

6:30 P.M.

AGENDA

1. Roll Call and Pledge of Allegiance
2. Consent Agenda
 - a. Approve and Accept the Minutes of the January 14, 1997 Town Council Meeting
 - b. Consider and Approve Tax Refunds (#260-268) Totalling \$1,606.81 - Tax Collector
 - c. Consider and Approve Accepting a Donation of a Computer from Jon Walworth to the Department of Parks & Recreation
 - d. Consider Granting Permission for the Use of the Parade Grounds by Wallingford Center Inc. for a Country Craft Show to be Held on June 7, 1997
 - e. Consider and Approve Accepting Frank's Court Which was Accepted by the Planning & Zoning Commission at their January 13, 1997 Meeting - Town Planner
 - f. Consider and Approve Authorizing the Mayor to Sign an Award Document to Accept a State Funded Law Enforcement Block Grant Entitled, "Communications Center Improvements Grant" in the Amount of \$6,000 - Dept. of Police Services
 - g. Consider and Approve Establishing a Special Revenue Fund Account Entitled, "Communications Center Improvements" for the Acceptance of Grant Funds in the Amount of \$6,000 - Dept. of Police Services
 - h. Consider and Approve a Transfer of Funds in the Amount of \$700 from Contingency Reserve for Emergency Acct. to Copier Acct. - Animal Control Officer
 - i. Consider and Approve the Release of Easements Held by the Electric Division on Church Street (Route 68) Relating to the Sale of Property by the Town to Norman Gavin - Town Attorney
3. Items Removed from the Consent Agenda
4. PUBLIC QUESTION AND ANSWER PERIOD

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5. Report Out by the Community Lake Restoration Committee as Requested by Chairman Robert F. Parisi
6. Consider and Approve Authorizing the Mayor to Make Application to the Department of Labor for a Community Employment Incentive Program (CEIP) Grant in the Amount of \$3,265 for the Period of January 1, 1997 to June 10, 1997 - Dept. of Welfare
7. Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Contingency Reserve for Emergency Acct. to Purchased Services - Secretarial Acct. - Town Planner
8. Consider and Approve a One (1) Year Extension of the Recycling Agreement Between the Town of Wallingford and Stratford Baling Corp. - Mayor's Office
9. Consider and Approve a Resolution Making Minor Modifications to the Recycling Regulations - Mayor's Office
10. Consider and Approve Waiving the Bidding Procedures to Authorize Sanitary Services Corp. to Continue Office Paper Recycling Services to the Town - Mayor's Office
11. Executive Session Pursuant to Sections 10-153d; 1-18a(e)(5) and 1-19(b)(9) of the CT. General Statutes Regarding Upcoming Collective Bargaining Activities - Personnel Dept.
12. Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Respect to Pending Litigation
 - DiPalma v. Devylder
 - Fairchild v. Dortenzio
 - Town of Wallingford v. Thurston Associates
13. Consider and Approve Settlement of Pending Litigation - Town Attorney

TOWN COUNCIL MEETING

JANUARY 28, 1997

6:30 P.M.

SUMMARY

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Waiver of Rule V

Approve a Transfer of \$33,120 to Capital and Non-Recurring Contribution from General Taxation Acct. 18-21

TOWN COUNCIL MEETING

JANUARY 28, 1997

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, January 28, 1997 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairman Robert F. Parisi at 6:32 P.M. All Councilors answered present to the Roll called by Town Clerk Rosemary A. Rascati. Mayor William W. Dickinson, Jr. and Town Attorney Janis M. Small were also present. Deputy Comptroller Eva Lamothe arrived at 6:36 P.M.

Reverend Mark Angerosa of the White Oak Baptist Church bestowed a blessing upon the Council.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Consent Agenda

ITEM #2a Approve and Accept the Minutes of the January 14, 1997 Town Council Meeting

ITEM #2b Consider and Approve Tax Refunds (#260-268) Totalling \$1,606.81 - Tax Collector

ITEM #2c Consider and Approve Accepting a Donation of a Computer from Jon Walworth to the Department of Parks & Recreation

ITEM #2d Consider Granting Permission for the Use of the Parade Grounds by Wallingford Center, Inc. for a Country Craft Show to be Held on June 7, 1997

ITEM #2e Consider and Approve Accepting Frank's Court Which was Accepted by the Planning & Zoning Commission at Their January 13, 1997 Meeting - Town Planner

ITEM #2f Consider and Approve Authorizing the Mayor to Sign an Award Document to Accept a State Funded Law Enforcement Block Grant Entitled, "Communications Center Improvements Grant" in the Amount of \$6,000 - Dept. of Police Services

ITEM #2g Consider and Approve Establishing a Special Revenue Fund Account Entitled, "Communications Center Improvements" for the Acceptance of Grant Funds in the Amount of \$6,000 - Dept. of Police Services

ITEM #2h Consider and Approve a Transfer of Funds in the Amount of \$700 from Contingency Reserve for Emergency Acct. to Copier Acct. - Animal Control Officer

ITEM #2i Consider and Approve the Release of Easements Held by the Electric Division on Church Street (Route 68) Relating to the Sale of Property by the Town to Norman Gavin - Town Attorney

Chairman moved the Consent Agenda as Presented and called for a vote of the Council for approval. There was no second to the motion.

VOTE: All ayes.

Mayor Dickinson noted that Item #2e on the Consent Agenda should have been withdrawn. There is a problem with a detention basin that needs to be rectified before approving the acceptance of the road.

Motion was made by Mr. Farrell to Reconsider the Vote Taken on Agenda Items #2a-2i, seconded by Mr. Centner.

VOTE TO RECONSIDER: All ayes; motion duly carried.

Motion was made by Mr. Farrell to Approve Consent Agenda Items #2a-d and 2f-2i, seconded by Mr. Centner.

VOTE: All ayes; motion duly carried.

ITEM #3 Withdrawn

ITEM #4 PUBLIC QUESTION AND ANSWER PERIOD

Pasquale Melillo, 15 Haller Place, Yalesville asked if the Town Council Secretary was successful in obtaining the total cost of consultant fees expended by the Town during the last year?

Kathryn Zandri, Town Council Secretary responded that the Chairman has directed her to discontinue researching the information and will ask that the Finance Department perform the task.

Mr. Parisi will discuss the matter with Comptroller Thomas Myers upon his return from vacation.

Mr. Melillo then asked how will the problems that Northeast Utilities is experiencing with their nuclear plants effect Wallingford?

Mr. Centner responded, since William Cominos, General Manager of the Electric Division has taken over he is putting together plans to make systematic maintenance plans. A very aggressive plan to replace utility poles is currently being followed. The feeders are approximately thirty years of age. A plan will be developed in the very near future to replace them on a systematic basis.

Mr. Melillo asked, has anyone contacted Northeast Utilities to get an update on what the status of the issue is?

Mr. Parisi responded that he is sure that the management team of the Electric Division are following up on the matter.

Mr. Knight stated, federal and state authorities, as well as local and state representatives are all over Northeast Utilities on this matter. The utility has to answer to many higher authorities than the P.U.C. of the Town. Because we have our own electric division it does not exclude us from participating from any problems that this power company (Northeast Utilities) is going to have. Regardless of where we purchased our power...we happened to have signed an agreement last year with CMEEC (CT. Municipal Electric Energy Cooperative) who, in turn, is purchasing their power from Northeast Utilities. If we were to buy it from broken arrow utilities somewhere in Oklahoma it would still have to be transmitted in some way into the State. That is part of the problem. We have a very limited capacity for bringing power from out of State when our own internal generation goes out. It is a very complicated problem and I, for one, feel that the Town is doing as much as can be done with a problem that effects as many people as this. We are not going to get special treatment, we are part of a pool.

Mr. Melillo suggested that the Council bring in one of Northeast Utilities' experts to answer questions at the next Town Council Meeting so that everyone knows what is going on.

Philip Wright, Sr., 160 Cedar Street asked, how often does the Public Safety Committee meet?

Raymond Rys, Chairman of the Public Safety Committee responded, we met three times last year.

Mr. Wright then asked, when is the last time a meeting of the committee was held?

Mr. Rys responded, October.

On a separate matter Mr. Wright stated that he was up at the Town Hall today and noticed that approximately 45-50 parking spaces at 88 S. Main Street were vacant and there was no parking to be found at the Town Hall. This was the case the last two times he visited the Town Hall. He suggested increasing the number of visitor parking spaces and/or begin assigning parking spaces at 88 S. Main Street to employees. Perhaps the Town should consider whether or not it needs 88 S. Main Street. It can be sold if we don't need it. He noticed that some work has been performed behind the American Legion Building. He asked, were funds put in the budget to perform this work?

Mayor Dickinson stated, the work would be done by Public Works and their budget would support the costs. There is a general account for maintenance of Town property and buildings.

Mr. Wright pointed out that the work is not maintenance, it is the preparation for the construction of a parking lot.

Mayor Dickinson stated, we are not constructing a parking lot. We are clearing the area. There have been no plans drawn up for paving or major improvements.

Mr. Wright stated, something more should be done then merely cutting down trees to make it available for parking.

Mayor Dickinson responded, not necessarily. The application of processed stone should be sufficient.

With regards to the Lacey Property on Prince Street, Mr. Wright commented, it is his understanding that the Town still has not gone before Planning & Zoning for the proper permits to make that area a parking lot. Is that correct?

Mayor Dickinson answered, that is correct. We need a signed engineering drawing to submit to Planning & Zoning for them to be willing to act on it.

Mr. Wright asked, is there no one that can prepare the drawing for us?

Mayor Dickinson answered, we have not asked our consulting engineer to do it. There are other issues we want him to devote his attention to.

Mr. Wright asked, can anyone tell me where we got all the fill from that has been placed at the Wooding Property since the last Town Council Meeting?

Mayor Dickinson responded, I believe it is fill from another piece of property and is not meant to stay there. I will ask that Public Works not use the property as a staging area. I am not aware of any major plans for the property.

Mr. Wright stated that Mr. McCully informed him that he is getting ready to put in topsoil so they can grade in the Spring.

Mayor Dickinson commented, there is no intention to put down a lot of topsoil and spend money for major improvements there.

Mr. Parisi asked that the Mayor contact Mr. McCully for an answer to these questions.

Frank Wasilewski, 57 N. Orchard Street stated that there was quite a bit of discussion about the Pierce Plant, Wallingford, Northeast Utilities, etc., at the last P.U.C. Meeting and he does not see any Councilors attending any of the P.U.C. meetings. The most serious problem we have in Wallingford right now is the Electric Division. He noted that the Council always has reports out on issues such as Fairfield Blvd., Community Lake, etc. as agenda items and suggested that the Council have a report out once a month by the P.U.C., Ray Smith and others at a Town Council Meeting that way everyone can ask questions and get answers. The future of the Electric Division is a very important issue. We have a big problem in the State of CT. with regards to the source of our electricity. If they decontrol the utility the State of Connecticut will be in a serious condition, including Wallingford. We still don't know what we are going to do with the Pierce Plant. Sure, we are updating the lines the poles, etc., but I question that work. Is it for the good of Wallingford or for some other company that may take over our utility. The Council should be asking more questions of the P.U.C.

Mr. Parisi stated that if people have questions about any of the utilities they, too, can attend P.U.C. meetings to gather information and ask their questions.

The Public Question and Answer Period was formally closed at this time.

ITEM #5 Report Out by the Community Lake Restoration Committee as Requested by Chairman Robert F. Parisi

Salvatore Rascati, Chairman of the Committee along with committee members Charles Uznanski and Philip Wright, Sr., approached the Council for the report out. Albert Killen, also a committee member was present in the audience.

Mr. Rascati reported that he was in contact with the Department of Environmental Protection (D.E.P.) in October 1996 when the committee was asked to review the D.E.P.'s proposal for Community Lake. As a result of the review the committee forwarded their comments to the D.E.P. The State then advertised for interested parties to bid on the proposal. Mr. Hemstry, Project Engineer for the D.E.P., informed Mr. Rascati that responses were solicited as of two weeks ago. Interviews will be held to narrow the field down to five candidates. Those five will then be asked to bid on the scope of work which not only covers Community Lake but the dredging of Hanover Pond although the two projects will not be dependent on each other. It is expected that the qualification review will be completed by the middle of March. It will then take approximately six to eight months for the State to receive quotes for the scope of work that has to be performed. Once the bid is awarded the design work will begin and take approximately six months as well. Mr. Rascati does not expect any noticeable work to begin for at

least eighteen months. It is his hope that the committee will be involved in the interviewing process to evaluate the engineering firms that will be performing the work. The committee has requested a timeline from the State of when the work will take place. Most of the funding is coming from the Clean Water Act, a federal project. The project involves the entire Quinnipiac Valley Watershed area from New Haven to Plainville. Tom Morrissey of the D.E.P. met with the committee and Mayor back in October of 1996 to discuss the project which did not solely hinge on the work to be done at Community Lake. The D.E.P. is interested in meeting with towns located within the Quinnipiac Watershed that has any problems or concerns with water, water quality or flooding.

Mr. Centner asked if the original plan included operable flood gates to regulate the flow of the water?

Mr. Rascati responded, that is one item the committee requested. One problem that Community Lake has is that there are three deep ponds that were created when they were removing fill for the landfill area. The Fuss & O'Neill report recommended that those deep areas be filled. They also recommended a six to eight foot dam and the removal of approximately 400 cubic yards of fill to fill in some of those deep areas. In the current proposal the committee asks that the State consider a system whereas water can be drawn from the bottom of the deep areas to reduce the effect during the summer when you have a eutrophic condition when the temperature of the water in the deep areas tends to stay cold and does not mix. Eventually the water quality does not meet the standards.

Mr. Centner then asked, will the access to the site remain where it is today?

Mr. Rascati answered, the original dam was almost under the bridge. In the Fuss & O'Neill report they recommended that the dam be built two hundred feet to the North of the Hall Street bridge. For the size of the dam they recommend the dam would have to be approximately one hundred and seventy feet long to accommodate the spillway for the five hundred year flood that you have to design for.

Mr. Farrell asked, does the scope of work involve taking fill out of the lake?

Mr. Rascati stated, in referring to the Fuss & O'Neill report, if we went with the first option which was a twelve or thirteen foot dam, they were still going to have to excavate approximately two hundred cubic yards of fill. Maybe not move it out of the area but move it to fill some of the deep areas. Some may be used to contour the properties to create the lakes. Some of the excavated material may be sold to individuals who would be interested in

purchasing it should the Town decide it does not want to keep it.

Mr. Farrell stated, it was my understanding that tar from the Yankee Gas Company had leached under the lake. What will be involved in remedying the situation as part of this project?

Mr. Rascati responded, Northeast Utilities did perform a cleanup of the area and claimed to have removed all of the coal tar that was imbedded in the soil and lake bed. If any residue is uncovered then we will have to go back to them for they will be liable for the cleanup costs. Whether the Town ever got a notice that the work had been completed, I don't know.

Mr. Farrell stated that his family lived two or three doors away from the lake and the tar moves. It moved several properties over from Yankee Gas Company.

Mr. Renda asked if the lake will be returned to its original state of one body of water?

Mr. Rascati responded, yes. If we end up with a six to eight foot dam we would end up with a twenty-five to thirty acre lake.

Mr. Renda asked if a piece of equipment that reportedly fell into the lake was ever recovered?

Mr. Rascati responded, I believe it was, I'm not sure.

Mr. Renda asked that Mr. Rascati check into it.

Mr. Zappala asked if a specific amount of money has been promised to the Town by the State?

Mr. Rascati commented that no money has been promised specifically for this project to the Town. If the project goes through it will be completely funded by the D.E.P.

Mr. Zappala asked, if there is anything else the Town would like to do with the lake would it be covered?

Mr. Rascati answered, nature trails, hiking trails will not be covered.

Pasquale Melillo, 15 Haller Place, Yalesville asked if there is any problem with the coordination of Federal, State and Local levels on this project? Is the committee getting full cooperation?

Mr. Rascati responded, there are about seven or eight permits required when building a dam on a body of water. If we were handling this project ourselves we would have to get permits from the Army Corps of Engineers, D.E.P., Small Dams Commission, etc., in this case since the D.E.P. is doing most of the work, they are the ones that are handling this. They will get all the permits which makes our job a lot easier.

Mr. Melillo asked, will we lose our wetlands benefits due to the overhaul of the area?

Mr. Rascati answered, we don't have many wetlands now because there is no impoundment of water. One of the reasons the D.E.P. wants to create a dam is because we have over ninety acres total and over forty acres of it can be wetlands once the dam is in place and the water impounded. Right now we have three ponds that total approximately ten acres and every time we have a heavy rain they become mud holes and infiltrated by the river. We are not truly taking advantage of that entire piece of property.

Mr. Melillo asked if an algae condition exists at the lake on occasion and what problem does that present?

Mr. Rascati answered, when the water level of the river is way down and if you do create any impoundment, that is one of the problems you are faced with. If the lake is contoured properly and you get enough turnover of water we would keep that algae at a minimum.

In conclusion Mr. Rascati stated that he makes it his business to ask people how they feel about Community Lake. He has received unanimous approval to have the lake restored from everyone he has asked. The senior citizens have been the most vocal and supportive of it. He went on to say that someone he described only as "a responsible party who was involved in the Fuss & O'Neill report" once stated, "Community Lake was originally the premiere fish and game area of Connecticut."

The Council thanked the committee for their report at this time.

ITEM #6 Consider and Approve Authorizing the Mayor to Make Application to the Department of Labor for a Community Employment Incentive Program (CEIP) Grant in the Amount of \$3,265 for the Period of January 1, 1997 to June 30, 1997 - Dept. of Welfare

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

Mr. Doherty commented, recent news reports indicate major changes taking place with welfare reform at the federal level. He asked the director of Welfare Services to explain the affect those changes will have on Wallingford.

Mary Alice Petrucelli-Timek, Director of Welfare stated, in August of 1996 President Clinton signed the Personal Responsibility and Work Opportunity Act. This act changed the way welfare works. In the past it was an entitlement program whereas the states would pay out money and the federal government would reimburse them a certain percentage of all the money they have spent. Now the federal government is giving the states a block grant which means the State only receives a set amount of money to do what ever they want to do. The states do have to file a plan with the federal government but it is not an entitlement anymore. The AFDC (Aid to Families with Dependent Children) and JOBS (Job Opportunity and Basic Skills) programs no longer exist. It is now referred to as TANF (Temporary Assistance to Needy Families) program.

The federal government has also instituted duration limits in regards to the welfare program. The federal government has a five year limit for families whereas the State has the strictest guidelines for families which is twenty-one months. Changes have also occurred in the Social Security program. Non-citizens who are legal residents are no longer eligible not only for the State program but for Social Security and food stamps as well. Able-bodied individuals who work under twenty hours per week are only eligible for assistance three months out of thirty-six. What it means to Wallingford is that more people will not be receiving benefits whether they be cash or food stamp benefits. Just because a program no longer exists does not mean the need no longer exists. Not just Wallingford but all local communities nationwide will have to step forward to try and figure out what has to be done. Senator McDermott met with a group of school administrators, clergy, service organizations to discuss what was happening at the federal level and to brainstorm on what Wallingford will need to do. He promised to continue holding such meetings in the future.

Mrs. Petrucelli-Timek next explained the affects the State administration of general assistance has on the Town. Currently the Town pays ten percent (10%) and the State pays ninety percent (90%). As of April 1st the State will pay one hundred percent (100%) of the costs of the program. Current legislation states that fourteen towns with district offices can petition the commissioner to run their own program. Out of those fourteen only three have petitioned. Eleven towns are going to be taken over by the State as of April 1st; Meriden and New Haven each being one of those eleven. Wallingford, along with the remaining one hundred fifty-five (155) towns does not have the option to petition. July 1st of 1998 the State is proposing to take over the General Assistance Program. Right now in legislation are bills proposing that the towns have an option to at least petition. If and when the State takes over the general assistance program the Town will lose control over assisting single people without dependent children. The goal of the Welfare Department is to make sure

these individuals get into a program for long term disability whether it be Social Security, Veteran's benefits, etc. If the individual is able-bodied it is the chore of the Welfare staff to make sure they become employable. Case management is a strong part of general assistance. A contract or plan is entered into with the individual and administrators of the general assistance program. That plan has to be adhered to. If not, they are suspended for ninety days with no financial assistance. If an individual is a drug or substance abuser they are mandated into treatment. We do not mail out checks, people have to come into the office to see the case manager to receive their payments. That local control, case management, will be lost.

Mr. Doherty asked Mrs. Petrucelli-Timek to explain the difference between a job-ready employable recipient and a not job-ready employable recipient.

Mrs. Petrucelli-Timek explained how the designation of an individual as job-ready or no job-ready makes a difference in the duration limits and amount of assistance that a person is going to receive. A not job-ready person is someone that may have a mental or physical impairment that will be a significant barrier to their employment. A job-ready person is someone who has worked six months in the last five years, has a high school diploma or G.E.D. or has completed any type of vocational training. A not job-ready person will receive sixteen (16) months of assistance within a twenty-four (24) month period; ten months of assistance in the first year and six months in the second year. The amount they receive is dependent upon their living arrangements. A job-ready person receives only one hundred dollars per month (\$100) to assist them in getting a job and not for basic needs. This grant is aimed at the job-ready sector.

Mr. Parisi asked, how many people do you think we will be able to help for \$3,000?

Mrs. Petrucelli-Timek responded, not many but it is for six months.

Mr. Parisi responded, it just looks like an insignificant amount of money to accomplish something with. If it helps someone that will be fine.

Mr. Farrell asked, at what point in time does the case manager suggest to recipients that they apply for Social Security? My office does a lot of representation of people on Social Security disability and my experience is that people wait a long time and with how long it takes to get the assistance, if we got people in the pipeline sooner, maybe the Town would be shelling out less money if their applications started right from the day they walked into the Welfare office.

Mrs. Petrucelli-Timek noted, according to their regulations if

someone comes in and states that they are disabled, they have to have documentation from a doctor. We have a system called the Healthpro System where they make the determination if a person is considered employable or not employable general assistance recipient. The Healthpro decision, in coordination with that, would go with the Social Security. It has to be a bona fide application for Social Security which must include the required documentation from a physician stating that the person has been disabled for twelve months or more.

Mr. Farrell stated, it is my guess that most people aren't aware of the range of disabilities that make them available for Social Security disability. A learning disability is something that would cover a lot of people.

Ms. Papale asked, why didn't the Town of Wallingford have the option to petition? Did the State pick the towns that could petition?

Mrs. Petrucelli-Timek responded, two years ago while discussions were being conducted on this topic it was supposed to be that the one hundred fifty-five (155) towns were supposed to have the right to petition while the towns that had the Department of Social Services offices in their towns were not going to have the right to petition because the district offices were right there. Suddenly the bill was passed and for some reason it was the opposite of what was agreed on. It is going to be difficult for Wallingford residents to have to travel to Meriden to apply for the assistance.

Mr. Centner asked, in addition to the one hundred dollar (\$100) per month stipend for the job ready individuals, does the Welfare office offer any other benefits to aid in the job hunting process?

Mrs. Petrucelli-Timek responded, through the general assistance program, no, but through my office we have Salvation Army applications and there are also different areas through which different people volunteer services that can be looked into. If a person is very interested in getting a job we make it as easy as possible getting them bus passes, cab fare, etc. The funding from this grant may service approximately four (4) people.

Mr. Knight asked, how many clients are served on the average at one given time?

Mrs. Petrucelli-Timek responded, in the month of December we serviced twenty-two (22) for financial; four (4) Department of Labor stipend assistance; thirty (30) ongoing medical cases.

Mr. Knight asked for a description of the ongoing medical cases and how they are differentiated?

Mrs. Petrucelli-Timek responded, the ongoing medical cases are not receiving financial assistance from our program; they are eligible for medical coverage. They have a medical need and their income falls with specific guidelines. Some individuals are employed, some are not and may live with family who support them but do not support their medical needs.

Mr. Knight asked, how many suspensions were issued in 1996 for failure to comply with case management plans?

Mrs. Petrucelli-Timek responded, perhaps fifteen or twenty. The drug and substance abusers that refuse treatment are not suspended, they are discontinued. They can come back on the program once they agree to treatment.

Mr. Knight asked, if someone has a substance abuse problem where are they treated?

Mrs. Petrucelli-Timek answered, we have a contract with VMMC (Veterans Memorial Medical Center) to have a substance abuse counselor come to our office twice a week. They make the recommendation whether it be in-patient or out-patient. For out-patient therapy we use Rushford, Shepard Home, Lebanon Pines, etc. The patients must find their way to the treatment facilities. There are bus passes available for the not job-ready clientele through the Meriden office.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he believes there is a conflict between federal, state and local levels with regards to this matter. He would like to see our local representatives support Mrs. Petrucelli-Timek to get something going to improve the communication between the three levels of government for the benefit of the poor people. He asked, what happens when the benefits to mothers with children are exhausted?

Mrs. Petrucelli-Timek stated, that is the question that should be asked of the legislators who pass the law of duration limits. Mr. Melillo should contact his representatives to ask such that very question.

Mr. Melillo commented that the Council and Mayor should do the same in an effort to all work together on this important issue.

Philip Wright, Sr., 160 Cedar Street asked, how much money passes through the Welfare Department for general assistance and other related matters?

Mrs. Petrucelli-Timek reminded everyone that the figures quoted are reimbursed at ninety percent (90%) currently. In the month of December \$9,636.19; November \$12,684.58; October \$5,838.61 for financial assistance. For the same three month period a total

of \$97,291.20 was expended for medical assistance. The medical portion is paid up front by the State and then the ten percent is deducted from the Town's quarterly billing.

Mr. Parisi pointed out that approximately \$238,000 passes through the Welfare Department as reported in a budget summary. To date, \$62,000 has passed through.

Mr. Wright asked, what are the administrative costs to run the department?

Mr. Rys responded, \$120,000 approximately.

VOTE: All ayes; motion duly carried.

Mr. Parisi noted that a brief recess will be held after Item #10 which will be followed by a Waiver of Rule V item pertaining to the Quinnipiac Corridor project.

ITEM #7 Consider and Approve a Transfer of Funds in the Amount of \$1,000 from Contingency Reserve for Emergency Acct. to Purchased Services - Secretarial Acct. - Town Planner

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

Linda Bush, Town Planner stated that she has spent approximately \$800 for extra secretarial services so far this year for verbatim transcriptions and she still has two more meetings to go and does not have enough money to get through the end of the year.

Mr. Parisi asked if there are any other funds available in any other accounts to use?

Ms. Bush responded, no.

Mr. Farrell asked where the application fees paid by individuals for Planning & Zoning or Zoning Board of Appeals go?

Ms. Bush responded, into the general fund.

Mr. Doherty asked, is it true that there is a balance of \$162,000 in the contingency account?

Mayor Dickinson responded, yes.

VOTE: All ayes; motion duly carried.

ITEM #8 Consider and Approve a One (1) Year Extension of the Recycling Agreement Between the Town of Wallingford and the Stratford Baling Corp. - Mayor's Office

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

Mr. Rys read correspondence into the record from Mayor Dickinson (Appendix I).

The Council is being asked to approve a one year extension of the recycling agreement to become effective 3/1/97 through 2/28/98. The Town will pay \$9,940 per month for the extended service. It currently pays \$6,200 per month. The lowest bid price received, which was submitted by Stratford Baling, was \$10,400 per month. Commercial haulers will pay Stratford Baling Corp. \$1.00 less per ton per month for materials delivered to the Recycling Center during the extension period. Lastly, the recycling center will no longer accept junk mail, catalogs or magazines from commercial haulers or residents during the extension period. These materials are presently accepted.

Mr. Centner asked if an increase of this size (60%) is common in the industry?

Philip Hamel, Recycling Coordinator responded, the prices for paper have gone down considerably and, as a result, in order to break even or make a little money on this the contractor has increased his price. The industry is experiencing pressure.

Mr. Centner pointed out that the original dollar request from the vendor was reduced and asked if it was due to the "off loading" of magazines and junk mail?

Mr. Hamel responded, yes.

Mayor Dickinson explained, the reason for this action is the Town went out to bid and the bids came back and either did not qualify or were unsatisfactory. The Town then negotiated, pursuant to the Council approval, with the vendor.

Mr. Parisl added, at a special meeting of the Town Council held on December 17, 1996 the Council authorized a bid waiver and negotiations with the existing contractor, Stratford Baling. The Ad Hoc Committee reviewed the results of the negotiations and approved a one-year extension of the contract with the above-mentioned changes.

Mr. Rys asked if the junk mail and magazines will become regular trash items under the terms of the extension and they will no longer have to be separated out?

Mr. Hamel responded, yes, that is correct.

Mr. Knight explained that the recycling program has not been as successful as envisioned when it was established years ago. He asked if it is due to the fact that there seems to be a glut of this material on the market?

Mr. Hamel responded, there are a number of attributing factors. There have been some problems with new mills that have opened to accept recycled paper and process it. Also, with all the mandatory recycling around there has been a steady stream of recycled paper even when the mills are unable to accept it. These factors have affected the prices that we see. It is a very complex market. Foreign markets, which seem to be cyclical, have dried up. A number of factors have come into play at once, including a drop in foreign demand, problems with the mills and yet we still have the steady stream of paper being recycled.

Mr. Knight asked, what is becoming of all of this material?

Mr. Hamel responded, a lot of material is in warehouses around waiting for prices to improve. Newsprint, in the northeast, currently has a negative value. Paper prices have been depressed for well over a year. We are hopeful the prices will come up again.

Mr. Knight asked, can this cost be mitigated in any way in the near future or long term, five or ten years down the road?

Mr. Hamel responded, we are hopeful it will turnaround more quickly but we don't really know. One of the reasons for the one year extension was to give us time to assess the markets and go out to bid again later this year. It is possible by then that there will be some changes in the market place.

Mr. Centner asked if Mr. Hamel had a rough estimate of what the cycle period is of the foreign market? Is it decades or two to three years?

Mr. Hamel responded, from past experience it is within the two to three year range; sometimes even one year. It has not been ten years. Circumstances change everywhere and it could be a longer cycle.

Mr. Hamel stated that some haulers will go to other recycling centers and those haulers may continue to collect magazines so that people who want to recycle magazines should check with their personal hauler to see if they are still collecting them. The Wallingford Recycling Center will not accept them after March 1st.

Albert Killen, 150 Cedar Street asked if the other bidders were made aware of the changes in the terms of the agreement?

Mayor Dickinson pointed out that all bids were rejected. The current vendor was substantially below any other bidder and given that the vendor already has equipment on the scene, it is extremely unlikely that the other bidders could come close to what the current vendor is able to accomplish.

Philip Wright, Sr., 160 Cedar Street will this issue add to the problems in the garbage burning plants, landfills, etc., throughout the state, country, world?

Mr. Hamel responded, it shouldn't because there is a State Statute that requires that this material be recycled and prohibits landfills and waste to energy plants from accepting it.

Pasquale Melillo, 15 Haller Place, Yalesville asked, is there any chance a company could sue the Town if they feel they did not have the full, legal opportunity to bid on this?

Mr. Parisi responded, our position is that it is very unlikely. All the bids were rejected.

VOTE: All ayes; motion duly carried.

ITEM #9 Consider and Approve a Resolution Making Minor Modifications to Recycling Regulations - Mayor's Office

Mr. Rys read correspondence from the Mayor into the record (Appendix II).

Recently, the U.S. Supreme Court has invalidated the Town's right to direct that all recyclable materials be delivered to the Recycling Center. Coupled with the fact that some haulers are now providing rigid plastic containers to their customers for use in placing recyclable materials at curbside, the Town has received numerous requests from residents to eliminate the requirement that residents use clear plastic bags for packaging their commingled materials.

On a separate matter there seems to be some confusion regarding language in the regulations which deals with the requirement that leaves be packaged in paper yard waste bags for collection. The proposed language to address the two issues is included in the resolution being presented for approval this evening (Appendix III).

The resolution was read into the record and moved by Mr. Rys, seconded by Mr. Centner.

Mr. Rys thanked Mr. Hamel and the Recycling Committee for addressing this issue.

Mr. Doherty asked, can the container still be a clear plastic bag if people so chose it to be?

Mr. Hamel responded, yes it can.

Mayor Dickinson explained, the Town is really leaving that issue open to the hauler. He can chose what is the best mechanism. It is a decision that the homeowner and hauler should be making.

Philip Wright, Sr., 160 Cedar Street asked if the wording of the resolution has been reviewed by the Law Department?

Mr. Hamel responded, yes.

VOTE: All ayes; motion duly carried.

ITEM #10 Consider and Approve Waiving the Bidding Procedures to Authorize Sanitary Services Corp. to Continue Office Paper Recycling Services to the Town - Mayor's Office

Mr. Rys read correspondence from the Mayor into the record (Appendix IV).

In May, 1996 the Town's office paper recycling vendor, Newhallville Recycling Company, went out of business due to bankruptcy. In order to continue the service without interruption, the Town approached the second low bidder from the 1994 bid, Sanitary Services Corp. to continue the service for the remainder of the bid period through June 30, 1997. The firm agreed to provide the service as bid but requested that the term for them be for three years, the same term as the original bid. The Ad Hoc Committee has reviewed and approved this extension.

It is noted that Newhallville Recycling Company was paying the Town half the market rate they were paid for computer paper. All the rest was a wash.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he was concerned that the Town is placing themselves at risk of a lawsuit due to the fact that they have not allowed any other vendors to bid.

Janis Small, Town Attorney stated that she believed the Town is not in jeopardy.

Mr. Melillo stated that the competition process needs to remain in place.

VOTE: All ayes; motion duly carried.

At 8:23 P.M. the Chairman declared a recess.

The Council reconvened its meeting at 8:37 P.M.

WAIVER OF RULE V Motion was made by Mr. Rys to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Discussing and Possibly Acting Upon a Transfer and Appropriation of Funds for the Quinnipiac Corridor Project, seconded by Mr. Knight.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Rys to Approve a Transfer of \$33,120 from Contingency Reserve for Emergency Acct. #001-8050-800-3190 to Capital and Non-Recurring Contribution from General Taxation Acct. #001-8100-800-8040, seconded by Mr. Farrell.

Mr. Rys read correspondence into the record from Mayor Dickinson (Appendix V).

The letter explained that an engineering consultant was hired in May of 1994 for the project with a completion date of February 1995. Due to delays caused by the Department of Transportation review process and Amtrak, the 1995 date has passed.

The State is now giving a deadline of May 15, 1997 by which to access this year's funding for the project. In order to complete the plans we need to appropriate \$33,120 for the engineer. The engineering fee will represent about nine percent (9%) of the \$1.9 million construction - within the acceptable range of fee for services.

Given that the project now totals some \$400,000 more than what the Council of Governments approved, there may be a necessity to receive an increase in the project amount from the Council of Governments. Current information indicates that there is approximately \$3 million dollars of unprogrammed money in the region so we should not have a problem in having the \$400,000 approved. If there is a problem the Mayor believes that the Town would be able to provide that funding in order not to lose \$1.9 million. It may also be necessary for the Town to appropriate some money for the park improvements as there may be ineligible items for state and federal funding. The park improvements are estimated to be \$150,000. The funding for the engineer needs to be approved as soon as possible.

Albert Killen, 150 Cedar Street asked, since we knew that this work was going to be done three or four years ago, why are we coming forward with the funding request now?

Mayor Dickinson responded, our engineer was contracted with to provide finished plans by February, 1995. Due to circumstances beyond everyone's control except perhaps elements beyond the Town of Wallingford, that has not occurred. As a result the engineering

firm wants additional funds in order to complete the process at this point. The funds in question are coming out of the ISTEA program. This is the last fiscal year for this program until new funds are approved. No one knows what the amount of new funding will be or what the requirements attached to the new funds will be in 1998. It is also in the State's interest to move this along because many of the intersections involved; Hall Avenue and Cherry Street; they are going to add Parker and North Plains and Pent Highway for railroad pre-emption.....all of that is associated with this. It has been a project that has been moving along, it has been slow and right now it is in a crunch stage because the State has given us as of January 22nd until May 15th to provide final plans. The engineer feels they are way beyond what the contract was for and wants to be compensated for the kind of time necessary to move this issue through by May 15th. Once the plans are drawn and forwarded to the State they will need to pass through four or five offices of the Dept. of Transportation for their comments on the plans. It is not a question of whether or not the work is necessary for the work will have to be done at one time or another.

Mr. Killen stated that this work should have been part of the original contract with the engineer.

Mayor Dickinson responded, most of it was but there were some changes. The original contract called for completion by February of 1995. The matter has been reviewed by the Town Attorney's Office. This is a significant departure from what the hiring of the engineering firm was for.

Mr. Killen stated that Hartford should be responsible for the costs, not Wallingford. He recalled the last time the ISTEA program was discussed at a Town Council Meeting with Officer Richard Doll in attendance, it was stated that the work was not going to be done around Wallace Park in conjunction with the project. It was stated at that time that it would cost up to \$500,000 to do that work the Mayor mentioned earlier with the railroad crossings.

Mayor Dickinson responded, the pavement on Quinnipiac Street and Wallace Park is back into the program because in order for the engineering firm to even get close to the May date they could not deal with redesigning all of the intersections signalization with the existing pavement. All the work they did assumed reconfiguration of some of the intersections and new pavement because there are mechanisms in the pavement that trips the signals.

Philip Wright, Sr., 160 Cedar Street asked, which department has the responsibility for overseeing the progress, the lack thereof?

Mayor Dickinson answered, primarily the Engineering Department although in this case, in recent months, the Traffic Control Officer has been very much involved since the project became a signalization issue for a period of time.

Frank Wasilewski, 57 N. Orchard Street asked if the Quinnipiac Street Bridge was part of the project and if John Thompson, Engineer, drew up the plans?

Mayor Dickinson responded, yes the bridge was part of the project; no, Mr. Thompson did not design the bridge.

Mr. Wasilewski asked, how far do the plans go on Quinnipiac Street towards the center of Town?

Mayor Dickinson responded, we are finalizing pavement and signalization plans for Quinnipiac Street from Bull Avenue to Washington Street. There are plans drawn up for that area. If those are not final yet they are very close to being finalized.

Mr. Wasilewski asked, what is planned for the small bridge on Quinnipiac Street near Garden Road?

Mayor Dickinson is not aware of any plans for the bridge.

Mr. Wasilewski stated that the bridge must be addressed. He also advised the Town to think about whether or not the trolley tracks were ever removed from the street. He did not want to see the project underway and the Town faced with additional costs to dig out trolley tracks. He wanted to avoid a new set of problems. The bridge has never had any work done on it. It must be at least one hundred years old.

Mayor Dickinson will mention that information to Mr. Thompson.

Mr. Wasilewski asked if the Merit Parkway project is connected with this project?

Mayor Dickinson stated, that is a separate project.

Mr. Wasilewski stated that State Representatives from Wallingford should be involved in this issue, leading an attack on Hartford for the Town to get its proper share of money for the project. The Mayor and/or Council should be informing our representatives of this problem.

Pasquale Melillo, 15 Haller Place, Yalesville echoed Mr. Wasilewski's comments with regards to getting State and Local Representatives involved in the matter.

Mr. Knight asked, why couldn't we pass this cost along to AmTrak since they are the ones who created the delay, created the expense of \$33,000?

Mayor Dickinson responded, AmTrak would just refuse to cover it. Under the terms of ISTEA we are obligated to provide the engineering.

Mr. Doherty asked, how much have we paid the engineering firm to date?

Mayor Dickinson answered, approximately \$143,000.

Mr. Farrell stated, under the next version of ISTEA, it is my understanding that it is going to contain a substantial reduction to all of the northeastern states and Connecticut will end up with a whole lot less money which would lessen our chances for applying next year for funding.

VOTE: All ayes; motion duly carried.

ITEM #11 Executive Session Pursuant to Sections 10-153d; 1-18a(e)(5) and 1-19(b)(9) of the CT. General Statutes Regarding Upcoming Collective Bargaining Activities - Personnel Dept.

ITEM #12 Executive Session Pursuant to Section 1-18a(e)(2) of the CT. General Statutes with Respect to Pending Litigation

- DiPalma v. Devylder
- Fairchild v. Dortenzio
- Town of Wallingford v. Thurston Associates

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

VOTE: All ayes; motion duly carried.

Present in Executive Session for Item #11 were all Councilors; Mayor Dickinson and Terrence Sullivan, Personnel Director

Present in the Executive Session for Item #12 were all Councilors; Mayor Dickinson; Town Attorney Janis M.Small.

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

VOTE: All ayes; motion duly carried.

ITEM #13 Consider and Approve Settlement of Pending Litigation - Town Attorney

Motion was made by Mr. Knight to Accept the Recommendation of the Town Attorney with Respect to the Case of DiPalma v. Devylder, seconded by Mr. Farrell.

VOTE: All ayes; motion duly carried.

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

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 9:58 P.M.

Meeting recorded and transcribed by:

Kathryn E. Zandri
Kathryn E. Zandri
Town Council Secretary

Approved:

Robert F. Parisi
Robert F. Parisi, Chairman

2-11-97
Date

Rosemary A. Rascati
Rosemary A. Rascati, Town Clerk

2-11-97
Date