

TOWN COUNCIL MEETING

SEPTEMBER 9, 1997

6:30 P.M.

AGENDA

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
 - a. Consider and Approve Tax Refunds (#22-38) Totalling \$4,950.88 - Tax Collector
 - b. Consider and Approve a Lease Agreement Between the Town of Wallingford and the Wallingford Committee on Aging, Inc. for Use of Town-Owned Property Known as 284 Washington Street for a Term of One (1) Year Commencing September 1, 1997 for the Sum of One Dollar (\$1.00) per year - Mayor's Office
4. Items Removed from the Consent Agenda
5. PUBLIC QUESTION AND ANSWER PERIOD
6. Acknowledge a Proclamation Issued by Governor John G. Rowland Proclaiming August 3-9, 1997 as Fire Fighter and EMS Personnel Week
7. Consider and Approve a Transfer of Funds in the Amount of \$400 from Maintenance of Buildings and Grounds Acct. #2030-560-5100 to Asbestos Abatement Acct. #2030-999-9961 - Dept. of Fire Services
8. Consider and Approve a Transfer of Funds in the Amount of \$830 from Contingency - General Purpose Acct. #8050-800-3190 to Purchased Professional Secretarial Services Acct. #2050-901-9000 - Building Official
9. Consider and Approve Rescinding a Transfer of Funds in the Amount of \$400,000 from the Roadway Construction Highland Ave. from Hope Hill Road to Buttonwood Circle Acct. to New Debt Financing Account - Mayor's Office
10. PUBLIC HEARING on an Ordinance Appropriating \$175,000 for the Design of a Senior Center and Authorizing the Issuance of \$175,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose - 7:45 P.M.

11. Discussion and Possible Action on a Request from the First Congregational Church to Replace Access Structure Steps at 35 S. Main Street Located on the Town's Parade Grounds - Mayor's Office
12. Report Out from the School Building Expansion Committee Concerning
 - Completion of Middle School Portions Relative to New School Season
 - Rolling Punch Lists
 - Status of Funds Including Contingency Accounts for Each School

Requested by Councilor Richard J. Centner, Jr.

13. Consider and Approve a Waiver of Bid to Award a Contract to Cott Systems Indexing Company for the Computerized Indexing of Land Records 1974-78 for a Cost of \$33,840. Payable Over a Three Year Period - Town Clerk
14. Report Out from the Comptroller on Questions Raised Concerning the Water/Sewer Division Accounts for Employee Accrued Vacation & Sick Time at the Close of a Fiscal Year
15. Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes Pertaining to the Purchase, Sale and/or Lease of Property - Mayor's Office

TOWN COUNCIL MEETING

SEPTEMBER 9, 1997

6:30 P.M.

SUMMARY

<u>Agenda Item</u>	<u>Page No.</u>
2. Withdrawn	
3. Consent Agenda - Items #3a-b	1
4. Withdrawn	
5. PUBLIC QUESTION AND ANSWER PERIOD - Comments Re: Mayoral Veto Power and Suggestion to Adopt Ordinance Which Allows Override of Mayor's Veto by Simple Majority; Request for Report Out on the Final Costs to the Town for the Fairfield Blvd. Recreation Center Project; Compliments on Streetscape Improvements and Question Re: Whether or Not There are Plans for the West Side of the Railroad Tracks; Complaint Re: Condition of Sidewalks and Curbs on the West Side of the Railroad Tracks; Comment That Town Needs a Long Range Plan for Its Upkeep; Comments Re: Property Owners Who are Negligent in Keeping Property Clean and Neat; Inquiry Re: Status of Simpson School Property and VNA's Impending Move; Question Re: Why Wallingford Cannot Include Auxiliary Officers in its Police Force; Comments Re: The Removal of Trash Barrels from Center Street; Questions Re: The Milled Condition of Ward Street and When the Paving will be Completed; Complaint Re: The Condition of Private Property at Meadow and Center Streets; Request for Additional Police Patrols for the Redwood Flea Market on the Weekends; Complaint Re: Traffic Problem at Intersection of Route 68 and Durham Road through to I-91; Comments RE: Pavement of the Soccer Field Area & Proposed Area for Golf Course; Request for Street Lighting Due to Safety Concerns; Compliments to Animal Control Officer for a Job Well Done; Inquiry Re: Naming of Streets in Town;	2-8
6. Acknowledge Proclamation by Gov. Rowland Proclaiming August 3-9, 1997 as Fire Fighter and EMS Personnel Week	9
7. Approve a Transfer of \$400 to Asbestos Abatement Acct. - Fire Dept.	9-10

TOWN COUNCIL MEETING

SEPTEMBER 9, 1997

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, September 9, 1997 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:31 P.M. All Councilors answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr., Town Attorney Janis M. Small and Comptroller Thomas A. Myers were also present.

A blessing was bestowed upon the Council by Rev. Richard Deal of the Evangelical and Reformed United Church of Christ in Wallingford.

The Pledge of Allegiance was given to the Flag.

A moment of silence was observed for Princess Diana and Mother Teresa.

Chairman Parisi thanked Charles Uznanski of 15 Ridgeland Circle who donated the Union Jack Flag that is out in the lobby. The condolence book is placed out there for anyone who may want to sign their name and express their sympathy for the book that we have provided. It will be sent to Wallingford, England eventually.

ITEM #2 Correspondence - Withdrawn

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#22-38) Totalling \$4,950.88 - Tax Collector

ITEM #3b Consider and Approve a Lease Agreement Between the Town of Wallingford and the Wallingford Committee on Aging, Inc. for Use of Town-Owned Property Known as 284 Washington Street for a Term of One (1) Year Commencing September 1, 1997 for the Sum of One Dollar (\$1.00) Per Year - Mayor's Office

Motion was made by Mr. Rys to Approve the Consent Agenda as Presented, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

Mr. Gouveia asked if there were any items of correspondence?

Mr. Parisi responded, no.

Mr. Gouveia noted that the Public Utilities Commission (P.U.C.) minutes of the June 17th, August 5th and August 12th meetings were forwarded to the Council in their agenda packets this week. He stated that he had hoped that the minutes had been filed with the Town Clerk within five (5) days of the P.U.C.'s meetings.

Mr. Parisi responded, that has been a constant battle. I have made the assumption that they are on time. He asked the Town Clerk if the minutes are being filed on time?

Rosemary Rascati, Town Clerk, responded, the P.U.C. minutes are not always on time. Zoning Board of Appeals has gotten better with their minutes and the Planning & Zoning Minutes are usually filed on time.

Mr. Gouveia stated, it is more imperative that the P.U.C. minutes be filed on time simply because the Council has oversight of the Board. In order for the Council to take any action it must be done within fifteen (15) days of the meeting, according to the Charter. If they are going to be filed, in this case three months late, there is no way the Council will be able to take any action. According to the Charter of the Town the minutes are to be published and filed with the Town Clerk within five (5) days of the meeting. He hoped that the Charter would be followed.

Mr. Parisi asked that the Town Council Secretary direct a letter to the Public Utilities Commission to remind them of their obligation. He stated that the point was well made.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville stated that, in his opinion, the Mayors of Wallingford have had and still has too much veto power. He proposed that the Council consider adopting an ordinance at its next meeting which allows an override of the Mayor's veto with a simple five to four (5-4) vote of the Council.

Robert Sheehan, 11 Cooper Avenue asked for a report out on the final cost to the Town for the Fairfield Boulevard recreation center project.

Mayor Dickinson responded, those figures will be available soon. When all the work is completed and the bills paid the books will be closed. It should be within two to four (2-4) weeks. The figure will be approximately \$2,551,000.

Richard Deal, 43 Brentwood Drive stated that he has been a resident of Wallingford since 1987 but has been involved with the community since 1974. He complimented the former Town Councils and

leadership for beautifying the center of Wallingford with the period lighting and brickwork. He asked if there was a long range plan for the west side of Wallingford from the railroad station to the river? The sidewalks and curbs are in abominable condition; S. Cherry Street looks as though a bomb has hit it; absentee landlords or property owners have been allowed to let their properties deteriorate and are in a terrible state of disrepair. Is there a five or ten year plan to address this issue and begin beautifying this area of town? Wallingford should be very proud of the section that has received a great deal of attention on the hill but if we are not careful we will have a slum on the other side of the street. He and his parishioners have tried very hard to keep the church property in neat condition to encourage other residents in the area to do the same.

He went on to say that the town of Northford will find itself in serious trouble over the next decade or so due to the fact that the main road in and out of the town is two-lane. There was no foresight on the part of the leadership of their community to plan ahead for the increased traffic and population growth in town. We need to develop a long range plan for the upkeep of our town.

Mayor Dickinson responded, currently there are two areas under design on the east side; Fair Street to Elm Street and a short stretch of Route 5 to Prince and Church Streets. Next Spring the Quinnipiac Corridor project will begin which will involve new pavement and signalization. Period lighting and streetscape improvements will be performed from Washington Street to Bull Avenue and around Wallace Park. The goal is to connect the improvements from Route 5 to Wallace Park.

Mr. Deal stated that many property owners are negligent about keeping their property in good condition. Is this a Planning & Zoning issue or can some legal action be taken by neighbors to the property?

Mayor Dickinson stated that there is no legal recourse that he is aware of. The Town does not have any ordinance or requirements regarding the upkeep of specific property. They have no authority to determine how a resident maintains their property unless it is a matter which poses a threat to the health and/or safety of the community.

Mr. Farrell informed Mr. Deal that the Planning & Zoning Council Liaison Committee and Planning and Zoning Commission has scheduled a meeting for sometime next week. Planning & Zoning has requested that the committee look at updating the plan of development for the Town. It is several years since it was developed.

Mr. Gouveia commented that perhaps some residents are negligent with the maintenance of their property because it has become less valuable than the mortgage they may have taken on it. They may find that when they perform simple repairs or improvements to it they are assessed at a higher rate of tax by the Town. It discourages people from improving or maintaining their property. Maybe we can look at the issue and see if there isn't something the Town can do about it.

Philip Wright, Sr., 160 Cedar Street inquired about the status of the former Simpson School building. He read an article in the paper recently that depicted the structure in dilapidated condition.

Mayor Dickinson informed everyone that the Visiting Nurses Association is the only occupant of the building. The rest of the building is closed. The VNA is looking for new quarters and are aware that they have time limits on their occupancy. Once the Town has chosen a site for the new Senior Citizen Center we would be in a better position to make a determination as to what to do with the property.

Mr. Wright asked, are you saying that Simpson School is one of the possible sites for the senior center?

Mayor Dickinson answered, that (property) was identified by the committee as one of three sites. We are looking tonight to adopt an ordinance that will allow a feasibility study on the prime site, the site of choice which is the Washington Street site. Until we have the results of that I don't know that it would be in our interest to remove one of the other sites too quickly.

Mr. Wright asked if the VNA is paying enough rent to maintain the building?

Mayor Dickinson responded, no.

Mr. Wright stated that it is costing the taxpayers money while the VNA is finding another location. He asked, how long are we going to let them sit there while the revenue does not support maintaining the building?

Mayor Dickinson responded, they provide a valuable service to the Town and have an interest in finding a new location from which to do so.

On a separate matter, Mr. Wright stated that he read an article recently which reported that the Meriden Police Department has recruited auxiliary officers and are very happy with them. Wallingford had a very active auxiliary force once, is it dead

completely? What is the difference between Meriden and Wallingford that the concept works so great there but not here?

Mayor Dickinson responded, the Meriden auxiliary police are supervised by the police department. Our auxiliary police force was a separate entity arising out of the Civil Defense department. The officers were appointed as special constables which is not true elsewhere.

Mr. Wright asked, why not include them in the police department here?

Mayor Dickinson responded, it is an issue that can be discussed further.

Albert Killen, 150 Cedar Street concurred with Mr. Deal's comments regarding the beautification of uptown. Center Street for the past five weeks has looked like a pig pen. The waste barrels that were located along Center Street have been removed and not replaced. Are the barrels ever going to be returned?

Henry McCully, Director of Public Works stated that the Engineering Department had the barrels removed when the streetscape improvements were taking place. Temporary barrels can be put in place until the permanent ones return.

Mr. Killen asked Mr. McCully, why was Ward Street torn up so soon before it was scheduled for paving?

Mr. McCully responded, it has been difficult to coordinate the schedules of the companies milling the roads with Tilcon Tomasso's schedule. The State of CT. is Tilcon's number one customer and they are currently paving Interstate 91 nearby as well as in New Haven. Our milling contractor can confirm a specific date on which his work will be performed however it is more difficult to get Tilcon to pinpoint at specific date. We have been pressuring them as much as possible. The roads may be a little bumpy but there are no dangerous situations.

Mr. Killen asked, can someone other than Tilcon do the work?

Mr. McCully responded, Tilcon is the only company that has the capability of doing the work.

Mr. Killen stated, apparently they don't have the capability.

Mr. Parisi pointed out that the problem is beyond Mr. McCully's control.

Mr. Killen next asked if the lawn on the corner of Meadow and Center Streets, the grass between the curb and the sidewalk, can be mowed?

Mr. McCully responded, it is the responsibility of C.J. Fucci. I have already looked into it. It is part of the contractor's contract. It has been discussed with Engineering. We don't want to get into the habit of cutting the front of everyone's property.

Geno Zandri, 37 Hallmark Drive asked the Mayor if it is possible to get additional police patrols on Saturday and Sunday mornings by the Redwood Flea Market? The traffic problem is getting worse. This past Sunday he had to call in a complaint because someone parked a motorhome in a spot where a car would not fit and it was protruding out three feet into the driving lane of the road. It is becoming a problem. Additional police patrols on both of those mornings would help the situation.

Mayor Dickinson stated that he would speak to the Chief of Police about it. We should be able to monitor the situation.

Mr. Zandri next commented on how the intersection of Route 68 and Durham Road backs up almost to I-91 from approximately 4:30 p.m. to 6:30 p.m. each weekday evening. This, in his opinion, is due to the traffic turning west coming from Durham Road heading south. As traffic approaches some motorists signal but the majority do not and the motorists at the stop sign on Route 68 are afraid to pull out for fear that the driver may be signalling in error or travelling south. To correct the problem a right turn only lane should be added to Durham Road heading south well before the intersection of Route 68. This will let the traffic at the Route 68 intersection know that the motorist has every intention of turning west onto Route 68 and will not be travelling past the motorist, eliminating the fear of an accident. He asked if Traffic Maintenance Officer Richard Doll can look at the problem to see if something can be done?

Mayor Dickinson responded, the State of Connecticut held a hearing here regarding the bridge over I-91 and there were a lot of comments made about Route 68 and how to handle the intersection. One effort was to place another stop sign there on Durham Road to avoid the hazardous situation when motorists continue straight and do not make the turn (west onto Route 68). He did not know what the State's view of the situation is. At one point it was determined that the road would have to be re-designed to straighten out the curve which would have no one stopping and potentially increase the speeds on the highway. At this point he was not sure what the State's view was on the matter; it is their road and we don't have any authority on it except what the State is willing to give the Town. He will try and find out further if any specific plans are in place for the area.

Mr. Zandri responded, although it is a State road it is in our town and causes our residents to have a problem. Maybe Rick Doll can meet with the State to go over the matter. He (Mr. Zandri) would be happy to offer his comments and input to Mr. Doll if he would like to hear them.

Reginald Knight, 21 Audette Drive referred to comments made earlier by the Mayor that the Town does not get involved in a matter having to do with private property unless it is a health or safety risk to the community. He reminded everyone of the last time he (Mr. Knight) was before the Council complaining about the large opening in the sidewalk left by the Gas Company crew which posed a hazard to the safety of the public. He gave an illustration of what the condition of the walkway was; two steel trap doors in the raised position in the sidewalk. All that was needed was for someone to close the doors back down and the whole problem would have been over with. For three nights and four days on the darkened side of the street nothing was done; so much for the health and welfare of the people.

On a separate matter Reginald Knight referred to the soccer field paving. He was of the belief that there was going to be a golf course in the area at one time.

Mr. Zappala stated, the Satori Farm property was under consideration as a possible golf course site at one time.

Reginald Knight stated, the reason the golf course proposal was abandoned was because of the concern over the flow of water onto the area. Now we have paved that area into the drainage nearby. If the concern applied to the golf course run-off he thought it should apply to anything else developed on that parcel.

At the last meeting Reginald Knight asked the Mayor if additional street lighting could be installed in his neighborhood so as to deter the burglaries occurring in there. Since that time nothing has been done. Did anyone do anything about the situation?

Mayor Dickinson responded that he did not have a report on the matter. He passed the information along to the Electric Division and Police Department asking them to look at the situation. He will check to see what has been done since that time.

Reginald Knight next pointed out that the Union Jack flag placed out in the hallway over the condolence book for Princess Diana was upside down and should be corrected.

Mr. Zappala stated that the reason the Satori Farm was rejected as a site for a proposed golf course was because the Town's Water Division identified that site as a watershed area for a reservoir that may be located nearby sometime in the future.

Reginald Knight congratulated the office of the Animal Control Officer for responding so quickly to the report of a large dead animal on E. Main Street. The stench was so offensive that one could smell it from quite a distance away. He placed a call to the Health Department who did not seem too interested; the Public Works Department could not find the animal so he called the Animal Shelter who, within one hour's time, found and removed the animal and called him back to inform him. You cannot find better service than that. The young lady named Sue should be congratulated for her service to the community and people, in particular.

Philip Wright, Sr., 160 Cedar Street stated, a few meetings back a committee was formed to review the process of naming streets within the Town. What is the status of that issue?

Mr. Farrell responded, last evening he appeared before the Planning & Zoning Commission to schedule a liaison committee meeting which is scheduled for September 16th at 6:00 P.M. That particular topic will be one of the items on the agenda that evening. A notice will be posted on the door for the public.

Mr. Gouveia commented on Mr. Wright's comments regarding the auxiliary police in Meriden. In his opinion, the Town has a great deal to gain by incorporating auxiliary police into the Police Department. Mr. Zandri brought up a good example of a situation that could be handled by the auxiliary police, the Redwood Flea Market. We don't have enough police personnel to handle that type of work. A little over a year ago he (Mr. Gouveia) was hit in the head with a stone about 250' from the police station. The injury not only required several stitches but cosmetic surgery as well. It took twenty-two (22) minutes for the police to arrive. We do not have an overabundance of police personnel that we could not use the help of some auxiliary police personnel.

With regards to the questions raised pertaining to Simpson School, Mr. Gouveia stated, in 1984 the school was deemed to be an ideal location for congregate housing and still is today if not even more so because of the senior citizen complex next door for congregate housing. He is aware of funding at the federal level for the rehabilitation of schools or old buildings for that purpose. The Town should look into the possibility of congregate housing at Simpson School. For those people that do not know what congregate housing is, it is a step between senior citizen housing and a convalescent home. There are a lot of people in town that could benefit from congregate housing instead of being institutionalized.

Chairman Parisi called the Public Question and Answer Period closed at this time.

ITEM #6 Acknowledge a Proclamation Issue by Governor John G. Rowland Proclaiming August 3-9, 1997 as Fire Fighter and EMS Personnel Week

Mr. Parisi explained, although the Governor's office forwarded the proclamation late to us, we still felt it was worthy enough to acknowledge that the proclamation had been issued. We congratulate all of the volunteers and EMS personnel of the Town for the fine job that they do. He is sure that next year the week of August 3rd through the 9th will be properly recognized by the Town with a proclamation from the Mayor's Office.

Also, it was noted that Timothy Wall, Chief of the N. Farms Volunteer Fire Department was elected to the National Fire Fighters Association for a one year term on the Board of Directors. Congratulations were extended to Mr. Wall as well.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$400 from Maintenance of Buildings and Grounds Acct. #2030-560-5100 to Asbestos Abatement Acct. #2030-999-9961 - Dept. of Fire Services

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Correspondence supporting the transfer states that asbestos flooring is being removed from the kitchen of Company No. 1 at 95 N. Main Street. After the work had begun it was discovered that the bathroom floor also contained asbestos. The firm currently performing the work in the kitchen area quoted a price of \$400 for the removal of the flooring in the bathroom. Since the contractor is already on site a transfer is being requested for the funds to cover the addition work.

Mr. Centner asked, what is the square footage of the area?

Chief Wayne Lefebvre responded, the bathroom area measures approximately 6' X 6' and the kitchen is 10' X 12'.

Mr. Centner asked, does any air quality monitoring need to be performed?

Chief Lefebvre responded, that is done by the abatement company, that is their profession.

Mr. Knight asked, have they ever found any asbestos in the air after abating floor tiles?

Chief Lefebvre responded, not really. The word they have attached to that is "non-friable" which means that it does not become airborne but we cannot take the chance.

Mr. Knight stated, I can understand, being in a public building, why you have to go through it.

Geno Zandri, 37 Hallmark Drive asked, can the floor be covered? Is it allowed?

Chief Lefebvre responded, it had been once before. When we get into these projects however, I feel it is in the best interest of the community that when we are faced with something like this to abate it; be done with it; we won't have to deal with it again in the future. It can be covered, it is an acceptable method.

Mr. Rys commented, one of the problems with the asbestos-type tile is that as you are taking it off it can become friable. It cracks when it is old and according to industry standards anything that is over twenty years old is supposed to be treated as an asbestos containing material. It is important that they know that they should not be dumping such material in the dump.

Mr. Gouveia asked, what is the long or short range plan for the building?

Chief Lefebvre responded, he does not have any plans for the building in the next five years. It will serve well for that period of time. Our concentration on change is focused on Central Fire Headquarters; there is a new addition going on there.

Mr. Gouveia stated, that is fine if you are going to be there for the next ten years. If you were only going to be there for a year or two then I would entertain Mr. Zandri's suggestion which was an outstanding one.

VOTE: All ayes; motion duly carried.

Chief Lefebvre thanked Chairman Parisi for recognizing the Governor's proclamation even though it will be recognized next year. The men and women of the career and volunteer divisions appreciate it.

ITEM #8 Consider and Approve a Transfer of Funds in the Amount of \$830 from Contingency - General Purpose Acct. #8050-800-3190 to Purchased Professional Secretarial Services Acct. #2050-901-9000 - Building Official

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Correspondence supporting the transfer states that the funds are needed to pay for temporary secretarial coverage while the full-time secretary was sick.

Mr. Gouveia stated, there is a Replacement Pay account within the Building Official's budget. What is the purpose of the account?

Carmen Spiteri, Building Official responded, it is for Kelly Girl Service to pitch in when the secretary is on vacation.

Mr. Gouveia asked, isn't that what we have now except the secretary was sick?

Mr. Spiteri explained, he budgeted two weeks coverage due to the fact that he asked the secretary at the beginning of the year how many weeks she was planning on taking. Subsequently she has had an operation and was out two weeks sick which depleted the two weeks that were budgeted for.

Mr. Gouveia stated that he did not have a problem with transferring the funds however, doing so this early in the year he would rather see the funds absorbed from the department's budget rather than contingency. The Replacement Pay account within the department has \$2,432.00 in it and only \$1,500.00 was expended from the account for the entire year during the last budget. It is too early in the year to be dipping into contingency funds. He strongly recommended that the funds be taken from the Replacement Pay account. It is the purpose of the account to begin with.

Mr. Spiteri stated that the Replacement Pay account was the Housing Code Administrator's pay. It was his stipend.

Mr. Parisi asked Mr. Spiteri if he had stated that he did not need the money?

Mr. Spiteri answered, he stated, since the time that he submitted the transfer he has money in the mileage account because the Housing Code Inspector now has a pool car assigned him and no longer receives mileage reimbursement. That occurred after the transfer was submitted.

Ms. Papale asked, if the account could be changed this evening?

Mayor Dickinson advised against changing the account at a meeting. Proper forms must be filled out and accounts verified. It is only an emergency situation that requires that kind of effort.

Ms. Papale asked, can Mr. Spiteri wait another two weeks for this transfer?

Mr. Spiteri responded, the secretary is going on vacation next week. He can wait until the next Council meeting to request the funds from the other account.

Mr. Gouveia stated that Mr. Spiteri should be commended for identifying areas within his budget to remove the funds from. Sometimes we are too quick to jump to the contingency fund when it is not necessary.

VOTE: All nays; motion failed.

ITEM #9 Consider and Approve Rescinding a Transfer of Funds in the Amount of \$400,000 from the Roadway Construction Highland Ave. from Hope Hill Road to Buttonwood Circle Acct. to New Debt Financing Account - Mayor's Office

Motion was made by Mr. Rys, seconded by Mr. Centner.

Mr. Centner stated that he appreciated the fact that this item was brought forward and placed on the agenda. This is, in part, due to Robert Sheehan expressing his concern the last time the item was discussed. This action tonight should remedy the situation. It shows that the townspeople can come forward to the Town Council meetings and have an impact on them.

Robert Sheehan, 11 Cooper Avenue stated, the way I read it is that the transaction is being rescinded. The \$400,000 is already in the roadway construction account since it was approved back in June, three or four days before the end of the fiscal year. By rescinding the transfer the money will stay right where it is. It will not be put back into the new debt financing account. If you are going to reverse the action the motion should read, "consider and approve a transfer of funds in the amount of.....", not rescinding a transfer. At the time the ordinance was being considered I recommended that the amount of the ordinance be changed to \$450,000. You must have thought that I was concerned that the \$400,000 would be added to the \$850,000 (ordinance amount) bringing the total to \$1.2 million. If I read this proposal right that's what has happened. I did not infer that. I said that if we had the money, if we want to spend \$450,000 out of our cash now, do it and wait for the other \$450,000. With the accounting and everything else that is going on; we have a lot of transaction of money going here, going there, floating around; snatch it out of here to put it over there this week; maybe we are making more work for the accountants because we feel that they may not be earning their money or what. A simple transaction and a simple amount of money that we have an abundance of; for a project like this that I am not against; they try and confuse the public. A straight line is the shortest distance between two points. I don't know why we are playing around with all this money when we can take care of it in a snap...and you have taken care of things in a snap. You can change and amend an ordinance anytime you want, you could have done it that night. The Mayor even requested it but you (Council) said no, it is going to be for \$850,000 and that is the total amount.

Now I read this to mean that you have the \$850,000 in an ordinance and you are still keeping the \$400,000. You have the wording wrong.

Mayor Dickinson explained, the money will move from the roadway account back to new debt financing. It is restoring it to the place from which it was taken.

Albert Killen, 150 Cedar Street asked, how much money is in the New Debt Financing Account?

Thomas Myers, Comptroller responded, approximately \$1.6 million.

Mr. Killen asked, where does that figure appear in the budget?

Mr. Myers responded, in the Capital and Non-Recurring Account.

Mr. Gouveia asked, were these funds used to pay for the project before we borrowed the money for that project so that the project would get started?

Mayor Dickinson answered, yes.

Mr. Gouveia stated, the problem that he has with that action is that it fundamentally violates the spirit of the Charter. When you propose to spend money on a project which you are going to approve a bonding ordinance for, in his opinion, you are precluding the people from going to referendum that they are entitled to on that ordinance. The reason he believes that is, once the money is spent, why go to the referendum? We should be very, very careful in the future. In this town there are very few opportunities for people to take to go to referendum, this happens to be one of them. If the money is already spent then what is the use of going to referendum? He reiterated that it is a violation of the spirit of the Charter and we should be careful to borrow money or try to spend money with the intention of paying it back later through a bonding ordinance when we are not even sure whether the people would approve of the ordinance or not.

Mr. Parisi responded, I don't believe that there was any strong movement to go to referendum and I don't recall any strong objections either. It was done to allow the project to go forward which was in the best interest of time and productivity and to relieve the people of a situation that was not in their best interest.

Mr. Gouveia stated, it is irrelevant what the project is. What is relevant is the Charter and I think we are at the very least if not violating the letter of the Charter then we are violating the intent, the spirit of it.

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

The Chair declared a short recess at 7:43 P.M.

The meeting reconvened at 7:55 P.M.

ITEM #10 PUBLIC HEARING on an Ordinance Appropriating \$175,000 for the Design of a Senior Center and Authorizing the Issuance of \$175,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose - 7:45 P.M.

Mr. Rys read Section 1 and part of Section 2 into the record as follows:

"Section 1. The sum of \$175,000 is appropriated for the planning, design and construction administration of a senior center including the evaluation of, and making of recommendations with respect to expanding and renovating the existing facility or constructing a new facility. Such services to be provided approximately in accordance with the "Specification for Architectural Consultant Services for Design and Multipurpose Senior Center, Public Bid Number 97-1", and including administrative, printing, legal and financing costs related thereto. Said appropriation to be inclusive of any and all State and Federal grants-in-aid.

Section 2. To meet said appropriation \$175,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date."

Motion was made by Mr. Rys to Waive the Reading of the Remainder of the Ordinance and Attach Its Full Text to the Minutes of This Meeting, seconded by Mr. Knight.

Mr. Parisi stated, at the last meeting it was stated that the Council would approve \$175,000 but we expected the ordinance to be adjusted downward. In essence, the Council will pass the ordinance and then amend it to read \$140,000.

VOTE TO WAIVE THE READING OF THE ORDINANCE: All ayes; motion duly carried.

Dianne Saunders, Chairperson of the Expansion Advisory Committee, Caryl Ryan, President of the Committee on Aging and Expansion Advisory Committee member and Henry McCully, Director of Public Works and Project Manager were present for this topic of

Ms. Saunders stated that the committee intends to hire an architect to perform a feasibility study of the Washington Street site. It is a very complex site involving many issues beyond the scope of

lay people on the committee to come up with answers for the Town. The architect will look at D.E.P. issues, Inland Wetlands issues, topography of the site, acquisition of additional property as may be necessary and relocating other Town services that are presently on site, if required. The architect will then report back to the Town with the results of all of the work. The Town Council will then have definite information as to what will happen at the Washington Street site and at what cost.

Ms. Ryan explained, the feasibility study will look at both renovation and new construction.

Albert Killen, 150 Cedar Street asked Mr. Rys to read the sections of the ordinance into the record once again for clarification.

Pasquale Melillo, 15 Haller Place, Yalesville asked, why couldn't a committee of the Town Council along with other qualified employees of the Town decide amongst themselves which should be done, a new center or renovating the existing site before it got to this point tonight?

Ms. Saunders responded, no one can put a figure on renovating that old building. It is 1900 vintage and has so many variables that getting a renovation figure is very difficult. Secondly, there are other variables on the site which have to be addressed before anything can be done. It will help us to determine where the footprint of the building could be placed. It made sense to the committee that it would be wise to spend the money once; to have the same architect work on the same project and do both of those alternatives. We contend, as we have from the beginning, that to renovate that building will cost almost as much as it will to build new.

Mr. Melillo asked, why can't we tap the money needed for the project from the Electric Division to eliminate the interest associated with bonding? It will save the taxpayers money.

Mayor Dickinson responded, if the Electric Division has no purpose for the funds they have then they would be available to spend for any purpose. To his knowledge the division has definite plans for the funds they have and they should not be used for unbudgeted and general government purposes.

Mr. Melillo asked, if this ordinance is passed and the Town issues bonds, is there any competition in the bond issuance? Is there any bidding involved to bond?

Mayor Dickinson answered, the sale of bonds is an open, competitive sale.

Mr. Melillo asked, are there any state or federal grants involved?

Mayor Dickinson answered, we pursue any funds that are available. Some funds have been made available for the project in the current state budget. Representative Mary Fritz has notified the Town that approximately \$30,000 is available.

Mr. Melillo asked, has it been determined whether or not the Town will need to buy one or two houses adjacent to the property?

Henry McCully, Director of Public Works responded, the architect will determine that.

Robert Sheehan, 11 Cooper Avenue asked, is it true that the \$140,000 is going to pay for a feasibility study at Washington Street and Washington Street only?

Mr. Parisi responded, yes.

Mr. Sheehan asked, then this committee has made up its mind that the senior center will stay in its present location and not explore other sites?

Mr. McCully responded, the feasibility study will determine whether or not the present site can be expanded or a new facility can be built on the existing site. If neither option is possible then the committee will come back to the Council to inform them that it will not be feasible to expand or build on the present site and the project will be dead.

Mr. Sheehan asked Mr. McCully, does this fall within your job description?

Mr. McCully responded, he didn't know but he enjoys doing it.

Mr. Sheehan added, Mr. McCully does a fine job and doesn't know how it does if for it appears as though there are not enough hours in the day for his normal workload. He commended Mr. McCully for performing an excellent job. He was concerned that the Town is using Mr. McCully up too much.

Mr. McCully stated that he was approached by the committee and feels comfortable because he has a very qualified staff. He sees this as another challenge to the job.

Geno Zandri, Jr., 37 Hallmark Drive stated that he was under the impression that the three sites that were under consideration for this had already been looked at and that the seniors, overwhelmingly, liked the Washington Street site where they presently are.

Mr. Parisi responded, that is correct that is why the study is being performed on that site.

Mr. Zandri asked, then why are the other sites still in consideration if this is the site?

Mr. McCully responded, there are no other sites being considered at this time. What is misleading is, at the end of the feasibility study if it was determined that it wasn't feasible to do anything at the Washington Street site then perhaps another direction would be taken. Right now we are not heading in that direction.

Mr. Zandri asked, is there anything structurally wrong with it?

Mr. McCully responded, no, it is an extremely well-built building.

Mr. Zandri recalled the building being very sound. He thought that everything in it can be utilized. We are looking for expansion to give the seniors additional room.

Mr. McCully remarked, the program that the Senior Advisory Committee has worked extensively on will drive the facility. The architect will have to make the program work in that facility.

Mr. Zandri responded, we are looking at a feasibility study of whether or not to build an addition or build a new building. You, yourself said that this building is in excellent shape. With your own expertise (Mr. McCully) and the Town Engineer's it should be able to be determined that the building is sound and that what we are really looking at here is an addition. The scope of the project can be narrowed therefore saving us a few dollars.

Ms. Saunders responded, when the committee tried to place a larger footprint of the building in the same location of the parcel two things happened; one is, to use the existing building means that the various depths of the slab will have to be brought up to one level; it is located at the lowest point on the site so that you are pumping uphill with the sewer grinding pump. To go through those walls and take them down to put electrical and plumbing work in there is very expensive. It is built like a fortress and is very difficult for the mechanical systems. There are temperature differences of more than ten degrees just to pass from one room to another because of the different building materials in the building. The heating is somewhat erratic; the location of the rooms around the hub of the center prevents a smooth activity flow from occurring. Everyone must walk through one activity to get to another and is the prime problem in a senior center when conducting six to eight activities at once. One of the biggest problems was the topography and location on the site. If we were to add to that building we would need to expand the parking. To do so the parking would be even farther from the front doors that it is now and most of the people are complaining already about how far they walk for parking. One of the goals is to try and have parking wrapped closer around the building. By increasing parking at the south end

of the site they will have to walk even farther. When we looked at the various cost estimates to renovate the building versus building new on another spot centrally-located on the property, if those figures are very close then it is a value judgment for the Town.

Mr. Zandri responded that he finds it hard to believe that the committee will be able to raze that building and build another one on that site with the same square footage and have the dollar cost come out the same.

Ms. Saunders responded, the proposed new facility will have two and one-half times the square footage of what currently exists.

Mr. Zandri reiterated that everyone agrees that the building is sound. What we are looking at is an addition for added space. The seniors have been utilizing that building for all these years and he has not heard anyone complaining about what is inside of it. With regards to the heating problems, he recalled that all the ceiling heights in the rooms are high and ductwork can be put in along the existing ceilings and then add suspended ceilings underneath. He recommended that the committee limit the scope to merely putting an addition on before expanding.

Wes Lube, 15 Montowese Trail stated, as a sixty-seven year old this year he is part of the senior generation. In Wallingford it is described as those who are sixty and older. Being a senior has given him the right to refer to this generation (seniors) as the "give me" generation. We have managed to convince ourselves that we were doing the right thing and in the process put our children into billions of dollars of debt in the process. Now we have an interesting twist, we are saying that we are going to do this for the seniors for the future. We are not intending to pay for it, however, are we. We are intending to have our children pay for it the way they are paying for everything else we (seniors) are doing. If we were paying for it in cash, that is one thing but we are not. We are going to bond it and that is wrong. While reading a newspaper article which reported some of the numbers that have been bantered around about total cost he wondered, how many of the senior citizens in town really participate? He did not want to come to a definite conclusion so he took the time to sit down with Virginia Philips, Director, for an hour or two and she was kind enough to answer his questions. He admitted, out of the discussion he came away more convinced than ever that we ought to be very hesitant about this. He was told that there are approximately 7,000 senior citizens in this town of which about 1,000 are institutionalized. It is presumed that they will not be using the facility so we are talking about the 6,000 who are not in institutions. Each town, Virginia says, decides who is a senior citizen; Wallingford looks at age sixty. Of those 6,000 in town some 2,800 are members of the senior center. The membership cost

per member is \$0.00 therefore we have a lot of people who have visited and signed up but never return to participate. No one knows how many those are; that figure is an unknown. The real utilization of the facility is probably around 2,000 out of the 2,800 members at best. That means that approximately one-third of the senior citizens of our town use the facility. The average number of seniors attending the daily luncheons which, on an annual basis is probably one of the most popular activities, is sixty to seventy. They have a seating capacity now of 100 so they are not in any way challenging that. Where is the crimp? It is in the parking. The parking capacity is somewhere between fifty and sixty which happens to correlate with the number of people who are showing up for lunch but that is not the whole story because some of those who come for lunch are doubling and tripling in their cars. The problem is that the participants of the morning activities have not yet parted the building and are still in the parking lot. Others who are scheduled to arrive at 1:00 p.m. or 1:30 p.m. have arrived early and no one discourages that. You have morning and afternoon activity demand squeezing onto that luncheon tray. The parking facility, without exaggeration, is the real bone of contention down there in terms of maximizing the use of that facility. The departments use those out buildings mostly for sign storage, old bent poles, the manufacturing of new signage and is not the type of activity that needs main street location. It can be relocated wherever. Civil Defense is down there as well. We don't defend our civility anymore, let's take those buildings down and create parking. As far as the walking problem, he knows that at his age he does not walk enough. With television and a hassock when you are retired you have to be pushed to walk. Maybe it would not do our seniors any harm if they had to walk from their cars to the building. For those who are not handicapped that walk is a good walk. By grading the parking lot a little the walk could be made easier. Virginia Philips admitted to him that no one has ever surveyed the senior citizens of this town in regards to this project. She told him that they did a random, selected sampling which is not considered a survey. That is not contacting the seniors and asking them what they think about expanding the center, how much have they been using it and how much they would be using it if it were expanded. You are thinking about hiring an architect and engineering firm to give you a facility analytical study about whether or not you should have the building expanded or replaced. He would be told to forget what was mentioned here by this gentlemen that he recommend nothing. That would be totally unnatural for a businessman to do, he would be saying, "Don't hire me" and that is not going to happen. There are some times when these issues become a ball of string that gets bigger and bigger until they have their own momentum and then, don't get in the way! He has that feeling about the senior center. There are so many things in this town that are beginning...we are finding that two or three different agencies are all working on the same project. For example, he asked Virginia Philips if she had ever talked to

the President of AARP or to Tom Dooley of the Recreation Department about the possibility of coordinating these field trips that they are taking? No, nobody talked to each other. This goes off in that direction, that goes off in this direction and most of the time they are appealing to the very same people. An economy of size could be achieved if these functions were better coordinated. Something is wrong. He urged the Councilors to give the matter serious thought. (applause)

Philip Wright, Sr., 160 Cedar Street informed Mr. McCully that his job description states this work as part of his duties. At the last meeting there was an objection to the awarding of the bid. He asked someone to tell him how that matter was resolved.

Mr. McCully responded, Janis Small, Town Attorney sent a letter to the Purchasing Department and declared that Lazarus & Sargent was the official low bidder of the project.

Mr. Wright asked Atty. Small how that decision was arrived at?

Atty. Small explained that the Purchasing Agent presented her with a question; he had made a determination regarding the dollar calculation of DeCarlo & Doll's bid. After having made that calculation DeCarlo & Doll raised an objection as to how he calculated it. He referred it to the Law Department for review and she reviewed it with him and concluded that she found no reason to accept Mr. Pedersen's determination as to what that dollar amount was. That is where the money issue was raised. DeCarlo & Doll continues to insist that they should have been awarded the bid and they have asked for various documents. She has talked to Mr. McCully, Mr. Pedersen and to members of the committee and she is satisfied that the committee did its job from a legal standpoint.

Mr. Wright asked, how much was the difference, in dollars, between the bids?

Atty. Small responded, it comes out to something like a \$4,000 difference, depending on how you view the two bids.

Mr. Wright stated, he hoped that when looking at this the Town is not following down the same tunnel that we have been following down for so many years. He hoped that when considering parking problems we do what was suggested for the Town Hall a good number of years ago and that was to double-deck it. There is nothing that says the cars have to be parked on the ground. We see it all around us. It is just a matter of good engineering. He hoped that the option is considered. It has been mentioned that there are two pieces of property. It appears as though one is essential to the project and the other is not so essential. The Town will not be able to buy that land any cheaper ten or twenty years from now. I hope that we will not be penny wise and pound foolish about it. If the land

is available then let's wrap it up in one project. He asked Mr. Farrell if there is any historic value to the two buildings in question?

Mr. Farrell responded that the feasibility study will make that determination.

Mr. Wright answered, he had never heard that issue mentioned in any of the discussions on the feasibility study.

Mr. Farrell added, presuming that Lazarus & Sargent continue with the work, he knows that both Mr. Lazarus & Mr. Sargent are very knowledgeable and there are certain federal guidelines that if there were federal funds used at any point they would have to comply with certain federal regulations regarding historic buildings if they apply.

Mr. Wright next asked, how is the grant money going to be applied? Will it be applied towards the \$140,000 we are talking about?

Virginia Philips, Executive Director of the Wallingford Senior Center responded, the money that had been requested by Mary Fritz from the State was awarded. The legislation reads, "to augment services for the Wallingford Senior Center." The total is \$30,000 for this year. The actual processing of the money is occurring as we speak. There needs to be some clarification as to whether or not it can be specifically applied to the feasibility study. It does not seem to be a major obstacle. The legislation also reads that the money must be spent in this fiscal year and an another \$30,000 will be granted in the next fiscal year and must be spent during that fiscal year as well.

Mr. Wright reminisced how the Community Pool project failed because the Mayor had a drop dead figure that he would not spend one penny over. He asked the Mayor if he had such a figure for this project? What does the Mayor think he will approve for a total cost of the project?

Mayor Dickinson responded, he was not aware of any figure that has enough fact behind it to be a dependable figure. He will be awaiting the results of the feasibility study to place any kind of accurate estimate of what the cost may be. Any figure now is completely hypothetical.

Mr. Wright asked, if a figure of \$5 million was put on the project would the Mayor be worried about it?

Mayor Dickinson responded that he is worried about every dollar the Town spends.

Reginald Knight, 21 Audette Drive asked, have we obtained approval from the environmental entities that would be involved in a project such as this? The ground slopes away right to the Quinnipiac River and any disturbance or parking lots or new buildings could disturb the watershed. Do we have approval before we go any further?

Mr. McCully responded, part of the architect's charge will be to do all of the necessary environmental testing of the site.

Reginald Knight asked, after all is said and done and the \$140,000 spent could we find ourselves faced with the D.E.P. saying that we cannot go forward with the project?

Mr. McCully answered, it would be good for the Town, whether we proceed there or not, to know if there are any environmental concerns there. There would be a review during this study.

Ms. Saunders explained that the entire \$140,000 is not solely for the study. There are three parts, the first being the feasibility study. It starts with the environmental testing. There are different pockets of problems on that property that we are already aware of. That study will cost \$20,000. No matter what the Town does at that building they have to do that first. If the answer at that point from D.E.P. is a no, it stops right there, no more money will be spent. The second phase will be a study of the layout of the site at a cost of \$20,000. At that point it stops again for the committee to come back to the Council with the architect's recommendations. At that point the Town will have only spent \$40,000 and will have a lot of answers. The Council can stop the project, change it if they wish or go ahead with it. Should they choose to go ahead with the project the next phase will be the design of the building. The architect then comes back before the Council again with the design. The public and Council get another chance to say yes, no, or modify the project. If that is a go then construction proceeds and the remainder of the money is for the architect's construction management services.

Reginald Knight asked if there was an intention to buy land around the area?

Ms. Saunders responded, that will be something that the architect will look at.

Albert Killen, 150 Cedar Street stated, a short time ago the Council adopted a budget which included a six-year capital and non-recurring budget. Why wasn't this item included in that?

Mayor Dickinson answered, not all projects of this type are included at budget time in the six-year plan.

Mr. Killen responded that he understands they are not all included but when you look at what was put in the budget as opposed to this project which was hanging in the balance when the budget was being put together, you put in construction of roads which is always ongoing. This is a once in a lifetime expenditure. There should have been some awareness that it was going to come forward at this time.

Mayor Dickinson answered, we are aware, there is some money for new debt financing in the capital and non-recurring budget. In terms of pinpointing exactly when a project will move ahead, it has been limited to road and bridge projects because they are far more predictable as to when they will be planned and under construction. Projects such as the senior center involve building committees, far more inquiry, analysis of what is necessary and what isn't, etc., it is too unquantifiable as to when the project will move ahead to try and develop a capital and non-recurring budget around them. We have the capability of including this in the capital and non-recurring fund and by adoption of the ordinance it would begin the process. To try and take these types of projects and slate them out on a six year basis, often it is ten years from the time an idea arises as far as a need and its ultimate completion under construction. It is not advisable to try and include it in a capital and non-recurring budget that is adopted every year.

Mr. Killen responded, that is snake oil. If you go back through your list of capital and non-recurring projects you have not shown any, except for one year they have all been roads and bridges. This ordinance (capital and non-recurring budget) is over thirty years old and has worked very well on behalf of the people of the Town in years past. All of a sudden you are telling us that no one has the foresight, no one can sit down and say that they can get the particular groups together and identify what will be needed; that is a lot of baloney. We have capable people here, they can give you a timetable on something like this.

Mayor Dickinson responded, too frequently projects like this can come up with very little advance notice. There are many examples of that happening where within a two to three year period it becomes a major issue and you have to wait six years or change the capital and non-recurring budget around because there is a sudden need of a different type. As long as we have the financial capability of funding a project we should not limit ourselves by making sure that it appears on an annual printed budget for capital and non-recurring.

Mr. Killen answered, you should go back and study this ordinance and why it was adopted, Mayor, you may get an education. It was to make money and be aware. You have six years in the budget but they are not carved in stone. The only one that is is this year's budget. The rest can be transposed at any given time. If one were

to look at your plans for the future of Wallingford one would think that all we are going to be doing is paving roads. You did this when schools were being built; when we needed a new recreation center; when we needed a swimming pool. All these things were happening, they were going on everyday yet, they were never recognized in the capital and non-recurring budget. That is a lot of baloney, Mayor.

Virginia Philips, Exec. Director of the Senior Center stated, there is one issue that has not yet been addressed. Any renovation or addition to the existing facility would now come under the new ADA (Americans with Disabilities Act) regulations pertaining to all renovations and additions occurring prior to the enforcement of the act. If we were to add a closet we would have to bring our building up to ADA. Currently there are a number of areas in the building that are non-conforming. No one is in danger in the building, we have managed to function. Among the areas that currently do not conform are fire alarms, entries and exits, bathrooms, sloped areas that are not really ramps. It will cost a great deal to bring the building up to code.

Mr. Wright asked if the feasibility study will address where Civil Defense and any other Town entities will go?

Mr. McCully responded, it will tell whether or not they have to be moved or remain in the present location.

Mr. Wright asked if there was a preference as to whether they stay or go?

Mayor Dickinson responded, there is a preference expressed in the bid specifications that those uses remain on site. That does not dictate that they must. At this time there is not a search for a new location. Should the feasibility study indicate that they should not remain on site then that would change the situation.

Mr. Zandri asked, is the preference that the entities remain in the building or just on site?

Mayor Dickinson answered, the preference isn't that they remain in the building they are necessarily in right now, it is whether or not the use remain there in that building or make accommodations for them in any new arrangement on the site.

Mr. Zandri stated, the Traffic Maintenance operation can very easily be moved to any other site in town, however he could understand if Civil Defense wanted to stay at Washington Street.

Vincent Testa, 30 Pieper Drive asked, since it was mentioned that the project will be done in phases, is it the town's intention to issue the bonds in the same manner? If we need \$20,000 do we then

issue \$20,000 worth of bonds or are we issuing \$175,000 and then spend it in lots?

Mayor Dickinson responded, typically the bonds are issued in one lump sum upon completion of a project. There would be one sale which would include this as well as the final construction costs.

Mr. Testa asked, we reimburse ourselves with the bonds when we are finished?

Mayor Dickinson answered, yes.

Mr. Testa then asked, how was the scope of the bid put together? Was it your committee, was it a past committee? You are asking the architect to perform a feasibility study but you have obviously given him the preferences and design, etc.

Ms. Saunders responded, much of the groundwork was laid by the previous study committee as far as the program needs. The committee worked on developing the bid package with Mr. Pedersen and Don Roe, Program Planner along with the Committee on Aging. Once the recommendations for the scope of the project were determined then the committee hammered it out and Mr. Pedersen's office did the final work on the bid package, itself.

Mr. Testa explained, the reason he is asking is because his main background is in environmental consulting and he noticed, early on, that a lot of what has been talked about is environmental studying. It seems as though a lot of this work sounds more like engineering than architectural in nature. It seems to him that anyone the Town hires would have to sub-contract out phase I assessment which we could very easily do for we now have a Town Engineer. There is a lot of reference made as to whether or not the D.E.P. allows you to go forward, the D.E.P. does not stop anyone from doing anything. What they do is approve your plans to fix things as you discover them. It is like the cart before the horse; you cannot design something and then ask the D.E.P. if it is o.k. We have an obligation to study the site and then you have an obligation under federal law to deal with what ever you find before you even decide whether or not you are going to put up a door. It seems as though it would be wiser to have our Engineering Department hire an environmental engineer just like Lazarus & Sargent would do, find out what they had to say and then make the determination about where you go from there. He did not see the point in committing to an architect before the engineering is done.

Ms. Saunders responded, because the site is so difficult, if we bid it in parts we could end up with two separate individuals performing the work because there would be two separate bid processes. The biggest portion of the money is the design phase. Ultimately, one of the worst scenarios would be if the

architect, who was a new person, came in and had to base his work on the work of another firm or individual he would not be responsible for that. The committee wanted the architect to be responsible for looking at all the contingencies in that building and to rest his work on them and sign off on it. We are trying to avoid contingencies later on.

Mr. Testa reiterated his point on having the Town Engineer hire an environmental engineer to perform the initial work. We are getting ahead of ourselves otherwise.

Ms. Saunders responded, it could have been a timing issue. This process was started approximately 1 - 1 1/2 years ago. At that time the Town Engineer was approached along with Planning & Zoning to ask them if they could do this type of work and give the type of opinions that were needed on this site and they both declined.

Mr. Testa understood how they would not have the expertise but the Engineering Department could have hired an environmental engineer to do the work. He did not want the Town to get too far along in its commitment of services rendered to Lazarus & Sargent before we know whether or not it is even worth doing. We are equipped to do that type of initial study before we go any further but not if it throws a wrench in the works and puts a halt to it because he is in favor of the project. Points have been raised that this same firm (Lazarus & Sargent) did the study last time and showed a preference towards another site. It seems odd that they are now being asked to come back and we are doing everything in our power to make sure they get the job...it seems odd that we have two firms to chose from and they have the job again. He did not think that studying the issue before has any advantage. A fresh perspective may be even better for everyone.

Ms. Saunders answered, this study will be different from the previous one. The work that was done before was a very quick site analysis of four sites; the Wooding Property, Simpson School, Washington Street and Fairfield Blvd. At Washington Street at that time we did not have the option of acquiring additional property so the study that was done the first time assumed that we were locked into the small piece of land that we now have. We have since learned that the homeowners are willing to negotiate with the Town on those neighboring properties and small discussions have been held with Choate on the other side. That was the only reason why we were able to go back and study this again. This feasibility study takes into consideration the availability of more land. If the land were not available, we would not be here right now.

Mr. Testa directed his comment to Chairman Parisi stating, regardless of how you feel about the editorial comment that was provided by Mr. Melillo, he believed that the point Mr. Melillo did make about the relevance of talking about where the money is coming

from is very important. You (Chairman Parisi) mentioned that you are here to talk about whether or not to do the feasibility study but part B of this ordinance is how it is going to be paid for. The discussion on whether or not we could use available funds was very, very relevant although the editorial comment went beyond that. You are not here just to talk about the feasibility study you are here to talk about how you are going to pay for it.

Mr. Parisi responded, that is what my comment was directed at (Mr. Melillo's editorial comment). We are here to talk about many things and we usually do.

Mr. Melillo asked, has anyone involved with this project from the town or this committee really checked to see if our own Town Engineer could go ahead and conduct this study and save the taxpayers money?

Mr. Knight responded, this is a question that has come up many times on many projects. He has never been able to get a real clear answer as to how it is that if we give it to the Town employee to do it is done for nothing but if we contract it out it costs us money. We pay the Town Engineer. He hoped that we have a Town Engineer that isn't sitting like the Maytag repairman waiting for something to do. In other words, he hoped that the Town Engineer has a full plate right now and if you add this project to his plate than perhaps that pushes off some other work that should be done by the Town Engineer. You have to pick and choose the times when you have to employ your own employees and in-house experts and when you should go outside for expertise. Environmental studies of this type, given the nature of federal law and the subject, in general, begs for as much expertise as you can find. He is not sure that the Town Engineer is a jack-of-all-trades.

Mr. Melillo felt that the Town's employees had enough expertise to do the work themselves.

Mr. Parisi responded, Gaylord Hospital has an engineer on staff also however, many times the work is bid out to a consultant because the engineer has never professed to know everything just because he is an engineer.

Mr. Knight stated, he is extremely impressed with the thoroughness of the committee on this matter. This committee is comprised of excellent people who have done a phenomenal amount of work. With regards to the comment that an addition should be considered to the building, if it is feasible then of course. Part of the study is supposed to prove whether or not we can take this 100 year old building that was built as an electrical power plant at the turn of the century and make it a state-of-the-art senior center. That is why we are hiring experts to tell us what is needed. This is a unique facility which requires a unique design to make it a

functioning, efficient, attractive place for people to go. With regards to Mr. Killen's remarks on the capital and non-recurring budget; the Mayor eluded to the fact that some projects are more predictable than others. In 1990 the first Community Pool Committee was established and we are still swimming in the old pool seven years later. That project would have been on the capital and non-recurring plan and off of it. That is the nature of some of these projects. He hoped that the senior center project stays on track better than the Community Pool project. Often we think of seniors as one group when they can range in age from 60 to 70 to 90 years of age and require an incredibly varied range of services and have an incredibly varied range of interests. It is a very exciting project that he looks forward to completing.

Ms. Papale asked, if the feasibility study is done and presented to the Council and neither the addition or new building does not seem feasible to the people who are sitting here, would you be going to look for another feasibility study for the other sites?

Ms. Saunders responded, at this point it does not look like we have to. We have the previous work of Lazarus & Sargent regarding the Wooding Property and we already know how many square feet of building can happen there and how cars can be parked there, we know that for a fact. We also know the approximate price for there are no unknowns for that site. The problem with the Washington Street site is that there are so many unknowns. This committee has pretty much ruled out Simpson School for we feel it is totally undesirable.

Ms. Papale stated that she was very happy that the feasibility study is being performed at the Washington Street site for she preferred that location to any other. A new facility will offer new and expanded programs to the senior population. She felt that the committee made a very good choice by having Henry McCully working on the project.

Mr. Center addressed comments made by Wes Lubee with regards to the possibility that there would be a duplication of programs. He has toured the facility and was assured that the senior's needs would be met and there would be almost no duplication of programming, if any at all. With regards to the square footage needed for programming he stated that there has been a reduction in the overall type of square footage by nearly 7,000 - 8,000 square feet since the project was first proposed.

With regards to Mr. Zandri's comments Mr. Centner stated, after being in the building and getting an idea of the programming that the staff is looking to provide and the current layout of the building; although it is well built the layout for circulation and flow for the programming is very inefficient.

In response to Mr. Melillo's comments regarding the suggestion to fund the project with Electric Division retained earnings; the P.U.C. recently described future projects and targeted planning for that fund that exceeds the dollars that are in it. He would not consider using the funds as a resource for that project.

Lastly, directing his comments to Mr. Vincent Testa and his suggestion to use the Town's engineer to assist in the selection of the subcontracted services; the Council has transferred a significant amount of money to the temporary or part-time engineer to have him address the many issues of infrastructure, water/sewer run-off, bridge damage, etc. He would not like to use the services of the Town engineer on this project for he would not like to dilute his services to our current situation in town. He commended the committee for a great job so far.

Mr. Gouveia thanked the committee for their thorough presentation to the Council and public. He referred the second sentence of Section 1 which reads, "Such services to be provided approximately in accordance with the "Specification for Architectural Consultant Services for Design of Multipurpose Senior Center, Public Bid Number 97-1".... He asked Attorney Fasi, why would the word "approximately" be included? He thought the document would serve the Town better without it.

Attorney Fasi responded, if the Council does not like the word it can be deleted. By right, ordinances use the word "approximately" because it has been his experience that at this stage of the proceedings legislative bodies and committees believe they know where the project is going and what they want done but when it comes time to implement them they find that circumstances are not what they expect and things have to change. If you are in the midst of the project and you reach that circumstance and you have to come back to the Council because you constrained yourself in the text of the ordinance then that is what you will have to do. The project will suffer and it will cost the Town money to do that. If you think that is very unlikely that the circumstance is going to arise then you can removed the word "approximately".

Mr. Gouveia responded that he wants the individual who is awarded the bid to do the work as outlined in the bid specifications and not to the work approximately to the specifications.

Atty. Fasi explained, the contract with the design professional or anyone else does not become flexible with respect to that design professional because the Council has the flexibility as the legislative body to change that contract. The flexibility is not with the contract but with the Council.

Mr. Gouveia answered, by the same token we could also determine if the work is approximately done or not rather than try to quantify what approximately is. He asked what the effective date of the ordinance was?

Atty. Fasi responded, it is thirty days after being published in the newspaper.

Mr. Gouveia stated that he will vote for it because it is too important of a project to draw a line in the sand over. He stated, that he will never vote for an ordinance in the future that gives the Town authority to borrow money sixty days before the passage of the ordinance. It is circumventing the people's right to referendum.

Atty. Fasi assured Mr. Gouveia that the ordinance does not authorize anyone to borrow prior to its effective date.

Mr. Gouveia stated that he had a moral dilemma. If he were a rich man and had a lot of projects that required architectural work he would wine and dine Mr. Steve Lazarus to do the work for him because he believes Mr. Lazarus to be the most ethical; he has a great deal of respect for him both as an individual and a professional, however he is concerned about the article written in the paper pertaining to the bidding process. He asked, what role did Mr. Lazarus play in establishing the scope of the project before it went out to bid, if any?

Ms. Saunders responded, the committee had no discussions with Mr. Lazarus.

Mr. Gouveia stated, because of Mr. Lazarus' love for Wallingford and the fact that he is such a caring person; he does a lot of work and has worked closely with the committee on other projects; for the love of God Mr. Gouveia wished that Mr. Lazarus had not participated in the bidding process in this case only because it somehow creates an appearance of some conflict and he is a little uncomfortable with that. He reiterated that the Town will be extremely well served by his services.

Mr. Zappala stated that he was very skeptical about the project at the beginning and knew that it would come to this point. The center is needed and is the thing of the future and he is hoping that the architect will come up with a reasonable amount of square footage that will be acceptable to everyone. He has mixed emotions about the 20,000 square feet. If they need it, so be it for we don't want the project to be for less than what is needed.

Mr. Renda stated that the committee is doing a good job and he concurred with Councilor Knight. The youth will be tomorrow's seniors and he, himself, will be a senior soon and will make of the

center.

Mr. Knight stated, the committee has bent over backwards to eliminate the slightest odor of politics, favoritism, lack of objectivity. Nobody on the committee has done anything but held them up to the highest standards of volunteerism in this community.

Mr. Lube asked if the feasibility study that is going to be done will address the economical feasibility? He asked, if that is true how can the Council come to any conclusion without....the cat is out of the bag. The owners of the two parcels in question are aware of the fact that the entire project rests with the purchase of the project. The land may be available today but not tomorrow. That can all be resolved with options; approach the people now and negotiate with them so that when the economic feasibility is laid on the table to be examined you will have a specific figure in mind for those two properties.

Mayor Dickinson commented, there are efforts being made.

In regards to Councilor Knight's comments, Mr. Gouveia stated that his comments stand and it was extremely difficult to make them for the reasons that he stated. Nonetheless he found it morally important for him to make them. He will sleep better tonight.

Reginald Knight asked, what is the driving force behind having this addition or new building?

Ms. Philips answered, we service the families of older people, we serve the frail elderly; we are not a recreational facility. There are two lengthy reports compiled by the committee that reflects the necessary information. A report is on file at the Library, Town Clerk's Office and the Senior Center.

Ms. Saunders responded, the building is limiting the programs which have been curtailed because of its limitations. Some programs have ceased because of the space issue. The population is expanding by seventy percent by the year 2020.

Reginald Knight warned the committee to be careful of projected population figures. The Town has closed and re-opened schools based on projections that were inaccurate.

Motion was made by Mr. Rys to Approve the Ordinance, seconded by Mr. Knight.

Motion was made by Mr. Knight to Amend the Ordinance by Substituting the Amount of \$140,000 for \$175,000 Everywhere it Appears in the Ordinance, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Gouveia to Delete the Word "Approximately", the First Word of the Sixth Line in Section I, seconded by Ms. Papale.

VOTE: Gouveia, Papale and Zappala aye; all others, nay. Motion Failed.

Motion was made by Mr. Rys to Approve the Ordinance as Amended, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

ITEM #11 Discussion and Possible Action on a Request from the First Congregational Church to Replace Access Structure Steps at 35 S. Main Street Located on the Town's Parade Grounds - Mayor's Office

Motion was made by Mr. Rys, seconded by Mr. Centner.

The Church is the new owner of 35 S. Main Street and in the course of remodeling the building for use it is the wishes of the church to place a handicapped accessible ramp to the front entrance which is located on Town property.

Mayor Dickinson stated that the Town is requiring that insurance be provided to protect the Town during construction. Evidence of such insurance is to be given to the Risk Manager.

Mr. Centner stated that he will abstain from voting due to the fact that he is a member of the Church and serves on the committee proposing this project.

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

ITEM #12 Withdrawn

ITEM #13 Consider and Approve a Waiver of Bid to Award a Contract to Cott Systems Indexing Company for the Computerized Indexing of Land Records 1974-78 for a Cost of \$33,840. Payable Over a Three Year Period - Town Clerk

Motion was made by Mr. Rys, seconded by Mr. Farrell.

Cott Systems is the vendor that has been indexing the land records over the past several years. In order for the records to remain consistent with regards to indexing it is recommended that the same company be contracted with.

Philip Wright, Sr., 160 Cedar Street suggested that the Town consider spending a little more money to have all the past years that are not yet done, done at once and get it over with.

VOTE: All ayes; motion duly carried.

ITEM #14 Report Out from the Comptroller on Questions Raised Concerning the Water/Sewer Division Accounts for Employees Accrued Vacation & Sick Time at the Close of a Fiscal Year

Correspondence from Thomas A. Myers, Comptroller states that the method of accounting for employee accrued vacation and sick time is a requirement of Governmental Accounting Standards Board Statement #16 entitled, "Accounting for Compensated Absences." Private industry has a similar standard which mirrors the governmental requirement, therefore we are not doing anything differently than the private sector is doing.

ITEM #15 Executive Session Pursuant to Section 1-18a(e)(4) of the CT. General Statutes Pertaining to the Purchase, Sale and/or Lease of Property - Mayor's Office

Motion was made by Mr. Rys to Enter Into Executive Session, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council entered into Executive Session at 10:36 P.M.

Present in Executive Session were all Councilors and Mayor Dickinson.

Motion was made by Mr. Rys to Exit the Executive Session, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

The Council exited Executive Session at 10:55 P.M.

Motion was made by Mr. Farrell to Adjourn the Meeting, seconded by Mr. Centner.

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

There being no further business the meeting adjourned at 10:56 P.M.

Meeting recorded and transcribed by:

Kathryn F. Zandri
Kathryn F. Zandri
Town Council Secretary

Approved by: Robert F. Parisi by RR
Robert F. Parisi, Chairman

10-29-97
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

10-29-97
Date

AN ORDINANCE APPROPRIATING \$175,000 FOR THE DESIGN OF A SENIOR CENTER AND AUTHORIZING THE ISSUANCE OF \$175,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$175,000 is appropriated for the planning, design and construction administration of a senior center including the evaluation of, and making of recommendations with respect to expanding and renovating the existing facility or constructing a new facility. Such services to be provided approximately in accordance with the "Specification for Architectural Consultant Services for Design of Multipurpose Senior Center, Public Bid Number 97-1", and including administrative, printing, legal and financing costs related thereto. Said appropriation to be inclusive of any and all State and Federal grants-in-aid.

Section 2. To meet said appropriation \$175,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds shall be issued in the amount necessary to meet the Town's share of the cost of the project determined after considering the estimated amount of the State and Federal grants-in-aid of the project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Mayor, the Comptroller, and the Town Treasurer, or any two of them, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, and be approved as to their legality by Murtha, Cullina, Richter and Pinney, Attorneys-At-Law, of Hartford. They shall bear such rate or rates of interest as shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and

credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, in accordance with the General Statutes of the State of Connecticut, as amended.

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

Section 4. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, have the seal of the Town affixed, be payable at a bank or trust company designated by the Mayor, the Comptroller, and the Town Treasurer, or any two of them, be approved as to their legality by Murtha, Cullina, Richter and Pinney, 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 said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. Resolution of Official Intent to Reimburse

Expenditures with Borrowings. The Town (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 project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project, or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Comptroller or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 6. The Mayor, the Comptroller, and the Town Treasurer, or any two of them, are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance. Any agreements or representations to provide information to Repositories made prior hereto are hereby confirmed, ratified and approved.