

TOWN COUNCIL MEETING

JANUARY 25, 1994

6:30 P.M.

SUMMARY

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24. Remove from the Table and Re-Table the Explanation of the Comprehensive Annual Financial Report (Audit) of the Town of Wallingford for Fiscal Year Ending June 30, 1993

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25. Withdrawn

Rule V

Approve a Transfer of \$4,000 to Meal Allowance - Dept. of Public Works

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TOWN COUNCIL MEETING

JANUARY 25, 1994

6:30 P.M.

AGENDA

1. Roll Call & Pledge of Allegiance
2. Consent Agenda
 - a. Consider and Approve Tax Refunds (#190-193) in the Amount of \$1,386.93 - Tax Collector
 - b. Consider and Approve a Waiver of Bid To Retain Existing Secretarial Services for the Planning Department
 - c. Confirm Mayoral Re-Appointments to the Public Celebrations Committee for a Two (2) Year Term to Expire 2/1/96
 - d. Confirm the Appointment of Joseph Chordas to the Position of Alternate on the Planning & Zoning Commission for a Term of Three (3) Years to Expire on 1/8/97
 - e. Confirm the Re-Appointment of Robert Allard; Michael DeNino, Sr.; Anthony Giresi and Alvin Gasser to the Position of Constables for a Term of Two (2) Years to Expire on 1/8/96
 - f. Consider and Approve Re-Naming the Committee to Review the Establishment of a Recreation Center/Ice Rink
3. Items Removed From the Consent Agenda
4. Approve and Accept the Minutes of the 1/11/94 Town Council Meeting
5. Remove From the Table to Consider and Approve One Re-Appointment to the Position of Commissioner on the Zoning Board of Appeals for a Term of Five (5) Years; One Re-Appointment to the Position of Alternate on the Zoning Board of Appeals for a Term of Three (3) Years; One Re-Appointment to the Position of Commissioner on the Planning & Zoning Commission for a Term of Five (5) Years
6. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Contingency Reserve for Emergency Acct. #001-8050-800-3190 of which \$500 is Transferred to Pool Renovations Committee Part-Time Secretarial Acct. #001-1120-100-1350 and \$500 to Miscellaneous Expenses Acct. #001-1120-600-6010 - Community Pool Committee
7. Consider and Approve a Transfer of Funds Totalling \$700 from Various Maintenance of Vehicle Accounts Within the Dept. of Fire Services Budget to Maintenance of Vehicles Account #001-2038-500-5000 - Dept. of Fire Services

(OVER)

8. Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Yalesville School Utilities Acct. #001-5230-200-2010 to Center Street Cemetery Acct. #001-5031-999-9913
9. Consider and Approve a Transfer of Funds in the Amount of \$372 from Copier Rental and Supplies Acct. #001-1460-600-6120 to Maintenance of Equipment Acct. #001-1460-500-5200 - Purchasing Dept.
- 10a. Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Holiday Pay Acct. #001-2001-100-1700 to Workers Compensation Replacement Acct. #001-2001-100-1630 - Dept. of Police Services
- 10b. Consider and Approve a Transfer of Funds in the Amount of \$17,000 from Patrol Wages Acct. #001-2002-100-1310 and \$3,000 from No Sick Incentive Acct. #001-2001-100-1620 for a Total of \$20,000 to Sick Replacement Acct. #001-2002-100-1600 - Dept. of Police Services
11. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
12. Consider and Approve a Modification to the Agreements with DeCarlo & Doll for the Small Cities Community Development Block Grant for \$2,800 and \$5,000, respectively - Program Planner
13. Consider and Approve a Waiver of Bid to Enter Into a Contract with Copen and Lind for Video Engineering Work Associated with WPL-TV - Program Planner
14. Report Out by the Town Attorney on the Status of the Lease Agreement and Use of Land at Community Lake Upon Rejection by the Boys and Girls Club of the Site for Construction of a New Facility as Requested by Councilor Albert E. Killen
15. Report Out on the Status of the Committee to Study the Feasibility of a Municipally-Owned Cable Television Company
16. Consider and Approve Disbanding the Committee for the Proposed Relocation and Reorganization of WPL-TV
17. Consider and Approve Re-Naming the Flood & Erosion Control Board
18. Remove from the Table and Note for the Record the Financial Report of the Visiting Nurse Association of Wallingford, Inc.
19. Discussion and Possible Action on Forming a Committee to Oversee a Program of Scheduled Maintenance for Town-Owned Buildings/Property as Requested by Councilor G. Tom Zappala

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20. Discussion and Possible Action with Regards to the Possible Purchase of Property for Parking Associated with Community Pool as Requested by Councilor Geno J. Zandri, Jr.
21. Remove From the Table to Discuss and Possibly Act Upon Choosing Design Option A or B for Community Pool as Presented to the Town Council at a Public Hearing on January 11, 1994
22. Report Out by the Town Attorney on Mr. Killen's Request at the November 23, 1993 Town Council Meeting to Further Research Her Opinion Regarding the Right of the Electric Division to Propose a Deficit Budget as Requested by Councilor Albert E. Killen
23. Consider and Approve an Appropriation of Funds in the Amount of \$412,500 from Retained Earnings Acct. of the Electric Division to the Following Accounts:

\$ 50,000	to	Structures	Acct. #311
34,000	to	Turbo Generators	Acct. #314
35,000	to	Poles, Towers, Fixtures	Acct. #364
100,000	to	Overhead Conductors	Acct. #365
91,500	to	Line Transformers	Acct. #368
102,000	to	Transportation Equip.	Acct. #392

24. Remove From the Table the Explanation of the Comprehensive Annual Financial Report (Audit) of the Town of Wallingford for Fiscal Year Ending June 30, 1993 as Requested by Councilor Geno J. Zandri, Jr.
25. Consider and Approve Accepting the Comprehensive Annual Financial Report (Audit) of the Town of Wallingford for Fiscal Year Ending June 30, 1993

TOWN COUNCIL MEETING

JANUARY 25, 1994

6:30 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, January 25, 1994 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Town Council Chairman Thomas D. Solinsky at 6:37 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall. Mayor William W. Dickinson, Jr. arrived at 6:51 P.M.; Town Attorney Janis M. Small arrived at 6:43 P.M. and Comptroller Thomas A. Myers arrived at 6:39 P.M.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consent Agenda

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

ITEM #2a Consider and Approve Tax Refunds (#190-192) in the Amount of \$1,386.93 - Tax Collector

ITEM #2c Confirm the Re-Appointments to the Public Celebrations Committee for a Two (2) Year Term to Expire 2/1/96

ITEM #2d Confirm the Appointment of Joseph Chordas to the Position of Alternate on the Planning & Zoning Commission for a Term of Three (3) Years to Expire 1/8/97

ITEM #2e Confirm the Re-Appointment of Robert Allard; Michael DeNino, Sr.; Anthony Giresi and Alvin Gasser to the Position of Constables for a Term of Two (2) Years to Expire on 1/8/96

VOTE: All ayes; motion duly carried.

Town Clerk, Kathryn J. Wall performed the Swearing-In Ceremony for Michael DeNino, Constable.

ITEM #3 Items Removed from the Consent Agenda

ITEM #2b Consider and Approve a Waiver of Bid to Retain Existing Secretarial Services for the Planning Department

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

Linda Bush, Town Planner explained that the Planning Department has hired their own recording secretary for the ten years, paying her as a private vendor. It was brought to Linda's attention last week that the wages paid for secretarial services is in excess of \$2,000. The Town Charter requires that any service contracted for in excess of \$2,000 must be placed out to bid. Ms. Bush explained that the secretary has been paid in this fashion over the past ten years and the commission would prefer to retain the services of this individual since she has experience with the subject matter at hand.

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Mr. Killen felt that the Charter is specific in its requirements and that exceptions should not be made. If the Town Planner's Office is being asked to tow the mark than everyone must do so. He wanted assurance that everyone will be treated equally.

VOTE: All ayes; motion duly carried.

ITEM #2f Consider and Approve Re-Naming the Committee to Review the Establishment of a Recreation Center/Ice Rink

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

This committee will appear before the Council in the near future to review their charge and budget.

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

Motion was made by Mrs. Duryea to Move Agenda Item #18 Up to the Next Order of Business, seconded by Mr. Killen.

ITEM #18 Remove from the Table and Note for the Record the Financial Report of the Visiting Nurse Association of Wallingford, Inc.

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

VOTE: All ayes; motion duly carried.

Mr. Killen referred to page #8 of the report and asked, how can the assets of the association have a limited use if the last sentence in this category reads, "The Board retains control over these assets, and may at its discretion, subsequently use the cash for other purposes."?

Ellen Philips, Executive Director of VNA explained, at the April 8, 1991 Board of Directors Meeting the Board voted to pass a resolution to limit the funds primarily for a building fund or for renovating/expanding the building that they currently occupy. At that time there was no assurance as to the future of the Simpson School site or where the VNA would be, for that matter. The funds would be limited so that they could be earmarked specifically for the purpose of building/renovating a site.

Charlotte Collins, President of the Board of Directors of the VNA stated that the resolution was drafted on the advice of their auditors. The Board actually wanted to set aside the \$350,000 for a building fund. The auditor would not allow the Board to do so. They partially dedicated those funds, however, due to the cyclical nature of the VNA and the Medicare payments, they could not make all those funds unavailable, if needed.

Mr. Knight asked if the VNA has ever thought of purchasing Simpson School?

Ms. Collins notified the Mayor previously that the VNA would like the right to first refusal on the property.

Mr. Knight asked, what kind of investments has the VNA made with its money?

Ms. Collins reported that a great many of the investments were in certificate of deposits. They have invested in some REMIC (real estate mortgage investment conduits). They do not invest in anything that involves a risk that will not pay dollar for dollar.

Ms. Philips invited all the Councilors, especially the newly elected ones, to come down and view the site and operation of the VNA.

Mr. Killen made a motion to Table This Item Until Additional Information is Provided to Him by the Auditors of the VNA, seconded by Mr. Zappala.

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

ITEM #4 Approve and Accept the Minutes of the 1/11/94 Town Council Meeting

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

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

ITEM #5 Remove from the Table to Consider and Approve One Re-Appointment to the Position of Commissioner on the Zoning Board of Appeals for a Term of Five (5) Years; One Re-Appointment to the Position of Alternate to the Zoning Board of Appeals for a Term of Three (3) Years; One Re-Appointment to the Position of Commissioner on the Planning and Zoning Commission for a Term of Five (5) Years

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

Motion was made by Mrs. Duryea to Re-Appoint Bonnie Rubenstein to the Position of ZBA Commissioner for a Term of Five (5) Years, seconded by Ms. Papale.

Mr. Gouveia stated that he did not attend the interview sessions scheduled this evening for each of the candidates seeking re-appointment to the above-mentioned positions. At the last meeting the Council adopted its Meeting Procedures of which Rule XIII was amended to remove the required two week waiting period for candidates prior to their swearing-in. He felt then, as he does now, that the two week waiting period is essential. Because that requirement was deleted he felt that some sort of a mechanism should be put in place so that the people would be better informed about the candidates that would be serving on the various committees. At the last meeting Mr. Gouveia offered the motion to interview candidates in public during the meeting. That motion was defeated. He felt uneasy with the amended procedures and placed a call to the Freedom of Information Office (F.O.I.) in Hartford for advice on this issue. He was informed that the interview process performed by the Council prior to its meetings constitutes a violation of the F.O.I. act. Hence, his

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absence during the interviews. He hopes that the Council will choose to conduct all future interviews in public or under the auspices of an executive session.

Mr. Solinsky explained that the interviews that were conducted thirty minutes prior to the Council meeting and involved three candidates. Those interviews were split into several groups of which members of the Council rotated their attendance at to assure that no more than five members were present with one candidate at a time. Six members of the Council in attendance constitutes a quorum and justifies as a public meeting.

Mr. Gouveia was aware of the Council's actions regarding the interview process and was pleased to see that they tried to remedy the situation upon learning of the violation at such a late notice. In the future he felt that all interviews should be conducted under the guidelines of an executive session.

Mr. Solinsky responded, if it be the will of the Council then all future interviews will be conducted in executive session.

VOTE: All ayes; motion duly carried.

Motion was made by Mrs. Duryea to Re-Appoint George Lane to the Position of Alternate on the ZBA for a Term of Three (3) Years, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

Motion was made by Mrs. Duryea to Re-Appoint James Fitzsimmons to the Position of Commissioner on the Planning and Zoning Commission for a Term of Five Years, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

Kathryn J. Wall, Town Clerk performed the swearing-in ceremony for Ms. Rubenstein, Mr. Lane, Mr. Fitzsimmons and Mr. Chordas, respectively.

Mrs. Duryea stated at this time that Item #17 has been withdrawn.

ITEM #6 Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Contingency Reserve for Emergency Acct. #001-8050-800-3190 of which \$500 is Transferred to Pool Renovations Committee Part-Time Secretarial Acct. #001-1120-100-1350 and \$500 to Miscellaneous Expenses Acct. #001-1120-600-6010 - Community Pool Renovation Building Committee

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

Mr. Knight explained that the committee has been in existence for the past three years and is in dire need of funding for clerical work, copying, telephone and other miscellaneous costs associated with the development of the final design for the pool. He has been the secretary for the past three years and feels that the committee is

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reaching a point in the process where it is important that notes be taken of specific conversations held with the architectural firm and the committee.

Mr. Rys stated, in his past experience with the Council a vote was required to establish a new account. In checking the monthly report of the General Fund it is clear that the account into which this transfer is being proposed does not currently exist. He asked if this is a new account?

Mr. Myers, Comptroller, responded, by approving the transfer the Council will be approving the new account, two motions are not necessary. The pool committee plans to hire an employee, unlike Planning & Zoning.

Mr. Killen was sympathetic of the committee's needs, however, he could not understand how the Council can approve a transfer to an account that does not exist? He was not comfortable doing business in that fashion.

Edward Musso, 56 Dibble Edge Road objected to hiring a secretary for the committee.

Mr. Zappala was surprised that the committee could not find someone to volunteer their time to record the minutes.

VOTE: Knight, Papale and Solinsky, aye; all others, no; motion failed.

Mayor Dickinson stated that in order to meet F.O.I. requirements minutes have to be recorded. If no one is available to do so the meetings cannot be held.

Mr. Zandri suggested that the meeting be audio-taped.

Mr. Solinsky asked if the tapes have to be transcribed?

Mayor Dickinson responded that there still needs to be a transcript of the meeting. Under F.O.I. the minutes have to be filed within a scheduled period.

Mr. Zandri was not sure if it was necessary to elaborate on the minutes, simply to record the motions and votes. The audio-tape could suffice for discussion purposes.

Kathryn J. Wall, Town Clerk stated that the Mayor is correct. A tape can be made of the meeting and retained for six months following the approval of the minutes. It should also be reduced to writing. The problem that the committee has is similar to what other committees are experiencing as well, and that is that the secretary is usually someone who sits on the committee and gets involved in the discussion, themselves, and does not record the minutes. You are right, Mr. Zandri, they only need to record the start of the meeting, who is present, where the meeting is held, the motions made, votes and what time the meeting has adjourned.

Mr. Gouveia felt that this item should be on the agenda as a budget amendment to create an account so that the funds can then be transferred into that account. That was his reason for voting no on this issue, not because he did not feel that the committee needs a secretary.

Ms. Papale asked, does the Ice Rink/Recreation Center Committee have their own secretary?

Ms. Wall responded that the committee hired a secretary to record the minutes.

Ms. Papale asked, why is this committee (Community Pool) being treated differently? She asked Mr. Myers to explain to the Council why he feels it is not necessary for the Council to vote on establishing a new account in a separate motion?

Mr. Myers responded, in his opinion, when the Council votes on the transfer, they are voting to transfer money from within the budget from contingency to a specifically listed title and account number. If the Council so chooses they can make separate motions on this action. He, personally, did not feel it was necessary. It was many years ago that it was decided that two motions were no longer necessary. The money is within the budget and the bottom line is not changing. An appropriation would be necessary when the total amount of the budget changed.

Ms. Papale informed Mr. Knight that he may have to continue recording the minutes of the meeting if this item comes back before the Council as a reconsideration of the vote and fails again.

Mr. Knight was concerned that the detail of the discussion during the meetings will be lost since it is difficult to participate and take notes simultaneously. The members of the committee have not only invested a great deal of their personal time but money as well for costs associated with copying and travelling. No one have ever requested a dime in reimbursement. He asked, is it the wish of the Council that the committee continue on without seeking reimbursement for any of the expenses that it incurs?

Mr. Solinsky felt this is not the time to address that issue. He asked if any other Council member was prepared to change their vote on the matter?

Mr. Killen objected to the transfer, stating that it is in conflict with the Charter.

ITEM #7 Consider and Approve a Transfer of Funds Totalling \$700 from Various Maintenance of Vehicles Accounts Within the Department of Fire Services Budget to Maintenance of Vehicles Acct. #001-2038-500-5000 - Dept. of Fire Services

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

Mr. Rys asked why not take \$700 from the Regular Fire account vs. the

small transfers from other departments? Many of the Chiefs have complained that they are not made aware of the fact that transfers are being made from their accounts.

Chief Herrington responded that mostly all the Chiefs are aware of transfers out of their accounts. They are in his office almost every other day at which time their budget books are reviewed. The procedure that is normally followed is one in which transfers are made between "like" accounts, i.e., tires & tubes to tires and tubes, maintenance to maintenance accounts, etc. Only if necessary will transfers be made between "unlike" accounts.

Mr. Rys responded, the Regular Fire account exhibits a balance of \$6,800 in their maintenance account. It is a lot less work to transfer \$700 from that account than to transfer numerous small amounts from various accounts.

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

PUBLIC QUESTION AND ANSWER PERIOD

Edward Bradley, 2 Hampton Trail commented about the order of business on the agenda. He felt that the items removed from the table should be brought back at the beginning of the next meeting. He asked that this be taken into consideration when arranging the agenda. He felt that items that are tabled or withdrawn or of great interest to the public are placed at the end of the agenda on many occasions.

Mr. Solinsky responded that every item is important to be placed on the agenda. The Chairman and Vice Chairperson evaluates the information and tries to determine how long the item will take, who will be present for them, will there be a large participation on the part of the public, etc., and schedules the order accordingly.

Edward Musso, 56 Dibble Edge Road requested that the Council spend \$2,000 for lapel microphones because he is having difficulty hearing the Council.

Lester Slie, 18 Green Street asked if the Golf Committee will continue?

Mr. Solinsky informed Mr. Slie that the committee was re-named at the January 11, 1994 Town Council Meeting and will appear before the Council in the near future to discuss mission and membership.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$5,000 from Yalesville School Utilities Acct. #001-5230-200-2010 to Center Street Cemetery Acct. #001-5031-999-9913 - Public Works Dept.

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

Henry McCully, Director of Public Works explained that the amount budgeted for this project last year was \$23,000 and the original bid received was \$32,000. The Public Works and Water and Sewer

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Departments jointly performed some of the work, installing rough plumbing, sanitary sewers, the foundation, etc., hoping to reduce the costs. Presently, there is \$19,000 in the budget because some of the money was used to purchase materials. The transfer of \$5,000 will allow the completion of the project.

Philip Wright, Sr., 160 Cedar Street asked if the work performed by the Public Works and Water and Sewer Divisions were planned for the project?

Mr. McCully responded, no. After the bids came in too high the departments planned to do some of the work to defray the costs.

Mr. Wright thought the practice of putting money from the Public Works Department into a project that has already been placed out to bid is reprehensible. It is not good management practice. One hand washing the other is not the way to run the Town. To take from an education budget to put in a cemetery account does not make sense. It is sickening, the number of transfers that are occurring in this Town not to mention the nature of them as well.

Frank Wasilewski, 47 North Orchard Street reminded everyone that at the Public Hearing on the 1991-92 budget Mr. Rys inquired about \$7,500 that was designated for paddle courts. The \$7,500 is gone and the paddle courts were never put in. What happened to those funds?

Mr. Solinsky responded that Mr. Wasilewski should ask that question at another time, the issue at hand is the cemetery transfer.

Mr. Wasilewski asked what the \$10,000 that was budgeted for utilities at Yalesville School was being used for? We don't use the school and now we are transferring out \$5,000.

Edward Bradley asked, how did we manage to save \$5,000 in that account that it can be applied to this transfer?

Mr. McCully responded that there is no heat on in the school presently. There was \$10,000 budgeted for heat with the hopes that the new roof would be put on and the new boilers would be heating the building. We are on hold on the roofing project due to the school expansion project. Hopefully the decision will be forthcoming on that issue. The boilers have been tested and fired up and are ready to go but they are not running because the roof has not been replaced. They were tested two weeks ago.

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

RULE V Motion was made by Mrs. Duryea to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Taking Up a Transfer, seconded by Mr. Rys.

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

Motion was made by Mrs. Duryea to Approve a Transfer of Funds in the Amount of \$4,000 from Waste Disposal & Composting Fees Acct. #001-5060-600-6540 to Meal Allowance Acct. #001-5040-400-4810 - Dept. of Public Works

Seconded by Mr. Rys.

Mr. Rys commended the Public Works Department for the fine job in clearing the streets in the recent rash of snowstorms.

Ms. Papale agreed.

Bernadette Rhenda, 753 N. Main Street Ext. pointed out that the sidewalk fronting Community Pool and continuing north has not been cleared, forcing pedestrians into the heavily traveled road.

Mr. McCully will check into this matter.

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

ITEM #9 Consider and Approve a Transfer of Funds in the Amount of \$372 from Copier Rental and Supplies Acct. #001-1460-600-6120 to Maintenance of Equipment Acct. #001-1460-500-5200 - Purchasing Dept.

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

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

ITEM #10a Consider and Approve a Transfer of Funds in the Amount of \$10,000 from Holiday Pay Acct. #001-2001-100-1700 to Workers Compensation Replacement Acct. #001-2001-100-1630 - Dept. of Police Services

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

Philip Wright, Sr., 160 Cedar Street asked, how much is budgeted in the holiday pay account?

Deputy Chief Darryl York responded, \$51,949.

Mr. Rys expanded on the response by stating that the original amount budgeted was \$112,683. A total of \$51,949 has been expended and a balance of \$60,733 remains in the account.

Mr. Wright stated that the account had to have been over budgeted if it can withstand a withdrawal out of it in the amount of \$10,000.

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

ITEM #10b Consider and Approve a Transfer of Funds in the Amount of \$17,000 from Patrol Wages Acct. #001-2002-100-1310 and \$3,000 from No Sick Incentive Acct. #001-2001-100-1620 for a Total of \$20,000 to Sick Replacement Acct. #001-2002-100-1600 - Dept. of Police Services

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

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Mr. Killen asked why the department would encumber \$31,000 of the patrol division payroll account halfway through the fiscal year?

Mr. Myers explained that the encumbrance represents worker's compensation.

Frank Wasilewski, 57 North Orchard Street asked, why does the Police Department have a "No Sick Incentive" plan when the Mayor deleted the same plan from the Electric Division last year?

Deputy Chief York explained that it is in the union contract for the police department.

Mayor Dickinson did not recall the specifics around the issue. He will check on the budget requests from last year. Part of the reason may have been that it was not part of their contract.

Mr. Wasilewski felt that all the departments should be treated equally. No one should receive such a benefit. The contracts should be re-negotiated. We do not lay anyone off here in Wallingford.

Philip Wright, 160 Cedar Street appealed to the audience to contact the proper individuals to find out what the "No Sick Incentive" account means as well as the "Sick Time" account. The fact that we have thirteen different labor unions is not a valid reason to have this benefit. The reason that we have thirteen labor contracts in this Town is because it (the Town) has been mismanaged.

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

ITEM #12 Consider and Approve a Modification to the Agreements with DeCarlo & Doll for the Small Cities Community Development Block Grant for \$2,800 and \$5,000, respectively - Program Planner

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

Don Roe, Program Planner explained that there are two facets to the grant, a housing rehab program for privately-owned rental units and a community facilities program which is the railroad station project. In 1989 the grant was specifically for rental rehab work. Last year Don appeared before the Council because the rental rehab program had become "bogged down" and we were not accomplishing the goals set forth in the application to the State. At that time the Council approved some changes to the program and we now have deposits from three owners that, in fact, will take our total beyond the twenty that was identified as the target total for the two year period of time. This leads to the request from DeCarlo & Doll to modify the agreement since we are asking them to do additional units above and beyond the twenty that they bid on some four years ago. Their contract does not provide language for how we might go about modifying the contract, there is no change order, so we needed to appear before the Council to seek the approval. He highly regarded DeCarlo & Doll for their performance to date and found no concerns or complaints with regards to their work. It is a very complex program. As stated before additional rehab work can be performed over and above the original twenty units, therefore a

request to amend the agreements.

Mr. Gouveia asked, how much of the \$220,000 in grant funds is designated for administrative costs?

Mr. Roe explained that the maximum allowed is fifteen percent (15%).

Ms. Papale asked Mr. Roe to inform everyone where the property is that is eligible for such grant funds. Isn't it Cherry Street, Quinnipiac Street...?

Mr. Roe responded, when we began in 1989 we began with an area that was targeted and in which a door to door survey was performed to assess property. That was in the railroad station area, North and South Cherry Streets. He had anticipated that they would obtain results due to the survey responses. That did not happen. Once the State was receptive to the idea of going Town-wide with the program the results proved more favorable.

Mr. Killen was of the opinion that one of the reasons that DeCarlo & Doll were seeking extra funds was due to the fact that the railroad station project ran five months past the completion timeline.

Mr. Roe explained that the Town is requesting DeCarlo & Doll to perform additional work, that is the reason for the request tonight.

Mr. Killen pointed out that DeCarlo & Doll states in their letter that "the train station took considerably longer, therefore requiring many extra months of labor, compliance, administration including onsite visits, payroll review and correspondence." The job is complete and we must know how much was spent and how much of this \$7,800 that they are requesting this evening is to cover those lost expenses?

Mrs. Duryea amended the motion to Modify the 1989 Agreement to Change the Amount to \$2,800., seconded by Mr. Knight.

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

Motion was made by Mrs. Duryea to Modify the 1990 Agreement to Change the Amount of \$5,000., seconded by Ms. Papale.

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

ITEM #13 Consider and Approve a Waiver of Bid to Enter Into a Contract with Copen and Lind for Video Engineering Work Associated with WPL-TV - Program Planner

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

Scott Hanley, Manager, Government Access Television and Don Roe, Program Planner were in attendance to speak to this issue.

In the process of compiling a budget for this department it was realized that a need for video engineering assistance was required. Before the Council is a request to hire Copen and Lind who has been

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involved with the station in the deliberations regarding relocation. They will help us to lay out and reconfigure and redesign the post-production facility. Their proposal to do so will cost \$2,600, hence a request to waive the bidding process. It is anticipated that the post-production office and cable cast to be in room #115 (currently occupied by the Credit Union) and the studio to be located in the carriage house. At this point it has not been determined how much can be incorporated into the carriage house. It does not appear as though two floors can be obtained from the space. If one floor and a mezzanine is all that is available, we still may not be able to put everything in one building. The operation may have to be split between the Town Hall and the carriage house. In the 1994-95 budget money was set aside for relocation to the Town Hall from the Library. The studio production will remain at the library until a location can be found for it while the editing and cable cast equipment will be relocated to the Town Hall.

Mr. Zandri felt that this request was premature since we have not been informed as to what we can and cannot do with the carriage house yet. It was his understanding that the entire operation was to be based at that location. He did not want to spend the money twice on this project.

Mr. Hanley explained that much of what the engineer will do now will not have to be re-done. We are creating a stand-alone operation out of a combined package so that the step needs to be taken now.

Mr. Zandri asked, how far along are we on the carriage house site?

Mr. Hanley responded that the bid specification package for the architect is still being worked on. It is his understanding that the contract portion is being re-worked by the Department of Law. We are currently one month behind schedule.

Mr. Zandri asked, when is the target date for completion of the project?

Mr. Hanley answered, November, 1994.

Mr. Zandri preferred to wait on this issue for he felt that it was not that far off schedule and he wanted to wait and see what potential the carriage house has.

Mr. Roe stated that the original proposal made to the Council remains the same now, that the post-production, cable cast and editing operations be brought to the Town Hall and housed where the Credit Union currently is. The studio space would stay at the Library for the time being.

Mr. Zandri was under the impression that the entire operation was going to be moved to the carriage house.

Mr. Hanley reminded Mr. Zandri that the original request for space equaled 3,000 sq. ft. The carriage house equals 2,300 sq. ft. with two floors. You can see that is less than the original amount of

space requested. The thought was that the operations would be contained in one building and the carriage house, in some sense, would be an annex and close enough so as not to be inconvenient. The concern remains that the carriage house may not be large enough to suit all the needs.

Mayor Dickinson pointed out that part of the Government Access Television Department's capital budget is to transfer room #115 into office space. Approximately \$16,000 is budgeted specifically for that in addition to whatever money has been appropriated for the carriage house.

Mr. Zandri was not questioning the funding.

Mr. Rys asked if it is normal operating procedures to pay travel expenses to the consultants and, if so, does the number of hours paid to the individual include the time spent travelling?

Mr. Hanley responded, it is normal to pay travel expenses and the number of hours paid are specifically for only those hours in attendance working on this project. Mr. Lind, as a matter of fact, has decided to temporarily stay in the vicinity of Wallingford as opposed to travelling back and forth to Amherst each time. This will help curtail costs considerably.

Mr. Knight referred to Copen & Lind's Cost Estimate report, Phase I, Design and Engineering Recommendations, Item a. "Recommend specific additional electronic equipment and video furniture". He was of the opinion that Mr. Hanley was more than qualified to perform this task and there is no need for the consultant to do so, thus a savings can be realized.

Mr. Hanley agreed but explained that vendors and manufacturers change their product rapidly or more frequently. He cannot always expect the vendors to properly represent the equipment. An engineer of Mr. Lind's caliber has performed numerous operations of this type and is very familiar with community television operations with small budgets. He is quite aware of the components that are out there and are working well in other systems.

Mr. Gouveia asked Mr. Roe if he has any idea what the proposal may be for the carriage house. Would it be substantially higher?

Mr. Hanley responded, using percentages based on the total cost of the project, it was projected that it would cost approximately \$6,000 to \$7,000 projecting a \$200,000 project. They are all rough numbers.

Mr. Gouveia asked Mr. Hanley if he was willing to convince him that it would be in the Town's best interest to go with Copen & Lind rather than out to bid?

Mr. Hanley explained that we are looking to bring the consultants on to the management of the owner's team. By doing that we would have them on board to be sure that we are specifying the right things and keeping tabs on what the architect and contractor is doing. It is a

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very specialized application. One of the issues that we will be addressing with the next step of the carriage house is just who is qualified to do what we are looking to do with the building. We know that Copen & Lind has the experience with this sort of project. It would be appropriate to go with an architectural firm but we would also like Copen & Lind's expertise as well. Potentially, the architectural firms that will be considered may not have extensive experience in this area. We also have a building that is unique, warranting an architectural firm's expertise.

Motion was amended by Mrs. Duryea to Waive the Bid and Enter Into a Contract with Copen & Lind in the Amount of \$2,600 for Video Engineering Work Associated with WPL-TV, seconded by Mr. Rys.

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

The Chair declared a five minutes recess.

ITEM #14 Report Out by the Town Attorney on the Status of the Lease Agreement and Use of Land at Community Lake Upon Rejection by the Boys and Girls Club of the Site for Construction of a New Facility as Requested by Councilor Albert E. Killen

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

Attorney Janis Small stated that her office will prepare a notice of termination of lease and place it on the land records.

Mr. Killen asked what is the designated use of the land now that they have rejected it?

Attorney Small responded, it is still designated as recreational space for the public.

No action taken.

ITEM #15 Report Out on the Status of the Committee to Study the Feasibility of a Municipally-Owned Cable Television Company

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

James Fitzsimmons, Chairman, has contacted every member of the committee to inquire about their interest in continuing to serve on this committee. Of the twelve members of the committee, there existed three vacancies in December, 1993 and one additional vacancy occurred recently. One of those vacancies was created by Scott Hanley, Manager of the Government Access Television department. He plans to continue attending the meetings and advising the committee. The current members who are interested in remaining on the committee are:

Robert Avery
Steven Hacku
Bob Thompson
Gerald Labriola, Jr.

James Fitzsimmons
Gail Powell
Tim Wall

The individuals who have expressed interest in serving on the committee as new members are:

Brian McDermott (former Council Liaison to the committee)
Steven Holmes
Robert Parisi
Christine Pajor

Motion was made by Mrs. Duryea to Delete the Following Names from the Committee's Membership:

R. Gelgauda
Raymond Rys, Sr.
Scott Hanley
Art Knapp

Seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

Motion was made by Mrs. Duryea to Approve the List of Committee Members as Follows:

Robert Parisi	Tim Wall
Steven Holmes	Robert Avery
Christine Pajor	James Fitzsimmons
Brian McDermott	Steven Hacku
Gail Powell	Gerald Labriola, Jr.
Robert Thompson	

Seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

ITEM #16 Consider and Approve Disbanding the Committee for the Proposed Relocation and Reorganization of WPL-TV

Motion was made by Mrs. Duryea, seconded by Ms. Papale.

It has been determined that the charge of the committee has been achieved with the proposed move to the Town Hall. It was noted for the record that the committee, at its meeting of February 8, 1993, took action by unanimous vote to disband. To this end the Council voted in the affirmative to formally disband the committee.

VOTE: All ayes; motion duly carried.

ITEM #19 Discussion and Possible Action on Forming a Committee to Oversee a Program of Scheduled Maintenance for Town-Owned Buildings/Property as Requested by Councilor G. Tom Zappala

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

Mr. Zappala explained that he is proposing a schedule of preventative maintenance. The purpose of the committee is to "keep an eye" on

things and be able to give the Council an idea of what, if anything, is wrong. Southington has such a committee which has proven effective. It consists of seven members, mostly contractors, who evaluate a structure and appear before the Council to make recommendations. He stressed the point that he is not trying to take any responsibility away from Public Works or anyone else. They could act as a liaison to the Council, helping to save money in the long run. He is of the opinion that had such a committee existed Community Pool would never have deteriorated to such a degree, nor would Yalesville School have suffered so much damage.

Mr. Knight was enthusiastic with the idea of an oversight committee to assist the Public Works Department in bringing forth to the Council certain defects in the buildings. The State of Connecticut contracts out some of their property management. He is not suggesting such a route now, but the concept of property management is one that the committee should explore. Perhaps large expenditures could be avoided through a committee like this one.

Mayor Dickinson pointed out that anyone who would serve on the committee would not be eligible to bid on any work that may result from the committee's activities. He did not in any way want the existence of the committee to delete or detract from the responsibility of Public Works or any other paid employee or department of the Town in its responsibility to maintain or provide guidance and direction and oversee work to be done on Town property.

Mrs. Duryea stated that Town employees have been extremely cooperative and responsive when she has had need to call them. She did not feel that the problem is in the maintenance but rather lack of it due to the Mayor removing funds budgeted for that specific reason. The Recreation Department budgeted funds for the maintenance of Community Pool and the Mayor has removed them during budget time.

Mr. Zappala felt that was wrong for the Mayor to do so.

Mrs. Duryea was not sure how the Council can succeed at allocating the funds where they are needed if the Mayor cuts them.

Mr. McCully was concerned that there would occur an overlapping of responsibilities. He currently has a schedule in place of daily and monthly inspections of Town buildings. The roofs, heating systems, gutters, etc. are all checked by the department's maintenance man. The committee will not be empowered to contact or hire roofing contractors. Mr. McCully calls professional roofers who have worked for the Town previously. The Senior Center roof is still under warranty therefore is inspected once a year by the contractor and monthly by the Public Works Department. There are various ongoing contracts throughout the Town. He was not saying that he would not accept professional advice but, is this committee going to be available during the day to climb on roofs, inspect heating systems, etc. It would take a great deal of dedication.

Mr. Killen asked Mr. McCully, does this roof leak in this building (Town Hall)?

Mr. McCully responded, yes it does.

Mr. Killen asked, how long has it leaked?

Mr. McCully responded, since we have moved into the building.

Mr. Killen stated, so much for having a committee to make us aware!

Mr. McCully answered, that's correct.

Mr. Gouveia was not opposed to the idea of forming the committee he realizes that in order to accomplish the task you must have the will to do it and must be willing to release the funds or allocate the necessary funds to accomplish the task. The committee does not allocate the money, it is those who hold the purse strings that have to. If they are not willing to do so then the problems will continue. We all recognize that problems exist, Simpson School is a good example, but again, if you don't have the will to allocate the funds those problems will not be addressed. We need to have an understanding of where we are and where we want to go and a plan of how to get there. That cannot be obtained from a committee, it must be from leadership. He is not willing to vote in favor of forming a committee now without first giving the administration the opportunity to address the problems.

Mr. Solinsky felt that forming a committee for such a task is a good area to pursue. He asked that Mr. Zappala meet with Mr. McCully to determine specifically the areas of his maintenance that are lacking that Mr. Zappala feels can be improved upon by the committee.

Mr. Zappala pointed out that the committee will also be helpful in determining who is at fault when a problem is identified or ignored. It will be a neutral party bringing forth the information.

Mr. McCully felt that the committee would have too broad a task watching over the Public Works and Fire Departments not to mention the public school system as well.

Mayor Dickinson explained the chain of events that led to the current condition of Yalesville School. There are track records kept. The unfortunate thing in government is that it takes time to arrive at a consensus. It takes time due to the various groups, commissions, elected officials, etc. that must reach a consensus with regards to spending large amounts of money.

Ron St. Clair, 69 Gopian's Trailer Park felt that the committee was a good idea. He felt that the Town is in desperate need of some plan for several buildings are going to hell. The Mayor explained that it takes time for everyone to agree, however when there was an election taking place, the gentleman running for Mayor cited the following example, "if you don't fix a window that costs \$10, it will cost \$300." He was of the opinion that we are running up against just that. After attending many meetings it is his impression that the Council wants to fix something yet, the Mayor will not release the money. If there is any blame, in his opinion it lies with the Mayor.

He added that any problem can be traced by the reports that are filed regularly by Mr. McCully. There are ways to trace when a problem was first identified, who reported it, who passed the buck, etc. A committee is not needed to do that. Had a roof been placed on Yalesville School when the problem was first identified it would not result in as large an expenditure to do so at this late date. Why are we firing up a boiler to test if it is not going to run due to the lack of a secure roof? What happened to the plan to enclose the boiler to protect it from the leaky roof until the roof is installed? Will the boiler be ruined too? Maybe we should have a committee to hound the Mayor to release a dollar or two.

Edward Bradley, 2 Hampton Trail agreed with the Mayor's original statement with regards to conflict of interest in the bidding procedure due to the constitution of the committee. He invited the public and Council to go up to the third floor of the Town Hall on a rainy day and see the buckets strategically placed in the hall to catch the water coming in. We should have buckets hanging on the walls in the Town Hall like they do with fire extinguishers. When people come in on a rainy day they can grab a bucket and place it in the hall to catch the water. The information brought forth by the Simpson School Committee has gone nowhere. People have talked about Yalesville School and where has that gone? The concept of a committee is a novel idea, however we have people in Town like Mr. McCully, Engineering, Building Department and other departments who have responsibilities. They have an obligation to the taxpayer and Town Council to raise those issues if monies are taken out of their budget. Did we ever hear that Community Pool was deteriorating? We must make the system work. The problem lies right here (pointing to the Mayor). Here is the man that has to release the money. The buildings in the Town of Wallingford are deteriorating. It is the responsibility of the Mayor to recognize the problems and pass them onto the Council to appropriate money to fix the buildings. The buck stops there (at the Mayor).

Edward Musso, 56 Dibble Edge Road, agreed with Mr. Zappala's idea to form the committee. He felt that the janitors in the buildings are a good source of information regarding the maintenance or lack of it in the buildings.

Joe Pendleton, 40 Morningside Terrace asked, how long will you (the Mayor) let this Town Hall leak? Isn't this the time right now to find out?

Mr. McCully responded, we have a roofer scheduled for tomorrow to inspect the roof. There is little we can do at this time due to the amount of snow on the roof. The roof has been flooded and tested trying to determine where the leaks are. It is almost impossible to do so with a flat roof. Ongoing efforts have been made since moving to the Town Hall to correct the problem.

Mr. Pendleton asked, hasn't this Town got a big surplus?

Mr. Solinsky responded, we are not on that subject now, sir.

Mr. Pendleton asked, do you have the money to fix the roof?

Mr. McCully responded, yes we do, in our maintenance budget.

Mr. Zappala felt that if seven individuals in the construction business can be recruited to donate their time and advice, we should form the committee.

Philip Wright, 160 Cedar Street stated that people who are working for the Town and are accountable for things of this nature have not be able to accomplish what should be done as far as taking care of the taxpayer's money. These buildings belong to the taxpayers. It does not belong to the Mayor or Council. You have the responsibility to make sure that the taxpayer's money is well spent. He felt that Mr. Zappala has a great idea. If a committee exists to do nothing more than to serve as a sounding board for people who will be whistle-blowers.....that is what we need in this Town, whistle-blowers.

Mr. Killen asked, Mr. McCully, you say you have money in your account to replace the roof?

Mr. McCully responded, to repair the roof.

Mr. Killen asked, I assume you have had money in your budget in other years and have repaired it?

Mr. McCully, yes.

Mr. Killen, and all it does is take care of that leak at that particular time and it continues to leak?

Mr. McCully, that is correct.

Mr. Killen. after a while I would presume that a decision would have to be made to quit pouring good money after bad and replace the roof. Am I correct?

Mr. McCully, that is correct. The expected life of this roof when it was installed was twenty years.

Mr. Killen, we have both reached a meeting of the minds. We don't need a committee to realize that replacing the roof is not going to be taken care of. We can establish all the committees in the world, all we do is spread the blame. We all know what needs to be done in Town. Nothing is being done about it. We (the Council) do not have the dollars because we have not been able to touch them. We approved a transfer this evening of \$5,000 from the Yalesville School account. The Mayor approved a budget of \$12,000 for that account during budget time. Mr. Zandri made a motion to reduce that to \$2,000 at the budget workshops and the Council approved the action. With the Mayor's veto, however, those funds were restored. Those funds became extra dollars floating around out there. We have dollars budgeted all over the place which are not being used for the purposes for which they were intended. The public comes to the Council and complains that we are

not getting the job done.

Ms. Papale asked, how would you, Mr. Zappala, feel that this committee should be formed?

Mr. Zappala felt that it should consist of people who are knowledgeable of buildings, contractors or builders, roofer, etc.

Ms. Papale stated, after listening to all that has been said, I agree that we do have problems in the Town of Wallingford. We should discuss it at a special meeting for we can go on for hours on the topic.

Motion was amended by Mr. Zappala to Establish a Seven (7) Member Committee for a Term of Two Years, seconded by Ms. Papale.

VOTE: Duryea, Papale and Zappala, aye; all others, no; motion failed.

ITEM #20 Discussion and Possible Action with Regards to the Possible Purchase of Property for Parking Associated with Community Pool as Requested by Councilor Geno J. Zandri, Jr.

Motion was made by Mrs. Duryea to Begin Discussion, seconded by Mr. Zandri.

Mr. Zandri explained that the reason he placed this item on the agenda was because parking seemed to be the stumbling block the last time Community Pool was discussed at our meeting. He would like to charge the committee with coming up with the exact amount of parking needed for the facility and, if Option A cannot accommodate this particular number of cars then the committee needs to explore if there is available land in the area that can be purchased, the costs associated with the purchase to establish adequate parking for the facility. He does not wish to make a decision on either Option A or B until he has all the facts associated with this particular project. He felt that the Council was missing those facts.

Mr. Zandri made a motion to Charge the Committee with Determining Exactly How Much Parking is Needed for the Facility and to Report Back to the Council Prior to Their Voting on Either Option A or B, seconded by Mrs. Duryea.

Mr. Walworth feels that an additional forty or fifty parking spaces are needed than was called for in Option B. Option A would require an additional seventy or eighty spaces. He met with Brent Smith, Environmental Planner to see whether or not the committee could utilize space further to the east. It was not only established that it would be almost entirely rejected by the Wetlands Commission but also that it may be wetlands immediately east of the bathhouse. The spaces shown behind the bathhouse in either option may not be permitted by Wetlands. If that area is shown to have been disturbed by others years ago when the bathhouse was put in, then we may have a chance of getting those spaces in the back. If you take half the pool capacity and divide it by four that will give a rough estimate. If it shows 2,200, then you divide 1,100 by four and that will determine how

many parking spaces you will probably need. It is a very rough estimate.

Mr. Gouveia was of the opinion that parking is not the issue at all. He disputed the statistics reported in TPA Design Group's Survey and Analysis Phase Community Pool Study, July 1991 with regards to Pool and Site Capacity and how those figures related to parking needs. The parking problem existed two years ago and still existed two months ago when the committee proposed Option A, the same as it exists today. It has been two years that the committee has been trying to develop a proposal that was presented one and one-half months ago. In the past month and one-half the committee changed its recommendation. At the last meeting five members of the Council were ready to vote in favor of Option A with a sixth leaning towards the same decision. Since the committee changed its recommendation to Option B several Councilors have changed their mind also. It is very important what the committee recommends to this Council.

Mr. Walworth explained that the previous Council asked the committee to study the entire pool. In their recommendation at a workshop with the Council the committee specifically stated that parking was a problem and that it would have to be established across the street or elsewhere. It was identified back in 1989 as well.

Mr. Gouveia reiterated that a month and one-half ago the committee appeared before the Council recommending Option A. Before the Council had an opportunity to even speak on the issue the Mayor stated that he would not approve of spending more than \$1.8 million. Then the committee was charged again to go back and come up with another plan that would try to reduce the price tag to \$1.8 million. The committee did so, hence, Option B. The point that Mr. Gouveia was trying to make was that the recommendation made by the committee a month and one-half ago was Option A (the only option at that time). The committee knew then the a problem existed yet Option A was the recommendation. The committee knew that a parking problem existed two years ago...

Mr. Walworth reminded Mr. Gouveia that it was made very clear that the Council was directing where the committee was going with the alternatives.

Mr. Gouveia asked, if that charge was not given to the committee one and one-half months ago, in its best judgement, was Option A the plan that best suited the Town of Wallingford?

Mr. Solinsky felt that Mr. Gouveia was deviating from the issue of parking.

Mr. Gouveia stated that he has to be convinced that the problem is not parking if he is to vote for Option A or B. He asked if it is possible that we may be able to acquire seventeen more parking spaces if we move the pump house from where it appears in Option A to where it is located in Option B?

Mr. Walworth responded, no because he needs to have double aisles.

He cannot have single loading for it is inefficient and there is a serious flow problem in that area. TPA was asked to review that item to see if there was any way to enlarge the pool for Option B and they stated that there was a minimum widening that the pool could be accommodated for Option B. If you widen it by twenty feet than you must also eliminate the parking.

Mr. Gouveia pointed out that currently, only 31% of the Town's population uses the pool.

Mr. Walworth responded that 3,500 pool tags represents less than 1% of the population. The attendance was approximately 5,000 in 1991 but it has dropped down to 3,500 and may be lower than that now.

Mr. Gouveia, in using the formula outlined in TPA's survey, derived a different number of parking spaces that would be required for Option A and B. If you take .93 of the population (three times the amount of people that currently use the pool) divide that figure in half (allowing for two shifts of bathers per day) and once again by four (allowing for four passengers per car) that calculates out to ninety-six cars that will require parking spaces. That figure is projected out to the year 2,010.

Mr. Solinsky asked if there is adequate parking for Option A?

Mr. Walworth responded, possibly not after what he was told this morning with regards to possible wetlands. If that issue holds true then we will lose forty-four parking spaces.

Mr. Zandri felt that Mr. Walworth was trying to emphasize that parking will be a problem regardless of what design the Council goes with. He felt that before the Council could make a decision they will have to know what it will cost to have the proper parking for either design. That is the element that is missing. He stated that he would like to charge this committee with seeing if they can't resolve or obtain figures on what it will cost, what is available to satisfy the parking requirements for both designs.

Mr. Knight was of the opinion that if we didn't require the larger parking area then it stands to reason that we don't need the larger pool.

Ms. Papale felt it was unfair to ask the committee to take on an additional charge when the Council voted against allowing the committee to hire a secretary.

Mr. Zappala stated that he would not favor a tabling motion for it only prolongs the inevitable of making the decision. It is not fair to the committee. It is not a question of how much parking is needed but rather, which pool do you want?

Mr. Solinsky asked for comments from the committee with regards to Mr. Zandri's motion to explore parking options.

Mr. Walworth responded that it is more appropriate that the Town Engineering Department explore the options for parking.

Mr. Zandri withdrew his motion and Mrs. Duryea withdrew the second.

Mr. Zandri made a motion to Have the Engineering Department Look Into What the Needs are for the Parking for Both Pool Designs and Come Up with a Cost Associated with Those Needs, seconded by Mrs. Duryea.

Mayor Dickinson stated that this issue is very much effected by the fact that wetlands may exist. It will be difficult to determine how many parking spaces will be needed if wetlands do exist and that, ultimately, will determine what the price will be for additional property. That will have a direct impact on the entire project.

Mr. Zandri felt that the Engineering Department will not have a problem appearing before the Inland Wetlands Commission to find out whether or not the parking spaces located east of the bath house will be permissible or not. That should be the first step that they will take. Once that is determined then they can proceed from there to obtain the required information needed.

The Mayor felt that the committee should take the drawing to Inland Wetlands Commission.

Mr. Zandri responded that the Engineering Department has appeared before the Commission before for other matters, they should not have any problem doing so for this one.

Mr. Walworth warned the Council that if they fail to choose a design this evening they most likely will not see this committee before them again, nor will they see the pool completed by 1995. The current schedule for construction exhibited a completion date of Spring, 1995. It is not conceivable that the project will be completed on time.

Mr. Zandri pointed out that he was not concerned with the completion date of the pool. He reminded everyone about the school expansion project in Town that has fallen behind schedule and no one seems to be worried about that. Community Pool will not be given first priority over the school project just because we are in a time constraint. We have to do the project right. Get all the facts and figures in front of us before we make a decision. We are lacking the most important bit of information on this entire project. It doesn't matter which design is built, if you cannot accommodate the parking then it will be a waste of money.

Ms. Papale asked the committee to try and "hang in there" just a little longer until this issue is researched with regards to Inland Wetlands. She praised the committee for showing the amount of patience and endurance exhibited to this point.

Peter Hale, Scard Road recommended that the Town consider the option of purchasing property on the east side of the pool to allow for additional parking and access from North Elm Street. He felt that this is the time to address all the issues. Budget all the funds necessary to take care of the problems now, not later.

- 24 - January 25, 1994

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

ITEM #21 Motion was made by Mrs. Duryea to Remove Item #21 From the Table to Discuss and Possibly Act Upon Choosing Design Option A or B for Community Pool as Presented to the Town Council at a Public Hearing on January 11, 1994, seconded by Mr. Zappala.

VOTE: Knight, Rys and Zappala, aye; all others, no; motion failed.

ITEM #22 Report Out by the Town Attorney on Mr. Killen's Request at the November 23, 1993 Town Council Meeting to Further Research Her Opinion Regarding the Right of the Electric Division to Propose a Deficit Budget as Requested by Councilor Albert E. Killen

Motion was made by Mrs. Duryea to Hear Discussion, seconded by Mr. Zandri.

Attorney Janis Small stated that she forwarded her opinion to Mr. Zandri and Mr. Killen.

It is noted that all councilors received a copy of Attorney Small's opinion as well.

Mr. Killen felt that Attorney Small's opinion fails to state whether or not the Electric Division can propose a deficit budget.

Attorney Small responded that, in her opinion, the Electric Division's budget does not reflect a deficit once the \$3 million credit rider is added into it.

Mr. Killen argued the point. The operating budget reflects a bottom line figure bracketed which, in accounting terms, stands for a negative balance, hence, deficit.

Attorney Small answered that the accountants and attorneys that she has consulted with agree that the Electric Division does not have a deficit budget.

Mr. Killen was exasperated that he is unable to obtain a specific answer to a specific question, "Does the Electric Division have the right to propose a deficit budget under State Statute 7-222?".

Mr. Solinsky was unsure what information Mr. Killen was looking for.

Mr. Killen proceeded to read his original letter to Attorney Small dated May 4, 1993 and all follow-up correspondence to and from Ms. Small into the record on this issue.

Mr. Myers stated that the Statute refers to preparing and constructing an electric utility rate. That occurs at a different time and is a different process than the budget-making process. The assumptions that a rate is constructed around more than likely are going to be different assumptions than a budget is constructed around because the two, in Wallingford, occur at different times. They do not parallel

each other. The Statute refers to ratemaking, not to budget-setting.

Mayor Dickinson agreed. We are mixing two processes; a ratemaking which is designed and could be in effect ten years.....and when first designed it must fall within the formula of 5%-8% as outlined in the Statute. That rate is projected over time. It does not say that every year that the annual budget is created it must produce the same results under the formula as it did when the rate was first set.

Mr. Zandri asked someone to point out to him specifically where, in the Statute, does it state that it is referring to ratemaking? It only states that there shall be a profit of 5-8%. He feels that you can set rates first or last, it doesn't matter. The bottom line is that there must be a profit of 5-8% at the end of it all. The budgets are set in a one year "snapshot".

Mayor Dickinson responded, the rates are not set in one year "snapshots".

Mr. Zandri answered, you can set rates at any time, all you need to do is hold a public hearing. There is no specific time of the year that the rates are set. He was not arguing the point that the Electric Division could not extend a credit rider, he felt that the way it is reflected in the budget is wrong.

Mayor Dickinson stated, the opinions we have obtained are legal opinions as well as an understanding from accountants. What they indicate is that the formula you use to set the rates must be designed to return that percentage profit. That does not mean that an annual budget will necessarily show that same figure because it is not a budget-making statute, it is a rate-making statute.

Mr. Zandri responded, but you have to conform to that, Mayor. You can set the rates first, that is fine, now the statute says that when you set your budget you will end up with a five percent profit that year. That is exactly what the statute says.

Mr. Killen agreed.

Mayor Dickinson answered, the statute does not say that, the legal opinions obtained do not say that, we can debate this forever.

Mr. Zandri asked Atty. Small to read the statute into the record.

Atty. Small refused to read the statute, claiming that it was demeaning to do so.

Mr. Zandri stated that the Electric Division belongs to the Town of Wallingford. The retained earnings are unappropriated funds that belong to the Town of Wallingford, agreed?

Atty. Small: That is correct.

Mr. Zandri explained, those unappropriated funds can be allocated for any purpose that this Council or the Mayor decides to. Correct?

Atty. Small: Correct.

Mr. Zandri just wanted to get the facts to the general public to understand that those funds belong to the Town of Wallingford and can be utilized for anything in the Town. They are not there for the sole use of the Electric Division.

Atty. Small agreed with that.

Mr. Zandri stated that he will place an item on the upcoming agenda of the Town Council meeting to hire an attorney for an opinion on that statute. It clearly states, in the operating part of their budget they will show a five percent minimum profit every single year.

Atty. Small asked, what can they do with the profit?

Mr. Zandri responded, they cannot do anything with it unless this Council and the Mayor agrees to the use of the funds.

Atty. Small asked, can they use the profit in their next year's budget?

Mr. Zandri answered, if the Council says that they can...and not in the operating part of their budget. They can use it for capital improvements...they cannot subsidize the operating part of the budget except for returning a credit such as the credit rider.

Mr. Killen quoted the statute which reads in part, "The price shall not be greater than to allow a net profit of eight percent per annum to the Municipality." He stressed the words, "to the Municipality". It does not say "to the electric works". We are allowed to make a profit.

Atty. Small responded, I never said it was not Town money. It is absolutely Town money and if you want to spend it then you must go through the budgetary process and you can spend it.

Mr. Killen asked, if they come up with a deficit, how can we spend it? They are clearly charged with making a profit. That is a charge. We are trying to run a government, here, on an even keel and there is no way we are going to accomplish that with the present administration. He feels that he has been spinning his wheels since no one has been able to present him with facts that dispute his argument that the electric division cannot run a deficit in their budget. We are presented with an opinion from the Town Attorney and we are expected to accept it without challenge. If the Council is going to continue accepting the information on that basis then we might as well go home.

ITEM #23 Consider and Approve an Appropriation of Funds in the Amount of \$412,500 from Retained Earnings Acct. of the Electric Division to the Following Accounts:

\$ 50,000	to	Structures	Acct. #311
34,000	to	Turbo Generators	Acct. #314
35,000	to	Poles, Towers, Fixtures	Acct. #364
100,000	to	Overhead Conductors	Acct. #365
91,500	to	Line Transformers	Acct. #368
102,000	to	Transportation Equip.	Acct. #392

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

Mr. Zandri asked if the capital budget is part of the Town's regular budget?

Dave Gessert, PUC Commissioner responded, the capital budget is approved during the budget-making process, yes.

Mr. Zandri asked, is this appropriation before the Council tonight an amendment to the original capital budget? If so, don't we need a public hearing in order to do that since we are amending the budget?

Mr. Gessert answered, every transfer the Council approves is a technical amendment of the budget.

Mr. Zandri disagreed. The transfers normally approved by the Council are within the budget. This is being transferred from outside of the budget, from an unappropriated fund balance. That is a budget amendment.

Mr. Myers explained the difference between a transfer and an appropriation. With a transfer the bottom line of a budget does not change. When total operating expenses, total revenues or total capital budget increases or decreases, it is an appropriation and not a transfer.

Atty. Small stated that the Charter does not require a public hearing under Chapter XV, Section 7, (f). The Charter can specify the manner in which these things are done.

Mr. Killen was of the opinion that a budget ordinance is not exempt from a public hearing.

Mr. Zandri stated that what has concerned him the most since serving on the Council is the attitude from the utilities that they have an endless pit of money down there and they don't have to be accountable as far as setting a budget at the beginning of the year and sticking to it because they have the ability to go to this "pool of money" and draw on it anytime they want, regardless of what happens. It concerns him that the operation is being run that way. This is a prime example this evening. Until the Council takes a stand, we will continue to have this problem.

William Cominos, General Manager of the Electric Division took

exception to the accusations Mr. Zandri made. He felt that the utility is being run in a fine manner and run prudently. To say those things before 44,000 residents...it needs to be said by the General Manager.

Mr. Gessert added, regardless of transfers, appropriations, the necessity of public hearings, etc., those have nothing to do with the point of the matter which is that the Electric Division is building a Colony Street substation. At the end of 1993 we needed funds for that station. One of the options was to take the funds out of retained earnings. We were told we could not do that because we didn't have a completed audit at that time and the funds were secured from capital projects via a transfer. It was understood that after the audit was complete the funds would be transferred back into the line accounts in the capital projects so that business could continue. The Electric Division agreed with the philosophy of the Council on the matter that evening and followed that specific procedure. Instead of holding up the substation and being accused of gross inefficiency they kept the project going by making the transfer.

Mr. Zandri asked, why was there such a shortfall of \$412,000 for the substation project?

Mr. Cominos responded, the Division was going to originally pay for the substation out of retained earnings.

Mr. Zandri responded, then it should have been appropriated in last year's budget.

Mayor Dickinson stated that he believed that money was appropriated but "fell out" of the budget due to the credit rider. It got to the end of the year, the money was not carried over because it was indicated as an item to delete at that point, the bids went out, came in much higher than expected, bids were sent out a second time and came in \$150,000 less than what was expected and at that point the appropriations were made. Now they are looking to replenish the funds that were transferred out of the capital accounts. There is no damage done, we are here to re-appropriate. Actually, you can look at it as a plus since we originally budgeted \$560,000 as the sum, we are now down to \$412,000.

Mr. Zandri only wished that the Town's side of the budget had the flexibility that the Electric Division has....to know that we have millions of dollars at our fingertips anytime we want it.

Mr. Killen asked Mr. Gessert, where would you obtain the necessary funds from for the bills that you owe to CL&P if the Division ends up with a deficit this year?

Mr. Cominos responded, one of the recommendations was that the Division has \$3.5 million in reserve to always pay CL&P's bill.

Mr. Killen responded, those dollars that you (the Division) are living on now comes from the treasury of the Town of Wallingford. That is why the Council has an interest and obligation because they are

taxpayers dollars. He reminded everyone that the Division is a part of the Town. He is tired of the attitude that the Division is good to the Town since they give money back to the general fund.

Mr. Cominos was not of that opinion at all. He works for 44,000 people of the community, not for Mr. Smith or Mr. Gessert. His efforts and the monies that the Division makes all go back to the people whether in the form of lower rates, improved infrastructure in the utility or whatever. It does not go into anyone's personal pockets.

Mr. Gessert read the construction progress report into the record as follows:

Project Estimate	\$3,000,000.00
Year-to-date Expended	\$ 520,767.00
Project-to-date	\$2,071,000.00
Encumbered	\$1,100,000.00

The report also detailed how much has been expended, what has been encumbered and what the balance is in each category.

Philip Wright, Sr., 160 Cedar Street stated that he is sick to death of hearing this argument over and over and over again regarding what the Charter states we can do and what the Town Attorney states we cannot do. He believes it is time to sell his house and sue the Town for something such as this to get it resolved. It has to be done. The Council is spinning its wheels, we have gridlock again. Mr. Zandri made very pertinent points. But it dies because of an interpretation by Atty. Small. You (the Council) does not believe that. It has to go to court....someone has to get it resolved. If he wins the lotto he will do it. It is not a threat but a promise.

Edward Bradley, 2 Hampton Trail felt that some of the points that were made were excellent and it is a very technical subject. There is a lot of merit to be placed on the comments that Mr. Zandri and Mr. Killen did make. He referred to the well-done Electric Division Study which balanced the needs for the Town and the Division. It supported the infrastructure of the Town of Wallingford, it supported the infrastructure of the Electric Division, as well. It was an excellent study that cost \$50,000. It sits on a shelf and was never implemented. If it was implemented perhaps the gridlock would not exist.

VOTE: Knight, Papale, Rys, Zappala and Solinsky, aye; all others, no; motion passed.

ITEM #6 Motion was made by Mrs. Duryea to Bring Item #6 Back to the Council, seconded by Mr. Zappala.

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

Motion was made by Mrs. Duryea to Create New Accounts in the General Fund, seconded by Mr. Rys.

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

Motion was made by Mrs. Duryea to Establish New Accounts in the General Fund Titled, "Pool Renovations Committee Part-Time Secretarial", Acct. #1120-100-1350 to Transfer \$500 into and "Miscellaneous Expenses" Acct. #1120-600-6010 to also Transfer \$500 into for a Total of \$1,000 from Contingency Reserve for Emergency Acct. #8050-800-3190, seconded by Ms. Papale.

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

ITEM #24 Remove from the Table the Explanation of the Comprehensive Annual Financial Report (Audit) of the Town of Wallingford for Fiscal Year Ending June 30, 1993 as Requested by Councilor Geno J. Zandri, Jr.

Mr. Zandri requested that Mr. Myers explain where all the surpluses are in the budget, what the budget balance was for the last fiscal year, how much of that is available for spending and perhaps where all the dollars are at this point in time. If any questions arise they can be addressed as we go along.

Mayor Dickinson warned that the presentation will be very lengthy.

Mr. Myers began explaining that it is a requirement of the State of Connecticut that each city and town be subject to an annual, independent audit completed by December 31st of each year. An independent audit is a review of the Town's accounting and reporting systems and is performed in accordance with set standards governed by the American Institute of Certified Public Accountants and, in addition, the State of Connecticut Office of Policy and Management's guidelines.

As a general comment, everyone is aware that the Town of Wallingford is in excellent financial condition. Anyone interested in receiving a monthly financial statement can do so by contacting the Finance Department. Our audit is conducted and reviews all money that the Town of Wallingford receives and accounts for. Those monies are accounted for in sixty-five (65) different sets of books. The reason is that some of the monies are restricted by grant agreements, wills, etc. For 1993 the Town of Wallingford received \$135.5 million in revenues. That is far different amount than the \$45 million that we tax property for. Wallingford has assets of \$335 million. Those assets are in cash and investments, property owned, buildings, equipment, furnishings, etc.

General Fund, Page 83

The general fund had a positive year end operating results, or so-called surplus, of \$2,835,000.00. On page 79 under Fund Balance \$3,527,169.00 was appropriated to the 1993-94 budget, while \$5,215,050.00 is undesignated and available. Because the Town has a Aa credit, the credit agencies (Standard & Poors, Moodys) look to have Aa credits maintain a five percent (5%) availability in fund balance. In our case \$3,650,000.00 is dedicated to maintaining our credit rating, leaving \$1,565,000.00 as available for spending.

Mr. Killen asked, how do we arrive at the five percent (5%) figure? Who decides it should be five percent (5%)?

Mr. Myers responded, that is a figure that comes out of the rating agencies. It is a standard that the agencies look for certain credit to maintain. The reason for maintaining the reserve is that it acts as a protection to the bond holder, the investor. Should a natural disaster or unforeseen circumstance strike beyond anyone's control, it insures the investor of prompt payment on his bonds and interest when those payments are due.

Mr. Killen referred to an article from the Hartford Courant which detailed the financial status of Cheshire. It stated, "The resulting available fund balance is \$698,343.00 which the Town Council may draw on for emergencies. That figure is significantly less than the 3% of budget formula encouraged by rating agencies which would be \$1.5 million in Cheshire, Malone said. But because the Town is well-managed and not financially volatile the lower reserve amount is considered acceptable, he added. With these figures in place the Town's credit rating was upgraded from A1 to Aa by Moody's Investment Service in July."

Mr. Killen felt there is a double-standard. We have to reserve five percent (5%) while Cheshire has three percent (3%) which they don't even meet yet they still get the Aa.

Mr. Myers could not speak for Cheshire. He reminded the Council that his purpose this evening is to report the figures.

Mr. Zandri asked, what is the \$3.5 million designated for?

Mr. Myers responded, for the 1993 budget. It is reflected on the first line of the revenue budget. Instead of raising taxes \$3.5 million, we used \$3.5 million of cash on hand. The \$2,835,000.00 surplus from last year is included in the \$5.2 million.

Mr. Zandri wanted to everyone to understand what is available for use.

Mr. Killen asked, how do we get to use it?

Mr. Myers could not respond to that. It is part of the budget-making process.

Mr. Zandri stated that it could be part of the budget-making process if the Council decided to appropriate it at budget time. That would last approximately one week.

Special Revenue Funds, Page 86

There are twenty-nine funds in this category. Of those twenty-nine funds the Town of Wallingford received \$4.2 million and spent \$4.3 million. There is a fund balance of \$332,000 which is restricted by

grant agreements. Those funds must be spent for the grant purposes solely. If they are not they are returned to the granting agency. They are not available for local spending purposes but for program purposes.

Capital Projects, Page 108

We presently have eleven (11) capital project funds. Ten of those funds represent very specific projects like Police Department Computer System, Orchard Properties Purchase, 88 S. Main Street, Landfill Closure, School Roof Reconstruction, Handicapped Accessibility to Schools, and the Capital and Non-Recurring Fund.

We presently have \$21.5 million worth of capital projects in various stages of completion and financing.

Mr. Killen asked, why wouldn't all of the capital projects listed fit within the Capital & Non-Recurring Expenditure?

Mr. Myers responded, if the bonding occurred through the Capital & Non-Recurring then the debt would be retired through Capital & Non-Recurring.

Mr. Killen stated, you would not bond them through the Capital & Non-Recurring unless they were put in that account. Why weren't they put in that account? That is why that account was established.

Mr. Myers answered, if we authorize an ordinance for a project we don't make a decision at that time as to where it will be bonded. If we decide that the bond issue will be financed through Capital & Non-Recurring then it is folded into that fund at that time. It is a question of flexibility.

Mr. Killen was irritated with the fact that the Town brags about a Aa credit rating which the Town obtained in 1987, yet the money that the Town has borrowed since 1987 is minuscule. We have been putting money aside to preserve something that we are not going to use and financing other things out of capital in the meantime. He felt, as a taxpayer, that he was being swindled.

Mr. Myers asked the Council to refer to page 109.

Capital & Non-Recurring Fund

This fund is an on-going debt service fund. It finances projects. We issue bonds and pay the principal and interest on those bonds through this fund. The major source of revenue in this fund is money transferred from the Electric Division. In 1993 this fund had revenues of \$2,278,000.00. \$1.5 million came from the Electric Division, another portion came from interest income and State grants. The expenditures of the fund were \$4,553,000.00. On the bottom of page 109 is reflected an Undesignated Fund Balance of \$1,702,000.00. This fund has debt obligations of \$1,600,000.00 annually. It has always been the Town's policy to maintain an undesignated balance in

this fund equal to one year's debt payments.

Mr. Zandri asked, why?

Mr. Myers responded, that has been the policy in case the Electric Division, for some reason, cannot make that payment, the money is in the fund to pay principal and interest on outstanding bonds without raising property taxes. This fund does not exist on property taxes, it exists on the money that comes from the Electric Division.

Mr. Zandri stated, that money is part of their operating budget.

Mr. Myers answered, yes, it is part of their budget. There were years in the 1970s when the Electric Division lost money and the payments were not made to the Town. It was budgeted for and fell short.

Mr. Zandri stated that the average should be based on the past ten years and not something that was out of the norm back in the 1970s.

Mr. Myers was not debating philosophies but merely stating what the policy is which was enacted when Mayor Carini was in office.

Enterprise Funds, Page 115

The Enterprise Funds are the Electric, Water & Sewer Divisions. These funds are most like private business. Their rates are set to earn a profit, just like a privately-owned corporation. The accounting for these funds closely parallels the accounting used by private business.

Before going any further, Mr. Myers wanted everyone to understand that the utility management should be consulted and asked to disclose their plans for any resources, money, that is available in those utility divisions. They are well aware of the money in each utility account and they have very specific plans for them. Technically, the money is available, it is not appropriated. However, their plans are tentative and are not encompassed in a budget document so the money is not appropriated. In fairness to the utility management they should be allowed to present their side of the story, what their intended use of the funds are.

Electric Division

The Electric Division revenues for 1993 were \$41,438,000. Their expenditures were \$40,500,000. The revenues appear on page 117. Under Operating Transfers (Out) is reflected the \$1.5 million which was transferred to the General Fund to support the Capital and Non-Recurring Program. That same \$1.5 million was transferred from the General Fund to the Capital & Non-Recurring Fund.

Net Income reflects a \$556,000 loss for 1993.

Mr. Zandri asked Mr. Meyers to explain why.

Mr. Myers responded the credit rider was a reduction to their

revenues. They lowered their rates which reduced their revenue stream.

Mr. Zandri was of the opinion that by reflecting the account this way it appears as though there was a loss that, in reality, was not a loss.

Mr. Myers responded, it is a loss that is explained by the fact that the Division reduced its rates 5-7%.

Mr. Zandri argued that they did not really reduce their rates. They appropriated an unappropriated balance and gave it to the customers because their rates are still the same.

Mr. Myers explained, they reduced their rates, sustained a \$556,000 net loss and the negative amount was offset by Retained Earnings.

Mr. Zandri wanted to make sure that everyone understands that the Retained Earnings or Unappropriated Balance are Town funds. This credit rider is depleting those funds to the tune of \$3 million per year - \$3 million per year is being depleted, per year, out of Town funds for the credit rider.

Mr. Myers responded, right, with one exception for 1993 - instead of depleting it by \$3 million it was depleted by \$556,000.

At this point in time Mr. Myers explained the cash position of the Electric Division. On June 30, 1993 the Electric Division had \$16,162,000.00 in cash and investments reflected on page 115. The 1993-94 budget appropriates \$3.9 million of that money to carry out the credit rider and capital acquisitions. There is \$1 million committed to previous year capital, carry forwards. That leaves a balance of \$11.3 million, cash. In the Electric Division we define a minimum cash position which is \$3.5 million. The reason being is that each month we have a bill due to Northeast Utilities. Outside of the \$3.5 million minimum cash position, there is \$7.8 million in available cash.

Mr. Myers stressed again that the Council should consult the utility management for their plans with the funds.

Mr. Killen asked, why should we have to go to the Electric Division to see what they want to do with our money?

Mr. Myers responded, again, it is a policy issue.

Water Division

Revenues, Page 117 were the first topic of discussion. The total revenues of the Water Division were \$5,994,000. Expenses totaled \$4,410,000. The Water Division had a net profit of \$1,584,047. Available cash in the Water Division in the amount of \$4,375,000. is reflected on page 115. In addition to that \$1,446,000. from unbilled utility revenues is money advanced before we issued bonds. In other words we used some of our own cash and then we will replenish it when

we issue debt. It has to be counted as available money. So there is \$6,068,000. available. Of that total \$218,000 is appropriated in the 1993-94 budget, \$845,000 is appropriated towards capital carry forwards, prior year's capitals. They have a minimum cash position of \$1.5 million, leaving \$3,505,000. as available.

Sewer Division

For 1993 the Sewer Division, on page 117, Revenues and Other Income totalled \$3,895,000. The Expenditures and Other Expenses totalled \$4,983,000. The Sewer Division sustained a net loss of \$1,086,000.

On Page 115, Cash on hand was \$2,339,000. There were advances to the Sewer Treatment Plant of \$1,485,000., for a total cash position of \$3,814,000. \$280,000. has been appropriated to the 1994 budget, \$311,000. was appropriated to prior year's capital with a minimum working cash position of \$1 million so that they can pay their bills at all times. They have uncommitted cash of \$2,233,000.

Mr. Myers summed up the report by saying that he tried to explain the audit in easiest method possible so that everyone can understand the figures and can work with the audit.

Mr. Zandri stated, up to this point there appears to be \$16 million in available funds, unappropriated, for the Town.

Mr. Myers confirmed that there is \$16 million, cash on hand, that is Town money. It belongs to the Town of Wallingford and the utilities are owned by the Town of Wallingford.

Trust and Agency Funds

There are twenty-one sets of books for these funds. The majority of these funds, with the exception of two, account for money that was gifted to the Town. Those funds are restricted. Some are used for educational scholarships, betterment of parks, recreation areas, etc. They do not effect the taxes. Included in this group is the pension fund.

The Pension Fund on page 127 shows that there are two plans; the plan that covers Town employees and the Volunteer Firefighter's Plan adopted by the Council last year. The Town Pension Fund had investments in cash totalling \$66,463,000. on June 30, 1993. Those monies are reserved for employee retirement.

Mr. Solinsky asked Mr. Myers how much more time did he need to complete the explanation of the audit?

Mr. Myers responded, approximately one-half hour.

Due to the fact that it was presently 1:13 a.m. the Council decided to Table this item until the next Council meeting. A great deal of information was presented this evening that needed to be absorbed by the Council to this point.

Motion was made by Mr. Zandri to Table This Item Until the Next Town Council Meeting, seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

Motion was made by Ms. Papale to Adjourn the Meeting, seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 1:14 a.m.

Meeting recorded and transcribed by:

Kathryn F. Milano

Kathryn F. Milano
Town Council Secretary

Approved by:

Thomas D. Solinsky
Thomas D. Solinsky, Chairman

February 22, 1994
Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

February 22, 1994
Date