

TOWN COUNCIL MEETING

SEPTEMBER 13, 1994

6:30 P.M.

AGENDA

1. Roll Call & Pledge of Allegiance
2. Consider and Approve a Transfer of Funds in the Amount of \$1,245 from Council Contingency Acct. #001-8050-800-3230 to Part Time Help - Secretary & Planner Acct. #001-1302-100-1350 - Program Planner
3. Consider and Approve a Transfer of Funds in the Amount of \$1,115,000 from Purchased Power Acct. #555 to Environment Acct. #598 - Electric Division
4. Consider and Approve a Waiver of Bid for Contracted Services Associated with PCB-Related Remediation Efforts - Electric Division
5. Consider and Approve a Budget Amendment in the Amount of \$635,000 from Purchased Power Acct. #555 to Net Income - Electric Division
6. Consider and Approve a Budget Amendment in the Amount of \$635,000 from Net Income to Line Transformers Acct. #368 - Electric Division
7. Discussion and Possible Action on Prohibiting Hunting Activity on the New Haven Water Company Property as Requested by Councilor Thomas Zappala
8. Discussion and Possible Action on Establishing a Seven (7) Member General Building Committee Appointed by the Council to Oversee a Program of Scheduled Maintenance for Town-Owned Buildings/Property as Requested by Councilor Thomas Zappala
9. Discussion and Possible Action on Eliminating the Land Acquisition Account from the School Building Expansion Project and Reducing the Contingency Fund to Two Percent (2%) as Requested by Councilor Thomas Zappala
10. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
11. PUBLIC HEARING on a Proposed Ordinance Entitled, "Tax Exemption for a Disabled Veteran's Specially Equipped Vehicle" - 7:45 P.M.
12. PUBLIC HEARING on a Proposed Leash Ordinance - 8:00 P.M.

(OVER)

13. PUBLIC HEARING on an Ordinance Appropriating \$1,175,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 1994-95 - 8:30 P.M.
14. Consider and Approve the Abandonment of Property Adjacent to Pent Highway - Town Attorney
15. Consider and Approve Rescinding the Town of Wallingford's Agreement with the Department of Transportation Regarding Property Located at 1211 Barnes Road as Requested by the Wallingford Historic Preservation Trust
16. Note for the Record the Resignation of Thomas Murphy from the Board of Education Effective September 1, 1994
17. Approve and Accept the Minutes of the 8/23/94; 8/25/94 and 9/1/94 Town Council Meetings
18. Consider and Approve Tax Refunds (#22-45) in the Amount of \$7,207.85 - Tax Collector
19. Note for the Record Mayoral Transfers Approved to Date
20. Note for the Record Anniversary Increases Approved by the Mayor to Date
21. Note for the Record Correspondence from the Comptroller Regarding the Motor Vehicle Assessment Process
22. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Regards to Pending Litigation
  - Labor Matters
23. Consider and Approve a Waiver of Bid to Hire Outside Counsel - Town Attorney

TOWN COUNCIL MEETING

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6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Approve a Transfer of \$1,245 to Part Time Help - Secretary & Planner Acct. - Program Planning	1
3. Approve a Transfer of \$1,115,000 to Environment Acct. - Electric Division	1-6
4. Approve a Waiver of Bid for United Industrial Services Inc., Franklin Environmental Services and Transformer Services, Inc. for Services Associated with PCB Remediation Efforts - Electric Division	6
5. Approve a Budget Amendment in the Amount of \$635,000 to Net Income - Electric Division	6-8
6. Approve a Budget Amendment in the Amount of \$635,000 to Line Transformers - Electric Division	8
7. Discussion on Prohibiting Hunting Activity on the New Have Water Company Property	15-19
8. Approve Establishing a Seven (7) Member General Bldg. Committee Appointed by the Council to Oversee a Program of Scheduled Maintenance for Town-Owned Buildings/Property	19-20
9. No Action Taken on Eliminating the Land Acquisition Account from the School Building Expansion Project and Reducing the Contingency Fund to Two Percent (2%)	20-21
10. PUBLIC QUESTION AND ANSWER PERIOD - Questions Pertaining to Magnet Schools, the Town's Negligence re: Smart v. Nat'l. Railroad, Pension Fund, Trash Plant, Planned Parenthood	8-9
11. PUBLIC HEARING and Adoption of Ordinance Entitled, "Tax Exemption for a Disabled Veteran's Specially Equipped Vehicle"	8
12. PUBLIC HEARING and Adoption of Ordinance Entitled, "Leash Ordinance"	9-14
13. PUBLIC HEARING and Adoption of Ordinance Appropriating \$1,175,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 1994-95	14-15

<u>Agenda Item</u>	<u>Page No.</u>
14. Table Approving the Abandonment of Property Adjacent to Pent Highway	21-24
15. Authorize Town Attorney to Contact State of CT. to See if Original Agreement With the State can be Changed to Include the House Along with the Land at 1211 Barnes Rd.	24-26
16. Note for the Record the Resignation of Thomas Murphy from the Board of Education Effective September 1, 1994	27
17. Approve and Accept the Minutes of the 8/23/94 Town Council Meeting	27-28
18. Approve Tax Refunds (#22-450 in the Amount of \$7,207.85 - Tax Collector	28
19. Note for the Record Mayoral Transfers Approved to Date	28
20. Note for the Record Anniversary Increases Approved to Date	28
21. Note for the Record Correspondence from the Comptroller Regarding the Motor Vehicle Assessment Process	28
22. Executive Session - 1-18a(e)(2) with Regards to Pending Litigation - Labor Matters	28
23. Approve a Waiver of Bid to Hire Outside Counsel - Town Attorney	28-29

WAIVER OF RULE V

Approve Overriding the Decision of the Public Utilities Commission Made on September 6, 1994 to Establish the Position of Collector in the Electric Division	26-27
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<u>Agenda Item</u>	<u>Page No.</u>
14. Table Approving the Abandonment of Property Adjacent to Pent Highway	21-24
15. Authorize Town Attorney to Contact State of CT. to See if Original Agreement With the State can be Changed to Include the House Along with the Land at 1211 Barnes Rd.	24-26
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21. Note for the Record Correspondence from the Comptroller Regarding the Motor Vehicle Assessment Process	28
22. Executive Session - 1-18a(e)(2) with Regards to Pending Litigation - Labor Matters	28
23. Approve a Waiver of Bid to Hire Outside Counsel - Town Attorney	28-29

TOWN COUNCIL MEETING

SEPTEMBER 13, 1994

6:30 P.M.

The following is a record of motions made and acted upon by the Wallingford Town Council at its meeting of September 13, 1994 held in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Thomas D. Solinsky at 6:34 P.M. All Councilors answered present to the Roll called by Town Council Secretary Kathryn F. Milano with the exception of Councilor Rys and Town Clerk Kathryn J. Wall who had previous commitments associated with the Gubernatorial primary. Councilor Rys arrived at 8:24 P.M. and Town Clerk Kathryn J. Wall arrived at 9:10 P.M. Mayor William W. Dickinson, Jr. arrived at 6:40 P.M. and left at 9:45 P.M. due to illness; Town Attorney Janis M. Small arrived at 10:12 P.M., Corporation Counselor Adam Mantzaris was also present and left the meeting upon the arrival of the Town Attorney. Comptroller Thomas A. Myers was also present.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consider and Approve a Transfer of Funds in the Amount of \$1,245 from Council Contingency Acct. #001-8050-800-3230 to Part Time Help - Secretary & Planner Acct. #001-1302-100-1350 - Program Planner

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

Don Roe, Program Planner, explained how the transfer of funds associated with the recent Local 1183 award, approved by the Council at its July 26, 1994 meeting, failed to include the specific amounts correlating to those salaries within his department. This transfer is being requested so that the increases can be paid to those employees whom it effects.

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

ITEM #3 Consider and Approve a Transfer of Funds in the Amount of \$1,115,000 from Purchased Power Acct. #555 to Environment Acct. #598 - Electric Division

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

The recording equipment experienced technical difficulties, therefore a portion of tape is inaudible at the beginning.

Raymond F. Smith, Director of Public Utilities and William Cominos, General Manager of the Electric Division and PUC Commissioner Dave Gessert were present for this item.

Mr. Smith explained how the utility had reached an agreement with the State which outlined a three year plan to address the remaining PCB transformers in the community. Once the Caldor incident occurred, it became apparent to the utility and its commissioners the potential risk and exposure which the community was subject to during that three year time frame. It was decided that a much more aggressive campaign to rid the community of the potential risks would be launched, hence the request for funds this evening.

Mr. Cominos was fairly confident that the project could be completed by June 30, 1995.

Mr. Knight asked if the inspection of all transformers had been completed?

Mr. Cominos responded, yes. De-contamination procedures at Caldor's and Walgreen's were completed while the Pierce Station is on-going. The East Center Street subdivision requires some additional attention.

Mr. Gouveia inquired about the \$40,000 fine imposed on the Town by the D.E.P. and asked for the particulars surrounding the fine.

Mr. Cominos explained that the Town had been fined as a result of having PCB transformers on school property and unidentified as such. The transformers were not contaminated, however, the fine is levied just the same for having them on-site and unidentified. The initial fine was \$100,000.. and was reduced to \$40,000.

Mr. Gouveia asked if the Town had be subjected to any fines connected to the Caldor incident?

Mr. Cominos responded, the Town has not been fined, the perpetrator will be.

Mr. Gouveia asked if the division plans to seek recovery of costs incurred by the Town for the clean-up?

Mr. Cominos answered, we are currently in the process of doing so.

Mr. Gessert stated that the fine was not as severe as it could have been because the Electric Division was in the process of implementing an aggressive plan to clean up the transformers in the system.

Mr. Gouveia pointed out that the transformer at the school was not identified. He reminded everyone that back in 1986 the Town paid a fine for the exact same reason for we had failed to maintain, inspect and identify the PCB transformers in Town, yet only now are we launching an aggressive proactive plan to identify them. If the Council failed to approve the transfer this evening we would give the impression that we don't care about this sensitive issue, yet the PUC has known since 1986 that those transformers needed identifying.

Mr. Gessert took exception to Mr. Gouveia's comments, pointing out that he and Mr. Cominos were not serving the Town in their present capacities at that time.

Mr. Smith stated that no records were available to indicate whether the transformer belonged to the division or the school. The issue was identified and corrected just the same for it did not matter who it belonged to but that the risk needed to be eradicated. Either way the Town would have absorbed the fine whether it belonged to the school or not.

Mr. Gouveia commented that the Town is very fortunate to be in the financial position that it is for if we did not have the financial resources available to us we would be in a very difficult situation. Had we taken the aggressive approach back in 1986 we would not be in

September 13, 1994

the position we are in today. To categorize this issue as an emergency..is a little too extreme. He would like to see what Mr. Cominos proposed before as a plan to rid the system of PCBs. He reminded Mr. Smith that he (Mr. Gouveia) was very supportive of that plan to remove the PCBs and the risk once and for all.

Mr. Smith agreed that it was not an emergency. It is a prudent business decision to shorten the time frame from three years to one year. If you choose not to fund this it will be planned over a three year period anyway. Because of the incident at Caldor we feel it is good judgment to shorten the time frame to resolve the problem.

Mr. Gouveia was concerned with the procedure to transfer the funds. He noted that the action before the Council does not appear to be the same action that was taken at a P.U.C. meeting on this issue. He noted that he was presented with the minutes of that meeting upon arrival tonight.

Mr. Gessert pointed out that the PUC approved the transfer from either the Retained Earnings or Purchased Power Accounts. The commission was not sure which would be more acceptable to the Mayor's office, or Comptroller or Council.

Mr. Gouveia noted that the two upcoming budget amendments on the agenda associated with this item reflects funds being transferred out of an account into net income and then out of net income into another account. Why not transfer out of one account into another? Why the extra step?

Mr. Myers responded that the transfers depict the flow of funds in the accounting formula. One transfer is an appropriation to a capital line item. Capital acquisitions, in the utilities, under the enterprise accounting system are funded from retained earnings and net income.

Mr. Gouveia asked, by taking funds from a new source and bringing it into an account, are we changing the bottom line of the budget?

Mr. Myers responded, yes. You are raising net income on the operating side and increasing the capital budget.

Mr. Gouveia stated, there has been a long standing argument over whether or not the budget is an ordinance and whether we need a public hearing to amend the ordinance. Is a public hearing in order?

Corporation Counselor Adam Mantzaris could not address the question since Town Attorney Janis Small was the one who researched this issue in the past.

Attorney Small had not yet arrived at the meeting, therefore Mr. Gouveia's question went unanswered.

Mr. Gouveia did not want to circumvent the Charter to address other concerns.

Mr. Killen asked, who decided that the funds should not come from retained earnings?



Mr. Smith responded, the Mayor indicated that the retained earnings have not yet been audited and therefore not certified. Money cannot be transferred from that account until the audit has been complete. Mr. Smith recommended that it be taken from purchased power and the account replenished next year, unless circumstances change.

Mr. Killen commented that there was no way that the retained earnings could have been used up, audited or not. There is a large balance in that account of which this \$1,700,000 transfer would not have effected the unaudited portion of that account for this year.

Mr. Smith agreed as a layman, but the procedure to follow is to certify the funds from the auditor.

Mr. Killen felt that the Council is the entity which should decide where the funds come from to transfer. He asked, why is it that Meriden has implemented a plan to rid their system of PCB and has been following it for the past eight to nine years and we haven't?

Mr. Smith commented that the division has expended millions of dollars on this subject. They have disposed of and retro-filled dozens of transformers with PCBs over the past ten years.

Ms. Papale asked, are we accelerating our process of ridding the system of PCBs because we have a limited time in which to do so or are we looking at the issue with the view that we are going to have to do it anyway so let's start now?

Mr. Cominos responded, we do not have to rid ourselves of the PCB contaminated units out there now. We don't have to label them. If, however, you have a ten ton paver roll over or a car hit a pole and the transformer falls to the ground, or a transformer explodes in the air and comes down over children at a bus stop, the Town will be faced with catastrophic liabilities. We don't need that in this town.

Mr. Gessert commented, are the transformers an emergency? No, they are a disaster waiting to happen. As long as no one touches them they are fine. As soon as someone hits one or lightning strikes, we will have a disaster. It is a liability to the Town we want to remove.

Mr. Zandri asked, is there an existing plan which prioritizes those transformers in question according to high traffic areas, watershed areas, etc.?

Mr. Cominos responded, no, up until one week ago the mission was to identify how many contaminated units existed, now we can begin to prioritize them.

Mr. Zandri suggested targeting the high traffic and watershed areas first. He saw no problem with a three year plan at all. Some utilities have implemented ten year plans, Northeast Utilities is one, for instance. You have to target the vulnerable areas first.

Mr. Cominos responded, that can be achieved, however an accident can occur in a low priority area. Will the Council hold the division accountable for not having labeled that area as a high priority one?

September 13, 1994

Mr. Smith pointed out that the transformer at Caldor's would have been prioritized as a low traffic area.

Mr. Zandri also pointed out that when a third party is involved, such as the case at Caldor's, that party is liable. If a car hits a pole and a transformer falls, that individual is responsible.

Mr. Gessert responded, yes, they may be liable but not able to pay for the costs associated with the situation.

Mrs. Duryea felt that the division was resorting to scare tactics when referring to children at bus stops. They are going to cause the public to panic. It isn't fair to hit so low with those tactics. She asked, why wasn't this plan budgeted for regardless of the incident at Caldor?

Mr. Cominos responded, he is using the worst case scenario to point out the degree of risk. The main concern of the division was to identify the transformers. They were not thinking about the costs associated with removing 300 tons of soil should an accident occur. He was not asking the Council to float a bond issue, we have the money so let's do it.

Mr. Knight commented that he spent a great deal of time, as a child, swimming in the Housatonic River and, at the same time, General Electric spent all their time dropping PCBs in that same river. It became evident in the 1970s that this chemical had a carcinogenic effect on life. To what degree is this an actual hazard? And to what degree has this become an administrative nightmare more than an actual physical emergency? There has to be a component of hysteria which is being driven by the EPA, for instance, having 300 tons of dirt dug up around a transformer, when fifteen years ago he was swimming in it?

Mr. Cominos gave a brief presentation on the history of PCBs and the environmental regulations governing them. One fact presented was that the type of oil used in the transformers was non-flammable, hence it was safe for use in schools, commercial buildings, ships to protect the armed forces if they were fired upon, airfields, etc. However, when they burned, if the building caught fire and/or the transformer exploded they emitted dioxins.

Mr. Killen stated that he had a problem with the term emergency and commented that the funds are never available to the Council when they see it necessary to fund something however they are suddenly available for this clean-up program.

Mr. Gouveia felt that the request to speed up the process was a "knee-jerk" reaction to the Caldor incident. Had an aggressive, pro-active campaign been launched to address this situation back in 1986 with the first fine, we would not be faced with this issue today. Shame on those individuals who did nothing about the potential risk and liability to the public over that time. Liabilities will always exist within the community with the utility, it is inherent with that type of business. He applauds what the utility has been doing but by the same token he was not happy with what the PUC has not been doing since 1986.

Mr. Gessert commented, no one should think that there would be no

September 13, 1994

electric division liability and we can cancel our liability coverage, but by taking this action and moving quickly to resolve this particular area of liability, we should be able to at least prevent many very high claims and very serious and expensive problems.

Mr. Gouveia noted that, in the consent agreement with the State, the Town of Wallingford, not the electric division, is the defendant.

Dave Canto, 4 Meadows Edge Drive first voiced his objection to the action taken by five democrats at the last meeting who arbitrarily voted against a reasonable transfer. He felt that each transfer should be voted on its merit. If it has none, then vote against it. In this case we should get rid of any dangerous transformers in Town a.s.a.p., no matter what the cost.

Pasquale Melillo, 15 Haller Place, Yalesville, wants the PCBs removed as soon as possible within the one year plan.

Reginald Knight, 21 Audette Drive asked, where was the 300 tons of soil taken?

Mr. Cominos responded, to upstate New York. It was transported to an environmentally-approved area for dumping.

Mr. Knight felt that the most important fact here is not the dollars but the health of the community. He supported the transfer and the program.

Leo Perry, 87 Algonquin Drive has witnessed the effects that PCBs had on fellow co-workers. He supported the transfer and plan.

Mr. Zappala informed Mr. Canto that the reason the democrats voted against the transfer was due to the information contained in the bid. The bid requested everything but a sunroof for the truck. That is the reason he voted against it.

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

ITEM #4 Consider and Approve a Waiver of Bid for Contracted Services Associated with PCB-Related Remediation Efforts - Electric Division

Motion was made by Mrs. Duryea to Waive the Bid for United Industrial Services, Inc., Franklin Environmental Services and Transformer Services, Inc. for Contracted Services Associated with PCB-Related Remediation Efforts, seconded by Mr. Knight.

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

ITEM #5 Consider and Approve a Budget Amendment in the Amount of \$635,000 from Purchased Power Acct. #555 to Net Income - Electric Division

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

Mr. Zandri asked Mr. Myers if the emergency purchasing procedure was followed with regards to the spill at Caldor?

September 13, 1994

Mr. Myers responded, yes, he received correspondence today stating that the spill at Caldor's was declared an emergency by the utility. It was handled under the emergency provisions of the purchasing ordinance. Yes, it was handled correctly.

Mr. Zandri asked, that was done from the beginning when the problem was first noted?

Mr. Myers responded, yes, but the person to answer that would be Mr. Cominos.

Mr. Zandri asked Mr. Smith, is that the way it was handled?

Mr. Smith answered, yes, Mr. Cominos handled the notification.

Mr. Gouveia asked Mr. Myers why he only found out today through correspondence? The spill occurred over a month ago.

Mr. Myers responded, he received correspondence dated September 12, 1994 today.

Mr. Gouveia pointed out that the spill took place on August 16, 1994.

Mr. Myers received a packet of information from purchasing today. The notification from the electric division to purchasing is dated August 19, 1994 requesting two emergency purchase orders for two firms performing the clean-up and remediation operations, Franklin Environmental and United Industrial Services.

Mr. Gouveia informed Mr. Myers that he believed that the emergency purchasing procedures require that a meeting be called as soon as possible to inform all parties involved of the incident. Today is the first time that the Council has been given any documentation. It took too long to come to the Council.

Mayor Dickinson stated that there is no requirement to hold a meeting on emergency purchases. Generally they would only reach the Council at the point that money has to be transferred. If there had not been money in the account to pay for it....it would still have to involve a transfer of funds. If there is money available for the immediate alleviation of a problem, then the department head can immediately move forward to eliminate any threat to the convenience, health and/or welfare of the citizens of the community.

Mr. Zandri asked, was there money available?

Since no one was responding, Mr. Zandri directed his question to the Mayor.

Mayor Dickinson assumed that there would have had to be money available to initiate the action taken at that time. The utility has to answer that. We are dealing with the transfers now, but generally there has to be funds available in an account to allow them to be acted upon.

Mr. Killen stated that if the funds were available then a transfer would not be needed, they would simply be expended.

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

ITEM #6 Consider and Approve a Budget Amendment in the Amount of \$635,000 from Net Income to Line Transformers Acct. #368 - Electric Division

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

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

ITEM #11 PUBLIC HEARING on a Proposed Ordinance Entitled, "Tax Exemption for a Disabled Veteran's Specially Equipped Vehicle" - 7:45 P.M.

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

Mrs. Duryea read the ordinance, in its entirety, into the record (appendix I).

Mr. Gouveia stated that the State statutes enable the Town to pass an ordinance which provides tax relief for those disabled veterans owning specially-equipped vehicles designed specifically for their disability. The Town has eight such vehicles on the tax roles. Exempting them would create a minimal impact on the Town's taxes. The Town has taken the approach of wanting to extend its appreciation to those individuals who served our Country.

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

PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville wanted to know if there is a chance that the State can use a legal loophole to force magnet schools on towns that do not want them, such as Wallingford?

Mayor Dickinson responded that there are currently no mandates from the State on this subject, at the moment any participation on the part of towns or cities are strictly voluntary.

On a separate matter, Mr. Melillo asked how the Town was negligent in the case of the Smart v. Nat'l. Railroad which caused the Town to pay \$250,000 towards the settlement?

Mr. Killen responded that the Police Department failed to send an officer to the railroad crossing.

Mr. Melillo asked, what kind of measures have been taken to assure that this will not happen again?

Mayor Dickinson responded that there has been a considerable change in the way the railroad is working with the Police Department. A police officer is dispatched and remains at the crossing until an Amtrak replacement arrives.

Mr. Knight added that the chain of command is much clearer which results in more effective responses.

Mr. Melillo had questions regarding our pension portfolio for he was concerned about their stability and the effects derivative stocks would have on it.

Mr. Myers assured Mr. Melillo that the Town's portfolio did not contain derivative investments.

Mr. Melillo requested a breakdown of the investments in the portfolio.

Mr. Myers informed him that sixty percent was invested in stocks and forty percent in bonds.

Mr. Melillo commented next on the incinerator stating that it is adding more pollution to the air in town than the landfill would have.

Mr. Solinsky responded that if the incinerator was not meeting the State's requirements with regards to emissions the D.E.P. would know about it.

Mr. Melillo next addressed the issue of planned parenthood and expressed his opposition to the fact that school officials are once again considering offering the information to students at middle and high school grades.

Frank Rhenda, 753 N. Main Street Extension informed the Council that Public Question and Answer Period should be limited to only one question per individual.

ITEM #12 PUBLIC HEARING on a Proposed Leash Ordinance - 8:00 P.M.

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

Mrs. Duryea read the ordinance, in its entirety, into the record (appendix II).

Dave Canto, 4 Meadows Edge Road supports the Leash Ordinance being proposed this evening. He has to carry a stick while walking in the evening to fend off those dogs walking with keepers/owners and not restrained on a leash.

Mr. Taylor, 147 Constitution Street asked, who will enforce the ordinance? The dog warden does not patrol the town looking for roaming dogs?

Bob Reig, No. Airline Road suggested increasing the penalty and asked if the definition of public parks pertained to the Tyler Mill hunting area?

Mr. Gouveia stated that State statute allows for dogs that are engaged in the act of hunting to be unleashed. State statute supersedes local ordinances.

Patricia Kohl, 11 S. Cherry Street thanked everyone involved in bringing this ordinance forth. She presented the Council with a petition exhibiting 105 signatures supporting the ordinance. The State statute is extremely broad in addressing roaming dogs. It states that all dogs must be under the control of their owner. An unleashed dog may well be under the owner's control up until the

moment when it decides that it no longer wants to be. A leash prevents the dog from acting on impulse. Not even a child does what it is told all the time and it is unrealistic to expect a higher standard for dogs. The prevention of injury and lifelong fear of a dog is well worth the inconvenience of being required to keep a dog leashed in public. She did not want a leash law, she wants people to realize that freedom does not mean the absence of responsibility. She wants people to respect her wish not to be approached by any dog while walking down the street. Ideally, she would like all dogs to be perfectly socialized and so well trained that they never leave their owner's side. That is fantasy, not reality. Those things cannot be mandated and that is why she believes that we need a leash law. She asked that the penalty section be revised to reflect a \$25.00 fine for the first offense and \$50.00 or more for subsequent offenses.

Joanne DeMarco, 27 Wharton Brook Drive stated that her grandson has been hospitalized twice in the past three weeks due to a loose, wild dog. She supported the enactment of a leash ordinance.

Darryl York, 295 S. Cherry Street was supportive of the leash law on public streets and other public areas, however the ordinance should be revised to better define Town property or parks. He exercises his dogs at Veteran's Memorial Field in the back which runs into Tamarac Swamp and Tyler Mill area. He usually doesn't encounter anyone there for it to become a problem. He also referred to Community Lake property stating that it is not deemed a park but is Town property. Those areas are good for exercising the dogs since they are not heavily used.

Joseph Ferrara, 185 S. Main Street agreed that the ordinance cannot be so exact as to not allow dogs to run loose in those types of areas. It is unfortunate that we need a leash law but that is part of living in this Town, taking responsibility for it. A lot of people do not take responsibility for their dogs. He urged the Council to pass the ordinance.

Ward Johnson, 53 Dutton Street would also like to see the definition of "Town property" refined.

Frank Rhenda, 753 N. Main Street Ext. was of the opinion that there should be a dog defecation fine or as some towns refer to it, "Pooper Scooper" law.

Reginald Knight, 21 Audette Drive feels that the majority is being punished for the minority's actions.

Tim Cronin, 47 S. Ridgeland Road opposes the leash ordinance for it robs the animals of their right to run freely. Perhaps a dog club should be organized for the socialization of the animals with each other.

Mrs. Duryea took the time to thank Mr. Cronin for the mail on this subject along with the books that he purchased on dog behaviors which he forwarded to the Council for review.

Sal Sandillo, 413 Long Hill Road commented that only a few months ago an event was scheduled at Doolittle Park which was entertaining for many to watch. It involved many dogs from throughout the State

September 13, 1994

catching frisbees tossed by their owners. By enacting this ordinance the Council will be taking that freedom and enjoyment away from not only the animals but the spectators. Also, a group of individuals train labrador retrievers by Blue Trail Range. This will also have to cease in order to comply with the ordinance.

Barbara Killen, 150 Cedar Street stated that her dog has never been on a leash and has never wandered more than six feet from her. The ordinance should not be enacted strictly because of those few dogs which are out of their owner's control, punishing those dogs which are well behaved.

Steve Hacku, 10 Colonial Lane stated that a lot of private property exists on which to unleash your dog. He is very careful to clean up after his animal and feels that everyone should do the same. There are ways around the law if you remain on private property.

Mr. Gouveia commented that he has not received as much mail on the vendor, litter, tax abatement for dairy farms/fruit orchards ordinance, combined, as he has on this ordinance, as Chairman of the Ordinance Committee. Although he firmly believes that the more a society regulates itself the less of a free people we are. None the less he made a firm commitment to himself to not sit in judgment as Chairman of the committee for that is the Council's responsibility. The fact remains that a citizen has brought their concern regarding this issue to him and he has to take a stand on it. He will do so because he is driven by what is good for the community and not what is good for his dog. A leash ordinance is good for the community. When we enact laws we do not do so for law-abiding citizens, we do so to protect those citizens from the criminals.

Motion was made by Mr. Gouveia to Amend Section 3 by adding the following phrase after the word, "Park"....."or any other public property including schools." Seconded by Ms. Papale.

Reginald Knight, 21 Audette Drive asked, who will measure the leash to assure that it is no longer than six feet?

Tim Tyler, 147 Constitution Street, is not in favor of passing a law that cannot or will not be enforced.

Frank Zielinski, (address unknown), asked, if his dog was tied and broke the rope or chain restraining it, would he be fined if it roamed off of his property?

Mr. Solinsky responded, yes.

Mr. Zielinski asked if the owner of cows or goats or sheep will be fined the same if their animals roam?

Pasquale Melillo felt that the penalty should be stiff otherwise this ordinance will not do its job.



Mr. Solinsky stated that he was against having this ordinance apply to all areas of Town property.

Mr. Gouveia stated that he has another amendment that may address Mr. Solinsky's concern, however this amendment must be voted upon first.

Lester Slie, 18 Green Street stated for the record that Animal Control Officer Shirley Giannotti responds each time she is called upon to perform her duties. He spoke highly of her work performance.

Mr. Gouveia concurred with Mr. Slie, commenting that Ms. Giannotti is one of the Town's most dedicated employees we have. She works not only during the day but also receives many calls at home in the evening and early morning hours to which she responds.

Mr. Solinsky agreed.

VOTE: Killen, Knight, Papale and Solinsky, no; all others, aye; motion duly carried.

Motion was made by Mr. Gouveia to Amend the Ordinance by Re-numbering Section 4 to Read Section 5 and Inserting a New Section 4 as Follows:

"SECTION 4. EXEMPTIONS

This ordinance shall not apply to the following:

- a. Police or other dogs used by governmental safety or public health units;
- b. A dog being exercised in public parks before 9:00 a.m. during the summer months of June, July & August and 10:00 a.m. the rest of the year

Seconded by Mr. Rys.

Mayor Dickinson stated that, generally, dogs are not allowed on ball fields at all. It presents a hazard to the players if an owner allows their dog to defecate on the field.

Mr. Rys stated that the majority of our parks exhibit signs that indicate that no dogs are allowed on the playing or soccer fields.

Corporation Counselor Adam Mantzaris stated that Pragman Park, West Side Field, Veteran's Park and Woodhouse Soccer Fields have been posted with signs prohibiting dogs from the property. He suggested that language be added to the effect that no dogs are allowed where posted by the Director of Recreation.

Tim Cronin, 47 S. Ridgeland Road commented that the amendment was a very good one and that he supported it.

A friendly amendment was added to Mr. Gouveia's motion by Mr. Rys to include after the word "year" in subsection b. the words, "except where posted by the Director of Recreation", seconded by Mr. Gouveia.

Darryl York, S. Cherry Street saw no reason why an owner can't let their dog off the leash to run at Tyler Mill property. He works an off shift and can only exercise his dog in the evening. There are many open land areas in Town that are not designated as parks at which dogs should be allowed to run. There is no reason why the ordinance cannot be amended to allow people to run their dogs at open land areas.

Mr. Gouveia welcomed a motion from the Council addressing the issue Mr. York spoke of. He warned the Council to be careful of designating open land areas as such.

Mr. Zandri suggested posting areas allowing the running of dogs.

Mr. Solinsky felt that the dogs should be allowed to run free at open land areas unless it creates a problem.

Ms. Papale commented that the ordinance is needed more so for the center of Town where people are out walking. Dogs should be able to run at the parks or lakes, but it is impossible to designate specific areas for such. She wanted to see a leash law for when people walk their dogs in high pedestrian traffic areas.

Mr. Killen stated that not all dogs are equal. As he walked into Town last evening with his unleashed dog he met two other dog owners walking their pets on a leash. Each of the dogs got along just fine even though two were on a leash and one was not. The normal width of a sidewalk is five feet so it seems that the leash ordinance will not protect someone walking down the street from being approached by a strange dog since the leash will be six feet in length that the dog will be restricted to. The owners of the dogs which create the problem should be held accountable.

Mr. Knight admitted, at first he was in favor of the ordinance. Since that time Mr. Cronin, through his correspondence and the book on dog behavior, has done a good job of educating Mr. Knight about the difference between roaming dogs and dogs that are loose under the control of their owner. He was concerned about protecting the public against dangerous dogs that are not under control even while on a leash or off one. The responsible dog owner would not even think about letting his dog out to roam at will. We currently have a roaming dog State statute. Is it enforced? No. We have police to enforce many more important laws in this Town. He was of the opinion that the ordinance needs reworking. He agreed with Mr. Killen. The spirit is right. He would like to see an ordinance differentiating roaming dogs from dogs that are under their owner's control even though off a leash (applause).

Joseph Ferrara, South Main Street, agreed with Mr. Knight and Mr. Killen.

Mr. Gouveia commented that, in his opinion, the State statute addressing roaming dogs fails to define what "control" means.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Knight to Amend Section 3 to read in its entirety, "No owner or keeper of any dog shall allow such dog on any public road or in any public park or school property without being on a leash of no more than six (6) feet in length and held by the owner or keeper of the dog."

Seconded by Ms. Papale.

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

Mr. Gouveia was concerned that we will have a problem with this ordinance because of the definition of "park". He asked, is Tyler Mill a park?

Atty. Mantzaris responded, no.

Motion was made by Mr. Gouveia to Approve the Ordinance as Amended, seconded by Mrs. Duryea.

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

The Chair declared a five minute recess at this point in time.

ITEM #13 PUBLIC HEARING on an Ordinance Appropriating \$1,175,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 1994-95

Mrs. Duryea made a motion to Dispense with the Reading of the Remainder of the Ordinance and Append a Copy of it to the Minutes of This Meeting, seconded by Ms. Papale.

Mrs. Duryea read the Title and Section I into the Record (appendix III).

Mayor Dickinson left the meeting at 9:45 p.m. due to illness.

VOTE ON DISPENSING WITH THE READING OF THE ORDINANCE: Zandri, no; all others, aye; motion duly carried.

Mr. Rys asked if the lighting for Pragman Field is additional lighting or replacement?

Since the Mayor had left the meeting early, Mr. Rys question remained unanswered for John Costello, Town Engineer, did not have that information.

Mrs. Duryea asked to have the projects and amounts included for publication in the legal notices when this ordinance is published. The public will then be informed of the projects prior to coming to the public hearing and not at the time of the meeting. It will help to keep the public more informed.

Town Clerk, Kathryn Wall agreed to do so in the future.

September 13, 1994

Mr. Killen asked if there is a schedule by which these projects will be completed?

Mr. Costello responded, no. We have several bridges in Town that have been determined by the State D.O.T. as structurally deficient. Funds have been placed in the 1994-95 six year capital budget and have also applied to the State for state and federal grants. We were notified approximately one month ago that we will be the recipients of state and federal grants and they will reduce the Town's cost of the projects by approximately fifty percent (50%).

Mr. Solinsky asked, wasn't there a clause that stated if we were to acquire the State's professional services that they would pay for all the services?

Mr. Costello responded, that only applies to the bridges eligible for federal funding. There are only two, Wall Street and Scard Road. He did not recommend the State's procedure for Wallingford for it is too time-consuming. We would also have to negotiate a fee with the consultant and the Town is not in any position to do so. We are not knowledgeable of what consultant's costs are to be in a position to negotiate them.

Mr. Solinsky stated, why not obtain that expertise if they will pay the entire bill?

Mr. Costello answered, it takes the time of five department heads to comprise the committee. It was felt that the Town's system of hiring consultants was the preferable way to go.

Mr. Killen stated that he will vote in opposition to this ordinance due to the fact that there are many needs of the Town and \$1 million does not even touch the tip of the iceberg. He will not vote for road and bridge improvements under our capital and non-recurring plan while we are in need of a long range plan which includes items such as Community Lake, the school system, Simpson School, Community Pool, etc. Each year those projects await funding and they are ignored. We set aside funds each year for roads and bridges. They have to be taken care of also but they are not our main problems. He pointed out to everyone that our neighboring communities are spending more money on capital and non-recurring projects than we and they don't have the benefit of having their own utility for backing besides.

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

ITEM #7 Discussion and Possible Action on Prohibiting Hunting Activity on the New Haven Water Company Property as Requested by Councilor Thomas Zappala

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

Mr. Zappala explained that he has brought this item back for discussion once again because he fears for the safety and care of the people who use the area. We are fortunate that we have such a beautiful area for hiking, biking, horseback riding, snow mobiles and cross-country skiing. He sympathizes with the hunters and feels that a compromise of some sort can be worked out. He feared that a tragedy

is waiting to occur. The land is surrounded by residential area and is approximately 1,000 acres in size. Perhaps something can be arranged with a parcel that size to accommodate everyone's interests.

Don Roe, Program Planner, commented that the concerns that Mr. Zappala has is shared by everyone alike. The notion of having multiple uses is a practice that is done and endorsed by the State of Connecticut throughout properties that the State owns as well as properties that they lease, much like the agreement they have on the Tyler Mill and water company properties. The feeling here was that we should take some additional measures or steps to try and make users more aware of what is transpiring in that area. For instance, information has been included in the Recreation Program listing the uses and activities in the Tyler Mill area and, in addition to that, there will be a posting of signs that provide people with information regarding what activities are occurring and at what time. Hunting is not permitted on Sundays, therefore if gun shots are heard on that day illegal activity is taking place in the area. The agreement that the major user groups, i.e., trail riders association, hunters, mountain bikers, conservation commission, etc., arrived at was to continue as is with the additional information available to the public and revisit this issue again, after another season. The participants of those user groups were very comfortable with that.

Mr. Zappala voiced his concern that the Town is taking a large risk by allowing hunting to take place where recreational activities are allowed as well. Nothing has happened yet but do we have to wait until something does?

Mr. Roe is of the opinion that the more people we have using the area the more control we will have over it. In fact, the hunting community and their permitting program actually reports the majority of illegal hunting activity. They help to monitor that aspect of the activities for they know the difference between a shot gun and rifle discharging.

Mr. Zappala had nothing against the hunters, just the mixing of the activity with others in the same area.

William Taylor, 498 Williams Road, Second Vice President of the Connecticut Horse Council, stated that nowhere in the State have hunters and horseback riders had any conflict or accidents that he is aware of. He has been a member and Vice President of the organization for nine years. It is a six thousand member organization and none of them have any reservations about riding horses during hunting season on State, Town or privately-owned land (applause).

Paul Uhlán, 42 Country Way, President of the Wallingford Rod & Gun Club appeared tonight on behalf of six hundred members, the majority of which are Wallingford residents. He pointed out that the club has been hunting on the property for forty years. Senior citizens in Wallingford can obtain a permit for a season and a hunting license from the State, free of charge for the Tyler Mill area. All license holders, regardless if they are in the gun club or not, have to go through a hunter's safety course given by the State in order to get their license. The Rod & Gun Club also has three Town constables that are appointed by the Mayor that have arresting power. These constables patrol the property all year long. There was a letter forwarded to the Mayor from the D.E.P. (appendix IV) encouraging

September 13, 1994

multiple use throughout the entire State of Connecticut. The other user groups have appeared before the Council to assure you that they agree with the multiple uses of the property. The State stops stocking Tyler Mill Thanksgiving weekend. The permits requested to hunt in that area, excluding club members after that time drops to approximately three, four or six per week. A few of those hunters may come out on Saturday. He made it clear that there is no deer hunting allowed at Tyler's Mill. That means a rifle, hand gun and/or deer slug in a shot gun cannot be used, it is illegal. The only shot that can be used in bird shot (he presented a sample to the Council). He pointed out that not only does the gun club harvest birds on the property but also conducts several clean up projects every year organized with the other user groups.

Mr. Rys pointed out that a State game warden is also patrolling the area. Hunters use the area surrounding the reservoir as well and everyone is fully aware that they are out there close to the residential areas.

Dave Mandel, 57 Maltby Lane stated that he has never hunted in the State of Connecticut and is not a member of the Rod & Gun Club. He has used the Tyler Mill area for hiking and biking twelve months out of the year and at no time has he ever felt intimidated or frightened by hunters in the area. Dumping occurs frequently in the area. He challenged each one of the user groups to put back as much into the open space as what the hunters have put in over the years, especially the Rod & Gun Club (applause).

Barbara Lagerstrom, 461 N. Branford Road stated that she also lives in a rural section of town frequented by hunters, joggers, bicyclists and equestrians. She uses the Tyler Mill area to walk her dogs. She has a history with the Town for the past six years of being active in taking steps to protect areas such as Tyler Mill. In her walks, she has never once felt that her safety was in danger because of hunters. She attributes that to the fact that she is aware of her surroundings and employ a few standard safety precautions which allow her to co-exist with other individuals who may be in the area. Blaze orange clothing can be purchased anywhere and at certain times of the year both she and her dogs have some exterior garment on with that color on it. She equates the precaution to a jogger wearing white or reflective clothing at night. It is just common sense. She has never had to swerve to the opposite side of the road to avoid a hunter, such is not the case with joggers. She has never driven by McKenzie Reservoir and arrived at her destination only to find her tires covered with manure left in the road by a hunter. In thirty years of driving she has yet to see a rider on horseback dismount and clean up after their animal. Has she ever come to the Council to complain about this? No. Has she ever tried to enact legislation to ban these activities? No. She recognizes the fact that we all have the right, within reason, to pursue the outdoor recreational activities that we each enjoy and by making allowances for each other and actively taking steps to accommodate one another, we can all continue to enjoy the things that we like to do. It is because of the licensing fees paid by hunters and their active campaigns for open space and game restocking programs that many of the beautiful pieces of land still exist. Development has a great deal to do with the concentration of animal population in smaller and smaller areas and hunters play an important role in game management. The aesthetic value of our walkers,

joggers or bicyclists and winter activities would be lowered, somewhat, if you took them by a field over-populated with deer, starving to death during a bad winter. The pheasants and quail that we come upon in our walks are there due to the efforts of hunters to continue to keep game in the area. The one word she wanted to leave the Council with was "co-existence". It costs nothing to enforce and merely requires a small amount of effort on everyone's part (applause).

Joanne Minion, 35 Liney Hall Lane, Secretary to T.R.O.T.S. (Trail Riders of the Shoreline) spoke on behalf of the local horseback riders. She is also a member on the Tyler Mill Committee for National Trails Day. That committee has also spent a lot of time and energy cleaning up the area for the function. The group's primary goal for the area is multi-use. We don't have enough land to begin closing areas to certain user groups. The lines of communication have been kept open due to the fact that each of the groups has been represented at meetings with Mr. Roe so that everyone has a good idea of what is going on (applause).

Reginald Knight, 21 Audette Drive spoke on behalf of some of the older residents of Wallingford by saying that it is getting harder and harder to find hunting areas. More and more land has been taken for private uses. He displayed a hunting license issued by the Town of Wallingford and the State of Connecticut. That license validates that he is competent to go out into a field and distinguish between a horse and a quail. He also displayed a pistol permit which requires finger printing and a barrage of investigation and applications. The hunters care about the area and keep it clean. The backbone of conservation measures is supported by the fees paid by hunters. He urged the Council to give the older citizen of Wallingford an inexpensive means of hunting (applause).

Frank Rhenda, 753 N. Main Street Extension asked the Council if they had any information available to them which show how many people were killed by hunters in the past twenty to thirty years due to the victims being mistaken for wildlife? It is safer to be in the woods with hunters than if you travel to New Haven, Hartford or Bridgeport. We should stop taking away the people's right to enjoy their activities. The hunters are the ones who are keeping the area clean, they deserve to use the land (applause).

Mr. Zandri asked if anyone on the Council is planning to make a motion for action?

Mr. Zappala was simply trying to find a solution to the problem.

The majority of the audience voiced their opinions that there was no problem.

Mr. Solinsky felt that he has personally heard enough on the subject and is comfortable with the agreement that the user groups have with each other and the Town.

Mr. Zandri stated that we went through all this discussion before and unless someone was willing to make a motion there is no need to listen to all of this again unless there is a problem. He is comfortable with the existence of all the groups on the land (applause).

Tim Tyler, 147 Constitution Street commented that he watched this entire debate only a month ago on television at a Council Meeting. How many times is this item going to be discussed? If Mr. Zappala wants to bring this item back again in a month is he going to be allowed to? The Council voted to approve the use of the land for all the groups approximately one month ago, isn't that enough?

Mr. Zappala stated that he will not bring the item up again.

Mr. Roe informed the Council that he will be returning to discuss this issue again once the year has passed to report out on the status of the program.

Mr. Killen thanked everyone for taking the time to come to the Council meeting on this issue and reminded them that they should be thankful that they have a Councilor in town such as Mr. Zappala who takes an interest and knew that it was a tough issue to bring forth (applause).

No action taken.

ITEM #8 Discussion and Possible Action on Establishing a Seven (7) Member General Building Committee Appointed by the Council to Oversee a Program of Scheduled Maintenance for Town-Owned Buildings/Property as Requested by Councilor Thomas Zappala

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

Mr. Zappala explained that he proposed this action before and the results were negative at that time. He is bringing it forth again for he feels that this committee cannot hurt the Town but help it. It would be helpful to know that our buildings are being taken care of and this committee can inform the Council what should or could be done to keep them maintained properly.

Mr. Knight initially was enthusiastic about this proposal, however, he quickly saw how it can become a way to pound on the administration for every leaky roof or failure of a building or structure in any way. He suggested that perhaps instead of a permanent committee one can be established to explore the mechanism by which the Town can best accomplish the worthy goal that Mr. Zappala is seeking which is to be vigilant in the maintenance of its properties. He did not think that a permanent committee of watchdogs is the route to go. There may be a change in organization within the Town administrative structure that may solve the problem just as well.

Mr. Zappala stated that the Town is faced with large expenditures because certain things are not getting done with our buildings. He could not point out exactly who's fault it has been but this committee can help alleviate the problem.

Mr. Zappala made a motion to Form a Building Committee Appointed by the Council Not to Exceed Seven (7) Members to Oversee Our Buildings in the Town of Wallingford, seconded by Mrs. Duryea.

Mrs. Duryea stated that there are buildings in the town which need to be dealt with. She also voted no on the ordinance for capital projects dealing with roadways and bridges because we do have



buildings and things that need to be taken care of in town. Perhaps the group can come before the Council on a quarterly basis and report out.

Mr. Killen asked, who will bring forth the names for the committee?

Mr. Zappala felt that anyone can submit a name as long as they are qualified in some area of construction. There should be no potential for a conflict of interest with regards to awarding bids for work to be done which has been identified by the committee.

Mrs. Duryea asked if two Council members should sit in attendance at the meetings to assure that the committee follows correct procedure? She was concerned that the committee may have the wrong impression that it can call department heads and issue directives to repair certain things.

Mr. Killen felt that the committee could ask for advice from the Council if it so desires it.

Mr. Knight would like to see a narrow scope to the charge issued the committee. As it currently stands the committee's function is too broad. He suggested consulting with surrounding communities to see how they address this issue and whether or not a plan of scheduled maintenance is followed as well.

Mr. Gouveia stated that we have had committees before and Town employees before who have identified the needs of these buildings and those needs were never met because they were not given the opportunity to meet those needs for the monies were never appropriated. He is willing to vote for the committee but he is still very skeptical that this committee is going to accomplish anything unless there is a will to address those needs and a will to allocate the funds.

Town Clerk Kathryn Wall suggested that the Council bring forth the committee's charge at the time the names are submitted for appointment to the committee. She also pointed out that this will not be a permanent committee and will have to be re-appointed with each new Council.

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

ITEM #9 Discussion and Possible Action on Eliminating the Land Acquisition Account from the School Building Expansion Project and Reducing the Contingency Fund to Two Percent (2%) as Requested by Councilor Thomas Zappala

Motion was made by Mrs. Duryea to Open Discussion, seconded by Mr. Zappala.

Mr. Zappala informed the Council that at the June 28, 1994 Town Council Meeting he made a motion to amend Mr. Zandri's original motion with regards to the school building expansion project. Mr. Zappala's amendment was passed over and the original motion voted upon which was improper meeting procedure. He is requesting that his amendment be voted on this evening. He stressed the importance of this motion. It is mainly to give the committee a warning that the Town is not ready

September 13, 1994

to spend \$27 million on this project. We have to try and save as much as we can on the project.

Mr. Solinsky agreed with Mr. Zappala's philosophy but did not think that this was the vehicle to use to accomplish his goal. The time to limit the dollars is when the bonding ordinance is before the Council for approval. If the motion passed it would not have any bearing on the project.

Motion was made by Mr. Zappala to Allow for a Two Percent Contingency for the School Project and Eliminate \$270,000 from the Land Acquisition Account.

There was no second.

No Action Taken.

ITEM #14 Consider and Approve the Abandonment of Property Adjacent to Pent Highway - Town Attorney

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

Attorney Richard Gee was present on behalf of Joan Siniscalco, property owner of land adjacent to the island which his client is seeking abandonment of. The parcel could become part of 110 Pent Highway if so abandoned.

The parcel which is located across the street from Waltsco, Inc. on Pent Highway fell into non-use when Pent Highway's intersection with North Plains Industrial Road was straightened out. The straightening also resulted in the non-use of a small sliver of land which adjoined land of P & P Realty Co., Inc. at 106 Pent Highway and if the Council acts favorable on the Siniscalco request, Corporation Counselor Adam Mantzaris recommended that they also abandon that sliver of land at the same time.

Property Descriptions Labeled Schedules A & B, along with a map entitled, "Map Showing Portion of Pent Highway to be Abandoned Scale: 1"-100' Date 6-29-83 Department of Engineering Town of Wallingford Drawing Number BB-627" was distributed to the Council in their agenda packets for reference.

Mr. Solinsky pointed out that the map refers to the parcel as "portion of land to be conveyed to Quality Builders by the Town of Wallingford" and asked, how does Quality Builders come into play when Mr. Siniscalco is requesting the abandonment?

Attorney Gee explained that Quality Builders is the name of the business which is operating on the Siniscalco property. He stated that a misnomer appears on the map and is not sure why it was written on the map. It would be abandoned to Joan Siniscalco who is the property owner.

Pat Siniscalco stated that Quality Builders was once the owner of the property. It was a corporation he had with his brother which has been dissolved for the past twelve years. Both he and his wife Joan ended up with the parcel of land from the corporation.

Mr. Solinsky felt that the map should indicate the current owner of the property.

It was noted that the map is dated 1983.

Attorney Gee stated that this matter has been pending since 1982 when the first request was made to the Town to abandon the property. The property owner presently is Joan Siniscalco and that is who we are requesting the parcel to be abandoned to. He displayed photos to the Council of the area, pointing out that it is currently an eyesore and is not maintained by the Town even though the Town owns it. By abandoning it to Mr. Siniscalco's property it can uniformly be maintained and the Town rids itself of some liability.

Mr. Zandri asked Attorney Small if she recalled the history surrounding this issue and whether or not the property was purchased by the Town?

Attorney Small responded that she was not employed by the Town at that time and was not sure if this parcel was involved in a certain portion which was represented that it would become the Siniscalco's. Was it an assertion that it was promised to them back then?

Attorney Gee could not answer that question due to the fact that he was not the counselor representing Mr. Siniscalco in 1983. He has, however, reviewed the file and all correspondence from Attorney Joseph Petrucco, Mr. Siniscalco's former attorney, and the idea of abandoning or deeding it to his client was discussed back then.

Mr. Siniscalco stated that it was promised to be abandoned years ago but it never took place. They moved some utility poles out years ago and they were supposed to install drainage but they never did. Attorney Mantzaris was very familiar with the issue (Atty. Mantzaris left the meeting upon the arrival of Atty. Small and therefore could not provide the historical background on the issue). The way it stands now it cannot be maintained properly, it cannot be paved, it is graded by Mr. Siniscalco once or twice a year and is an eyesore. Every time the grass grows the view is obstructed to the motoring public causing a hazardous situation. Public Works will cut it occasionally if he calls to complain. This abandonment should have taken place ten to twelve years ago when the Town put North Plains Road in and they took a piece of Mr. Siniscalco's property on that side. At that time the Town was supposed to deed a piece over to Mr. Siniscalco when they moved the road but it never took place.

Mr. Zandri referred to Mr. Siniscalco's remark that the Town "took a piece of his property" and asked, how did that transpire? Did Mr. Siniscalco gift the property to the Town?

Mr. Siniscalco could not recall what took place other than the Town took a slice off the side of his property because they needed to widen North Plains Industrial Road. Doug Johnson owned that piece and there was a right of way through there. There was some problem between Mr. Johnson and the Town, he would not deed it over to the Town right away but then the Town ended up with the parcel in front and they were supposed to move the poles and put drainage in. At one point, in fact, they had the drainage all staked out but never went ahead with it.

Mr. Zandri felt it was important to know whether or not the Town purchased the land. If they had to purchase it and there was no agreement up front that Mr. Siniscalco was going to gift over part of his land and, in return, get something else gifted back to him, then Mr. Zandri had a problem with simply abandoning a piece of Town land for nothing. If the Town is not maintaining its property then they should be notified of that fact and take care of it.

Mr. Siniscalco stated, if the Town would maintain the property then it would be fine with him. He didn't care if he ever owned it. If they pave it and put drainage in like they said they would he didn't care then if the Town owned it.

Mr. Zandri stated that all that would have to be done is pave over the area and end the problem of maintenance once and for all.

Mr. Siniscalco responded, that would be fine with me.

Mr. Zandri stated, it all depends on what the issue is. If it is that the area is not properly maintained then we should address that. If your issue is that it is a parcel that you want that will enhance your property, then that is an issue in itself and we have to deal with that accordingly.

Mr. Siniscalco commented, the Town agreed that they were going to deed that parcel over to him and the property owner next to him. So it is not only that parcel but the one next to it which is a wedge.

Attorney Gee stated, his property is not going to be worth one nickel more with that piece or without it.

Mr. Solinsky asked Town Attorney Small if this item would require Planning & Zoning approval?

Attorney Small responded, there is a possibility that it would. In the meantime she can confer with Attorney Mantzaris for additional history on the issue. She will check with P&Z as well.

Mr. Solinsky seemed to recall some sort of controversy over deeds in the area.

Mr. Rys stated that Attorney McManus was involved in that issue and some sort of lawsuit was filed. The road was blocked off and the Town did not plow it...there was a lot involved with that. Maybe we need to gather more historical data on it.

Attorney Gee stated that his client is not present due to the history of the issue but because the property sits there and they are trying to put the corner where it is supposed to be and unify the neighborhood and eliminate the danger and liability.

Mr. Solinsky asked Mr. Siniscalco if he was the property owner when the land was conveyed?

Mr. Siniscalco responded that he has been the property owner for twenty-seven years, yes.

Mr. Solinsky asked if this parcel, in question, was part of the land that was conveyed to the Town, the sliver?

Mr. Siniscalco responded, no, they moved it across the way...added to my property. The road was further to the south.

Mr. Solinsky asked, when you conveyed the land the road was further to the south?

Mr. Siniscalco answered, we did not actually have to convey any land, it was the ones (property owners?) up above us. It was a private road for years owned by Doug Johnson.

Attorney Gee clarified that the piece Mr. Siniscalco refers to that was given to the Town was on North Plains Industrial Road, he never gave the Town any land on Pent Highway, in fact, the Town added to his land when the road was moved but it was never given to him in title.

Mr. Killen would like to know the history on the subject and felt that the Council cannot take action on this without it going before Planning & Zoning.

Motion was made by Mr. Zandri to Table This Item Until Further Information is Obtained, seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

ITEM #15 Consider and Approve Rescinding the Town of Wallingford's Agreement with the Department of Transportation Regarding Property Located at 1211 Barnes Road as Requested by the Wallingford Historic Preservation Trust

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

Gerald Farrell, Jr., President of the Wallingford Preservation Trust was present for this item. He summarized the issue at hand by stating that the Trust would like to deal with the D.O.T. who presently owns the property. Back in 1990 when the State was re-aligning that section of Route 68, the D.O.T. and the Town entered into an agreement whereby when all of the work was completed the D.O.T. would convey that parcel to the Town for open space. Apparently the reason that the Town was interested at that time was because the Water Division had a particular interest in an earthen dam that was on site as a means of containing any chemical spill that may occur in the industrial park to the north of the area. Since that time the earthen dam has been breached, it is in disrepair, the State is not interested in repairing it or to giving it back to the Town. From his discussions with the Water Division and the Town Planner's Office, the Town is no longer interested in the parcel. The Trust is interested in it, has been involved with the parcel since the time that the D.O.T. purchased it, had initially tried to find someone who would move it off site and because it is a central chimney structure, it would require dismantling the chimney. At that point the Trust began to look for a way to preserve it on site. Presently, a group known as the CT. Archeological Resource Center is interested in operating it as a museum. It is a perfect use for the site because the D.O.T. actually performed an archeological dig last Fall which unearthed a variety of artifacts from the seventeenth and eighteenth century. By the Town rescinding its agreement the D.O.T. can then deal directly with the Preservation Trust. The D.O.T. has refused to deal with them

until such time as the agreement has been rescinded.

Mr. Solinsky asked, what guarantee is there that the D.O.T. will deal with the Trust once the agreement is rescinded?

Mr. Farrell responded, there is no guarantee but it puts the Trust in a better position. The trouble with the Trust bidding on the project, presently the house is out to bid and not the land, is that the Trust would not want to bid on the house without a guarantee of the land as well. He would like to be able to contact the D.O.T. tomorrow, work out a deal on the land and submit a bid for \$1.00 on the house. Again, that doesn't offer any guarantees.

Mr. Zandri asked, where do we stand now with regards to this parcel?

Mr. Solinsky responded, the Town was supposed to end up with the land and the house demolished or removed. This came before us several months ago and we said we have not changed our mind, we want the land with no house.

Mr. Zandri stated, if we rescind the agreement do we jeopardize this land going to someone else?

Mr. Farrell suggested wording the motion to make it contingent upon the State agreeing to deal with the Preservation Trust.

Mr. Gouveia recommended wording it so that the D.O.T. would have to convey it to the Trust.

Mr. Killen asked, should the Town rescind and the archeological group take over what assurance do we have that they will not dispose of it and the Town lose its right to it?

Mr. Farrell responded, the Wallingford Preservation Trust is probably going to be the group to take title of it. It is a group made up totally of local residents. They may eventually convey to the CT. Archeological Resource Center but if they did so their warranty deed to them would include various restrictions addressing some of the Council's concerns.

Mr. Zandri felt that the Town can protect itself by stating that if the group decides to abandon it at any time it can revert back to the Town.

Atty. Small suggested that it can be done contingent upon them getting the deed from the State and also contingent upon the Council having an agreement with their group and formalize it as to restrictions on future use.

Mr. Solinsky asked, why not just take the deed and give it to them?

Mr. Farrell was hesitant about getting involved in the bidding process because he did not want to bid on the house without knowing whether or not he has a piece of land that goes with it. The requirement of the bid is that you remove the house. If you don't the State does it for you and bills you for it. Upon discussing this with the Mayor he did not seem to have any interest in it because of the liability to the Town.

Mr. Farrell explained that the Mayor felt that there was potential liability to the Town for the period during which the Town would own the house. He explained that the State wanted to know immediately, first thing in the morning, what the consensus of the Council was because if they are going to hold up the bidding process....

Mr. Zandri asked if they can hold up the process?

Mr. Farrell responded, there is some ability to deal with this project in a special fashion because there is some law that kicks in or requires the D.O.T. to give special treatment to historic structures.

Mr. Zandri agreed with Mr. Solinsky who suggested to change our original agreement to read that the building be left on the site. Then it will come back to the Town with the building intact and we can decide what to do with it later.

Mr. Farrell felt that he could make that offer to the D.O.T. because they have put the house out to bid before and got negative bids.

Motion was made by Mr. Zandri to Authorize the Town Attorney to Contact the State of Connecticut to See if the Original Agreement Can be Changed to Include the House Along with the Land, seconded by Mr. Gouveia.

Mr. Solinsky asked if Mr. Farrell's group was able to take possession of the house?

Mr. Farrell responded, yes.

VOTE: All ayes; motion duly carried.

Mr. Solinsky instructed the Council secretary to draft a letter informing the D.O.T. of the Council's action this evening for Mr. Farrell to present to them tomorrow.

Motion was made by Mr. Zandri to Authorize Attorney Gerald Farrell, Jr. to Express Interest on the Council's Part to Amend the Town's Original Agreement and Accept the Land and House as One Parcel and Convey it to the Wallingford Historic Preservation Trust for Historical Purposes, seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

RULE V Motion was made by Mr. Killen to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Exercising Legislative Oversight of the Public Utilities Commission at its Last Meeting of September 6, 1994, seconded by Mrs. Duryea.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Killen to Override the Decision of the Public Utilities Commission made on September 6, 1994 to Establish the Position of Collector in the Electric Division, seconded by Mrs. Duryea.

Mr. Killen explained that the position did not exist and would be funded by two vacant positions in the Division. This should have been

presented at budget time, that is the reason budgets are presented and why we must work within them. If we can do it in this particular instance then we can do it in a lot of instances whereby you don't fill certain positions and then you can do other things with your money. We have a system of checks and balances that is overridden time and time again. Everyone has to operate under the same rules.

Mr. Solinsky asked, is this something that will be funded in this fiscal year? A job description and union comes into play on this.

Mr. Killen stated that this is the only time the Council can override the action taken by the P.U.C. They can always bring it up at a future date if they so desire but if we don't act on it tonight we won't have any say.

Mr. Gouveia stated that there was no job description written.

Mr. Solinsky was not sure if this was a first step in a long process that takes place when establishing a new position. He was not sure that it would be funded this year.

Mr. Gouveia was not present at the meeting but by some of the comments made it seems that they already had a person in mind for the position. Perhaps he is wrong.

Mr. Rys pointed out that the funds were coming from an unfilled lineman and unfilled junior accountant position, how do we know we don't need the lineman or the junior accountant?

Mr. Killen asked, if they didn't intend to fill the positions why did they put the funds in them?

Mr. Solinsky felt that this issue could use more scrutiny.

Mr. Gouveia agreed.

The Town Clerk reminded the Council that the motion has to pass with seven affirmative votes.

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

ITEM #16 Note for the Record the Resignation of Thomas Murphy from the Board of Education Effective September 1, 1994

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

No action taken.

ITEM #17 Approve and Accept the Minutes of the 8/23/94; 8/25/94 and 9/1/94 Town Council Meetings

It was noted that the special meetings of 8/25/94 and 9/1/94 should include as a matter of record who, besides the Council, was in attendance during the executive sessions.

Motion was made by Mrs. Duryea to Approve and Accept the Minutes of the 8/23/94 Town Council Meeting, seconded by Mr. Knight.



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

ITEM #18 Consider and Approve Tax Refunds (#22-45) in the Amount of \$7,207.85 - Tax Collector

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

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

ITEM #19 Note for the Record Mayoral Transfers Approved to Date

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

No action taken.

ITEM #20 Note for the Record Anniversary Increases Approved by the Mayor to Date

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

No action taken.

ITEM #21 Note for the Record Correspondence from the Comptroller Regarding the Motor Vehicle Assessment Process

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

Mrs. Duryea read the letter into the record (appendix V).

No action taken.

ITEM #22 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Regards to Pending Litigation

- Labor Matters

Motion was made by Mrs. Duryea to Enter Into Executive Session, seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

The Council and Town Attorney were present in Executive Session.

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

VOTE: All ayes; motion duly carried.

ITEM #23 Consider and Approve a Waiver of Bid to Hire Outside Counsel - Town Attorney

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

Romeo Dorsey, Grieb Trail stated that the Town pays a total of \$300,000 to its attorneys who comprise our Law Department. He was

- 29 - September 13, 1994

upset that for all those funds we still need to hire outside counsel for our labor matters.

Attorney Small stated that this issue deals with the American Disability Act and the Town needs the expertise of a counselor who specializes in this field of law for it very complicated.

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

Motion was made by Mrs. Duryea to Adjourn the Meeting, seconded by Mr. Rys.

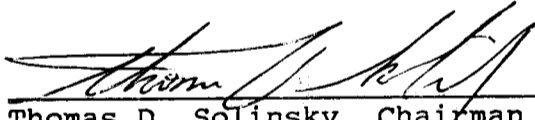
VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 12:36 a.m.

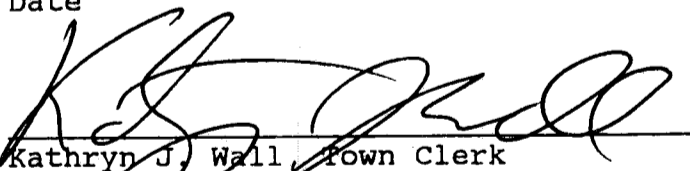
Meeting recorded and transcribed by:

  
Kathryn F. Milano  
Town Council Secretary

Approved by:

  
Thomas D. Solinsky, Chairman

9-27-94  
Date

  
Kathryn J. Wall, Town Clerk

9-27-94  
Date

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO PROVIDE FOR TAX EXEMPTION  
FOR A DISABLED VETERAN'S SPECIALLY EQUIPPED VEHICLE

The Town of Wallingford hereby enacts an ordinance, pursuant to the authority under Section 12-81h of the General Statutes, to provide exemption applicable to the assessed value of one motor vehicle specially equipped for a disabled veteran eligible for exemption under Section 12-81(20) and (21) of the General Statutes, provided such motor vehicle has been specially equipped for purposes of adopting its use to the disability of such veteran.

This ordinance shall be effective for the taxes due on the Grand List of October 1, 1993 and thereafter.

I HEREBY CERTIFY that this Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 1994, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Kathryn J. Wall, Town Clerk

APPROVED: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

DATE: \_\_\_\_\_

**DRAFT #2** Appendix II

LEASH ORDINANCE

BE IT ENACTED BY THE TOWN COUNCIL IN SESSION

SECTION 1. POLICY DECLARATION

The Town Council finds that in order to maintain a less anxious and safer environment for citizens of the Town of Wallingford it is necessary to implement a dog leash program that will serve to prohibit the travel of dogs upon and about its public roads and parks without being leashed to their owner or keeper, thus eliminating a potential source of injury or conflict to its citizens and to other animals.

SECTION 2. DEFINITIONS

- a. "Keeper" means any person other than the owner, harboring or having in his possession any dog.
- b. "Public road" means any and all public thoroughfares within the boundaries of the Town of Wallingford and all areas within the public right of way, including tree belts, sidewalks and any area adjacent thereto up to the boundary line of any adjoining lot.

SECTION 3. UNLEASHED DOGS PROHIBITED

No owner or keeper of any dog shall allow such dog on any public road or in any public park without being on a leash of no more that six (6) feet in length and held by the owner or keeper of the dog.

SECTION 4. PENALTY

Any person who violates any provision of this ordinance shall be fined twenty five (\$25.00) dollars.

I HEREBY CERTIFY that this Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_ 1994, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Kathryn J. Wall  
Town Clerk

APPROVED:

\_\_\_\_\_  
William W. Dickinson, Jr., Mayor

DATE: \_\_\_\_\_

AN ORDINANCE APPROPRIATING \$1,175,000 FOR THE PLANNING, ACQUISITION AND CONSTRUCTION OF VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS 1994-1995 AND AUTHORIZING THE ISSUE OF \$1,175,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$1,175,000 is appropriated for the planning, acquisition and construction of municipal capital improvements 1994-1995 as set forth hereinafter and for administrative, printing, legal and financing costs related thereto, said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Bridge Repair/Replacement

Wall Street-Wharton Brook	\$ 230,000
Pond Hill Road-Wharton Brook	250,000
Scard Road-Muddy River	440,000

Culvert Repair/Drainage Improvements

Various Locations	210,000
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Recreation

Prageman Field Lighting	45,000
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Total	<u>\$1,175,000</u>
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The amount authorized to be expended for each purpose shall not exceed the amount set forth opposite each purpose, provided that, the Town Council may by resolution transfer unexpended funds among purposes, so long as the aggregate amount of the appropriation and bond authorization shall not be increased.

Section 2. (a) To meet said appropriation \$1,175,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued. Said bonds shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them.

(b) To meet the portion of said appropriation which may be financed pursuant to a Project Loan And/Or Grant Agreement between the State of Connecticut and the Town under the Local Bridge Program of the State of Connecticut in lieu of the issuance of bonds as provided in Section 2(a) above, a note or notes of the Town shall be issued bearing interest payable as set forth in such agreement. Said notes shall be designated "Town of Wallingford General Obligation Promissory Note", be dated as of the date of issue, shall bear interest at the rate then in effect

purchase agreement shall be subject to the approval of the Town Council.

Section 5. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Robinson & Cole, Attorneys-at-Law, of Hartford, and be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. The Mayor is hereby authorized and empowered with respect to the aforesaid project to execute and deliver Project Loan And/Or Project Grant Agreements between the State of Connecticut and the Town under the Local Bridge Program, and the Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized and empowered to execute and deliver General Obligation Promissory Notes in connection with Project Loans.

Section 7. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town of Wallingford (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this ordinance in the maximum amount and for the capital projects defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as

expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

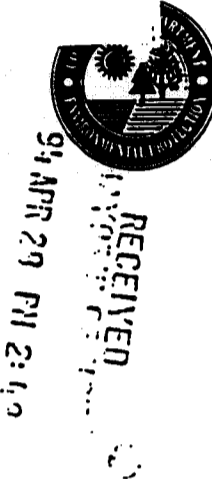
Appendix IV



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

April 27, 1994

William W. Dickinson, Jr.  
Mayor, Town of Wallingford  
350 Center Street  
Wallingford, CT 06492



Dear Mayor Dickinson:

In response to your request for written documentation of existing state policy promoting multiple use of department owned properties, it is Department policy to encourage multiple recreational use of state forest and wildlife management areas open to public hunting. Concurrent uses do occur at numerous locations without conflict. A substantial portion of the Connecticut blue dot hiking trail system traverses Department owned properties. All other compatible uses except motorized vehicles are permitted on most properties (i.e. bike riding, horseback, cross country skiing) unless otherwise prohibited.

I wish to clarify that what was presented by Mark Clavetta at the February meeting regarding landowner liability was a review of existing state statutes which provide liability protection to landowners who allow public recreational use of their property without fee. These statutes provide certain exemptions from liability on the part of the property owner provided the conditions of the statutes are met. Mr. Clavetta did not claim that the state accepts liability, nor does it.

I note your request for confirmation by the Attorney General of the status of existing law concerning recreational use of land, including for the purpose of hunting. It is my understanding, however, that the Attorney General is constrained to provide legal advice to state agencies and not, either directly or indirectly, to any other person or entity. I believe that the statutes in question are clear in their terms. Of course, you may wish to discuss them with your town attorney.



I hope you will support the departments interest in continuing our long standing relationship to allow regulated hunting on the Town of Wallingford property.

Sincerely,



George Avitabile  
Deputy Commissioner

cc: Mark Clavette  
Dean Applefield, DEP Counsel  
George Brys

Enc.

Town of Wallingford

The Motor Vehicle Assessment Process

1. The assessment, (taxable value) of a motor vehicle is determined by using the National Automobile Dealers Association (NADA) pricing guides which have been adopted by the State of Connecticut Office of Policy and Management (OPM).
2. The NADA values are assigned by Vehicle Identification Number (VIN) to all motor vehicles registered with the State Department of Motor Vehicles (DMV).
3. Connecticut law, 12-71d, requires the use of the State recommended pricing guide for assessment purposes.
4. The State DMV forwards a computer tape of registered vehicles, valued according to the NADA guide and VIN, to each city and town assessor.
5. The computer tape often contains many vehicles which are not valued (due to error, omission, etc.) The assessor values these vehicles using the recommended NADA guides.
6. It is important to know the NADA pricing guides do not take into consideration the condition of a vehicle.
7. Use of the NADA guide assures uniformity of vehicle assessments. The Town assessor is required by State law to use the recommended guide.
8. The law allows the owner of a motor vehicle to appear before the Town Board of Tax Review in either February or September to ask for relief from the recommended NADA value.

WHAT CAN A TAXPAYER DO IF HE OR SHE FEELS THE ASSESSMENT OF THEIR VEHICLE IS INCORRECT?

1. You may call or visit the Assessor's office to verify the value assigned to your vehicle. ( 294-2001)
2. You may appeal the value to the Board of Tax Review in February or September. Notice of Board meetings are published in the newspaper.
3. To avoid interest penalty you should pay the tax bill on time. If the Board of Tax Review decreases your tax, we will help you apply for a refund.