE BALDELLI, JOHN TARDIFF and CHRISTOPHER STACK, doing business as CONNECTICUT CONESTOGA WAGON ASSOCIATION, an unincorporated non-profit association with an office in Wallingford, Connecticut, hereinafter "Lessees."

WHEREAS, the Lessees wish to obtain the use and possession of a facility of the Town for the purpose of storage and restoration work for a conestoga wagon, to be later displayed at various events sponsored by the Town and others.

WHEREAS, the Town is willing to permit the use and possession of such a facility, more particularly a separate bay in the building known as the Pole Barn at the premises of the Electric Division at 100 John Street, Wallingford.

NOW, THEREFORE, in consideration of permission to use and possess a separate bay in the Pole Barn at the premises of the Electric Division of the Town of Wallingford at 100 John Street, the Lessees covenant and agree that the storage of said conestoga wagon shall be strictly at their own risk and the Town shall in no way or manner be responsible or liable for any damage to said conestoga wagon and further the Lessees covenant and agree that



should any person become injured or any property become damaged, including the Lessees and property of the Lessees, while said facility is occupied for the aforementioned purpose by the Lessees, which injury or damage was occasioned by such occupancy or by the negligence of any one of the said Lessees, said Lessees will indemnify and hold the Town harmless against any and all liability, loss, damage, cost or expense, including attorney's fees, which the Town may incur, suffer or be required to pay by reason of such injury or damage.

The term of this Agreement shall be from the date hereof to September 30, 1994 unless sooner surrendered by the Lessees or terminated as herein provided. Either party may terminate this Agreement at any time upon written notice to the other party thirty (30) days prior to the effective date of termination.

TOWN OF WALLINGFORD

LESSEES

BY: \_\_\_\_\_  
William W. Dickinson, Jr.  
Its Mayor  
duly authorized

\_\_\_\_\_  
Randall Stack

\_\_\_\_\_  
Lawrence Baldelli

\_\_\_\_\_  
John Tardiff

\_\_\_\_\_  
Christopher Stack

**REPORT TO TOWN COUNCIL ON SPOT WASTE FOR 9/14/93 MEETING**

Prepared by Phil Hamel

The waste-to-energy plant is most efficient when operating at capacity. The design throughput rate at the plant is about 153,000 tons per year, but because of the need for maintenance, the plant cannot achieve that level. Depending on availability in a given year, the plant can process between 135,000 and 143,000 tons. The tip fee is set assuming that the plant will operate at capacity.

There is a lower incremental cost for each ton processed after the first 125,000 tons in a year. The operating contract guarantee of 125,000 tons delivered must cover all basic costs. No additional manpower or equipment is needed to process the tonnage between the guarantee level and the capacity level, only operating supplies.

Project towns delivered about 175,000 tons in FY90, 150,000 in FY91, 127,000 in FY92 and 129,000 in FY93. The 27% reduction in deliveries between FY90 and FY92 is attributed to increased recycling and a declining economy. These waste volumes include certain items such as couches and mattresses which are delivered to the landfill because they cannot be burned. In FY92 and FY93, there was not enough project waste to keep the plant operating at capacity.

Waste is not delivered in a constant flow. Volumes vary dramatically in different seasons. The largest volumes are delivered in the spring, next highest in the fall and summer and the lowest amounts in the winter. The ability to keep the plant operating at capacity during December, January and February is often limited by reduced generation of solid waste during the winter months.

In order to operate at capacity, spot waste (waste delivered as needed from towns outside of the project area) is sought to make up for the shortfall of waste delivered by project towns.

Because nearly all waste-to-energy plants need spot waste during the winter, there is a great deal of competition for the waste and prices are lowered to attract such waste. A plant designed to handle spring surges of waste will automatically be below capacity in the winter.

There was no spot waste brought in to the Wallingford plant during FY90 when the Towns delivered plenty of waste. In FY91, about 1,000 tons were brought in during winter months. In FY92, about 14,000 tons of spot waste were utilized and in FY93 about 15,000 tons.

Nearly two-thirds of the spot waste received during the last fiscal year was accepted at or above the project rate of \$71.00 per ton. 1,125 tons were brought in at \$75.00 per ton, 8,436 tons at \$71.00, 637 tons at \$60.00, 1,170 tons at \$55.00 and 3,650 tons at \$50.00.

The subject of acceptance of spot waste has been discussed often at Policy Board meetings. CRRA has been authorized by the Policy Board to accept spot waste during the current fiscal year as needed and at the highest possible rates. If, in this fiscal year, project towns were to deliver as much waste as they did last year and the project did not accept spot waste, the tip fee to the project towns would have to be increased by \$4.00 to \$5.00 per ton.

All tonnage and price data used in this report was provided by CRRA.

WALLINGFORD COMMUNITY POOL RENOVATION BUILDING COMMITTEE  
c/o Park and Recreation Department  
Center Street, Wallingford CT 06492

September 7, 1993

Iris Papale, Chairwoman  
Wallingford Town Council  
Town Hall  
45 South Main Street  
Wallingford, CT 06492

Dear Chairwoman Papale:

The Pool Committee wishes to present items for the Council's consideration at your September 14th meeting. In advance of this, allow us to make the Council aware of the efforts of the Committee since our joint May 26th pool workshop which necessarily awaited the conclusion of the budget hearings.

At the conclusion of the workshop, we were directed to meet with Mayor Dickinson and reaffirm his support for the proposed improvements in order that avenues were cleared for funding the design of the project as the next logical step. On Thursday, June 3, 1993, the Committee, together with I. Stanley Shepardson, met with Mayor Dickinson. The Mayor noted his support for this renovation program so long as the community was not, and I paraphrase, beset with an unanticipated revenue loss or expense. The Mayor suggested the Committee establish a written program describing the proposed scope of improvements in order that the Town Attorney review same to assure conformance with the approved Legislation. The Committee met on June 14th for this purpose and our recommendation was typed and forwarded to the Mayor several days later.

I met with Attorney Janis Small on July 13 to discuss the details of our proposal, where it was suggested that a meeting between the Committee and the State Health Department would be appropriate both to avoid misinterpretation of the legislation and promote coordination between the Committee and the Department.

That meeting was held on August 11th with Paul Schur and William Sawicki. Adam Mantzaris, Steve Knight and I attended as well. The Department of Health has interpreted the legislation as requiring only that the Town conform to the DHS filtration rate if 20 gallons per square foot of filter cross-sectional area maximum.

Following that meeting, we requested a revised design fee from our consultant for Council consideration. This proposal has been reviewed by the Committee on August 31st. It has also been determined by the Town legal department that the previous bid waiver and selection of the architectural firm TPA Design Group is still applicable.

As we discussed on August 4th, the Committee is now prepared to meet before the Council in mid-September to discuss the possible implications of the Legislation and to seek approval to proceed. As such, the two items we wish to present to the Council are as follows:

1. Consider and approve the Pool Renovation Building Committee's recommended project scope items.
2. Consider and approve the appropriation of \$80,200.00 for the purpose of having TPA Design Group continue design through the bidding phase.

A list of the project scope items is attached to this letter. The proposal from TPA Design Group will be forwarded under separate cover.

I am meeting with the School Building Committee on September 14th until 8:30 or so and request that we be placed on the agenda for later in the evening. Thank you for your consideration.

Very truly yours,



Jon T. Walworth  
Chairman

JTW/sk

Enclosure: Pool Committee Project Scope Items

WALLINGFORD COMMUNITY POOL  
RENOVATION BUILDING COMMITTEE

SCOPE OF PROJECT SCOPE ITEMS

September 7, 1993

TO: WALLINGFORD TOWN COUNCIL  
FROM: WALLINGFORD COMMUNITY POOL RENOVATION BUILDING COMMITTEE

We are proposing the following alterations to Community Pool:

1. Replace all filtering systems including piping, pump motors, etc. to meet or exceed Department of Health filtration requirements. Replacement of the entire recirculation system, with the addition of approximately three hundred inlets and outlets, will necessitate replacement of the entire pool bottom and deck with an acceptable concrete-type material.
2. Install gutters and skimmers. This will necessitate reengineering, modification and extension of all the existing walls, especially on the north side to avoid stream encroachment.
3. Install a water flume and grade the pool area into which it empties to 3 1/2 to 4-foot depth.
4. Demolish the existing filter building. Construct a new and larger one to house the new filters. The existing west wall, which will be next to the new filtration building, will need to be reengineered.
5. Install as feasible a new sign and repair or replace the chain link fence.
6. Add ten or more parking spaces on Beaumont Road as a separate project. Town to provide appropriate traffic signage, or flashing signal to ensure pedestrian safety.
7. Reduce the depth of the pool at the northwest corner area to eliminate the groundwater pressures and destruction of pool. This can be done without reducing the pool perimeter. The current ban on diving would remain in place.
8. Acquire and install wood shade units and tables.
9. Add gutters to all zero depth areas. This will most likely require a small step in those areas.
10. Install a parent peninsula on south side between adult and child pool areas to facilitate parent/child interaction, promote better water distribution and provide a base for a lifeguard stand.

11. Acquire and install a floating bulkhead for lap area.
12. Increase water turnover approximately 400% to once every six hours.
13. Perform major renovations to bathhouse in order to make it comfortable and attractive.
14. Add play equipment to grassy area to the east of the bathhouse; equipment such as shuffleboard, volleyball and bocci courts.
15. Commission design and submit same to Connecticut Department of Health Services for approval.
16. Add staff parking to the southeast of the bathhouse.

Finally, it is important to recognize that the paramount committee's paramount goal has been for the Town of Wallingford to obtain optimum value for the money to be expended. Only through a comprehensive renovation of this facility such as is suggested above will the resultant predicted payback of 100% of operating costs be achieved.

CORRECTION TO MINUTES OF TOWN COUNCIL MEETING

OF SEPTEMBER 28, 1993

Page #19, Last line - Atty. Dickinson responded, the deeds are....

Corrected to Read - Atty. Mantzaris responded, the deeds are...

This correction was voted upon and approved by the Town Council at its meeting of October 26, 1993 - Item #7

*Kathryn F. Milano*  
Kathryn F. Milano  
Town Council Secretary  
October 27, 1993