

TOWN COUNCIL MEETING SUMMARY

NOVEMBER 7, 1988

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TOWN COUNCIL MEETING AGENDA

NOVEMBER 7, 1988

6:30 p.m.

1. Roll Call and Pledge of Allegiance.
2. Consider and Approve Transfer of \$2,100 to Elevator Maintenance - Public Works Department.
3. Consider and Approve Transfer of \$5,083 - Parker Farms Building Committee.
4. Consider an Increase to the Board of Education Grants Budget for 1988-89 of \$34,626 for Preschool Handicapped Grants.
5. Report from the Comptroller Regarding the Issuance of General Obligation Bonds.
6. Update on Greensand Filter and Well Air Strippings Tower in Yalesville for Wells #2 and #3 - Update on Progress of Water Treatment Plant.

7. Note for the Record Financial Reports for the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center.
8. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 p.m.
9. Public Hearing on an Ordinance Appropriating \$100,000 for the Planning of an Addition to the Lyman Hall High School Vocational Agricultural Center and Authorizing the Issue of \$100,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue thereof the Making of Temporary Borrowings for Such Purpose - 7:45 p.m.
10. Public Hearing on an Ordinance Further Amending Ordinance #344, Asbestos Abatement Program, by Increasing the Appropriation therein to \$1,233,000 and Authorizing the Issue of \$1,223,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue thereof the Making of Temporary Borrowings for Such Purpose - 8:00 p.m.
11. Consider and Approve Extension of Contract for Services of Phil Hamel until June 30, 1989.
12. Consider and Approve the Revised Use of the MLTF Self-Insurance Feasibility Study Funds.
13. Consider and Approve Abatement of Taxes on Property Acquired Through Tax Foreclosure Action.
14. Discussion and Possible Action on Resolution Appointing Charter Commission Members - Requested by Councilman Bradley.

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15. Approve Town Council Minutes of October 4, 1988.
16. EXECUTIVE SESSION - Requested by Asst. Town Attorney Janis Small.
17. Consider Request for Waiver of Bid to Hire Individual Professional Appraiser by Town Attorney.

TOWN COUNCIL MEETING

NOVEMBER 7, 1988

6:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 6:35 p.m. by Chairman Albert E. Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Adams, Bradley, Doherty, Holmes, Papale, Parisi, Solinsky, Zandri and Killen. Also present were Mayor William W. Dickinson, Jr., Janis Small, Assistant Town Attorney, and Thomas A. Myers, Comptroller.

The Pledge of allegiance was given to the flag.

A motion was made by Mr. Doherty to have the following items placed on the Consent Agenda, to be voted upon as a block by one unanimous vote:

ITEM 7. Note for the Record Financial Reports for the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center.

ITEM 15. Approve Town Council Meeting Minutes of October 4, 1988.

Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 2. Consider and Approve Transfer of \$1,100 from Hydraulic Pressure Cleaner Acct. No. 001-5050-999-9908 and \$1,000 from Sand Spreader Acct. No. 001-5040-999-9907 to Elevator Maintenance Acct. No. 001-5200-500-5220 for the Public Works Department to Fund the Elevator Maintenance Contract. Motion made by Mrs. Papale, seconded by Mr. Parisi.

Mr. Killen stated this is the second transfer from the Hydraulic Pressure Cleaner account. I believe you got it at about 50% of what you were budgeted for. How did that happen?

Mr. Deak responded there is a new type of machine on the market and we purchased it for much less.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to Waive Rule V in order to Waive the Bid for the Elevator Maintenance Contract. Seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to Waive the Bid for the Elevator Maintenance Contract. Seconded by Mr. Parisi.

Mr. Holmes asked why the bid has to be waived.

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Mr. Deak responded he assumed the best thing was to stay with the people who installed the elevator.

Mayor Dickinson stated he thought the issue of staying with Payne Elevator was to avoid a situation where we have a repair and the new outfit says there was a problem with the owner and installer. This way it keeps it all within the same company. It's their elevator and they're in the best position to maintain it.

Mr. Zandri asked if there was a warranty, and if so, would it include the maintenance.

Mr. Deak responded there is a 1 year warranty but it just includes the parts not maintenance.

Mr. Zandri asked if anyone else could have a maintenance contract on the elevator.

Mr. Deak responded the problem is this would take 2-3 months based on past experience.

Mr. Bradley asked if we were currently without a contract and if something happened now would it come out of the Town's pocket?

Mr. Deak responded yes.

Mr. Parisi asked about the additional \$50 a month under Item 20 of the contract.

Mr. Deak responded we will not be paying the \$50 for Item 20. If something happens on the weekend, it can wait until Monday.

Mr. Parisi stated if this was the standard for the industry then he didn't see anything wrong with the contract.

Mr. Holmes stated he felt we should go with Mr. Deak's recommendation and stay with Payne.

VOTE: Mr. Doherty, Mr. Parisi and Mr. Zandri voted no; all other ayes; motion duly carried.

ITEM 3. Consider and Approve Transfer of \$5,083 - Parker Farms Building Committee. Motion was made by Mr. Parisi to Table the item, seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 4. Consider an Increase to the Board of Education Grants Budget for 1988-89 of \$34,626 for Preschool Handicapped Grants. Mrs. Papale read and moved the attached Resolution. Seconded by Mr. Parisi.

Mr. Bradley asked if the dollars had to be used within the 1 year time period and if this was for 1988-89.

Mr. Bovona responded yes. This will have to be used up by the end of June 1989. The other thing you should be aware of is last year the State Legislature approved the funding for the Preschool Handicap Program too late to issue any funds. So they combined the grant this year making two separate grants to be used during the same year.

Mrs. Papale asked where the programs were located.

Mr. Bovona stated we have two preschool handicap programs, Preschool Language and Early Childhood Special Ed. They are both housed in a nice quadrant at the Rock Hill Elementary School. If you ever have an opportunity to visit the school, I encourage you to. These programs have been going on 4 or 5 years and we have focused on early prevention - 3, 4 and 5 year-olds. We felt that the earlier you get to them perhaps there will be less need for special education for these students as they enter the formal educational system.

The programs are advertised in the paper and all the Pediatricians know about the program through mailings. Our biggest supplier and conveyer of information is by word of mouth. We get a lot of referrals.

Mr. Zandri asked if the program was funded totally by the State?

Mr. Bovona replied yes.

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

ITEM 5. Report from the Comptroller Regarding the Issuance of General Obligation Bonds. Moved for discussion by Mrs. Papale, seconded by Mr. Parisi.

Mr. Myers stated he has been working on this proposed bond sale with George A. Post and Attorney Fasi. The key word is this issue was planned well in advance to approach the marketplace in December and issue General Obligation Bonds.

The first issuance of bonds will cover capital improvements for fiscal years 1986-1987, 1987-1988, 1988-1989. Included in the report is a status of each of the projects, including their financial status as well as where we stand with the projects under construction in some form of bidding or engineering design. We met with John Costello and it is evident by the report that Mr. Costello believes these projects will be completed by December 1989.

You can see that the projects in the Capital Non-Recurring Fund for these three fiscal years are well along in the planning and the actual construction phase. It does not appear that there's a lag as there had been in the past on many of these projects.

The bonds on this section for the Capital Non-Recurring would be a 15-year issue with a 14 1/2 year life. The bonds would be dated December 15, 1988 and the first payment would occur in June 1989. It makes it a little more attractive in the marketplace instead of being a straight 15-year issue. It's also an indicator to the perspective bidders of the town's financial ability to support the issue and the planning that was undertaken to have the funds available to support the issue.

The second part of the issue would cover the first phase of the asbestos removal. The Asbestos Removal Committee completed removal of asbestos in five Wallingford schools over the 1988 summer recess. The cost to remove the asbestos was \$1,090,000 and we're proposing to bond only \$900,000. The reasons for this is certain denominations of bonds are more attractive in the marketplace than other denominations of bonds. The most attractive rates received on bonds that are in principal amounts of \$100,000. When you combine the capital improvement issue of \$1,350,000 and this issue of \$900,000 it gives you an issue of \$2,250,000 which over a 15-year issuance period results in an annual payment of \$150,000. That lends an attractiveness to the issue and hopefully results in more favorable rates.

The balance of the funds we've expended here will be bonded when the next phase of the asbestos removal is complete. The Committee intends to seek additional funding and remove the asbestos in the remaining schools during the 1989 summer recess. Our next bond issue will pick up the unbonded costs here plus the costs to remove the asbestos.

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Schedule I and Schedule II form the first phase of this issuance.

Mr. Adams asked with our Double A rating what are the savings as far as the bonding issues are concerned?

Mr. Myers responded the Double A credit rating that the Town achieved last issue is worth almost one-half of a percentage point in the marketplace. When you're talking about issuing million dollar lots of bonds over 15-20 year lives, it's very substantial. Another advantage to the Double A credit is it does not normally have to provide additional credit enhancements that cost the community money, specifically insurance. Insurance on a \$5 million issue probably runs \$125,000.

Schedule III begins the financing on the Town's proposed new Water Treatment Plant. I met with Mr. Smith and Mr. Dann and found they are close to entering a written contract agreement with an engineering firm that will provide design and construction engineering for the new plant. We have an ordinance on the books in the amount of \$2,750,000 to fund those services. It is very advantageous for the community to begin issuing the bonds in series on the water plant. The construction of the water plant will be born strictly by the Town of Wallingford, unless some grants come through in the future. Right now we don't know the period of years. We'll have to monitor the situation and work closely with the Department of Public Utilities and come up with a plan that's flexible and meets the requirements of the Utility Department and the Town in general.

These bonds are issued against the full faith and credit of the Town of Wallingford. Although they are paid by water revenues and accounted for in the Water Utility Fund, by issuing them as General Obligation Bonds there is a savings in the interest rate.

The reasons we've proposed issue bonds at this time are: favorable market conditions; the excellent financial position of and the ability to maintain it of the Town of Wallingford; the ability of the Town of Wallingford to provide current financial and socioeconomic data to the financial marketplace; the

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ability of the Town of Wallingford to undertake major capital projects and plan their permanent financing (bonding) in a very orderly, detailed and accelerated manner; the advantage of being upgraded from a Single A to a Double A with Moody's Investors Service.

We have what's called in the marketplace a double rating. We're rated by both rating agencies and we intend to maintain that. There's an expense there but there's also an advantage. When Wallingford was downgraded to a Single A by Moody's we carried the Double A at Standard and Poor's.

Mr. Killen asked if December was the earliest we could have gone to bonding of this group.

Mr. Myers responded yes. We think the market right now is favorable and we don't foresee a change in that. We're in the driver's seat. If the market condition should change drastically and become unfavorable to us, we don't have to issue. We're not against the clock.

Mrs. Papale thanked Mr. Myers, Mr. Post and Attorney Fasi for making it so clear for us as to the issuance of the Obligation Bonds.

ITEM 6. Update on Greensand Filter and Well Air Strippings Tower in Yalesville for Wells #2 and #2 and Update on Progress of Water Treatment Plant. Moved for discussion by Mrs. Papale, seconded by Parisi.

Mr. Dann stated he will have final plans and specifications for the manganese greensand filtration and air stripping facility for the Oak Street Wells. This will be submitted to the DEP and the DOHS. The State has indicated it will need a period up to 60 days to review the plans and specifications. The DEP is involved because of the State grant and the DOHS is involved from the perspective of looking at water quality. I expect to advertise for bids no later than January 15, 1989. Following that we will come to the Council looking to amend the funding ordinance in order to provide for the construction phase of the project. If all goes according to plan, I expect to award the contract by April 15 and start up the end of December 1989.

We have proceeded with a program of blending of the water from Wells #2 and #3 and that has been successful in achieving our goals. The manganese is approximately half of what had been going into the system from Well #3 alone. Also, with regard to the VOC's, specifically trichloroethylene which had been the problem, even without the air stripping facility we will be able to meet the requirements of the federal regulations that go into effect the first of the year.

Mr. Zandri asked what the original schedule was.

Mr. Dann replied the original time frame was 520 days, 210 for the design phase and 310 for the construction phase. What was not accounted for was the 60 day period for review by the State. Other than that we are right on schedule.

Mr. Solinsky asked if the blending was done by PUC personnel and what was the cost.

Mr. Dann responded the entire blending program was done by the Water Division. The cost is on the order of \$5,000-\$10,000.

Mr. Holmes asked if there were any more complaints about the water quality in that area of town.

Mr. Dann said we really haven't kept track of that, but I would say that since we instituted the blending program the number of complaints has been substantially reduced.

Mr. Doherty asked how Mr. Dann felt regarding the change of the aquifer design district coming before Planning & Zoning next week. How will this affect our expenditures in the two well fields.

Mr. Smith responded we have already met in-house and will take the position that Planning & Zoning not change the aquifer design district. Until there's enough information to make us feel comfortable with regard to expansion of the landfill we will not recommend that change.

Mr. Zandri stated we discussed previously whether or not this whole process could be accelerated. Was that looked into at all?

Mr. Dann responded we acted upon a suggestion of Whitman & Howard, the engineers on this job, to pre-bid some of the major system components. We are proceeding with that course of action.

Mr. Dann then spoke on the status of the Water Treatment Plant. We expect that within two weeks we will execute a contract for the design services. When the job went out to bid we received only a single bid from Whitman & Howard. That made the process of reviewing the bid a little more elongated. We were very concerned with verifying and substantiating that the bid was a good figure, without having the frame of reference of other bids to work from.

At the time the project went out to bid I had been in town for about one month. As I became more involved in the operation of the water system, I looked at some of the conceptual phases that were included in the original design concept. As a result of that, I've suggested some alternatives that I think will result in better operation of the system or cost reductions for the Town.

I've also worked at detailing the specifics of the contract, i.e., what we expect to get in terms of engineering services, in order to protect the Town. Having completed all those modifications or details, we are now ready to go ahead and execute a final contract. Once that contract is executed, the total time between the beginning of design and the completion of all the water supply improvements is three years.

Mr. Doherty asked why there was only one bid.

Mr. Dann responded I don't know if that's a question that we have an answer to. It was sent out to 15 engineering firms to solicit bids. Perhaps because business may be pretty good, perhaps because in looking at a job of this type much of the background work had already been done by Whitman & Howard and it may have discouraged some companies from getting involved at this point.

Mr. Doherty asked at what cost would the project be completed?

Mr. Dann replied at the present time we haven't evaluated or updated the original cost. But I believe it was \$20-22 million.

PUBLIC QUESTION AND ANSWER

Edward Musso, 56 Dibble Edge Road, thanked the Mayor for opening the doors.

David Hetzel, Yalesville, asked if there had been a report from the Mayor's Health Board on the manganese situation. Mr. Myers states we are looking for \$2.7 million, but didn't Mary Fritz get us \$1.2 million in State. As far as the blending is concerned, I had two people at my house on Sunday asking me what can they do because they get upset stomachs from the water.

ITEM 9. Public Hearing on an Ordinance Appropriating \$100,000 for the Planning of an Addition to the Lyman Hall High School Vocational Agricultural Center and Authorizing the Issue of \$100,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue thereof the Making of Temporary Borrowings for Such Purpose. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

Mrs. Papale read the attached Ordinance into the record and asked the members of the Committee, Jeanne Holmes, Dale Wilson, and Burton Cleaves, to come down and answer questions.

Ray Rys, 96 Pierson Drive, stated he supported the addition but he asked the Council if there had been any talk about reorganization within the school system.

Mr. Adams responded there had not been any communication between the Board of Education and the Council along these lines recently.

Mr. Killen asked if Jeanne Holmes had any more information on whether the Board had taken a stand one way or the other that they're going to keep both schools open or if they keep one open will it be Lyman Hall.

Mrs. Holmes stated the Board has not made any decision as to closing a high school, keeping a high school open, or any restructuring other than perhaps on the elementary and middle school level. We feel this is a self-contained program and no matter what restructuring is done, it would not be done without great cost at any other facility. Because of the funds that are available at this time from the State, the additional expansion of this program has to be within the self-contained area that is presently there.

Mr. Killen stated it still leaves me wondering why the Board isn't going to arrive at a decision. Should they decide to close one of the schools we certainly don't want to spend \$1 million on a school that might possibly be closed. We have to have an affirmative statement that the school is going to remain open.

Mr. Wilson stated the Board has given us the okay to go ahead with this Building Committee. It is not clear at this point if there is going to be a closing, but it is very clear that the Vo-Ag Center will remain open and it will be housed at Lyman Hall.

Mrs. Holmes stated there is another option that if one of the high schools is closed that the other building would just not be closed or turned over to the Town or sold, but perhaps could be used for other purposes as well as encompassing the Vo-Ag Program. Our other option is to allow the Vo-Ag not to expand, keep it stagnant and lose the funding.

At this point in time the Board has made no decisions on restructuring of the schools. We are looking for more information, we're looking for more advice, and we're going very slowly. This is a program that will probably last for the next 10-20 years in the Town and we want to make sure the right decisions are made.

Mr. Zandri asked if there was any available classroom space in either of the high schools.

Mr. Wilson responded I can only speak for Lyman Hall High School and there is not available classroom space for Vo-Ag. It's not that we're adding classroom space, we're expanding the present space that is at Lyman Hall for Vo-Ag. Because of the Wilcox satellite program that is housed at Lyman Hall, which is adjacent to the Vo-Ag Center, it would be impossible to give up space. We did look at that first.

Mr. Cleaves stated part of the addition would be working with animals, housing them and growing them. The total ventilation problem we would run into if we went into a regular classroom would prohibit us from doing that. The plant/science area that we're looking to expand is necessary for people that are going to be coming and buying plants to give the students sales experience. That needs a very particular location which is quite adjacent to the parking lot. These are a couple of the things that prohibit us from going into the other classrooms.

Mr. Holmes asked what was the reimbursement percentage from the State?

Mr. Wilson stated 100% on eligible costs. The breakdown will be performed at a later date and presented to the Council.

Mr. Doherty asked what the figures would be to move this to other buildings and how much would be reimbursable.

Mr. Wilson stated we looked into new construction and it would be approximately \$6 million to build a facility that would house the Vo-Ag Center. I don't know what the reimbursable costs would be. Because there are lower enrollments in other areas that have Vo-Ag centers, one of our concerns in closing down the Vo-Ag and reopening in another place is there's always the possibility of the State not approving that and absorbing our Town into another Vo-Ag Center.

Edward Musso, 56 Dibble Edge Road, stated we should wait for the Board of Education to find out what they're going to do and then act on this.

Mayor Dickinson stated the Council should note the list of items that would not be reimbursed. Until this is put out to bid we do not know if any of the items

on the list will not receive reimbursement in this program. Naturally we're hopeful that none of them will show up on the bids once specs are drawn up. But I think everyone should be aware of this list and the potential for the cost.

Mr. Doherty stated this would be a much easier decision to arrive at if there was no reorganization plan out there. We were promised some sort of workshops or sessions by the Board of Education in the fall by it's chairman and these have not been held. I think this needs to be addressed.

Mr. Adams stated the Vo-Ag Program needs to be improved and he thought that was a priority.

Mrs. Papale stated she agreed with Mr. Adams. If the restructuring does occur and Lyman Hall is not the high school, and we got this grant from the State, what would be the problem to have the Vo-Ag school there even if it wasn't a high school?

Mr. Wilson responded the problem would be they also take the academics. It would have to be part of a high school. The Board and the Superintendent of Schools have given us approval to go ahead with this program. I feel there will always be a Vo-Ag Center in Wallingford. I think the belief of the Board is that the Vo-Ag Center is important and should be part of a high school.

Mrs. Papale asked where the funds would come from for the non-refundable costs.

Mr. Wilson stated through my contacts with the State, they feel very comfortable that what they approve will be included in all eligible costs.

Mr. Bradley asked based on the June 30, 1989 cut-off date, when would the final plans and specifications be available?

Mr. Wilson replied probably January or February.

Mr. Zandri asked what was Mrs. Holmes' opinion as far as the Board's feeling about supporting the addition.

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Mrs. Holmes responded there is unanimous support by the Board members. The Board has made a commitment to the fact that we feel the Vo-Ag Program is going to stay there no matter what other things we have to do in order to have an academic program for the Vo-Ag facility as well.

Mr. Parisi stated as I understand it there is a commitment to this building and this program. If Lyman Hall was closed, are there any plans for it such as leasing the building?

Mr. Wilson stated in all the reorganization plans that are out, there are no school closings.

Mr. Parisi asked you will get your cost from the architect and then it would be determined as to whether or not you could go forward?

Mr. Wilson responded yes.

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Mayor Dickinson said the ordinance is for the purpose of hiring an architect, it does not include construction costs. If we hire an architect, and then the project does not go ahead are the costs for the architect reimbursable?

Mr. Wilson stated he would imagine no.

Mr. Bradley stated he did not know what the list of ineligible costs represented, \$1,000 or another \$1,000,000. We don't know what the total cost of this project is. Can these costs be found out before hand?

Mr. Wilson replied I don't believe so. In conversations with the State, of the majority of Vo-Ag projects and expansions throughout the State, the ineligible costs for the towns were very, very little. In some cases zero, in others less than \$1,000. The State wants to make it clear that other projects not related to Vo-Ag cannot be taken care of under the grant money. Specific costs that are related to the expansion of the Vo-Ag Center are all eligible costs. The State will come down, look at the plans, and at that point they'll state what is ineligible. So we will know up front before we do it if there are any.

Mr. Bradley stated the list identified doesn't necessarily mean you're going to include or do these items.

Mr. Wilson stated yes that is correct. At this point there are no items on the list that we would be looking at doing. Right now we don't anticipate any.

Mrs. Papale stated based on my knowledge of other projects, even if there were some ineligible costs it would be an awful small price to pay for what we would get in return.

Mrs. Papale gave a brief report on the Committee's progress. The Committee is presently requesting a proposal from architects and engineers. Three proposals have been received. The Committee will interview, select and then report to the Council with recommendations at which time the Council will be asked to waive the bid. This is called a Request for Proposal. It's based more on qualifications than price. The Committee will interview each firm and rate them without the price being known. After the interview process is completed the sealed price envelopes will be opened and placed against each firm in the order ranked. The selection of the top firm will be made on qualifications with the price being second. Then the Committee will prepare plans and specifications for the request to be bid. After the bids are returned and evaluated by Committee, we will meet with the Mayor and Comptroller to begin the process to amend the ordinance heard tonight to include the bid prices for construction, equipment and any other miscellaneous costs, such as legal printing, financing and appropriate contingencies. Then the Superintendent of Schools, Mr. Wilson and the Comptroller will coordinate the State grant applications in order for the town to receive 100% allowable cost. In reviewing this project, Mr. Myers feels certain that the Town will not incur any bonding debt.

Mr. Solinsky asked if the State required any commitment as far as time.

Mr. Wilson replied there is a time schedule. Forms and specifications have to be in by the end of this June and then construction has to begin by the end of the following June.

Mr. Solinsky asked after construction do they want a commitment that this project will be used for a certain number of years?

Mr. Wilson responded no there's nothing in writing. But I'm sure they wouldn't think a town would get involved with a \$1 million project and close it down the year after.

Mr. Doherty asked when would it be open to students?

Mr. Wilson responded I would hope construction would start in the following Fall, be completed in the Spring, and opened the Fall of 1990.

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

ITEM 10. Public Hearing on an Ordinance Further Amending Ordinance #344, Asbestos Abatement Program, by Increasing the Appropriation therein to \$1,233,000 and Authorizing the Issue of \$1,223,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue thereof the Making of Temporary Borrowings for Such Purpose. Motion made by Mrs. Papale, seconded by Mr. Bradley.

Mrs. Papale read the attached Ordinance into the record.

Mr. Killen stated it might sound voluminous from the reading, but this is only a \$3,000 item.

Thomas Chicoski stated the project for asbestos removal consisted of two separate contracts, one for the abatement or removal of the asbestos material and also the reinsulation with non-asbestos containing materials. The second contract was with an industrial hygienist who had the responsibility of monitoring the day-to-day activities, conducting air quality testing, and certifying that all of the state and federally mandated air guidelines and safety standards were met.

During the abatement contract we had the industrial hygienist on site during any hours that they were removing asbestos. During the summer there was a considerable amount of overtime hours which meant the hygienist also had a considerable amount of overtime hours. Although the contingency dollars included a certain amount of overtime, we still ran over in order to accommodate the overtime.

Edward Musso, 56 Dibble Edge Road, did not feel the asbestos removal was necessary.

Mr. Bradley asked with the other schools remaining, how do we keep the overtime in hand?

Mr. Chicoski replied the plans and specifications for the summer project of 1989 are being completed today and will be delivered to me on Wednesday morning. The only way to avoid this is to have a specific guideline on a school by school basis. This past summer's contract stipulated the beginning and end of the removal process and we did not have a specific time period for each individual

school. The specifications we are doing now will have a specific time period. This way we will be able to stipulate exactly, or a lot closer, what the amount of time will be for the industrial hygienist. Also, one of the big contingencies was the removal of contaminated materials underneath Lyman Hall. If this did not happen I would have had a surplus of funds.

Mr. Bradley asked if there were any penalty clauses in the contract.

Mr. Chicoski responded there is a penalty clause where they pay liquidated damages on a daily basis if the actual removal takes longer than the stipulated period in the contract.

Mr. Bradley asked if this overrun would fall within that.

Mr. Chicoski responded no. This is hard to nail down exactly. We also had an adverse situation with a shortage of labor personnel at the beginning of the summer.

Mr. Zandri asked if this was the final cost for this portion of the project.

Mr. Chicoski replied yes. This is the final for the project which will probably be closed out by the end of this month.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11. Consider and Approve Extension of Contract for Services for Phil Hamel Until June 30, 1989. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

Mrs. Papale read the attached Resolution into the record.

Phil Hamel stated because of delays in the project the acceptance date of October 1, 1988 has not been met, therefore CRRA and the Policy Board would like an extension on the contract.

Mr. Zandri asked what was the reason for the extension, is there additional work that has to be done?

Mr. Hamel responded right now I'm working with the towns and Authority in terms of finding a new vendor to operate the plant. I'm working on problems that are occurring for start-up. I work as staff for the Policy Board by providing meeting notices, minutes and agendas, so there is ongoing work to be done.

Mr. Zandri then asked if Mr. Hamel would elaborate a little more on exactly what he is doing. What is your function at this point in time with this project?

Mr. Hamel replied I attend meetings with the Authority and the Industrial Bank of Japan and report back to the Chief Executive Officers and Town Attorneys. I have been working with the private haulers to assist them in getting into the start-up period. Another assignment is which towns go in first and for what reason. And also as staff for the Policy Board. Wednesday I will be testifying in Hartford.

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Mr. Holmes asked don't you also work with industries and businesses to advise them of what their responsibilities are?

Mr. Hamel replied yes. I advise them of problems we anticipate with waste disposal and ways that they can help us solve them.

Mr. Parisi asked Mr. Hamel how often he toured the plant.

Mr. Hamel replied generally about once every week. Lately it's been less because there isn't a whole lot going on down there.

Mr. Bradley asked if Mr. Hamel was involved in the overall negotiations of the landfill, the payment in lieu of taxes, and the tipping fees.

Mr. Hamel responded the tipping fee was a result of negotiations and I was involved in those negotiations.

Mr. Bradley then read some minutes of a July 11, 1985, Town Council meeting in regard to the tipping fee.

Mr. Bradley feels that as far as the cost to tax payers he feels it will be a burden to the town of Wallingford. He foresees a \$45-\$50 fee.

Mr. Hamel states that there would be an additional increase, but the way it looks now is that after 4-5 years they will decrease. And over the life of the project they should be substantially less than the landfill. They shouldn't have the increases that they have been having. They will be presenting numbers to the Council sometime next month.

Mr. Bradley stated looking back at that I have to ask what has transpired since then. Why back in 1985 did you feel the cost would increase somewhat but then over the life of the project be substantially less?

Mr. Hamel responded at that time we had some understanding of what the operating and maintenance cost would be for this project, what the capital cost would be, and what the revenues would be from the sale of energy. Given those contractual parameters, there were some computer printouts that showed what the

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tip fees would look like. It was based on those computer printouts that I gave the information that I did to the Council at that time. What has happened is that Vicon went bankrupt. It appears that no other vendor is willing to walk in and do the job for the same price that they would. So that would mean some changes in the tip fee.

Mr. Bradley stated he thought they were weak negotiations. I think we could have done a better job and I'm not happy with the job that has been done.

Mr. Zandri asked if Mr. Hamel was representing the towns or CRRA in his job function. I don't understand what benefit the town is going to have by any further representation on your part.

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Mr. Hamel replied I'm representing the towns. There are a number of things that have to be done yet. One of those is the selection of a new vendor. The Chief Executive Officers of the towns don't generally have time to attend all the meetings. I attend those meetings and advise them, and they advise me on what it is they would like to see come out of those meetings. There are still things that need to be done in terms of waste volume control, start-up, and problems after start-up. In addition I'll be working with the Chambers, industry, and the business sector in terms of assisting them in getting some recycling going.

Mr. Zandri stated I would think CRRA and whatever vendor is picked to operate this facility would be the ones responsible. I don't see where the towns would be responsible to coordinate this project.

Mayor Dickinson stated the towns' viewpoint may not be identical to CRRA's. We may be concerned about elements in the choice of a vendor that CRRA might feel are inconsequential. Remember the revenue stream is developed, at least part of it, through the tipping fee which is paid by the towns. CRRA does not provide that money. Their responsibility is to see that there is a project. Our responsibility is to see that the elements of the project are as advantageous to the towns as possible. I don't think we can rely upon CRRA to include that within their mandate from the State. So it is vital that there is a voice of the towns at negotiations to inform us of what is going on. The various parties in this have slightly different purposes and slightly different priorities. But it is important and good that Wallingford is kind of hosting the individual involved because we are more intimately impacted and a major participant in a way that most of the other towns are not. If we do not have someone present watching out for our interest, something could get sacrificed.

Mr. Zandri stated we have had some reports to this Council on this project and Mr. Hamel was not here to field questions from us.

Mayor Dickinson replied with ongoing negotiations Mr. Hamel has been in other places, but we can certainly make every effort to have him here.

Mr. Holmes stated everyone here seems to be wanting more concessions from whatever proposed vendor is chosen, and until those negotiations are wrapped up we still have a big job ahead of us. Unless we have Mr. Hamel coordinating the effort and trying to get all the towns together to sit down and hammer this out, I think it's wise that we retain his services for this purpose.

Mr. Zandri stated I've been involved with this project from the outside and as a member of the Council, and I'm concerned about the presentations that have been made by Mr. Hamel. I feel there were a lot of things the Council was misinformed on and I have my doubts if the true interests of Wallingford were looked out for through this whole project.

Mr. Doherty asked is Wallingford responsible for the entire \$25,000?

Mr. Hamel replied the amount comes from CRRA to the Town of Wallingford. It's a project expense so it's paid for by all five towns.

Mr. Doherty asked if the extension would be until June 30, 1989.

Mr. Hamel replied yes.

Mr. Doherty asked Mayor Dickinson what would happen if we voted not to extend this contract?

Mayor Dickinson responded initially there would be no staff member on the Policy Board and there would be no one assigned to the daily monitoring of the negotiations and the direct involvement with the officials from CRRA, IBJ and the vendor.

Mr. Doherty then asked would the towns then send someone taking turns.

Mayor Dickinson responded I can't speak for the other towns, but it would be difficult to do it that way.

Mr. Killen stated one of the questions that's being asked over and over is why someone has to do this particular job. Mr. Hamel's job is to sit and listen to them and take what he thinks is good for our side. But he doesn't take action on it. He comes back and let's us know what it is and what his feelings are. Just like labor negotiators. I've sat in on some of the meetings in which he has taken part and he has a good deal of knowledge. I'm very glad he's taking part in the ongoing procedures.

Edward Musso, 56 Dibble Edge Road, stated he agreed with signing the contract with Mr. Hamel.

Ronald Gregory, 59 Hill Avenue, Yalesville, stated he was against retaining the services of Mr. Hamel in any capacity by the Town of Wallingford. I am personally surprised his resignation has not been asked for by now. His record in negotiations has been dismal and we need a new voice for Wallingford. Negotiations at this time are crucial. With the record we have before us how can you trust those negotiations to six more months of Mr. Hamel.

Eleanor Durgan, Kingsley Avenue, asked Mr. Hamel if he thought he was being fair to Wallingford making us pay the same tipping fee. I don't think the contract should be extended.

Mr. Hamel responded the plan in Wallingford at the time this project was negotiated was to get a long term solution to the solid waste problem. There was never any intent at the time, that I'm aware of, that Wallingford should do better than other municipalities. In fact it seemed that, if Wallingford was to ask for something more, it might not be possible to get the project together. For those reasons the towns were treated pretty much equally. However, there was an additional payment made to Wallingford in lieu of taxes, there is a landfill lease, and Wallingford got the benefit of not having to transport its refuse out of town. These were all discussed with the Council at the time of the contract was approved.

VOTE: Mr. Adams, Mr. Bradley and Mr. Zandri voted no; all other ayes; motion duly carried.

ITEM 12. Consider and Approve the Revised Use of the MLTF Self-Insurance Feasibility Study Funds. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

Mr. Zandri asked if the computer that was already in the budget will not be purchased.

Mr. Wilson responded the computer will be purchased but the funds will come from the State. The difference in funds will be returned back to the Town.

Mayor Dickinson clarified by saying the money from the State would be used to purchase the equipment indicated in the budget. At that point the money appropriated in the budget would not be spent.

Mr. Zandri asked what about the difference in dollars between the \$15,000 and the \$11,000. What happens to the State funds?

Mr. Wilson replied the State requests that I substantiate the need for a computer and the prices. That price came to \$15,000. My original request to the Council did not include a study that was quite as in depth. The State money also includes training fees.

Mr. Zandri asked does that require an amendment to the budget?

Mr. Myers responded the budget for the Municipal Liability Trust Fund is the grant document itself. The budget for the fund will be amended when the State accepts the proposed agreement to use the balance of the MLTF funds for system hardware and software. Those amendments are approved by the Mayor's office and the State grant agency.

Mr. Zandri asked if Mr. Wilson was going to go through a normal bidding process for this.

Mr. Wilson responded yes.

Mr. Holmes stated a couple of weeks ago Frank Adams, Marc Wilson, Tom Myers, the Consultant and I met on this issue. We discussed ways in which we can enhance our position over the next couple of years where we can in fact go into a self-insurance mode. One of the key pieces of equipment is this computer so we can actually get a loss history data base which will enable us to accurately project the cost to implement this program. We are all in agreement that this is the first step we have to take.

Mr. Adams stated we realize we are not ready for self-insurance right now, but there are recommended steps that we can take in order to lay the foundation for the upcoming years. When it comes time to do it we will be ready.

Mr. Bradley asked once you have the computer and software what plans do you plan to implement?

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Mr. Wilson responded the software would enable us to have an information management and a report generating system. It will give us a good breakdown on where our money is being spent and where our needs exist, that is, where we should apply some loss control.

Mr. Bradley asked how long will it take to implement these programs?

Mr. Wilson replied once the software is in hand and the training of personnel in my department is completed, we will be able to present good reports by at least the beginning of the next fiscal year.

Mr. Bradley asked Mayor Dickinson if the excess funds would be going back to the State.

Don Roe stated the original self-insurance project as submitted to the State was \$49,000. We used about \$26,000 and will be using another \$15,000. The balance will be returned to the State. We have not taken any action to refund that balance. We requested an extension so that if in the event we should find that there is some piece we think will fit within the original scope of the project, we feel we could successfully argue with the State that the funds should be spent on that. And because we still have the funds I think it puts us in a better position to argue that.

VOTE: Unanimous ayes; motion duly carried.

ITEM 13. Consider and Approve Abatement of Taxes on Property Acquired Through Tax Foreclosure Action. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

Mrs. Papale read the attached Resolution into the record.

Mr. Killen stated he felt it necessary for everyone to pay attention to the Resolution and have it read into the records. For once the Town is coming out ahead instead of selling property at a loss.

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

ITEM 14. Discussion and Possible Action Regarding Appointments to the Charter Revision Commission. Motion was made by Mr. Bradley, seconded by Mr. Adams.

Mr. Bradley stated the reason he put this on the agenda was to get some discussion going relative to the Charter Revision Commission. He wanted to know if the Council was prepared to bring forth names for appointment to the Commission.

Mr. Killen stated we need to have a clearing house to make sure the names presented meet the requirements under the State statutes. We also need to establish the size of the committee.

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Mr. Parisi recommended we appoint 11 people to the Commission; 6 names by the majority party, 3 by the minority party and 2 by the Mayor.

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Mr. Killen asked if anyone had any objection to Mr. Parisi's recommendation.

There was no objection.

r. Killen requested the names as soon as possible.

Motion was made by Mrs. Papale to go into Executive Session to Discuss Pending Litigation with American Cyanamid vs. Town of Wallingford, Pursuant to Connecticut General Statute Section 1-21. Seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

EXECUTIVE SESSION

Motion was made by Mr. Adams to come out of Executive Session, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 17. Consider Request for Waiver of Bid to Hire Individual Professional Appraiser by the Town Attorney. Motion was made by Mrs. Papale, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Mr. Killen noted there was one change to the Town Council minutes of October 4, 1988, on Page 5 change "shoot" to "chute".

CORRESPONDENCE

. Killen read the following letter:

Dear Council Members: The Mayor's Council on Substance Abuse Prevention is composed of a wide range of youth-serving professionals as well as parents and youth who are concerned about substance abuse among the youths in our community. In September several Town Council Members expressed an interest in a proposed program budget. The issue of substance abuse is one of concern to many people and it would be greatly appreciated if a representative from the Town Council could serve on the Mayor's Council. Meetings occur on a monthly basis, usually in the afternoon. I'm looking forward to working together on this important issue. Thank you, Youth Service Bureau.

Mr. Killen volunteered to attend and said if anyone else is interested to let him know and he will let them know when the meetings are.

Motion to adjourn was made by Mr. Parisi, seconded by Mr. Adams.

VOTE: Unanimous ayes, motion duly carried.

Meeting adjourned at 10:15 p.m.

November 7, 1988

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

Approved:

Albert E. Killen
Albert E. Killen, Chairman

Date

11/22/88

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

Date

11/22/88Resolution

Be it resolved by the Town Council in session November 7, 1988:

In accordance with the grant notifications dated October 20, 1988 from the State of Connecticut Department of Education, the special revenue fund as indicated herein is appropriated.

<u>Grant Name</u>	<u>Grant Period</u>	<u>Amounts</u>
Pre School Handicapped	9/23/88 to 6/30/89	Estimated Rev. \$34,626 =====
		Expenditures \$34,626 =====

AN ORDINANCE APPROPRIATING \$100,000 FOR THE PLANNING OF AN ADDITION TO THE LYMAN HALL HIGH SCHOOL VOCATIONAL AGRICULTURAL CENTER AND AUTHORIZING THE ISSUE OF \$100,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

Section 1. The sum of \$100,000 is appropriated for the planning of an addition to the Lyman Hall High School Vocational Agricultural Center, including architect, engineer and other design professional fees, legal, printing, financing and expenses related thereto.

Section 2. To meet said appropriation \$100,000 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. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form or in bearer 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 and payable at The Connecticut Bank and Trust Company, N.A., in Hartford, Connecticut, and be approved as to their legality by Messrs. Robinson & Cole, 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 interest thereon. The aggregate principal amount of bonds to be issued, the form of issuance as serial or term bonds, the dated date, the annual installments of principal, provisions for redemption, 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, at public sale or private sale. If sold at public sale, the bonds shall be sold upon sealed proposals at not less than par and accrued interest on the basis of the lowest net interest cost to the Town. A notice of sale describing the bonds and setting forth the terms and conditions of the sale shall be published at least seven days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to finan-

RESOLUTION

RESOLVED:

That the Mayor of the Town of Wallingford is hereby authorized and directed to sign the Amendment to the Contract for Services between the Town and the Connecticut Resource Recovery Authority (CRRA) which amends the Contract for Services between the Town and CRRA dated December 31, 1986.

AMENDMENT TO THE CONTRACT FOR SERVICES

This amendment to the Contract for Services (hereinafter "the Contract"), dated the 31st day of December, 1986, between the Connecticut Resources Recovery Authority (hereinafter CRRA), a body politic and corporate constituting a public instrumentality and political subdivision of the State of Connecticut, and the Town of Wallingford, Connecticut (hereinafter the "Town"), is made and entered into and shall be effective as of the _____ day of _____, 1988.

WITNESSETH

WHEREAS, the "Policy Board" of the Wallingford Project has requested an extension of the Contract; and

WHEREAS, the Board of Directors of the CRRA has approved at its October 18, 1988 meeting a time extension and budgetary increase to the Contract;

WHEREAS, the Town is willing to extend its performance of services under the Contract:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations made herein, the parties to the Contract agree as follows:

The provisions of the Contract shall remain in full force except for the following amendments to paragraphs 2.2, 3.2 and 3.3:

1) Paragraph 2.2 of the Contract, concerning Payment of Services, is replaced with the following:

2.2 CRRA shall pay the Town its reasonable costs and expenses for provision of services under this Contract in an amount not to exceed One Hundred Thousand Dollars (\$100,000 U.S.)

2) Paragraph 3.2 of the Contract, concerning the Term of Contract is replaced with the following:

3.2 The term of this Contract shall not extend beyond June 30, 1989.

3) Paragraph 3.3 of the Contract, concerning Termination, is replaced with the following:

3.3 This Contract may be terminated by either party upon thirty days notice in writing.

AN ORDINANCE FURTHER AMENDING ORDINANCE #344, ASBESTOS ABATEMENT PROGRAM, BY INCREASING THE APPROPRIATION THEREIN TO \$1,223,000 AND AUTHORIZING THE ISSUE \$1,223,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Be It Enacted By The Town Council In Session:

Section 1. Section 1 of the amended ordinance appropriating \$1,220,000 for the planning, acquisition, and construction of an asbestos abatement program for the Wallingford Public Schools, and authorizing the issue of bonds and pending the issue thereof making of temporary borrowings therefor, adopted by the Town Council on March 22, 1988 is hereby amended, by substituting the following, thereby in making said section read as follows:

"Section 1. The sum of \$1,223,000 is appropriated for the planning, acquisition and construction for an asbestos abatement program for schools in the Town of Wallingford, including design costs, architectural and engineering fees, administrative, printing and legal costs related thereto, said appropriation to be inclusive of (i) the appropriation of \$90,000 for the preliminary plans for such program adopted at a Town Council Meeting held July 15, 1986, and (ii) any and all State and federal grants-in-aid thereof. Such appropriation shall be expended in accordance with the following categorizations:

\$1,092,055	Design, construction, administrative, Industrial Hygiene and contingency
\$ 130,945	Debt Administration"

Section 2. The first sentence of Section 2 of said ordinance is hereby amended by substituting the figure of \$1,223,000 for the figure \$1,220,000.

Resolution

Be it resolved by the town council in session November 7, 1988:

Real estate taxes in the amount of \$3,427.16 on account C019220 for the grand lists 1972 to 1987 due from the previous owner are hereby abated as said property has been acquired by the Town of Wallingford through tax foreclosure.