

TOWN COUNCIL MEETING

JUNE 26, 1990

7:00 P.M.

AGENDA

1. Roll Call and Pledge of Allegiance
2. Consider and Approve a Contract for Sale of Property
3. Discussion and Possible Action on an Item Dealing with the Retained Earnings Accounts of the Town of Wallingford's Electric, Water & Sewer Divisions as requested by Council Member Edward R. Bradley
4. Consider and Approve Authorizing the Purchase of Real Property known as 205 Main Street, Yalesville owned by Frances E. Dopkus, William F. Budleski and Steven J. Budleski as requested by the Town Attorney's Office
5. Consider and Approve a Resolution Authorizing the Mayor to Sign a Contract and Loan Agreement with CRRA - Resource Recovery Project Coordinator
6. PUBLIC QUESTION & ANSWER PERIOD
7. PUBLIC HEARING - Neighborhood Assistance Program - 7:45 P.M.
8. Consider and Approve Transfers of Funds (3) - Mayor's Office
 - a. \$1,000.00 for the Inland/Wetland Commission: Technical Services - Soil and Water
 - b. \$60,276.00 to Fund the Corporation Counsel Position
 - c. \$624.00 to Fund a 6% Increase in the Dog Warden's Salary
9. Consider and Approve a Transfer of Funds for a Pay Increase for Part-Time Clerk - Veteran's Center
10. Consider and Approve a Transfer of Funds to Cover Additional Expenses Incurred for Overtime - Fire Marshal's Office
11. Consider and Approve a Transfer of Funds for Payment of Hospital Bills - Welfare Office
12. Consider and Approve Transfers of Funds (2) within the Risk Manager's Office
 - a. \$4,500.00 to Self-Insured Worker's Compensation
 - b. \$28,609.00 to Self-Insurance Oil Spill Dag Hammarskjold School
13. Consider and Approve Transfers of Funds (4) within the Public Works Department

TOWN COUNCIL MEETING

JUNE 26, 1990

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(OVER)

TOWN COUNCIL MEETING

JUNE 26, 1990

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, June 26, 1990 in the Council Chambers and called to order by Albert E. Killen, Chairman at 7:12 P.M. All Council Members answered present to the Roll called by Town Clerk, Kathryn J. Wall. Mayor William W. Dickinson, Jr., Town Attorney Adam Mantzaris and Comptroller Thomas A. Myers were also present.

The Pledge of Allegiance was given to the Flag.

Motion was made by Mr. Bradley to move the following items to the Consent Agenda to be voted upon by one unanimous vote. Seconded by Mr. Holmes.

ITEM #10 Consider and Approve a Transfer of Funds in the amount of \$500.00 from Acct. #2035-100-1200, Fire Marshal Wages to Acct. #2035-100-1400, Overtime - Fire Marshal's Office

ITEM #11 Consider and Approve a Transfer of Funds in the amount of \$3,900.00 from Acct. #3060-700-7060, Burial Expense, \$3,000.00; Acct. #3060-700-7020, Hospital Non-Resident, \$400.00, and Acct. #3060-700-7030, Convalescent Hospital to Acct. #3060-700-7040, General Hospitals - Welfare Administrator

ITEM #12a Consider and Approve a Transfer of Funds in the amount of \$4,500.00 from Acct. #1-1620-900-9000, Professional Services/Investigative Account to Acct. #1-8040-800-8350 Self-Insured Worker's Compensation - Risk Management Office

ITEM #12b Consider and Approve a Transfer of Funds in the amount of \$28,609.00 from Acct. #8040-800-8250, Property & Casualty Insurance to Acct. #1-8040-800-8420, Insurance - Self Insurance Oil Spill Dag Hammarskjold - Risk Management Office

ITEM #13c Consider and Approve a Transfer of Funds in the amount of \$750.00 from Acct. #001-5140-500-5400, Maintenance of Heating System to Acct. #001-5140-200-2010, Utilities - Public Works Department

ITEM #13d Consider and Approve a Transfer of Funds in the amount of \$1,800.00 from Acct. #001-5060-600-6540, CRRRA Tipping Fee to Acct. #001-5140-999-9914, 2 Air Conditioners Youth Service Bureau - Public Works Department

Addendum Consider and Approve a Transfer of Funds in the amount of \$1,000.00 from Acct. #2032-100-1320, General Fire Wages to Acct. #2032-100-1400, Overtime - Fire Chief's Office

VOTE: All ayes; motion duly carried.

Mr. Gouveia asked if the \$32,000.00 comes from CRRA?

Mr. Hamel responded that it comes from the 5 towns in the project.

Mr. Gouveia asked why this item was placed on the agenda this evening?

Mr. Killen answered that it was requested to be placed on the agenda again this evening.

Mr. Gouveia stated that there was some controversy in the past over the issue of whether or not to hold an additional Town Council meeting per month to cover the increase in the amount of business brought before the Council during its regular meetings. Some members voted against the idea and yet, those same members are leaving the meetings prior to the adjournment of the meetings. The result is that those members were not present to vote on the CRRA agenda item and are now placing it on the agenda again for their participation. Mr. Gouveia did not have a problem with the practice of bringing the same issue before the Council again, he did have a problem with it being placed at the beginning of the agenda. He felt that it should be placed at the end or close to it since the item has already been discussed previously. If the issue is that important, then the Council Members should be present for it or it could be postponed for the next meeting.

Mr. Killen responded that if the item were placed at the end, people would continue to leave the meeting, therefore not accomplishing anything.

Mayor Dickinson commented that the position of Project Coordinator would be funded whether or not that individual is housed in Wallingford. He felt it was most appropriate that Wallingford has the position located here and the individual more accessible for the Town's calls, complaints, coordination, etc.

Mr. Zandri asked if the dollars involved in this issue were strictly for salary?

Mr. Hamel answered that \$22,048.00 was for salary, the balance was for fringe benefits such as, FICA, Worker's Compensation, Transportation Allowance, Telephone, Supplies, Copying & Postage, Audit, as well as some funds allocated to the Comptroller's Office for administering the grant for the financial end of it.

Mr. Zandri asked if any compensation was exchanged for the use of office space and was any other work done in that office other than by Mr. Hamel on this particular subject?

Mr. Hamel responded that the bulk of his small office is utilized by the Program Planner's staff. Mr. Hamel also performs some work for the Town via Mr. Roe's budget on recycling.

Mr. Zandri inquired whether the staff of the Program Planner's Office assisted Mr. Hamel with his particular job function?

Mr. Gouveia felt that paragraphs 2 & 4 contradicted one another.

Atty. Mantzaris disagreed. He felt that the Scope of Services makes it the responsibility of the Town to provide a liaison under this contract, paragraph 1.1. If this position were to be vacated by Mr. Hamel, the Policy Board would have to approve the individual replacing him.

VOTE: Bradley, Duryea, Gouveia & Zandri, no; all others, aye; motion duly carried.

Mr. Hamel presented a copy of the letter requested by Mr. Gouveia detailing the \$7 million of expenditures to the Council Secretary for distribution to all Councilors.

PUBLIC QUESTION & ANSWER PERIOD

Tim Cronin, 47 S. Ridgeland Road asked Mr. Hamel if the landfill will allow him to dump approximately 25 bags of grass clippings for \$3.00 worth of coupons?

Mr. Hamel responded, yes if Mr. Cronin transported them in via automobile.

Mr. Cronin questioned why he is paying a hauler if he is recycling and the hauler takes the remaining trash to the landfill? He than makes a trip himself to dispose of grass clippings. He feels this is getting out of hand. He agreed with the Mayor. He does not want this position to become another department of the Town.

Mayor Dickinson suggested placing one bag of grass clippings at a time out with his regular weekly trash.

Mr. Killen, 150 Cedar Street asked the Mayor if the Town Hall was air conditioned?

Mayor Dickinson answered that a problem exists at this time with the system and that Public Works has someone working on it for the past few days.

Henry Renford, 25 Audette Drive explained that, under F.O.I. he has reviewed some of the files that are in the Town Attorney's Office currently and was concerned with the fact that some of the information seemed to be missing from those files. He felt that there is a potential that some of the legal files belonging to the Town may be existing in the private offices of the part-time attorneys of the past. He asked the Council to look into this matter to ensure that the proper, legal records belonging to the Town are transferred back to the Town Attorney's Office here, in the Town Hall.

Mr. Tim Cronin, 47 S. Ridgeland Rd. asked what the Town was doing approving something to do with the American Silver City Museum, Inc. in Meriden?

Mr. Roe explained that the Neighborhood Assistance Program is a State Tax Deferral Program whereby eligible agencies can seek from private companies, funds that the private companies would otherwise be paying to the State as taxes. The Town of Wallingford's role is very limited. For an agency to be considered eligible, they need to identify that they would serve people that are Wallingford residents.

Mr. Cronin asked whether or not the Boy's & Girl's Club received their \$2 million through the grant last year?

Mr. Roe said they did not.

Mr. Bradley asked how much of the money is applied to salaries or administrative type projects?

Mr. Roe answered that this is a private sector program. Once the State identifies what percentage of tax credit each project is worthy of, it is then up to the agencies to solicit participation from the private sector. He has no way of knowing exactly how much is applied where.

Mr. Bradley asked who oversees this to ensure that the goals are accomplished?

Mr. Roe said it is actually the private sector. It is that party that is making the decision to make a contribution to the not-for-profit. They are not getting a full tax credit. It is in their interest to oversee it.

Mr. Gouveia asked if the out-of-town agencies submit the same list to their local Councils?

Mr. Roe stated that generally, you will find the multi-town agencies making proposals in each town. His only awareness of that is through the newspaper since it is done on a town-by-town basis.

Mr. Gouveia then asked, if by accepting such an extensive list of out-of-town agencies, will this diminish the likelihood of a local organization may get some funds?

Mr. Roe reminded Mr. Gouveia that there are two things to be mindful of. One, the onus is on the local agency to go knocking on doors to the extent that they are well-networked and positioned to not be concerned with the competition, and two, more importantly, there is a maximum number of tax credits that is set by the State Statute. Some companies have become very sophisticated at garnering the tax credits, and unless they get in there on day one, all the credits disappear quickly.

Mr. Zandri made the point that a great deal of money was involved in the purchases and, as stated at the budget hearings and even more so now with the veto, the Town has to be concerned about the dollars that are being spent. He was not against open space but felt that a second look should be taken to consider purchasing only one parcel at this point in time and the second at a later date.

Mayor Dickinson informed Mr. Zandri that the grants are available now for both pieces and we should not pass up the opportunity offered us by the State. One piece is slated for development and if the Town fails to act upon purchasing it the Mayor felt it would be developed upon.

Mr. Holmes asked what the total acreage involved was?

Mayor Dickinson responded approximately 50 acres.

Mr. Holmes asked if the properties were appraised?

Mayor Dickinson responded that appraisals were performed.

Mrs. Duryea informed everyone that she is not against open space, however must vote against this item tonight solely because of priority. She felt that the parking situation is a priority and it has not been addressed with the attention it requires.

Mayor Dickinson pointed out that the 40% funding will be lost from the State.

Mrs. Duryea reminded the Mayor that the Town Hall is currently violating zoning regulations. She preferred that the monies be spent on the parking situation rather than open space at this point in time.

Mr. Gouveia asked how much money has been set aside for the purchase of open space?

Mayor Dickinson answered that it would be authorized through bonding and funded accordingly.

Mr. Gouveia confirmed that there was no comprehensive plan to purchase open space?

Mayor Dickinson stated that there is definitely a comprehensive plan to purchase open space. Two grants approved by the State, and two purchases approved by the Council several months ago. A contract has been negotiated to purchase this property.

Mr. Gouveia felt that a comprehensive plan should exist with the newly passed legislation, House Bill 5771, allowing municipalities to require payment from developers in lieu of... All those things should be looked at to form a comprehensive plan, not just for one year.

Mr. Solinsky asked how much of the land borders Tyler Mill Road?

Mr. Roe responded that the entire eastern edge of the land.

VOTE ON ORIGINAL MOTION AS AMENDED: Parisi was absent; Duryea & Zandri, no; all others, aye; motion duly carried.

ITEM #3 Discussion and Possible Action on an Item Dealing with the Retained Earnings Accounts of the Town of Wallingford's Electric, Water & Sewer Divisions as requested by Council Member Edward R. Bradley

Motion was made by Mr. Bradley, seconded by Mr. Zandri.

Mr. Bradley informed everyone that the Town Council Finance Committee recently outlined five study objectives to include in the study of the utility. A legal opinion has also been rendered by former Atty. Vincent McManus in September of 1984 which states..."all receipts of the sale of gas or electricity shall be paid over to the Treasurer of the municipality, all money collected in its department. This is per Section 7-217 of the Connecticut General Statutes." With the F.Y. 90-91 Budget just completed the Town's utilities have a balanced budget and should be able to work within it and should not require any additional transfers from the Retained Earnings Account.

Mr. Bradley made a motion to inform the P.U.C. Commissioners, and the managers of the Electric Division, Water Division and Sewer Division that no further transfers out of the Retained Earnings Accounts will be accepted until further notice from this Council. This directive will go into effect immediately upon approval of this motion. Seconded by Mr. Zandri.

Ms. Papale was surprised to see this item on the agenda this evening since it did not bear Mr. Killen's initials validating submission to the agenda package. She felt that people from the Water & Sewer Divisions were denied notice to attend on their behalf regarding this subject since a P.U.C. meeting is taking place at this very moment elsewhere. She stated it was highly inappropriate. She asked Mr. Raymond Smith, Director of Public Utilities Commission, for his definition of where the money in the Retained Earnings Account has come from, what it has been used for, how much is in there, etc.

Mr. Smith responded with what he termed his "layman's perspective". For an official designation he felt the Comptroller should respond. He went on to say that the Retained Earnings is an item on the balance sheet that recognizes the difference between assets and liabilities. He pointed out the situation that had occurred last year with the explosion at the plant which left half of Wallingford without electricity. He does not want to be liable for a similar situation if funds are taken out of the Retained Earnings Account and he cannot fund an emergency situation.

Mr. Bradley responded that on an emergency basis the Council would consider a transfer out of the account if it were needed. He did remind Mr. Smith that during the budget session, the Electric Division's managers did agree on thousands if not hundreds of thousands of dollars to be cut out of his budget.

Mr. Smith pointed out that the funds are being considered for a long-range project. It has been discussed over the past 3 years.

Mr. Killen felt that it was being considered by a group with a very negative attitude for a very specific reason. He, therefore, felt it was being held captive and is doing no individual absolutely any good. He felt that it generated a great deal of resentment from some of the Council members.

Ms. Papale asked if Mr. Bradley was waiting for the study of the Electric Division as reason for placing a hold on the account?

Mr. Bradley responded yes.

Ms. Papale asked who/what is to be gained from the study?

Mr. Bradley stated that, as a courtesy, he is formally announcing the intention/position of the Council on this issue.

Ms. Papale pointed out that she had a difference of opinion on this matter.

Mr. Smith stated that the Electric Division is on a schedule to receive bids on August 31st for the new combustion turbine. Once the bids are received the Council will have to be approached to obtain the amendment to the ordinance that appropriate the funds for the next phase. At that time, Mr. Smith was anticipating some of the funds being earmarked from the Retained Earnings Account toward the project.

Ms. Papale responded that the same procedure is being followed that would normally be followed, the Council would have to approve the funds regardless of Mr. Bradley's motion this evening.

Mr. Cronin was delighted with the fact that the Council is charging the Finance Committee with a study of the Electric Division. He felt, however, that it was becoming a political football with the intentions of making the Mayor look bad.

Henry Renford, 25 Audette Drive, asked if the Finance Committee is approaching the fact that a legal opinion regarding the Retained Earnings Account was performed and is moving forward or taking a stand on that?

Mr. Bradley stated that the Finance Committee has requested a copy of the opinion to review at the next Finance Committee Meeting.

Mr. Renford asked if any money was transferred from the Retained Earnings Account as a direct result from the two mishaps suffered by the Electric Division?

Mr. Killen asked if Mr. Smith was seeking a Waiver of the Bid or an additional cap?

Mr. Smith would like an unrestricted cap, however he suggested a cap of \$30,000.00 for legal expenses and \$40,000.00 for consulting fees.

Mr. Bradley amended the motion to include a \$30,000. cap for legal fees and \$40,000. for consulting fees, seconded by Mr. Parisi.

Mr. Bradley questioned Mr. Smith whether people would be willing to bail out of the case if the \$100,000.00 were expended and the Council chose not to fund it any further?

Mr. Smith stated that this is a question that each individual involved must contemplate. He cannot answer for them. Even Northeast Utilities would need to consider.

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

ITEM #4 Consider and Approve Authorizing the Purchase of Real Property known as 205 Main Street, Yalesville owned by Frances E. Dopkus, William F. Budleski and Steven J. Budleski as requested by the Town Attorney's Office.

Motion was made by Mr. Bradley, seconded by Ms. Papale.

Adam Mantzaris stated that this was part of the Town's Open Space Acquisition Program. Consideration of condemnation had surfaced and he suggested the language presented this evening so that the Town would be authorized to proceed to condemnation if purchase became impossible or unavailable or impractical under reasonable terms. In other words, the Town would not have to come back before the legislative body for separate authority to condemn. This is the second open space parcel that had been previously considered by the Council and Adam's office is only involved in the condemnation aspect of this item.

Mayor Dickinson pointed out that the second piece, Main Street in Yalesville, is a potential well site and it also provides a green strip from Highland Avenue to the river. It has been listed for sale and a current situation exists with another party with an option on the piece of property. It is unclear to us right now how the parties will work this out as far as a purchase is concerned. The Town Attorney is identifying the issue of, if we were not able to work out a purchase, we would be able to proceed to condemnation. The State has appraised the property, it is committed to 40% funding to the property. The Water Division has interest in the property to protect the existing well and partly as a potential site for a new well.

Mr. Richard Vanski, Water Division Supervisor representing the Water Division informed Mr. Bradley that it is known as well #1 and is very high in sodium.

Mayor Dickinson went on to say that the property is appraised at fair market value under condemnation. They are receiving the same price they would receive for the property as it is, arguably the same as from anyone else. If it is adapted to a specific purpose, that value could go up. As an open piece of property, they would be receiving the same price under condemnation than anyone else should be paying for it. If the property owner feels that our appraisal is wrong, they can come into court with any appraisal of their own. It is not a case of forcing someone to sell that does not want to sell. The property has been listed on the market.

Mr. Smith responded to Mr. Bradley's previous question regarding the drilling of test wells. There were some test wells dug which have higher sodium levels. This occurred in the 1980's prior to Mr. Dann's employment. As you move closer to the river the levels are higher.

VOTE: Bradley stated he was voting no against condemnation, Duryea, no; all others, aye; motion duly carried.

ITEM #8a Consider and Approve a Transfer of Funds in the amount of \$1,000.00 from Acct. #8050-800-3190, Contingency Reserve for Emergency to Acct. #7011-900-9002, Inland/Wetland Commission - Technical Services Soil and Water - Mayor's Office

Mr. Bradley felt that the Commission has a role in the community and could be supplementing the Recycling Committee and also addressing Open Space or conservation measures in general. He would like to see the Commission active again and encouraged the Mayor to check into the status of the Commission to get it working again.

Mr. Gouveia asked if this was coming out of the F.Y. '90-91 Budget?

Mr. Killen responded yes.

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

Mr. Bradley made the motion regarding Agenda Item 8a, seconded by Mr. Holmes.

ITEM #8b Consider and Approve a Transfer of Funds in the amount of \$60,276.00 from Acct. #8050-800-3230, Council Contingency Reserve-General Government to Acct. #1320-100-1200 Corporation Counsel Wages - Mayor's Office

Motion was made by Mr. Bradley, seconded by Mr. Holmes.

Mr. Holmes asked if the position was advertised and applications sought?

Mayor Dickinson responded yes, it was advertised locally and the salary is approximately \$58,000. with a 5% increment on January 1, 1991 bringing the amount to \$60,000.

Mr. Cronin stated that he was getting tired of paying for positions ahead of time, for example, the funds for the Corporate Counsel was built into the F.Y. '90-91 Budget. He supported Atty. Mantzaris for the position.

Mr. Gouveia asked how the salary figure was arrived at?

Mr. Myers responded that the Personnel Department handled that aspect and was unaware of how that figure was arrived at.

Mayor Dickinson informed everyone that it was arrived at by both a point analysis that the Management Study used and comparing this position and pay to what other communities of similar size are paying their Corporate Counsel.

Mr. Gouveia asked if the communities used for comparison were the same ones used in the Management Study?

Mayor Dickinson was unaware of which communities were used in comparison.

Mr. Holmes informed the Council that the salary ranged from \$30,000. to \$120,000. and the Towns of Cheshire, Middletown, Meriden and 3 or 4 other surrounding communities were used in the comparison.

Mr. Gouveia spoke with Mr. Seadale, Director of Personnel who informed him that approximately 16 communities were used in the comparison (did not specify by name) and the salary ranged from \$39,000 to \$71,000. The average being \$56,000. If those communities were the same as the ones listed in the Management Study, that same comparison should also show that Wallingford was 13th in its ability to pay. Out of 18 communities, we ranked 13th.

VOTE: All ayes; motion duly carried.

ITEM #8c Consider and Approve a Transfer of Funds in the amount of \$624.00 from Acct. #8050-800-3190, Contingency, Reserve for Emergency to Acct. #2020-100-1100, Dog Warden Wages - Mayor's Office

Motion was made by Mr. Bradley, seconded by Mr. Holmes.

Mr. Gouveia asked if a Budget Amendment is required for this action? He stated that it was approved in the budget, however the veto voided it.

Mr. Myers, Comptroller explained that only the transfer was necessary.

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

ITEM #9 Consider and Approve a Transfer of Funds for a Pay Increase for Part-Time Clerk - Veteran's Center

Motion was made by Mr. Bradley, seconded by Mr. Parisi.

Mr. Solinsky agreed with Mr. Deak. He has witnessed the turmoil in the Public Works Office created by the coupons.

Mr. Zandri felt that a study should be done on whether or not enough money is being collected through the sales of the coupons to offset the cost of operating the facility.

Mr. Deak stated that approximately 50% of the cost is being offset by the sales of the coupons.

Mr. Zandri asked the Mayor if a timeframe had been established for a "test period" to determine whether or not enough revenues are being generated from the sales to be cost-effective?

Mayor Dickinson responded that a one year time period should be analyzed.

Mr. Zandri felt it was not wise to allow that much time to expire since we are losing 50% of the operating cost to begin with. He felt that 6 months was much more reasonable. He asked what the Town is being billed on a monthly basis from CRRA?

Mr. Deak responded that the last invoice received was \$9,000.00. He will forward a copy of each month's invoice along with a total of the monthly coupon sales to Mr. Zandri.

Mrs. Duryea asked why this position was not included in the budget request?

Mr. Deak answered that at that time he was unaware that his office would be selling coupons.

VOTE: All ayes; motion duly carried.

ITEM #13b Consider and Approve a Transfer of Funds in the amount of \$4,500.00 from Acct. #001-5070-600-6420, Tree Removal to Acct. #001-5070-600-6500, Tree Planting - Public Works Dept.

Motion was made by Mr. Bradley, seconded by Mr. Parisi.

Mr. Zandri asked where the trees would be planted?

Mr. Deak answered that it is not predetermined, requests from the public for trees to be planted on Town property are considered.

VOTE: All ayes; motion duly carried.

Ms. Papale made a motion to Waive Rule V to Consider and Approve a Transfer of Funds in the amount of \$6,000.00 as requested by the Police Department, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Mr. Parisi asked if all firms had an equal opportunity to make a proposal?

Mr. Sargeant responded yes, they all had received the same information and made a site visit. No prices have been discussed with any of the firms.

Mr. Bradley asked if Mr. Sargeant had any idea as to what the project cost will ultimately be?

Mr. Kurz stated that on the mechanical/electrical, he had no idea until the work is performed. On the structural/architectural phase, he believed that cost could run between \$100,000. - \$125,000.00.

Mr. Parisi asked if there was a chance for recourse?

Mr. Sargeant responded, no.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Bradley to Move Agenda Item #16 up to the next order of business. Seconded by Mr. Holmes.

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

ITEM #16 Report on the Public Hearing of the Historic District.

Richard Krombel, Chairman of the Historic District Study Committee asked the Council to authorize the Town Clerk to mail ballots on July 20, 1990 for the vote to establish an Historic District within the Town and to set the date that the ballots must be received by as August 7, 1990 at 5:00 P.M. The Council must also approve that the ballots be mailed first class postage. He decided that he would not appear before the Council again on this issue if the residents vote against the Historic District.

Motion was made by Mr. Parisi to Waive Rule V of the Town Council Meeting Procedures for the purpose of entertaining a motion(s) dealing with the Historic District. Seconded by Ms. Papale.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Parisi to Authorize the Town Clerk to mail the ballots on July 20, 1990, to be returned to the Town Clerk by August 7, 1990 at 5:00 P.M. to be sent first class postage. Seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Bradley to Move Agenda Item #18 up to the next order of business, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Mr. Solinsky failed to understand why asbestos abatement was listed when it is virtually impossible to have any work performed for \$100.00 or less by the company.

Mayor Dickinson explained that the reason this company is on the list is that they are the only source that provides the service. Or perhaps it is a reputable company that is willing to come out for an emergency call on short notice.

Mr. Parisi stated that it was not the idea for this vendor list to be treated in this manner. It doesn't circumvent the purchasing or the bidding procedure. It never was intended to. When this list was introduced it was so that daily, mundane items that are necessary to departments could be purchased. He felt if the Council agreed to this list tonight, it would be circumventing the bidding procedure for items that could be extremely expensive.

Mayor Dickinson explained that in recent years the list has been proposed and approved in a form that more accurately reflects what actually has happened. For many years there was no list. We have tried to formalize and make correct exactly what procedure has been. If the Council feels that there are services/vendors that should not appear on the list, then perhaps the department should be present to justify its respective list. All of the companies have been approved by the Purchasing Department.

Mr. Parisi asked that the Mayor eliminate the involvement of the Council.

Mr. Killen could not understand why the Council's approval is being requested for departments to spend under \$2,000.00 on any item?

Mayor Dickinson replied that it is a question of the department being able to purchase the service without going through a process of requesting quotes, or if the cost exceeds \$2,000.00, bids from other places if there is only one place that provides the service.

Mr. Killen felt the Council had no authority to allow the departments to circumvent the ordinance.

Mayor Dickinson suggested that the Council question those department heads present this evening regarding their individual lists.

Mr. Parisi made the point that if the purchasing process remains closed by incorporating this vendor list, then there is no way of allowing anyone else in to offer us a better deal. There will be no way of finding out if we can get better prices.

Much discussion ensued around the original intent of the list and the way it has grown out of hand. The majority of the Council felt uncomfortable with the list and the request by the Town for them to approve it.

Mr. Holmes stated that he would like to see dollar amounts attached to each of the items on the list to review what was spent last year.

Mr. Holmes made a motion to table this item and bring it back to the table at a future meeting when the figures can be supplied.

Mayor Dickinson felt that we were heading back into the direction of leasing across the street.

Mr. Gouveia stated that the Council was asked at the February meeting to authorize the Town Attorney to negotiate with the American Legion for the outright purchase of the building. In addition, to also approve a dollar amount. Nothing has come back to this Council to date.

Mayor Dickinson stated that he reported to Mr. Killen the events that took place at the meeting with the American Legion. Nothing has transpired to date.

Mr. Killen spoke with a member of the American Legion yesterday who stated that the Legion is awaiting a concrete offer from the Town.

Mayor Dickinson explained that the American Legion is waiting for a concrete proposal for the lease of 20 spaces. Those spaces still do not give the Town what is required to meet Planning & Zoning's requirements. He was unwilling to make a deal for the 20 spaces if he did not have the remaining 20 spaces as well.

Mr. Killen informed the Mayor that Mr. Costello stated that with the 20 leased spaces from the Legion and the 20 that could be obtained with the re-drawing of the lines in the existing lot, without a variance the 40 spaces could be gained. Mr. Costello has not yet informed the Mayor of this finding.

Mr. Zandri asked if the parcel across the street from the Town Hall was still available?

Mayor Dickinson responded, as far as he knew, it was. He believed it was for lease. The Town did try to purchase it but there was an appeal from the property owner. He thought that an office building was to be constructed with enough parking so that the Town could lease spaces from them.

Mr. Bradley asked if July 18, 1990 was acceptable to everyone?

Mayor Dickinson offered to place it on the July 10, 1990 Town Council Meeting.

Mr. Bradley amended his motion to read that all plans be submitted to the Town Council no later than the July 10, 1990 meeting for presentation to the Council. Seconded by Mr. Gouveia.

Mr. Gouveia asked if it would be beneficial to hold a special meeting on this subject since several people have told him they have a plan and he would like all the plans considered at the meeting.

Mr. Killen felt that the July 10, 1990 Town Council Meeting agenda will be light since it is the start of the new fiscal year. He offered to call a special meeting if necessary but felt it was not at this point in time.

forwarded correspondence stating that the legal expense was not authorized by his office and would not be paid for by Town funds.

Mr. Zandri asked if the Town was billed for the legal expenses?

Atty. Mantzaris stated that there was a bill from the attorney through the end of March which he believes is addressed to the ZBA.

Mr. Zandri asked if Atty. Mantzaris notified the firm that the Town is not liable?

Atty. Mantzaris answered, yes.

VOTE: Holmes & Parisi were absent; all others, aye; motion duly carried.

ITEM #20 Consider and Approve a Lease on Space at Simpson School with Big Brothers/Big Sisters.

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

Ms. Papale asked if anything has changed in the contract compared to last renewal?

Mayor Dickinson responded, no.

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

ITEM #14 Motion was made by Mr. Bradley to move Agenda Item #14 from the table, seconded by Ms. Papale.

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

ITEM #14 Consider and Approve a Transfer of Funds in the amount of \$275,000.00 from Acct. #001-8010-800-8500, Principle (Bond) Retirements \$59,000.00, from Acct. #001-8010-900-9000, Debt Administration, \$7,000.00, from Acct. #001-8050-800-3190, Contingency Reserve for Emergency, \$110,000.00 and from Acct. #001-8050-800-3230, Contingency General Government, \$71,000.00, and Acct. #8040-800-8250, Property & Casualty, \$28,000.00 to Acct. #001-8010-800-8520, Portable Classroom Fund - Comptroller's Office.

Motion to accept the amended transfer was made by Mr. Bradley, seconded by Mr. Zandri.

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

ITEM #22 Executive Session to Consider and Approve a Waiver of Bid to Seek Outside Counsel - Town Attorney's Office.

Attorney Mantzaris informed the Council that there was no need to hold an Executive Session.