

TOWN COUNCIL MEETING AGENDA

Tuesday, October 24, 1989

6:30 P.M.

1. Pledge of Allegiance and Roll Call.
2. Consider a Transfer of \$1,500 to cover Advertising Costs - Charter Revision Budget.
3. Consider and Approve a Transfer of \$1,000 to Overtime Account - Purchasing Department.
4. Consider and Approve Purchase of Printer (\$414.00) - Tax Department.
5. Consider and Approve Budget Amendment of \$4,000 to Crime Seizure Capital Contingency - Police Department.
6. Correct Motion previously adopted in June 14, 1988 Minutes.
7. Consider and Approve Job Description for Senior Engineer in Water-Sewer Division.
8. Consider and Approve Budget Amendment to Transfer \$400.00 Donation by the Meriden Police Union to the Auxiliary Police Budget.
9. Consider and Approve Appointment of Raymond Bartel to Public Celebration Committee to fill a vacancy.
10. Consider and Approval Loan of Funds to the Social Service Block Grant Program and Community Service Program.
11. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
12. Discussion to Review Ethics Procedures - requested by Councilman Geno Zandri.
13. Presentation of Wallingford Board of Education Elementary Spatial Needs.
14. Consider and Approve a Motion stating that the Town of Wallingford Intends to Appropriate to the Board of Education Budget Funds received on Education Grants in Excess of Revenues Currently Budgeted, as Such Funds are Received from the State of Connecticut.
15. Progress Report from Community Lake Study Committee.
16. Discussion Regarding Charter Revision Change and Use of Term Resolution.

17. Discussion and Possible Action on Creation of New Position of Full-time Secretary for Town Council.
18. Approve Town Council Minutes of October 3, October 10 and October 16, 1989.

TOWN COUNCIL MEETING SUMMARY

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Meeting Adjourned	

TOWN COUNCIL MEETING

OCTOBER 24, 1989

6:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers and called to order at 6:40 p.m. by Chairman Albert Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Adams, Bradley, Doherty, Papale, Solinsky, Zandri and Killen. Also present was Eva Lamothe, Deputy Comptroller.

The Pledge of Allegiance was given to the flag.

Motion was made by Mr. Doherty to have Items 2, 3, 4, 5 and 9 placed on the Consent Agenda to be voted upon by one unanimous vote.

(Mr. Parisi arrived at 6:43 p.m.)

ITEM 2 Consider and Approve a Transfer of \$1,500 from Secretarial Expense Acct. No. 001-1140-600-6040 to Miscellaneous Expense Acct. No. 001-1140-600-6010 to Provide Additional Funds for Advertising Costs - Charter Revision Commission.

ITEM 3 Consider and Approve a Transfer of \$1,000 from Outside Services Acct. No. 001-1450-900-9010 to Overtime Acct. No. 001-1450-100-1400 to Provide Additional Funds for Overtime - Purchasing.

ITEM 4 Consider and Approve the Purchase of a Printer in the Amount of \$414 - Tax Department.

ITEM 5 Consider and Approve a Budget Amendment of \$4,000 to Crime Control Seizure Program Acct. No. 001-1050-050-5870 and Crime Seizure Capital Contingency Acct. No. 001-2011-999-9908 - Police Department.

ITEM 9 Consider and Approve Appointment of Raymond Bartel to Public Celebrations Committee to Fill a Vacancy.

Seconded by Mr. Adams.

VOTE: Holmes was absent; all other ayes; motion duly carried.

ITEM 6 Correct Motion Previously Adopted in June 14, 1988 Minutes. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

(Adam Mantzaris arrived at 6:50 p.m.)

Adam Mantzaris stated in the original announcement the item was listed as \$155,000 and it should have been \$155,500. This is being done to correct the amount which was a typo. The Bond Attorney wanted it done by resolution.

Mr. Killen stated if we adopt this resolution we're adopting a resolution after the fact, we're not correcting the minutes. I think it would be more appropriate to correct the minutes whether it be by resolution or otherwise.

Motion was made by Mrs. Papale to Correct the Minutes of June 14, 1988 to Read, "Resolved: To Set a Public Hearing for June 28, 1988 at 7:45 p.m. to Consider an Ordinance Appropriating \$155,500 for Architectural Services and Fees Incurred for Planning of Code Compliance for Handicapped Accessibility at Wallingford Public Schools and Authorizing the Issue of \$155,500 Bonds of the Town to Meet Said Appropriation and Pending the Issue Thereof the Making of Temporary Borrowings for Such Purpose." Seconded by Mr. Adams.

VOTE: Doherty abstained; Holmes was absent; all other ayes; motion duly carried.

ITEM 7 Consider and Approve the Job Description for Senior Engineer in the Water/Sewer Division - Personnel Department. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

(Holmes arrived at 6:55 p.m.)

Mrs. Papale asked will this job be filled in next year's budget?

Roger Dann replied no that's not correct. At the budget workshops I specifically brought your attention to this position and we did fund this position for January 1, 1990, however it did not show in the Personnel pages because the job description had not been prepared. There is money in the budget for this position.

Mr. Parisi asked what is it that we don't have that this will fill?

Mr. Dann replied we're adding this position to accomplish a number of functions. position to accomplish. One is that currently all the engineering functions are not grouped together under a specific engineering planning group. The individuals within the technical services or engineering sections share their reporting responsibilities between the superintendents of Water and the superintendents of the Waste Water Divisions. So they're reporting to a split supervisory chain. We're looking to consolidate that. This is also a first step in the direction of providing for some additional planning and in-house engineering functions.

VOTE: Unanimous ayes; motion duly carried.

ITEM 8 Consider and Approve a Budget Amendment of \$400 to Miscellaneous Revenue Acct. No. 1075-070-7040 and Police Supplies Acct. No. 2090-400-4760 to Transfer Donation to Auxiliary Police. Motion was made by Mrs. Papale, seconded by Mr. Holmes.

Mrs. Papale read the attached letter, dated October 11, 1989, from Mayor Dickinson to the Town Council.

VOTE: Unanimous ayes; motion duly carried.

Mr. Killen stated I will send a thank you note to the Meriden Police Union.

(Mayor Dickinson arrived at 7:03 p.m.)

Mrs. Papale read the attached letter, dated October 18, 1989, from Mayor Dickinson to the Town Council regarding the Public Celebrations Committee.

Mr. Killen stated I will also send a letter to Mr. D'Agostino thanking him for the wonderful job he's done on the Public Celebrations Committee.

ITEM 10 Consider and Approve Loan of Funds for the 1st Quarter Operation of the Social Service Block Grant Program and Community Service Program - Program Planner. Motion was made by Mrs. Papale, seconded by Mr. Adams.

Mrs. Papale read the attached letter, dated October 18, 1989, from Don Roe to the Town Council.

Mayor Dickinson stated this happens every year. The State fiscal year is not the same as ours so we're left hanging for the first couple of months. It's worked out well in the past. We fund the money and then it's reimbursed.

Mr. Doherty asked how much money are we talking about?

Mayor Dickinson replied I don't have that figure available right now.

Motion was made by Mr. Doherty to Table this item until a dollar figure is available, seconded by Mr. Parisi.

VOTE: Adams, Bradley, Holmes, Papale, Parisi, Solinsky and Zandri voted no; Doherty and Killen voted yes; motion did not pass.

VOTE ON ORIGINAL MOTION: Doherty and Killen voted no; all other ayes; motion duly carried.

ITEM 12 Discuss and Review Ethics Procedures. Motion was made by Mrs. Papale, seconded by Mr. Adams.

Mr. Zandri asked is there a set of procedures that the Ethics Board follows?

Richard Gee replied yes there are procedures and they're found in many different places: the Code of Ethics, the Charter, State Statutes and the State Code of Ethics. There's no one document that outlines the procedures.

Mr. Zandri asked do you think it would be beneficial to group these procedures together so they can be easily followed? There seems to be confusion as to whether or not all the procedures are being followed.

Attorney Gee replied you may be right, but I'm not aware of the confusion you refer to. When I became a member of this Board I put together a notebook where I do have everything in one spot. Perhaps a compilation of something like that would be helpful to the public.

Mr. Zandri asked how can I request that this be done in a simplified form?

Attorney Gee replied all you can do is take the text of the law and the resolutions, photocopy them and staple them together. They all feed off of one another.

Mr. Zandri asked is there any way this can be done so that the average person can read it and understand it?

Attorney Gee replied I don't think so. The procedures we use come strictly from State Statute. If someone were to try and paraphrase the State Statute, they'd get themselves into a lot of trouble. I wouldn't volunteer to do it. I can put in my own words my interpretation of those things, but I wouldn't pretend to put them out in a document that would be read by the public and used as the interpretation of the law.

Mr. Zandri stated I think this is where the problem lies. When the average person tries to interpret that there is confusion and they're not sure whether or not you're following the procedures correctly. Somebody has got to put these rules and regulations into a form that the general public can read and understand and feel comfortable with. If people feel procedures are not being followed, then obviously they must be interpreting the procedures differently from the Chairman of the Board of Ethics. I would ask that Attorney Gee provide me with a set of procedures that he follows for conducting a hearing. I'm going to try to read it and understand it and I'll research it until I do understand it. Then hopefully I'll be able to explain it to somebody else in the future.

Mr. Bradley asked do you think it might be helpful if we put together a cross index or something?

Attorney Gee replied yes.

Mr. Bradley stated I agree with you on the interpretation. You could give a copy to everyone here and you would get 9 different answers.

Mr. Zandri stated I would like Attorney Gee's interpretation. Obviously if you're conducting a meeting, you have to be conducting that meeting with some sort of interpretation of the rules that are set down for you.

Attorney Gee replied I think what you expect to see is something nice and neat like Robert's Rules of Order. It doesn't exist. I can give you the Statutes, the Town Charter as it applies to the Board of Ethics, the Code of Ethics, and copies of two documents that were adopted by the Board prior to my being involved in it. They have to do with how to file complaints, what complaints should sort of look like, the two kinds of hearings held by the Board, etc. The rest is left to your experience in running a meeting. If you have experience in running a meeting, then you sort of know how these meetings are supposed to run. Fairness and getting all of the facts out has always been something the Board has tried to do.

Mr. Zandri stated you give me what you feel I should have and if I'm confused I'll have you explain it to me.

Mr. Solinsky asked are you satisfied that you have adequate guidelines to go by? Do any of them conflict with each other?

Attorney Gee replied they used to conflict, but recently the State Legislature has amended the statutes so that there's no longer a conflict between probable cause hearings being held in private or public. Am I happy with the guidance I

have? No. It certainly could be laid out more thoroughly, but State Statutes just don't do that. Sure things could be tightened up in terms of what things say, but I don't know if it would make any difference in the way the meetings are run because I think they are run in an orderly way where we try to get all the facts out as much as possible.

Mr. Solinsky asked do you think we should tighten up on those with the Code of Ethics?

Attorney Gee replied I don't think it's necessary, but if some of you Council Members are hearing problems with confusion, it's certainly something you can think about doing.

Mr. Solinsky asked with all the guidelines you have, can you conduct a hearing properly and render a decision?

Attorney Gee replied yes and we've been doing it since last December.

Mr. Solinsky asked do you think there's any powers missing from the Ethics Board?

Attorney Gee replied I don't think there's any powers missing. I think the Ethics Board has what it needs. We're not an enforcement body. It's a board that recommends, an advisory board.

Carolyn Massoni, 41 Hillsvie Road, stated I'm a little confused as far as what Attorney Gee is saying regarding the rules and regulations of procedure. According to the Charter on page 39, it states the Board's rules and regulations of procedure shall be established by the Code of Ethics.

Attorney Gee replied there are State Statutes which could supersede the Town Charter. There are other internally passed documents within the Board that also give us some procedure. The procedure is in the Code of Ethics, but it's superseded by State Statute and amended in other ways.

Mrs. Massoni replied I have filed several complaints and each one was handled differently. I could never understand why the rules of procedure were not followed exactly the same for each complaint. I think during the past two years the Board has violated several of it's own rules and Charter provisions. I think there should be a thorough revision of the Board of Ethics in the Charter, the ordinance governing the Board should be completely revised, and the rules of procedure should be notated in the ordinance and the Charter.

PUBLIC QUESTION AND ANSWER PERIOD

Tim Cronin, 47 South Ridgelane Road, stated I would like to commend the Council for the way they treat the public and allow public comment on all the agenda items.

Edward Musso, 56 Dibble Edge Road, stated whoever unlocks the doors will get his vote in November.

Motion was made by Mrs. Papale to Waive Rule V to Discuss the Fire Marshal Salary, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Mr. Seadale stated Mike's current salary as Deputy Fire Marshal is \$34,227.96. Under the Fire Contract this will go to \$34,570.12 on January 1. The minimum salary for Fire Marshal is \$35,367 with an increase to \$37,489.14 on January 1. The salary for the prior Fire Marshal who retired was \$42,987. In Mike's former position he was capable of getting overtime and he was also getting paid certain things in the Union position that he will not be getting as Fire Marshal.

Mike Lamy stated if I had stayed as Deputy Fire Marshal my salary as of July 1, 1990 would have been \$38,450.88 which would be above the minimum for Fire Marshal. The additional monies I would have received for overtime, etc. would be about \$3,000 per year. I would hope there would be some consideration of this. I'm not asking to start at the top, but it would be absurd to take a pay cut over a long term basis.

Mr. Adams stated we should look into this further before making a decision. We could continue Mr. Lamy at the minimum salary until a decision is made.

Mayor Dickinson asked does the Management Review include the Fire Marshal?

Mr. Seadale replied yes I think it does, but I don't know what that's going to recommend.

Mayor Dickinson stated that should be kept in mind.

Motion was made by Mr. Holmes to start the Fire Marshal salary at minimum as of 10/11/89, seconded by Mr. Solinsky.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to move up Item 15, seconded by Mr. Bradley.

VOTE: Doherty voted no; all other ayes; motion duly carried

ITEM 15 Receive a Progress Report from Community Lake Study Committee. Motion was made by Mr. Holmes, seconded by Mr. Parisi.

Phil Wright stated in the middle of next month they expect to have the final draft of the study that has been conducted by the consulting environmental engineers hired by the DEP to study the restoration of Community Lake. They're looking at a variety of things, but the main point is what adverse effects would there be on the water quality by the damming of the river. If it appears to be a bad idea as far as water quality issues, they will possibly be suggesting alternatives.

Mr. Killen asked will they be providing dollar figures?

Mr. Wright replied they will probably give us rough estimates.

ITEM 13 Presentation of Wallingford Board of Education Elementary Spatial Needs. Motion was made by Mrs. Papale, seconded by Mr. Zandri.

Roger Rivers stated the Board of Education has endorsed a plan which will address the future program and classroom needs for the elementary schools. It was approved by formal vote at the September 28 Board of Education meeting. I formally request that the Town Council name a Building Committee to accomplish the following: 1) purchase a minimum of 11 portable classrooms for the 1990-91 school year and 2) start the permanent additions to Cook Hill, Pond Hill and Parker Farms schools as soon as possible, hopefully to be on line in 1992-93. It is my understanding that the Town Council was given information last week reflecting the future needs of the school system. Subsequently, the Board of Education and the Superintendent have received more current data and the alternatives as originally stated in the document given to you last week can be disruptive. Therefore, we have additional, up-to-date data which I would like to hand out to you.

Mrs. Papale asked are you asking us to discard the material we received with our agenda?

Robert Nicoletti replied the document you just received is essentially the same except for page 2.

Mr. Rivers stated the first document did not reflect the resolution. The information on page 2 reflects the latest data as of this afternoon when the Superintendent met with his elementary Principals.

Mr. Bradley stated I based my questions on the first document I received and page 2 has changed significantly. Can you present the differences to us, what they mean, and what the basis for the changes were?

Mr. Rivers stated at Moses Y Beach the need was for a computer room and it was determined by the Superintendent and the Principal that this could be put into a Pre-Kindergarten room and move the Pre-Kindergarten room to another school. However, as of last night, it was the Board's opinion that rather than moving people around we would look at it as there is a need for a computer room so that equates to one portable classroom. In addition, today the Principal has indicated he estimates he will need a Kindergarten for next year. Because we do not have the room, we have added another portable to Moses Y. So the second document reflects two portables to be installed at Moses Y.

Mr. Rivers stated at Cook Hill the Administration was originally advised that we needed a First Grade. There was discussion of moving the IEP class to Highland or buying a portable. Keeping in mind that the Superintendent and the Principals were trying to come up with what they thought was the most cost-effective way, the Board wanted to indicate to the Town Council all their needs without crowding or moving. Therefore, we would certainly support installing a portable at Cook Hill. During this past year we took some space away from the Library in order to utilize it as an LD class. The Board felt this was not fair to everyone, therefore we're looking for a portable to house the LD Resource and also have space available for speech and social work rather than take the area in the teachers workroom. So we are recommending a total of 3 portables for Cook Hill.

Mr. Rivers stated Stevens originally indicated they needed a computer room. Stevens has one room vacant because the Board made some adjustment by moving the print shop to the basement area. However, since that time there has been a need for an additional First Grade and a Kindergarten due to the class sizes that are being projected. So we need two portables at Stevens.

Mr. Rivers stated Parker Farms originally asked for a computer room and it was suggested in the original document to convert one of the faculty lounges into a computer room. The Board felt that was not proper, therefore our recommendation is to add a portable. A Third Grade will be required in 1990-91 and it was suggested in the original document that we move the EMR classes to Highland or buy a portable. The Board opted for the additional portable. We have a need for a LD Room and an occupational/physical therapy room. Therefore we will need 4 portables.

Mr. Rivers stated this would give us a total of 11 portables which was the original resolution by the Board.

Mr. Bradley asked why was it determined not to convert the faculty lounge to a computer room at Parker Farms?

Mr. Rivers replied it would not be a proper use for a computer room.

Dr. Nicoletti stated the faculty room over the gymnasium doesn't have windows and we're not quite sure of the fire regulations. The other area would be in the cafeteria and we would have to parcel off a portion of the cafeteria. It would be near cooking facilities and the teachers faculty room and would not be appropriate. The room would have to be air conditioned, carpeted, etc.

Mr. Bradley asked what is the enrollment size of the LD class?

Dr. Nicoletti replied LD Resources is traditionally 2-3 children at a time. The teacher receives youngsters on a daily basis and it's an individualized kind of program. It could vary from 1-6 children.

Mr. Adams asked what is the size of the portables?

Dr. Nicoletti replied you can get them in a variety of sizes.

Mr. Adams asked how many people does the speech and social worker work with at one time?

Joe Bovano, People Personnel Director, replied in the LD Resource room there generally could be anywhere from 1-5 students in a particular period. There are probably 20-30 students in the program. As far as speech services, this is usually 1-3 students and the same thing with social work, although we have been moving away from individual counseling to working with groups of students.

Mr. Adams asked so a full classroom would not be necessary to perform these services?

Mr. Bovano replied that is correct.

Mr. Zandri asked with the exception of Stevens, do these recommendations follow what the Ad Hoc Committee had recommended to the Board?

Mr. Rivers replied the Ad Hoc Committee had recommended 4 portables for Cook Hill, 2 for Parker Farms, 2 for Moses Y and 1 for Pond Hill. We added two to Stevens to compensate for the Board of Education not moving from Stevens School.

Mr. Zandri stated the reason they were added to Stevens was to allow time to do a study on whether or not it was feasible for the Board to move to Yalesville.

Mr. Rivers stated I would think that would be the charge of whatever committee you people appoint. That would be one of the things they would want to look at. My charge tonight is to present what was approved by the Board and there was not any approval for the recommendation that the Board move from Stevens.

Mr. Killen asked is the first document the Superintendent's recommendation?

Mr. Rivers replied the charge we gave to the Superintendent, after our meeting on 9/28/89, was to come up with support for the proposal. However, he and his Principals became more cost-effective than the Board had desired and failed to recognize that the Board had approved the need for 11 portables based on the information we had. I'm sure our request can be taken under advisement and acted on accordingly.

Mr. Killen stated for labeling purposes this first document is the report from the Superintendent and principals. The second one has to do with a motion passed by the Board of Education and these are the recommendations of the Board of Education. Is there an Ad Hoc Committee report?

Mr. Rivers replied that is correct. The Ad Hoc Committee report is included in the packet I handed out to you.

Mr. Bradley stated I have a question on Page 3 regarding the cost estimates. Are these portables eligible for State reimbursement?

Dr. Nicoletti replied yes - about 60%. This is on purchase only, not lease.

Mr. Bradley asked what is the reason for the difference in total price from \$3 million to \$4.5 million?

Dr. Nicoletti replied the difference is in the size of the room you build. The minimum square footage that I would recommend would be a 750 sq. ft. room, with 900 sq. ft. being the ideal. The 750 is 25' x 30' and ideally you would want 30' x 30' or something close to that.

Mr. Adams stated this cost does not include the portable classrooms. Is the intent to add on the classrooms and still maintain the portables?

Dr. Nicoletti replied that is the recommendation.

Mr. Adams asked do you have any idea what the cost for utility hookups, foundations, etc. is going to be?

Dr. Nicoletti replied I have no idea.

Mr. Adams stated in other words the \$3 million to \$4.5 million is just for the 3 additions. In addition to that we have to add the cost of the classrooms as well as the money it would take to hook them up and put in the foundations. At \$110,000 a piece we're talking probably \$6 million. What is the time period for State reimbursement?

Dr. Nicoletti replied you would probably bond it over 20 years so they would pay you part of the premium plus some of the interest. I was just told that there will be a 5-7% reduction in Wallingford's grant entitlements. So we're probably talking about 63% minus 5-7% in any capital improvements that we go through the State for.

Mr. Adams asked what is the estimated time for building an addition onto a school?

Dr. Nicoletti replied it depends on a lot of things. It depends primarily on the expeditious quality of your building committee, the weather, the availability of trades, etc. If everything hits right, you can probably do it within a two year period.

Mr. Zandri stated the intent of the portables is to solve the immediate overcrowding problems in the elementary schools. Once the additions are in place the portables will be phased out. The portables do have a resale value so investment in the portables is not a total loss of dollars.

Mrs. Papale stated that was my understanding. I don't think there was a recommendation that we keep them.

Mr. Rivers replied that is correct. Hopefully after we have the additions built we'll have an overall school redistricting.

Mrs. Papale stated what we received tonight were the recommendations of the School Board with the Principals of each elementary school giving their blessings on it. Did the Principals give their blessings on the first document also? This doesn't make sense to me.

Dr. Nicoletti replied the data was compiled the same way. I met with the Principals and discussed it. The reason the first document is very fiscally conservative is we did some things, even though they may be disruptive, because I felt the charge was to be cheap.

Mr. Rivers stated there was a misunderstanding on the part of the Superintendent and the Principals. In the last several years, the Board has been kind of oppressive in the sense that they've been asked to squeeze every ounce of space out of their schools that they can in order for us to accommodate our needs. Therefore, when we told them we wanted to hear what their needs were, they became very conservative. After the weekend they were advised not to be conservative but to support what the Board of Education had passed as a recommendation on September 28.

Mr. Killen stated it sounds like you asked them to approve it because you're their boss and that doesn't ring too good here. It sounds like the choice was taken away from them and they were told this is what you will do. Is that your choice of words?

Mr. Rivers stated I didn't mean that. They have regrouped and come back with a free and open discussion as to what their needs are with the understanding that we did not want them to move people around, squeeze into closets, etc. We said we want very open needs for next year and submitted that subsequently.

Dr. Nicoletti stated I don't want to give the illusion here this evening that the Principals were the main motivating factor behind trying to be extremely fiscally conservative. I met with them on both occasions and my direction was indeed, give me your needs for 90-91. My perception of the charge was the resolution was written and the second charge was canvass your Principals to see what their needs are in 90-91. I interjected the fiscal restraints. I don't want to give the illusion that the Principals came to me and said these are my needs and then forget about them. That was not the case in both instances. We tried to sit down and do what we felt was educationally sound and fiscally conservative as well. If I missed the Board's interpretation as to what was my charge, I apologize. However, my interpretation was 1) to convey the Board's message of 11 portables and 3 buildings 2) to find our needs for only 90-91 and 3) what our long range needs were. When we put them together they were not recommendations. They were just doing a charge that I interpreted the Board gave me. Whether one believes it or not, we try to do what we feel is in the best interest of youngsters. We realize pushing kids around is disruptive and inconvenient and maybe that wasn't the best kind of arrangement, but we were trying to look at what we felt was fiscally conservative. The ideal thing is to provide plenty of space and I think the 11 portables plus the additions provide you with that kind of space for a period of time. Maybe it's my hang-up, being a Depression baby, that I have a thing about spending money.

Mrs. Papale stated the Ad Hoc Committee did a lot of work and the Board of Education almost followed their recommendations. We toured every elementary school with the Principal and asked them what they thought they needed. They motivated me to realize that these things were needed. The Town Council tries to be very careful on how we spend money in the Town, but when it comes to the children and the amount of students we realized it was time. I realize the flap that Dr. Nicoletti has been getting. What you came up with months ago was something that should have been done in the Town a long time ago. The Town of Wallingford did not agree on having one high school and this is how this whole thing started. You're taking the blunt of things that should have been done before you came on board. The Principals motivated me and they know what they need. I don't know how far we'll get with this tonight because the information is overwhelming.

Mr. Rivers stated it wasn't the intention of the Board to expect that the Town Council make a decision this evening, but we did want to get the issue before you.

Mr. Bradley stated someone mentioned the portables would be phased out. What kind of time period are we looking at?

Mr. Rivers replied we're looking to have the additions on line in the 92-93 school year and at that point we'll start to phase out the portables.

Mr. Bradley asked would your plans fit into Yalesville School and is there a cost estimate for any renovation work that may have to be done at Yalesville?

Mr. Rivers replied no we do not have a cost estimate for Yalesville other than a rule of thumb of \$90 per square foot for renovation and there is 29,000 sq. ft. there. The Yalesville School was not considered by the Board of Education or the Administration for use by a school. We concluded and recommended not to use Yalesville as a school ever again. We have not considered it at all.

Mr. Adams asked as far as phasing out the portable classrooms in 91-92, with the predicted K-5 enrollments is this going to be possible?

Mr. Rivers replied once the additions are on-line, 18 additional rooms, then the school system would have a townwide redistricting because right now we do have some schools with rooms available, rather than using them for all these special programs and move them from year to year, school to school. I don't necessarily see that we would phase out the total 11. There would be a phasing out process over a period of time. The addition of the 6 rooms at the 3 schools with an overall townwide redistricting will be sufficient through the year 2000.

Mr. Adams stated since we're going to address the problem of space and what's best for our children, we should do it in a way that will be planning for the future so we don't run into a situation like this again. Once this problem has been addressed and implemented I think it might be wise to take a look at our allocation of future needs of space in Grade 6-12 as well.

Mr. Parisi asked if we use portables will we also have to provide lavs, hallways, storage, etc.?

Dr. Nicoletti replied if the portable is so many feet away from existing lavatories you would have to make corridors or put lavatories right in or near the facility. It depends upon the location and how far away you are from the main body.

Mr. Parisi stated I would like to get as accurate a figure as you can. Why aren't we considering Yalesville?

Mr. Rivers replied the Board doesn't feel reopening Yalesville as a school would be a good move. It only has 13 rooms and a great deal of improvements are needed such as handicap access, the roof, the boiler, there's some kind of sewer problem, etc. We felt it would not be in the best interest of the Town to spend that kind of money to renovate the school.

Dr. Nicoletti stated Parker Farms cost about \$3 million. With the price increases and the shape of the building it would cost at least \$3 million to bring it back as a school, not as another facility.

Mr. Zandri stated I feel Yalesville School does fit into this plan because it still has the potential of being a facility where the Board of Education could be housed and additional classroom space would then be available at Stevens School.

Mr. Holmes asked please explain how long you plan to keep these portable classrooms, what kind of time frame are we looking at?

Mr. Rivers replied we would like to have the permanent additions on line for the 92-93 school year and phase out some of the portables at that time. And then with a townwide redistricting of the elementary population hopefully we'll be able to eliminate all the portables, but you never know.

Mr. Holmes asked what kind of resale market is there for portable classrooms?

Mr. Zandri replied I want the Council to remember that the purpose of the portables is to solve an immediate problem. I think we're very optimistic when we say these additions will be ready within a year and a half. During the presentation to the Ad Hoc Committee by the vendors, they said the portables appreciate in value just like a home. You really don't lose any money on the portables at all.

Mr. Holmes asked would it be better to lease for 1-2 years rather than purchase them?

Mr. Zandri replied the lease cost is \$30,000 per year and the purchase cost is \$110,000. The State will reimburse 60% on a purchase so you're almost at a breakeven point right away.

Mr. Holmes stated we would bond this project so you're also adding to the indebtedness of the Town which is another liability.

Mr. Zandri stated there are a lot of options on how you could fund this project. Last year we had a \$2 million surplus. You don't have to bond just to do this project.

Mr. Holmes stated I think we're making a lot of assumptions on this basis. I anticipate that a lot of this decision-making will be put off for tonight, however, I'd be very interested in hearing from the public and the members of the Ad Hoc Committee in the audience because I feel they are probably more versed in this subject than a lot of us up here.

Mr. Parisi asked will this vendor be the one to buy back the portables?

Mr. Zandri replied they have a buy-back program, but you can also put them on the market yourself. I don't have the specifics, but they did say it would retain it's value.

Mr. Bradley asked are any of the used portables available to us?

Mr. Zandri replied I'm sure that's definitely an option. The Building Committee should look into this.

Mr. Bradley asked could you explain the statistical technique, the Cohort-Survival Ratio Method?

Dr. Nicoletti replied it's a technique of projection where you take the most current three years and the previous three years and you set up a ratio. You take that ratio and multiply by the Grade 1 students to get the Grade 2 students for the subsequent year. This has been very accurate over the years.

Mr. Doherty asked what is the reason for the low enrollment at Highland? It was my understanding that Highland and Rockhill were built as sister schools and I would assume they would have the same enrollment.

Dr. Nicoletti replied on the west side of Town there was an inordinate amount of building in one spot and my predecessor made the decision that the preponderance of those youngsters would be going to Highland School. Anyone that knows demographics understands that kids don't lump, they spread. So the fear of those kids from one development going to Highland never materialized. The only way to fix that is to redistrict the west side of Town and that's a highly upsetting process. As a consequence what we've done is move an inordinate amount of specialized classes to Highland.

Mr. Doherty asked would Highland hold as much as Rockhill without the specialized classes there?

Dr. Nicoletti replied absolutely.

Mr. Doherty stated my observation is any type of plan you propose on this that does not in any way, shape or form include Yalesville School, which all the taxpayers in Wallingford can see exists out there and that Ben Haven uses for classes, is going to be very, very difficult to sell to the taxpayers of this Town.

Mr. Rivers stated the Board has come before you to make a request to establish a Building Committee. If there is some modification of the charge because of the nature of information flowing in, I'm sure the Building Committee will entertain that option. The bottom line is we're asking for some additional space. If there is some disagreement as to how it's accomplished, I'm sure that through the Building Committee, the Council and the Board there will be some resolutions. But right now this is the plan that was approved. Like it or not that's what I've got.

Mr. Doherty stated I think if you were put this to a referendum and it didn't include Yalesville, it would never pass.

Mr. Solinsky asked will there be any redistricting with the portables?

Mr. Rivers replied no.

Mr. Solinsky asked what will be the staff increase for the portables and the additions?

Dr. Nicoletti replied if you add 11 portables and we increase our class offerings by 11, roughly a teacher is going to cost you \$30,000. The grade rooms will need additional staff, but something like a computer room won't. So we're probably talking about 6 new teaching positions. This would impact next year's budget.

Mr. Solinsky asked if you were to open up Yalesville or another school, do you have a figure that would be a basic administration cost for a principal, etc.?

Dr. Nicoletti replied the rule of thumb was when you close an elementary school you'd save about \$250,000. I expect that figure is probably not accurate according to today's standards. Mothballing a school is one component, but when you start up a school you've got all the furniture, textbooks, supplies and materials, custodian, secretary, nurse, principal, etc. So there are costs involved. It would probably cost about \$500,000 to stock that school with staff, materials and supplies.

Mr. Solinsky stated but the materials you would need anyway in the portables or additions and there would be an increase in staff.

Dr. Nicoletti stated but in a portable situation you'd be spreading the existing kids out there and they would probably bring their own chairs out. That might not be the case, but it would depend on how the population grew and how many chairs were on hand. I could do a cost analysis on what it would cost to stock a classroom or a school.

Mr. Solinsky stated I'd like to get that data. Have you considered Simpson School in this program?

Dr. Nicoletti replied the problem with Simpson School is you have a host of town offices in there. What would you do with them? The other component is you would have to completely renovate that in terms of the new codes. So it would be costly plus you would be displacing your current government employees.

Mr. Solinsky stated we could shuffle some of them to Yalesville. We're talking about a \$6 million program here and you can do a lot of renovations for \$6 million. I think that's something that should be considered.

Mr. Killen asked do you have any particular year for doing the townwide redistricting?

Mr. Rivers replied after the additions are in place.

Mr. Killen asked why after the additions are in place?

Mr. Rivers replied because we'd have 18 classrooms we would have to accommodate.

Mr. Killen stated you can put 18 classrooms anywhere you want in Town, but if the need is elsewhere . . .

Mr. Rivers replied we sited the three schools where we wanted the classrooms.

Mr. Killen stated I realize you sited them where you want them, but if redistricting then means that you have to move John Jones from this area over to the other side of Town because that's where you built, it doesn't do John Jones and his family any good.

Mr. Rivers replied no that's not the way redistricting is.

Mr. Killen stated that's what has happened in our redistricting. We've bused them from here to hell and back.

Mr. Rivers replied that's why rather than do it now or the year after, let's wait until we set our elementary schools and then do a townwide redistricting.

Mr. Killen stated that's what I'm saying. You are locked in place once you build them. You're still only going to have 7 schools and among those 7 schools you have to take the children and move them to one of those 7 schools. If the greater population happens to be in one of the areas that isn't covered by those three schools, you're going to have to take those people from that area regardless and bus them to one of the other schools. It doesn't make sense.

Dr. Nicoletti stated some of your schools are going to be imbalanced because you're going to clearly have three schools that are much larger than the other three. In order to fill them up you're going to take youngsters from schools that they would ordinarily go to and send them to the larger schools. Pond Hill will be the larger school on this side of Town so you're going to have to siphon off some kids from Stevens and possibly Rock Hill and maybe as far away as Cook Hill. On the other side of Town you have Parker Farms and Cook Hill being significantly larger than Highland. So you have to fill up those areas. Those two areas, however, seem to be the ones with the most growth and not Highland. So you'd have to do a major job over there. I think redistricting is something that a Town has to look at periodically. It's not a nice process because it's upsetting to youngsters and parents, but it will keep things equal and it has to be looked at.

Mr. Killen stated I'm not questioning redistricting, I'm questioning the timing of it. You also mentioned that we're getting close to the area where 9 schools were needed in the past and now we're down to 7. You also said we were 40 rooms short and we're adding 18 so we're no where near what you would assume to be necessary. We're also faced with the fact that there may be additional State mandates. If this happens, the 18 rooms will not suffice. I don't want to do something like this overnight. Right now we have 3 conflicting reports to work with so it's going to take some time.

Mr. Rivers replied I recognize that.

Sharon Cicio, 78 Anderson Road, stated I was Chairman of the Ad Hoc Committee. The committee worked diligently and submitted it's recommendations to the Board in August. There were 3 Council members, 3 Board members and 6 members of the community on this committee. We have done our homework. We gained first hand knowledge in order to come to our recommendations. I strongly urge you to look at the recommendations and act with some expediency in order to avert a crisis situation. One of the questions asked was the cost for hookups. It costs roughly between \$16,000-\$23,000 to hook up the portable to the main building. This includes electrical, sewer and water. The portables are totally self-contained and there are bathrooms in the portables. When the additions are nearing completion, we ask that our needs be reassessed. The portables have a life span of 20 years and the construction of them is very good. You don't necessarily have to sell them back. I invite any of you to come and view them. We did look at Yalesville School and we asked the Board to do a feasibility study on reopening Yalesville and putting a 6 room addition on to that school.

Valerie Nolan, 7 Templeton Road, stated I was also a member of the Ad Hoc Committee. The foundations and footings of the portables are part of the package that Arthur Industries offers. It's included in the cost of the portables. We cannot get by another 2-3 years with the classroom space we have in the elementary schools. We need some portables. I don't think we need 11, but we do need some portables put in place by this coming September to ease overcrowding problems. Highland cannot be turned into a dumping ground. The special students need to be mainstreamed. They have enough problems without feeling like they're being placed in a special school. Physical therapy and occupational therapy should not be allowed to be continued in the hallways. This is totally unacceptable. At the present time Cook Hill, Moses Y, and Parker Farms are beyond capacity. Class sizes of 26-29 children will not be acceptable. This is happening this year. Something has to be done immediately and a long term plan has to be put into effect. The elementary schools can no longer be ignored and undermined. If this is tabled, what are we looking at for time?

Mr. Killen replied I don't believe I can answer that. One reason is it was put on the agenda to "discuss" spatial needs of the elementary schools. This Council is under the gun. It's not our doing and we're not going to be rushed into something because the needs are there. We have to make the right decision. We will do it as soon as possible. Our problem is trying to make heads or tails of this information. We're being asked to make a decision that the Board itself disagrees on.

Mrs. Nolan asked are you aware there is a time frame to be met as far as filing papers with the State for funding?

Mr. Killen replied no I'm not aware of it.

Mrs. Nolan stated I'm sure Dr. Nicoletti can fill you in.

Larry Brancato, 27 Mellor Road, stated the PTO at Stevens School supports the proposal presented today. We were supposed to get a computer room this year but it was canceled due to lack of space. We will require another 1st Grade and the figures bear that out. Our library is too small and is inadequate. Last year the PTO could not purchase books due to the lack of space. The music and art classes are presently taught out of closets and on two carts. Physical therapy is not provided in a specific room. If the gym or nurses office is in use, then the PT is conducted in the hallway. These students require more privacy than that. Projected figures indicate we will need another room in 91-92. For these reasons and because of the research and study the PTO has done, we encourage you to vote affirmatively regarding the expenditure of funds in the proposal. Let's give our children the best we can. We need the space now for the 90-91 school year. It really is as critical as the people here are indicating to you.

Edward Musso, 56 Dibble Edge Road, stated enrollments as of September 29, 1989 show an increase of 63 students from April 1989. We do not need a lot of classrooms for these students. You don't need 11 portables for 63 students. The rest is Christmas stuff. If you're going to use portables, it's better to buy than to lease.

Karen Levesque, 85 Saw Mill Drive, stated as you go through the information given to you please keep in mind that occupational and physical therapies are used to develop functional skills which are essential for adaptation and productivity in every day life. A child needs focused time without interruptions when receiving these services. They need to have an area for this and hallways of the school buildings are inappropriate settings for these services to take place. It is distracting to the child receiving the service and also to other classrooms near the hallways being utilized. These children need privacy to concentrate on what they're trying to learn. They need to avoid being ostracized by passers-by in the hallways. Let's have an appropriate area designated at all schools for these essential services. As far as moving any special education classroom to another setting, please keep in mind that continuity is of utmost importance with these students. Moving their venue will force readjustment to new surroundings. Additional time will then be needed for these students to familiarize themselves with a new environment and get themselves into an appropriate learning pattern again.

Rita Kovacs, 56 Schoolhouse Road, stated the Cook Hill and Parker Farms libraries are divided into classroom spaces. At the Board meeting last night two motions were brought up concerning additional instruction for instrumental music. There are no art or music rooms. I think maybe one school does have a combined art and music room. This is not an extra. For some children this is their saving grace; it keeps them motivated to come to school. The teachers also lack space.

Tim Cronin, 47 South Ridgelane Road, stated I've been involved with this for about 10 months and like a lot of other people we're sick and disgusted and we want this resolved. We're fed up with this nonsense like what appeared in the paper today. What is happening in Wallingford is happening everywhere. The elementary schools are busting out all over. Five years from now the middle schools are going to be crowded. Maybe we can use these portables at the middle schools. At the high school level it seems that Sheehan has plenty of room, but Lyman Hall is at 80% capacity. I just hope we do not have to go through the pain and agony with the Council that we went through with the Board of Ed.

Mayor Dickinson asked are there any limitations on additions due to smaller acreage at any of the existing school sites?

Dr. Nicoletti replied no.

Mayor Dickinson stated I didn't hear any debate on what went into choosing whether a room is used for computer or music and art. You all know some of my biases regarding that so I won't get into it. I would ask that the Council establish a committee of no more than four and begin meeting with my office as soon as possible to review this and come up with a plan to address the need for space and get moving on this.

Mr. Holmes stated I know there's been information passed out tonight that a lot of people would like to review, however, that is not going to change the need that exists out there for additional space. If we form a Building Committee, it empowers them to start coming up with a solution. It doesn't allow them to start spending money. I feel we would not be hurt tonight if we did in fact go ahead and form a Building Committee.

Mayor Dickinson stated my only reluctance regarding a Building Committee is generally you want to give a Building Committee a charge - here's what you want constructed so go ahead and construct this. This first committee would determine what their charge is and then seek to implement the charge through the appropriate funding ordinance or appropriation from the Council. That's why I felt it would be better to start with a working committee to determine the charge. As soon as we have a charge, then empower a Building Committee to do what a vote of the Council determines they should do. Otherwise it has the chance of being another debate that has to come back here and you have to approve it, etc.

Mr. Zandri stated I took the liberty of talking to the school roof building committee and asked them if they would be interested in taking on this challenge. Mr. Fisher replied they would be interested in this committee as well.

Mr. Holmes stated I would hope we could get some members from the Ad Hoc Committee to serve on the Building Committee.

Mr. Killen stated it is not on the agenda to take any action and something as important as forming a Building Committee is something I will not entertain under a Waiver of Rule V.

Mrs. Papale asked as far as the Mayor's suggestion, can this be accomplished in three weeks for our next meeting? Maybe then we could name a Building Committee. My first priority would be to ask if any members of the Ad Hoc Committee want to serve on the Building Committee and I think we need time to come up with the proper names.

Mr. Parisi stated I'd like to follow the Mayor's suggestion but have the Council people leave here tonight with the idea they should be prepared to appoint a Building Committee at the next meeting. During this three week period the 4 member committee could work on the charge for the Building Committee. This way we're maximizing the three week period.

Mayor Dickinson stated I don't see any problem with that, but the next several weeks are very busy and we may be cutting it a little bit close for three weeks, but certainly it can be accomplished within the next month anyway.

Mr. Holmes asked when this 4 member committee meets are they going to attempt to redefine what the Ad Hoc Committee has put forth to this point?

Mayor Dickinson replied you have several reports which don't agree. We need to identify exactly what we want to do. What are the specific additions and where should they be placed? The Building Committee is then given that charge. You don't want a Building Committee debating what work is to be done. You won't have any idea what the cost figure may be. That should be our function to determine what we want to do and what the parameters of costs are.

Mr. Killen stated the committee will report back here and you'll all be permitted to comment. We're not trying to push anything through here.

Pat Kenyon, 218 South Main Street, stated it's very disconcerting as a taxpayer to not be able to have confidence in the kind of information that's coming forth. I watched the administrator downplay the type of information he's giving you and obviously he doesn't support this proposal. You almost have to play 21 questions to get the kind of information you're looking for. We hope you will get the most aggressive members of the Council on this committee. Our children are currently not in the public school system because we feel it's too much of a sacrifice to put them in an overcrowded school right now. We'd like to have them back in the public schools.

Tim Cronin, 47 South Ridgelane Road, stated we need to have people on the Building Committee that have been on top of this. I would greatly recommend some of the young ladies that have come forward and spoke tonight.

Motion was made by Mr. Holmes to Waive Rule V to establish a four member committee to determine the charge of the proposed Building Committee. Seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mr. Holmes to establish a four member committee of Iris Papale, Bob Parisi, Geno Zandri and Steven Holmes to meet with the Mayor and determine the charge of the proposed Building Committee and make a presentation at the November 14 Town Council Meeting. Seconded by Mr. Parisi.

Mr. Bradley asked can we get minutes from these meetings?

Mayor Dickinson replied we'll try to put together some minutes. At the beginning there probably won't be much of a directional flow of information, but certainly there should be minutes once we start to really determine what should be done.

VOTE: Doherty abstained; all other ayes; motion duly carried.

ITEM 14 Consider and Approve a Motion Stating that the Town of Wallingford Intends to Appropriate to the Board of Education Budget Funds Received on Education Grants in Excess of Revenues Currently Budgeted, as Such Funds are Received from the State of Connecticut. Motion was made by Mrs. Papale, seconded by Mr. Adams.

Mr. Holmes asked has the Board of Education formally taken a vote to dedicate this money to the fields or was this a recommendation from the Finance Committee?

Mr. Rivers replied a formal vote was taken by the Board last evening to dispense the \$355,000 additional funds for the fields: \$180,000 to Sheehan, \$105,000 to Lyman Hall Junior Varsity softball field and \$70,000 to upgrade the track at Lyman Hall.

Mr. Parisi asked if we approve this, this is only for that one lump sum? It's not for any additional funding that comes to the Town. Is that correct?

Mr. Killen replied it depends on how you word the motion. I do not intend to vote yes on this motion. I will vote on the grants as they come along as to whether I would be releasing them to the Board of Education. Right now they're heading for the Town's General Fund. The request before us is to turn that about.

Mr. Bradley asked can you tell me where the intercom system for Highland School fits into this year's budget or possibly within this money?

Mr. Rivers replied it's not considered in this money.

Dr. Nicoletti replied it was part of our capital budget which we had to eliminate.

Mr. Bradley stated I did some research on this and it's my understanding that the Highland School is in dire need of this and has been for the last 3 years. What further compounds this problem is there are four children there that have severe medical problems. If there was a problem, the intercom system could be a means to get a hold of a nurse. Based on that, I think that is a higher priority than an athletic field. I think we're missing the boat here.

Dr. Nicoletti replied we try to keep them repaired as best we can. To my knowledge it seems to be working, but I'm not quite sure of the frequency with which it is working. I gave the Board four options: telephone system, intercom system, wood sashes at Lyman Hall and the athletic fields.

Mr. Bradley stated I don't understand the logic. When we talk about childrens' well-being versus athletic fields, athletic fields are on the bottom. I would strongly recommend that you and the Board Members go back and revisit this item. I'm sure we can come up with money for it.

Mayor Dickinson stated as far as the procedural part of this, the motion indicates an intention to appropriate as the funds are received. All of our budgets as they relate to grants, are estimates. The State is giving us an estimate that is in excess of what was the earlier sum of money. That money should be appropriated over to the Board of Education for education purposes. That's why it was made available by the State of Connecticut. However, we don't know at any given time how much of that excess will come in any single payment. Or whether at some point in the process the State will drop a payment. This indicates our intention, should we receive it, to pass the money through. It is not an appropriation at this time. We will have to appropriate with the receipt of each check from the State of Connecticut. I felt we should evidence an intention in order for the Board to plan their financing.

Mr. Bradley stated I've seen the intercom system cut from the budget for three years. I think there's a certain amount of responsibility here that we have to recognize, both here at the Council, the Administration and the Board, on the priorities. I don't see that.

Mr. Rivers stated there are 9 members on the Board and each one has their priorities in developing the budget for the school year. Once a decision is made by the majority of the Board, the balance of the Board has to support that decision. When we met with the Council liaison committee they asked us to

prioritize the spending of \$355,000. The Superintendent gave us four items. There was a lot of discussion about the \$355,000. One of the items that constantly gets eliminated from any operating budget is the upgrade of fields. The little bit of money the Board is able to allocate through its maintenance account for upkeep of fields is just not doing us any good. We're throwing good money after bad. These fields are used townwide, not just by the school system. We've approached previous Council's for funding major improvements at the fields and no one will support it. There will always be someone like yourself who will come up with a priority they feel is much dearer to their heart. I can find many items to spend \$355,000 on, but we need to do something to make these fields survive. It's costing us several thousands of dollars to bus Sheehan students over to the Vietnam Field to play soccer because they can't play at Sheehan. We don't have a softball field at Lyman Hall. That's been on the drawing board for several years. At Lyman Hall we cannot field a track team at home and that amounts to additional busing costs. I do not think we're being very cost-effective in maintaining our athletic facilities. If the majority of the Council feels this is a low priority, then they'll have to charge the Board of Education to redefine their use of the funds.

Mrs. Papale stated I believe we're in this mess today with the fields because when something has to be cut it seems like that's what gets cut every year. I feel it's time to bring them up to par and maintain them. If we're not going to do it right, then let's cut out the athletic program. I know there are a lot of other priorities, but I think sports in the Town is very important.

Mr. Rivers replied part of the problem is the large dollars involved to do a major project such as the football fields. But we need to start somewhere. If it is the Council's decision not to pass through the funds, then fine. However, you will see these figures again at budget time.

Ron Piazza, 46 Hillsvie Road, stated I'm the coach of the Lyman Hall Softball Team. I can appreciate Mr. Bradley's concerns about the monies. I have a similar concern. We are operating without a facility. We have had 50 injuries since June 1980 because of this situation. If there's no push-through of the funds, then we can't go ahead with the projects that the Board has approved. If we have to wait until all the money comes in, then the project cost goes higher, things can't be covered and things don't get done again. I hope you see fit to pass the money through.

Mrs. Papale withdrew the motion.

Motion was made by Mrs. Papale to approve a motion stating that the Town of Wallingford intends to appropriate to the Board of Education budget funds received on education grants in excess of revenues currently budgeted, as such funds are received from the State of Connecticut, to be used to upgrade the athletic fields at both high schools. Seconded by Mr. Adams.

VOTE: Bradley and Killen voted no; Doherty abstained; all other ayes; motion duly carried.

ITEM 16 Discuss the Charter Revision Change and the Use of the Term Resolution. Motion was made by Mrs. Papale, seconded by Mr. Doherty.

Mrs. Papale read the attached letter from Attorney Mantzaris to Mayor Dickinson.

Mayor Dickinson stated it appears as though the Town Attorney's opinion answers the most obvious questions regarding how we would address an emergency situation. In his ruling he states a transfer within the budget is exempt from provisions regarding the appealability of a resolution or taking a resolution to referendum since a budget is an ordinance. So unless there is a serious question over that position, at this point I'm satisfied with it and believe the Town won't be in a position where it can be hurt with an inability to use funds for 30 days. Just so everyone understands, there are provisions for emergency purchases under the Purchasing Ordinance, but the power to make an emergency purchase only goes so far as to be able to purchase without a public bid. However, there is nothing in the Charter which places money into an account in an emergency. That is what we're addressing here.

Mr. Zandri asked couldn't you use the Contingency account which is reserved for emergency?

Mayor Dickinson replied the Contingency account is reserved for emergency, but it must be appropriated out of that Contingency account into another specific account. That is regarded as a separate department. So under the Charter you can move funds between departments within the last 3 months, but only then would it fall within that parameter.

Mr. Zandri asked so with the Town Attorney's ruling we won't have a problem?

Mayor Dickinson replied that is correct. I think it's important for you to understand this. If someone has a different idea or there is a lot of objection over it, we have the potential that a future Mayor and Council could be confronted with a situation where in order to meet the needs of the Town they have to violate the Charter. And that's intolerable as far as I'm concerned. With this opinion from the Town Attorney it appears we avoid that kind of dilemma.

Mr. Killen stated I have a problem with it. The reason the budget ordinance is not subject to referendum is the fact it was subject to referendum in the first place only because it was an ordinance. The entire budget procedure, in that sense of the word as an ordinance, is prohibited from being taken to a referendum. But the Charter drafters then went on to state that if money had to be changed from here to there it could be done by resolution in the last 3 months. I don't see how that is affected by the fact that the budget ordinance cannot be taken to referendum.

Attorney Mantzaris replied my opinion addresses the fact that any portion of the budget is not subject to referendum, whether it's the whole ordinance or part of the ordinance. This prevents resolutions moving money from one department to another in the last 3 months from going to referendum.

Mr. Killen asked why are we bothering to allow resolutions to be brought to referendum? The reason its being brought up in the first place is because some things have gone beyond the veil of what the general public can get their hands on. In an attempt to see that doesn't happen again, they want to see that resolutions are brought to a referendum.

Attorney Mantzaris replied the same rationale was present when they decided to have ordinances go to referendum, but they exempted a budget ordinance. I'm saying this exemption continues whether it's an ordinance or a resolution. I'm not preventing resolutions from going to referendum, only if they affect the transfer of money within the last 3 months of the budget year.

Mayor Dickinson stated what we're dealing with here is whether we have a Charter revision which could adversely impact the public, rendering us unable to effect an emergency transfer in some circumstances. We have an opinion that indicates that that is not the case. If the Council is willing to adopt the Town Attorney's legal opinion, I think we're okay. But if the Council doesn't want to adopt that, we're in a position where we're going to have to indicate that perhaps the Charter revision is not in the best interest of the Town to accept. I know Bert is objecting. If others seriously object, they need to speak out now.

Mr. Solinsky stated I'm in favor of this ruling, but even if we all agree on it someone else could question it.

Mr. Zandri stated anybody can challenge a decision on the Charter. It then goes to court.

Carolyn Massoni, 41 Hillsvie Road, stated was any of this discussed at the public hearing with the Charter Revision Commission?

Mr. Killen replied no it wasn't because it wasn't requested of the Town Attorney at that time.

Mrs. Massoni asked once the revisions were approved, adopted and voted on by this Council, how could any changes or interpretations be made at this state? The interpretation that is taking place here tonight has not been explained to the public or to the Charter Revision Commission.

Mr. Killen replied we're not changing anything. The Town Attorney is just explaining what his position is on the Charter revision.

Peter Gouveia, 39 Lincoln Drive, stated I can't get excited over this because another Town Attorney at another time could rule differently.

Motion was made by Mrs. Papale to Waive Rule V to change the title on the East Main Street Drainage Project. Seconded by Mr. Parisi.

VOTE: Holmes was absent; all other ayes; motion duly carried.

Mrs. Papale read the attached letter, dated October 23, 1989, from Mayor Dickinson to the Town Council.

Motion was made by Mrs. Papale to change the account title on the East Main Street Drainage Project from Storm Sewer 370-394 East Main Street to Contribution - 370-390 East Main Street Drainage Project. Seconded by Mr. Adams.

VOTE: Holmes was absent; all other ayes; motion duly carried.

ITEM 17 Discussion and Possible Action on Creation of a New Position of Full Time Secretary for the Town Council. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

Mr. Killen stated we're losing our secretary and as most of you know it's pretty hard to find somebody with the aptitude we need on a part-time basis. There are no benefits and the hours are such that someone holding another job has to put in evening hours, etc. We'd like to hire someone on a full time basis as the Town Council Secretary and during the hours she wasn't needed by this Council she'd be working in the Town Clerk's office. The Executive Secretary job description in the Electric Division would be comparable to this position.

Mr. Zandri asked how would the hours work? Because of these meetings it wouldn't be a normal work day.

Mr. Killen replied there is going to have to be some compensatory time off or something along that line.

Mr. Zandri stated you'd have to have a flex time provision in that job description or you'd get hit with overtime.

Mr. Killen stated we'll have the Personnel Department draw up a job description and go forward from there.

Motion was made by Mr. Doherty to have the Personnel Department draw up a job description, seconded by Mr. Parisi.

VOTE: Holmes was absent; all other ayes; motion duly carried.

Motion was made by Mr. Bradley to Waive Rule V to discuss Wallingford Center, Inc. Seconded by Mr. Parisi.

VOTE: Holmes was absent; all other ayes; motion duly carried.

Motion was made by Mr. Bradley to discuss the new Director of Development and Public Relations at Wallingford Center, Inc. Seconded by Mr. Parisi.

Mr. Bradley stated an article appeared in the Record Journal regarding Wallingford Center, Inc. hiring a Director of Development and Public Relations. During the budget workshop they indicated they had 2 full time people and 1 part time person and there were no additional changes expected.

Mrs. Papale stated I understand the person they hired was hired for fundraising and her pay was going to come from her commission of how much money she raised.

Mayor Dickinson stated we'll look into this.

Motion was made by Mr. Parisi to Waive Rule V to discuss a resolution regarding Board of Education budget transfers, seconded by Mr. Solinsky.

VOTE: Holmes was absent; all other ayes; motion duly carried.

Mr. Parisi read a resolution urging the State Legislature to enact legislation to require that any transfers of any unexpended or uncontracted appropriations for school purposes be processed under the same procedures and subject to the same rules for such transfers as when made by departments of the general government of any municipality.

Motion was made by Mr. Parisi to approve the resolution and forward it to our State Representatives.

Mr. Killen stated I don't think we should take this up under a waiver of Rule V.

Mr. Parisi stated I'll withdraw my motion and put this on the next agenda.

ITEM 18 Consider and Approve Town Council Meeting Minutes of October 3 and 10, 1989. Motion was made by Mrs. Papale, seconded by Mr. Doherty.

VOTE: Holmes was absent; Killen passed; all other ayes; motion duly carried.

Motion to adjourn was made by Mr. Parisi, seconded by Mrs. Papale.

VOTE: Holmes was absent; all other ayes; motion duly carried.

Meeting adjourned at 12:20 a.m.

Meeting recorded and transcribed by:
Katrina M. Manley, Council Secretary

Approved:

Albert E. Killen, Chairman

Date

Kathryn J. Wall, Town Clerk

Date