

Summary of Town Council Minutes

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Town Council Meeting

April 24, 1984

A regular meeting of the Wallingford Town Council was held in Council Chambers and was called to order by Vice Chairman Gessert at 7:35 p.m. Chairman Parisi left the meeting due to illness.

Answering present to the roll called by Town Clerk Rosemary Rascati were members Bergamini, Diana, Gessert, Killen, Krupp, Papale, Polanski and Rys. Mayor Dickinson was also present. The pledge of allegiance was given to the flag.

Invocation by Rabbi Manson - We stand before you, Master of the Universe, praying for your blessings and protection over all of us. Grant us the wisdom of mind and heart to listen to, understand and feel the needs of others. May we make our decisions guided by good sense, justice and kindness. May we succeed in our mutual goal, to make our beloved town, state and country a better place to live in. Guard and protect all those in positions of leadership. Grant them good health and happiness and reward them for all their acts of loving kindness and self sacrifice. Amen.

Mr. Gessert thanked Rabbi Manson for this evening's prayer.

Public Question and Answer Period

James Groth, Manager of Mountainside Outing Club on the end of High Hill Road, Wallingford, CT referred to a newspaper article on 4/24/84 regarding the closing of Carpenter Lane for the next 9 weeks beginning 4/30/84. This temporary closing is to complete construction of the road and new standpipes for the Bristol-Myers facility. Between May 2 and the beginning of July, 16,000 to 20,000 people will visit Mountainside Outing Club and access and egress maps are sent out well in advance directing traffic down High Hill Road, to Carpenter Lane, out Thorpe Avenue to Route 68 and I-91. This deliberate route is chosen for the safety of the neighbors and residents of High Hill Road since this road is very narrow and steep leading to Route 68. Backed up traffic on High Hill Road would obstruct emergency vehicles entering. There is a great deal of construction in the High Hill Acres area with a heavy flow of construction vehicles, another factor to be considered.

It was stated in the newspaper that this 9 week inconvenience would be worth it in the long run. Road improvements are very well needed in this area and I am in favor of that but we must meet with L. G. DeFelice and the Town Engineer and possibly the Police Chief and others involved and develop an alternate plan to keep one lane open on Carpenter Lane. The main concern is this--if it were Route 68, I am sure both lanes would not be closed down for the contractor. If an emergency vehicle cannot have ready access to that area, who will take the responsibility?

Mr. Gessert asked Mayor Dickinson to address this situation.

Mayor Dickinson stated he did have a conversation with Mr. Groth today and will meet with Mr. Costello, Town Engineer, and resolve this situation with the contractor.

Mr. Krupp observed that Mr. Groth is a very good neighbor in Wallingford and he would like to see his request considered. When the soccer fields were not ready this year, Mr. Groth volunteered the fields at Mountainside to help the league out.

Mayor Dickinson noted that if the Police and Fire Departments were not aware of the procedure followed in this instance, this will be reviewed for the future.

Mr. James J. Heilman, High Hill Road reinforced Mr. Groth's safety concerns for the residents of High Hill Road, particularly the children and agreed this rerouting would present a dangerous situation.

Mr. Peter A. Wasilewski, 164 High Hill Road spoke with Fire Chief McElfish today who was aware of the closing of Carpenter Lane. There is a concern about response time if emergency vehicles must travel up the steep grade of High Hill Road from Route 68. The blasting to be done by the construction firm should have been anticipated well in advance and preparations made to keep one lane of Carpenter Lane open.

Mr. Gessert assured those concerned that the administration would meet very quickly to address and resolve this matter. Mayor Dickinson said there is no question and also noted there is inconvenience involved in such construction projects.

Mr. Edward Musso, 56 Dibble Edge Road expressed a concern that residents of the Housing Authority units were not always Wallingford residents. He also stated that the Board of Education should recognize the goodness received from summer help under various programs at no cost to them and voiced an objection to their hiring of consultants.

Public hearing on AN ORDINANCE AMENDING ORDINANCE #294 ESTABLISHING A "CODE OF ETHICS" FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD.

Mr. Krupp read the above Ordinance which is attached to these minutes, designated as Attachment I, page 1 of 2 and page 2 of 2. He noted that Section III was changed at the request of one or more members of the previous Council who indicated, and properly so, that the term "relations" was not defined in the Code of Ethics and the intent was to define what "relations" constitute.

Changes in "outside and future employment" were made because, under the current code, if the Town Council wanted to summon a former Councilman to present testimony, he could not under the current code. The second reason is a technicality--the current wording of the Charter would prohibit the former Town Attorney from following his practice as Counsel if it involved any of these particular items.

Section XI changes are basically procedural changes. There are no provisions if the Chairmanship is vacated, etc., and right now it is an annual election.

The last section redefines the timing. 30 days is not sufficient time for the Board of Ethics to conduct an investigation and an additional 30 days beyond the setting of a hearing is necessary. 15 days notice to respond is not sufficient if a respondent decides to retain legal counsel and 30 days will allow time to make arrangements for counsel if desired.

Mr. Gessert: Mr. Krupp has presented a good explanation of the changes and asked for questions from the public. There were no questions from the public and Mr. Gessert asked for questions from the Council.

Mr. Killen referred to Section C and asked if the Town Attorney would be able to appear before the ZBA or P & Z on behalf of a client the way this is written--it wouldn't appear that he would and this deprives him of his livelihood. Mr. Krupp noted that common sense would dictate and that would be allowed. Mr. Killen stated that the law and common sense do not always go hand in hand. Mr. Gessert stated that if one is no longer employed by the Town of Wallingford, he or she is no longer bound by the Code of Ethics and Mr. Krupp stated the agency is bound.

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Mr. Krupp also noted that this document was run through the Town Attorney's Office and this is the first time this objection was raised. It has also been through the Ordinance Committee and the objection was not raised. Mrs. Bergamini noted that Section C has been in existence and questioned why this was not brought up before since the implication has always been present. Mr. Killen stated it must either be stricken or made permissible. Mr. Gessert noted there is an inherent problem if a former Town Attorney is representing a client before the ZBA or P & Z and is charged with an ethics violation because of Section VIII, C.

Mr. Polanski moved to table AN ORDINANCE AMENDING ORDINANCE #294 ESTABLISHING A "CODE OF ETHICS" FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD, pending resolution by the Ordinance Committee. This motion was seconded by Mrs. Papale.

Vote: All Council members voted aye with the exception of Mr. Krupp who voted no and the motion was passed.

Mr. Krupp suggested that all comments regarding this ordinance should have been made before the tabling motion and Mr. Killen noted the Ordinance Committee would review all aspects at their meeting.

Mr. Rys read AN ORDINANCE AMENDING ORDINANCE #41, CHANGING THE NAME OF THE "WALLINGFORD INDUSTRIAL DEVELOPMENT COMMISSION" TO THE "WALLINGFORD ECONOMIC DEVELOPMENT COMMISSION" and Mr. Gessert invited questions and comments from the public.

Mr. Musso asked why this name change was necessary and Mr. Krupp explained it is now known as Economic rather than Industrial and this change was allowed by Connecticut General Statutes 19 years ago. Mr. Hamel supported this change and noted that development commissions throughout the state are known as economic rather than industrial. Mr. Diana commended Mr. Krupp for his efforts on the Ordinance Committee and the results being brought forth.

Mr. Rys moved adoption of AN ORDINANCE AMENDING ORDINANCE #41, CHANGING THE NAME OF THE "WALLINGFORD INDUSTRIAL DEVELOPMENT COMMISSION" TO THE "WALLINGFORD ECONOMIC DEVELOPMENT COMMISSION" Attachment II, Page 1 of 1. This motion was seconded by Mr. Diana.

Vote: All Council members voted aye and the motion was passed.

Mr. Polanski read AN ORDINANCE RESCINDING ORDINANCE #195 AUTHORIZING THE AMOUNT OF \$5,000,000 FOR ACQUISITION OF THE GAS BUSINESS AND PROPERTIES OF THE CONNECTICUT LIGHT AND POWER COMPANY LOCATED WITHIN THE TOWN OF WALLINGFORD and Mr. Gessert invited questions from the public--Mr. Musso asked if this had been researched and Mr. Krupp noted it had and was not feasible for the Town.

Mrs. Bergamini moved to rescind ORDINANCE #195 AUTHORIZING THE AMOUNT OF \$5,000,000 FOR ACQUISITION OF THE GAS BUSINESS AND PROPERTIES OF THE CONNECTICUT LIGHT AND POWER COMPANY LOCATED WITHIN THE TOWN OF WALLINGFORD, Attachment III, page 1 of 1. This motion was seconded by Mrs. Papale.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp read and Mrs. Bergamini moved an ORDINANCE TO REPEAL ORDINANCE NUMBERS 6, 7, 21, 24, 30, 87 AND 111, WHICH ARE OBSOLETE AND NO LONGER RELEVANT TO THE CURRENT OPERATION OF GOVERNMENT IN WALLINGFORD, Attachment IV, page 1 of 2 and page 2 of 2. This motion was seconded by Mr. Rys.

There were no questions or comments from the public.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp moved to move agenda item 13 to this position, seconded by Mr. Rys. All Council members voted aye and the motion was passed.

Mrs. Bergamini read the 4/13/84 letter from Vivienne Goodrich, Democratic Registrar of Voters and \$200 transfer request.

Mrs. Papale moved to establish new line item A/C 601-580-05 Polling Place Rental Presidential Preference Primary, seconded by Mr. Polanski.

Vote: All Council members voted aye and the motion was passed.

Mr. Killen moved the transfer of \$100 from A/C 601-135-03 and \$100 from A/C 601-580-01, a total of \$200 to A/C 601-580-05, seconded by Mrs. Papale.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp moved to waive Rule V for the purpose of confirming the Mayor's appointments to the Board of Ethics. This motion was seconded by Mr. Rys.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp read the 4/24/84 letter from Mayor Dickinson regarding appointments to the Board of Ethics and Mrs. Bergamini moved confirmation of Rev. Bruce Bunker, Ralph Ives, Rabbi Michael Manson, Temporary Chairman, Charlotte P. Wallace and Janis Webster, Alternates Willard Burghoff and Jack Winkleman, for a two year term expiring December 31, 1985. This motion was seconded by Mr. Krupp.

Mr. Krupp noted he has not had the pleasure of dealing with Mr. Winkleman; Mrs. Webster is well worth having on the Board; Willard Burghoff, Rev. Bunker, Mrs. Wallace, Mr. Ives and I had the pleasure of serving on the Board of Ethics and these people have all served with distinction and dignity and I'm very proud and happy to see them recommended for reappointment. I'm especially ecstatic to have Rabbi Manson on the Board since we have had priests and ministers and finally, we have a Rabbi. This represents an excellent slate for that Board.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp moved to waive the waiting period to allow the Board to arrange its organizational meetings and elect a Chairman. This motion was seconded by Mrs. Bergamini.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert introduced Mr. Burghoff, Mrs. Webster, Mr. Ives, Rev. Bunker, Mr. Winkleman and Rabbi Manson and they were sworn in by Rosemary Rascati, Town Clerk.

Mr. Gessert asked Mr. Hamel to make a presentation while the Council was still under waiving of Rule V.

Mr. Hamel stated he received a letter today regarding a Wallingford student who was formerly on the Wallingford Audit Technical Team, currently attending Boston University. There is a possibility of that student joining us on the College Work Study Program which is funded 70% by the federal government, with the Town picking up 30% of the wages and fringe benefits. The proposal is for that student to perform an analysis of some of the best ways for us to save energy with a minimal amount of expense and best payback. A computerized program would be written to determine energy usage.

Mr. Hamel stated it would cost about \$900 for the summer, the Town's share of wages and fringe benefits. These students are employed by the college and the Town is billed monthly for their share of the cost. If the Council has no objections, the energy conservation student could be billed from the energy conservation account since this is billed from the university. This study will allow for a more systematic approach and will allow for better monitoring of energy usage in each building. Mayor Dickinson will be presented with all documentation before any expenditures are made and the student will not have the authority to spend money. Supervision of this student will be under the direction of Mr. Charles Walters or Mr. Hamel's office. No motion was necessary on the information presented.

#### Hydroxide Metal Site at Landfill

The State of Connecticut met last week with John Costello, Mike Cassella and Phil Hamel and it was determined that the metal hydroxide site at the landfill will not be closed by the deadline by doing the work in house. Engineering work was to be completed by 5/30/84 but there were delays and we need an extension and can probably get a 30 or 60 day extension, but not any longer. Mr. Hamel proposed to get quotes from consultants in this field and present them at the next Council meeting for approval, rather than go through a formal bidding process. This will save time.

Mr. Diana asked about cost estimates and Mr. Hamel stated he had a ballpark estimate of \$15,000 but no written figures. One of the reasons it cannot be done in house is that the Engineering Department must become familiar with all the state and federal DEP regulations for this closure and the man hours involved for the design are significant. Mr. Diana stated that the Council is asked to make decisions such as this under time constraints and sometimes the decision made comes back to haunt the town. Mr. Hamel noted that the DEP regulations are very extensive and have changed since the original regulations were published.

Mr. Rys asked what was involved in closing this site to conform to state and federal guidelines. Mr. Hamel stated that this acre is composed of a stable compound unless they are exposed to acid in which case there is leaching into the soil. This area must be sealed off with something impervious to water, a drainage layer on top of that and then seeded. A very detailed engineering survey must be performed and accepted by the state. In concept, water must be kept from going on that pile to eliminate acid. The actual work with hydroxide is much more difficult than that. Monitoring this area will be part of the budget for 30 years, an estimate of \$4,000 per year. There are 4,000,000 tons which would cost \$200 per ton to move from the present site and dispose of elsewhere.

Mr. Polanski inquired about funding from the industries who deposited the metal hydroxide wastes at the landfill to help offset the cost of this venture. Mr. Hamel stated that this is a combination of hydroxides and some of this deposit was created from the town sewage treatment plant and this is far more extensive.

Mr. Hamel stated again that this information is presented this evening for the Council's information and he would come back to ask the Council to waive the bidding when quotes are received. Mr. Killen suggested the Council consider waiving the bid now.

Mr. Killen moved to waive the bid to seek proposals from consultants to present a plan for closure of the metal hydroxide site at the landfill, to meet all federal and state regulations. The proposal will be brought back to the Council for awarding. Mrs. Bergamini seconded the motion.

Vote: All Council members voted aye with the exception of Councilmen Krupp and Diana who voted no and the motion passed.

Mrs. Papale read the 4/17/84 letter from Mr. Hamel regarding a resolution to operate the College Work Study Program.

Mrs. Papale moved a RESOLUTION AUTHORIZING MAYOR TO SIGN AGREEMENTS AND TO IMPLEMENT A COLLEGE WORK STUDY PROGRAM FOR THE TOWN.

RESOLVED, by the Town Council of the Town of Wallingford that the Mayor of Wallingford is hereby authorized to take whatever action is necessary to implement a college work study program in the Town of Wallingford and to sign agreements on behalf of the Town with various institutions of Higher Education as required in order to implement said program subject to the Town Attorney's review and approval of each and every agreement, and to the extent that sufficient funds have already been appropriated.

This motion was seconded by Mr. Krupp.

Mr. Hamel explained the selection of the college students and noted that the town's cost is a little less than 40% of total wages and the students are Wallingford residents.

Vote: All Council members voted aye with the exception of Councilmen Krupp and Rys who were not present for the vote and the motion was passed.

Mrs. Papale moved a transfer of \$369 from 154-135 to 154-650, seconded by Mr. Polanski.

Vote: All Council members voted aye with the exception of Councilmen Krupp and Rys who were not present for the vote and the motion was passed.

Mr. Gessert read the 4/2/84 memo from Mr. Deak, agenda item 7(a). 227

Mrs. Bergamini moved a transfer of \$800 from 505-130 to 509-540, seconded by Mr. Polanski.

Mr. Diana noted that the boiler was off during the recent tour of Parker Farms School and Mr. Deak stated it was turned off after the last primary held there due to warmer weather and the boiler was in good working order.

Vote: All Council members voted aye with the exception of Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Gessert read the 4/9/84 memo from Mr. Deak, agenda item 7(b).

Mrs. Bergamini moved a transfer of \$492 from 504-140 to 504-481, seconded by Mr. Polanski.

Mr. Polanski asked Mr. Deak if the town checked for damage to roads, etc. after plowing and Mr. Deak has all requests for repairs listed and two patch trucks are presently filling pot-holes and other repairs will be made on a timely basis.

Vote: All Council members voted aye with the exception of Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Deak noted that nearly 400 loads of branches and tree debris were collected by Public Works as a result of the ice storm and during the past weekend, residents have placed much more for collection.

Mrs. Papale noted that the condition of Pent Road is very poor and Mr. Deak is in the process of patching there but has in the coming budget a request for funds for paving. There was a question of ownership of the Pent Road in the past and Mrs. Bergamini stated she would be reluctant to fund town paving without clear title.

Mr. Gessert read the transfer request for agenda item (8) and Mrs. Bergamini asked why the estimated postage figure was so far off. Mr. Dunleavy noted that the Council did not approve a budget increase in this line item last year. Mr. Krupp asked what controls existed to prevent abuses of this postage for personal use and Mr. Dunleavy stated that two complaints have been filed in the 13 years he has been here and one was corrected immediately with restitution made for an honest mistake accepted in that vein. The only other complaint was by a member of the Council who chose not to pursue it. Mail in an official town envelope is processed; private mail is not.

Mr. Polanski inquired about how many pieces of mail are sent from the Tax Collector to which Mr. Fields replied about 30,000, representing 47,000 bills.

Mr. Killen noted that the \$5,800 request for agenda item (8) was being taken from different accounts and Mr. Myers noted it was all Department of Finance. Mr. Killen stated that allowing a department head to transfer funds from various line items causes a loss of control on the part of the Council.

Mr. Krupp moved a transfer of \$2,306 from 140-525 and \$3,494 from 145-130, a total of \$5,800 to 146-408, requested by Mr. Dunleavy. This motion was seconded by Mrs. Papale.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp moved a transfer of \$366 from 142-130 to 142-890 requested by the Tax Collector. This motion was seconded by Mr. Rys.

Vote: All Council members voted aye with the exception of Mrs. Bergamini who was not present for the vote and the motion passed.

Mr. Krupp moved approval of the following tax refunds:

Elizabeth E. Beckwith	\$121.31
Hertz Vehicle Management NY Corp.	20.36
Daniel Schipritt	223.64
	<u>\$365.31</u>

Mr. Rys seconded the motion.

Mr. Fields explained that a figure is budgeted for refunds but the exact amount is difficult to determine.

Vote: All Council members voted aye with the exception of Mrs. Bergamini who was not present for the vote and the motion passed.

Mrs. Papale moved to set a public hearing on May 1, 1984 at 7:15 p.m. ON AN ORDINANCE AMENDING ORDINANCE #299 TO INCREASE THE ELECTRIC DIVISION WORKERS' COMPENSATION RESERVE ACCOUNT FROM \$50,000 TO \$100,000. This motion was seconded by Mr. Killen.

Vote: All Council members voted aye and the motion was passed.

Mr. Killen moved to waive Rule V for the purpose of a discussion with Mr. Walters, Electric Division. This motion was seconded by Mrs. Papale.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert presented the nature of the Electric Division's request to accept proposal for engineering services for additional line work. It was noted that this presentation was delayed because of the ice storm activities.

Mr. Walters referred to his letter dated 4/23/84, a copy of which was distributed to the Council this evening. The lowest proposal of \$24,700 has been reviewed and appears to cover all items to be accomplished and recommendation is made to the Council that the Electric Division be allowed to enter into an agreement with Power Line Models, Inc.

Mr. Krupp moved to waive the bidding procedure to allow the Electric Division to enter into an agreement with Power Line Models, Inc. for required engineering services in connection with performing a survey of the distribution system, its present loading, its ability to serve new loads in various areas, and to recommend steps to correct any deficiencies that are identified.

This motion was seconded by Mrs. Bergamini.

Mr. Myers pointed out that this represents \$9,400 for 1983-84 and at no point in time now can the Council or the Electric Division commit funds on 1984-85. Waiving this bid can only be inclusive of June 30, 1984 and would not carry forward into the next fiscal period. Mr. Walters noted that this project will have several phases and the Council will be asked to waive the bid for each phase.

Mr. Myers stated that the solution is to put a disclaimer in here and in the contract stating that subsequent funding is contingent upon proper appropriation being sufficient in the 1984-85 Electric Division enterprise fund funding. Mr. Walters stated this will be coordinated with the Town Attorney's Office.

Vote: All Council members voted aye with the exception of Mr. Polanski who was not present for the vote and the motion was passed.

Mrs. Papale approved awarding the bid to the lowest bidder, Power Line Models, Inc., not to exceed \$9,400 in the 1983-84 budget year. This motion was seconded by Mr. Polanski.

Mr. Killen expressed a concern that Power Line Models, Inc. may come in with a higher bid for the next phase of the project and Mr. Walters stated he did not foresee a problem.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp moved to set a public hearing on May 8, 1984 at 7:45 p.m. ON AN ORDINANCE APPROPRIATING THE SUM OF SEVEN HUNDRED TEN THOUSAND DOLLARS (\$710,000) FOR VARIOUS MUNICIPAL CAPITAL IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.

This motion was seconded by Mr. Rys.

Vote: All Council members voted aye with the exception of Mr. Polanski who was not present for the vote and the motion was passed. (PLEASE NOTE THE MAY 8, 1984 TOWN COUNCIL MEETING WILL BE HELD AT THE PUBLIC LIBRARY.)

Mr. Gessert read Mr. Seadale's memo of 4/18/84 and associated transfer request. 229

Mrs. Bergamini moved a transfer of \$2,725 from 804-835-01 to 804-829, requested by the Director of Personnel. This motion was seconded by Mrs. Papale.

Mr. Krupp asked if the Ferrier and Carruthers unemployment claim was contested and Mr. Seadale stated it was contested and lost and the only way it could have been won was to put on the entire hearing which was put on with the Personnel & Pensions Appeals Board.

Vote: All Council members voted aye with the exception of Mrs. Bergamini who passed and Mr. Krupp who voted no and the motion was passed.

Mr. Gessert read Mr. Donald Roe's letter of 4/16/84 and introduced Mr. Robert Jacunski and Mr. Thomas Bergvik from the Wallingford Citizens Task Force for Drug Free Use. Mr. Roe stated this program just started in November or December and is in the data collection phase. Documents were distributed to the Council regarding the PRIDE survey and it was noted that this is a cost of 23¢ per student with an overall processing fee of \$15 and other surveys were more costly.

Mr. Gessert felt this was a very good step to define the problem and then proceed to attack the problem.

Mr. Krupp moved the establishment of a new line item A/C 3-834-680-44, Alcohol and Drug Program, requested by Youth Service Bureau. This motion was seconded by Mr. Rys.

Mr. Krupp stated that the concept of drug and alcohol use in schools is frightening to parents in this community and anything which will serve to attack this problem, I will support. A serious problem exists which deserves and needs immediate attention and this is a step in the right direction. Mr. Diana echoed his support of this but noted that there are many studies done on problems of this nature but the problem seems to be getting worse. Does it appear that the problem will be addressed? Mr. Bergvik stated that the problem is now drifting into grades 4, 5 and 6 and there are 12 or 13 year olds becoming alcoholics. We are seeking to address this problem from a prevention aspect and eventually will be dealing with children at the elementary level. We are not going to wipe it out but if we can reduce it significantly, we will have done a great service to the community. Mr. Rys noted he has attended these meetings and the Council should be aware that they are open meetings; he is convinced the problem is there and the meetings are very informative. Mr. Roe said the target date for this project is before the end of the school year but the distribution through the utilization of the school system is not yet finalized. There is a meeting planned with school officials regarding implementation of the survey. The turnaround time in terms of processing the data is very short and the computer results should be available this summer. Mr. Jacunski said a meeting has been scheduled on 4/26/84 with the Board of Education to discuss the administration of this data. This Task Force is non-profit and welcomes all the volunteers they can get. This program is now in the fact finding stage and this survey, developed by PRIDE, is administered by a curriculum consultant. We are trying to educate our young people and perhaps the next generation will become aware of some of the problems of marijuana. We are spending \$16,000,000 to \$17,000,000 per year on education in Wallingford. One of the side effects of marijuana is impairment of memory function and if our students' memories are impaired and they are not really learning, it seems we are wasting taxpayers' dollars, not to mention young lives.

Vote: All Council members voted aye and the motion was passed.

Mr. Krupp moved the transfer of \$500 from A/C 3-834-465-44 to A/C 3-834-680-44, requested by Youth Service Bureau. This motion was seconded by Mr. Rys.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert moved to item (16)--discussion of and possible action on the establishment of a memorial to the veterans of the Viet Nam conflict, requested by Councilman James A.G. Krupp.

The following four gentlemen were introduced--Charles Park, East Wallingford resident and physician's assistant in New Haven, Tony Baia, supervisor for MetroNorth and Wallingford resident since 1972, John Henninger, Wallingford resident and Kenneth Polanski, free lance photo journalist. Mr. Polanski brought some photos of the Viet Nam Veterans Memorial in Washington, DC.

Mr. Krupp: My fellow Council members know that my forte is detail and mechanics. They also know that my sense of integrity prohibits me from claiming credit for an idea which originated with another person. Such is the case with this proposal. The idea for a memorial for those who served in Viet Nam sprang from conversations with a friend and neighbor whom I've known for 11 years, who is now a fellow Councilman. Coincidentally, this person is also a Viet Nam veteran and has received several decorations for valor for his service in that conflict.

We've all seen the ads recently for the Time-Life series of books on the Viet Nam War. Most of the interview comments offered are bitter observations on the war but at the end, John DePino states, "I love my country. . .it was an honor to serve in Viet Nam." This last statement exemplifies the attitude of this fellow Councilman toward his service to our country, and, in my opinion, the attitude of the overwhelming majority of those who served, and sometimes died, in southeast Asia; it is this spirit which we seek to immortalize with this memorial. Think about the grandeur of that statement, "I love my country!" It is a concept to which many of us pay lip service, yet too few of us have the opportunity to prove in our lifetimes; but those who served in Viet Nam proved it.

Mr. Krupp (continued)

I would ask my fellow Council members that, if we proceed with the action I have recommended in the third paragraph of the letter you have before you, the right and honor of making the appropriate motion be deferred to the man who is truly behind the concept of this memorial and a man who proved that he loves his country, Councilman Ray Rys.

Thank you.

Mr. Rys: The Viet Nam War was a war where many men fought and died and a war where many suffered permanent injuries, physically and mentally. What we must remember is that these people who were summoned by their country responded to help fight the persistent and vigorous aggressor halfway across the world and did so with pride and dignity. It is my intention tonight to move the following resolution:

**A RESOLUTION ESTABLISHING THE "VIET NAM WAR VETERANS MEMORIAL PARK"**

WHEREAS, the Town of Wallingford wishes to recognize and commemorate the loyalty, service and devotion to the duty of American personnel who served with honor in the Viet Nam conflict through the establishment of a permanent memorial,

BE IT THEREFORE RESOLVED by the Town Council of the Town of Wallingford in session, that the recreational facility on East Center Street provided for in the 1984-85 Capital Budget, is hereafter designated as the "Viet Nam War Veterans Memorial Park."

This motion was seconded by Mr. Krupp.

Mr. Gessert stated that there is strong sentiment on the part of this Council to applaud the actions and efforts of the Viet Nam veterans and the community owes these veterans an apology for the tardiness of its appreciation. A debt of gratitude is owed you by your country, state and town.

Mr. Killen noted there is a section in Prageman Park dedicated to those who lost their lives in Viet Nam and trees were planted in their memory by the VFW and a group called the Ferndocks and there is a boulder with their names inscribed. The intent should be noted that this park will be maintained to the best of our ability, along with all other parks.

Mr. Baia asked that, since plans for a monument at the "Viet Nam War Veterans Memorial Park" are not being presented at this time, consideration be given to a committee, setting up their own public funds, for a memorial to be designed by a Wallingford resident and built by a Wallingford resident, to be located at the north end of Dutton Park. 231

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert proposed that the Council appoint a committee of 4 Councilmen, the 4 gentlemen present and Tim Shaw who would be happy to serve on the committee. This committee will come back to the Council with a recommendation of a location for a centrally located monument in memory of the Viet Nam veterans, figures of cost estimates, etc. and go forward with design and construction.

Mr. Gessert moved to appoint a committee to establish a monument in memory of Viet Nam War veterans to include James A.G. Krupp, Raymond J. Rys, Sr., Albert E. Killen and David A. Gessert who will serve as the Temporary Chairman and Charles R. Park, Tony Baia, John Henninger, Kenneth Polanski and Tim Shaw. This motion was seconded by Mr. Krupp.

Mr. Diana agreed that this memorial should be located in the downtown district and suggested the Town green at the railroad station as a focal point. Mayor Dickinson stated he is in full support of the memorial but pointed out that there may be a gazebo located at the railroad station. Mr. Gessert noted that a memorial located on the outskirts of town would be subject to more vandalism than a central location. If a site could be located before May 6, 1984, this could be lined off and designated for the Loyalty Day Parade, an appropriate gesture. Mr. Krupp suggested the Town Engineer be contacted to provide a layout of Dutton Park and Mr. Kenneth Polanski noted that the bench is already there and all that is needed is the monument. Mr. Killen will contact John Costello for this information.

Mr. Kenneth Polanski stated a sculptor has been found who worked for Yale University for 30 years. Dutton Park was selected because the Civil War monument is there and the Viet Nam War was a civil war and in Washington, DC, the Viet Nam Wall points to both Lincoln and Washington, the Revolutionary War and the Civil War. Mr. Henninger stated Dutton Park was selected for continuity, Main Street, USA and this is the farthest you can go on Main Street.

Mr. Park noted that only 4 calls were received from Viet Nam veterans after publication of the article in the New Haven Register indicating that Viet Nam veterans resist coming out and identifying themselves. Time is needed to get names together for this memorial.

Mr. Henninger thanked all the Council members, particularly Mr. Krupp, for the dedication naming the park. Any help given to obtain names of veterans of Viet Nam will be appreciated since this task is awesome. Mr. Krupp suggested cross referencing to names of those who received the National Defense Service Medal, providing identification of those who served in the Viet Nam era. Mr. Henninger pointed out that many of these veterans are still bitter and don't trust the system and groups are located in the north woods or Oregon and Washington, some in California and some in VA Hospitals drugged up. Some never came forward for their \$300 bonus or tax exemption and this is a problem facing us. We did not go to Viet Nam as a unit and did not come back as a unit.

Mr. Kenneth Polanski noted that a slide presentation will be presented at the library television station in Wallingford and Channels 8 and 3 and the 3 major newspapers will be approached. Hopefully, more veterans will come forward. Space will be available on the monument to add names as received. It is hoped that this monument will be complete and dedicated on Veteran's Day in November, 1984.

Vote: All Council members voted aye and the motion was passed.

Mr. Gessert thanked the gentlemen and appointed Ray Rys as Co-Chairman of this committee.

Mr. Krupp noted for the record the minutes of the Ordinance Committee meeting of April 4, 1984, seconded by Mrs. Bergamini.

Vote: All Council members voted aye with the exception of Councilmen Diana and Rys who were not present for the vote and the motion was passed.

Mr. Gessert read agenda item (18) and Mr. Krupp moved the transfer of \$3,300 from Unappropriated General Fund Balance to A/C 136-608 Audit Contract, requested by the Comptroller. This motion was seconded by Mr. Polanski.

Mr. Killen stated he was not impressed with the last audit due to the sparcity of it. Mr. Myers noted that the Town Council decided in 1983 to seek proposals for audit services which is required by Connecticut Statutes. At that point, Arthur Andersen had conducted 4 audits for the Town. Proposals were sent to 9 firms and 4 were selected for interviews in April, 1983. The Arthur Anderson audit was conducted for \$23,000. On May 10, 1983, the Council appointed Levitsky & Berney at an audit contract price of \$25,000 for fiscal year 1982-83. The budget for 1982-83 was only \$23,000 and on 5/24/83, an additional \$2,000 was appropriated. In the meantime, the 1983-84 budget was already adopted, using the \$23,000 figure, and the budget was improperly funded which we did not know at the time. Mr. Myers noted there have been significant changes in the national accounting standards for towns and cities in an effort to make uniform accounting and reporting countrywide and that is why the audit report is a consolidated document and does not have the detail the old audit reports had and it never will again. Today, the Council receives up-to-date financial information every month from the Department of Finance. Auditors are paid to render an opinion as to the propriety and correctness of the financial information you receive every month. Mr. Killen noted that the auditors have never challenged the contingency account, ever present for them to see.

Mr. Myers stated that the consolidated audit is most useful to the financial community in New York which presents the financial posture of this community and the administration of those finances. That is the way this comprehensive annual financial report is meant to be used. This report contains financial and socio-economic information as well. Regardless of who does this audit, the form will not change.

Mr. Krupp asked if this audit contract went out to bid and Mr. Myers stated it goes out as a request for a proposal, similar to a bid. Auditors cannot be changed every year and you must look at 4 to 5 year audit periods. Mr. Krupp asked Mr. Myers to have the auditors provide in their audit report next year an indication of whether criticisms are repeat criticisms. There is no way of knowing how many years a certain comment has been recurring from looking at the audit. Mr. Myers will be happy to do so and noted he has followed up on every recommendation made by the auditors and most have been implemented but some will take some years. Board of Ed pays their portion and Electric, Water & Sewer is billed and collected through the revenue side.

Vote: Council members Bergamini, Diana, Papale, Polanski and Rys voted aye; Council members Gessert and Killen voted no; Councilman Krupp was not present for the vote and the motion was passed.

Mr. Gessert moved to item (19) and Attorney McManus stated there were approximately 18 real estate tax appeals pending, and all but 6 or 7 are finalized but are due to come up over the next several months.

Mrs. Papale moved an appropriation of \$5,000 from the Unappropriated General Fund Balance to A/C 132-901 Professional Services, requested by the Town Attorney. This motion was seconded by Mr. Diana.

Vote: All Council members voted aye with the exception of Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Gessert read the letter from David Bersch of Crackerjack Video offering to donate his production services to the Town of Wallingford and thanked David for his offer and suggested the services might be beneficial to the Economic Development Commission.

Mr. Killen moved acceptance of the Town Council meeting minutes of April 10, 1984, seconded by Mrs. Bergamini.

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Vote: All Council members voted aye with the exception of Mr. Krupp who was not present for the vote and the motion was passed.

Mr. Gessert stated there is a special meeting on May 1, 1984. He sent a letter to Mayor Dickinson and Mr. Parisi regarding the ORFA concept which 4 Council members have seen and decided it was worth pursuing and a presentation will be made on May 7, 1984 at 7:30 p.m. This meeting will be open to the public.

Mr. Gessert read the letter from Chief Bevan addressed to Mr. Soldan, Superintendent of Schools, regarding crossing guard requirements for the 1984-85 school year. Mr. Diana expressed his thanks to the Chief for sending that letter well in advance of the coming school year.

Mr. Gessert noted the letter from Mayor Dickinson regarding security measures taken by Mr. Deak at Parker Farms School and the copies of invoices received from Mr. Myers relative to the upcoming Loyalty Day Parade.

Mrs. Papale moved to go into Executive Session for the purpose of discussing pending litigation, seconded by Mrs. Bergamini.

Vote: All Council members voted aye and the meeting moved into Executive Session at 10:55 p.m.

A motion was duly made, seconded and carried and the meeting moved out of Executive Session at 11:15 p.m.

Mr. Krupp moved to authorize payment of a \$2,000 claim as presented by the Town Attorney, seconded by Mrs. Papale. (Harold Crump).

Vote: All Council members voted aye and the motion was passed.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 11:20 p.m.

Delores B. Fetta  
Council Secretary

Approved

  
David A. Gessert, Vice Chairman

5-8-84  
Date

  
Rosemary A. Rascati, Town Clerk

5-8-84  
Date

TABLED

AN ORDINANCE AMENDING ORDINANCE #294 ESTABLISHING A "CODE OF ETHICS"  
FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD

Be it enacted by the Town Council in Session that File #294, "AN ORDINANCE TO REPEAL ORDINANCE #63 AS AMENDED BY ORDINANCE #153 AND TO SUBSTITUTE THEREFOR A NEW ORDINANCE ESTABLISHING A 'CODE OF ETHICS' FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD", is amended as follows:

SECTION III. DEFINITIONS - The following subsection is herein added:

d. RELATIONS shall be defined as follows:

1. BLOOD RELATIONS shall include grandparent, parent, brother/sister, child, grandchild, uncle/aunt, nephew/niece, and first cousin, whether such relations occur through blood lineage or adoption,
2. RELATIONS BY MARRIAGE shall include the current spouse and all blood relations of the spouse as defined in III.d.1 above,
3. IMMEDIATE FAMILY shall include grandparent, parent, brother/sister, child, and grandchild, whether such relations occur through blood lineage or adoption, as well as the current spouse and his/her immediate family as defined above.

SECTION VIII (OUTSIDE AND FUTURE EMPLOYMENT), Paragraph C is amended as follows:

- C. No former official or employee shall appear before any Town agency in which he/she was formerly employed, acting, or participating on behalf of the Town at any time within a period of two (2) years after termination of his/her services with the Town, except where said former official or employee is acting on his/her own behalf, has been properly summoned as a witness before the agency, or is acting as Counsel to a respondent in a Town Council investigation convened under the provisions of Chapter III, Section 10 of the Town Charter, a removal proceeding convened by an appropriate authority under the provisions of Chapter II, Section 11 of the Town Charter, or a Board of Ethics hearing convened under the provisions of Chapter XVII, Section 1.B.2.b of the Charter and Section XI.C of this "Code of Ethics".

SECTION XI (BOARD OF ETHICS), Paragraph B is amended as follows:

- B. The Board of Ethics shall elect biennially a Chairperson from its own membership, who shall serve a two-year term beginning on January 1 of each even-numbered year. In the event of the permanent inability of the Chairperson to serve, the appointing authority shall designate an Acting Chairperson to serve until the next meeting of the Board of Ethics: the Board shall elect a new Chairperson at a special meeting to be convened by the Acting Chairperson within thirty (30) days after the position of Chairperson has been vacated. The Board shall establish its own rules of procedure except as relates to the conduct of public hearings as set forth in Chapter XVII, Section 1.B.2.b of the Charter. It shall keep records of its meetings as

TABLED

AN ORDINANCE AMENDING ORDINANCE #294 ESTABLISHING A "CODE OF ETHICS"  
FOR OFFICIALS AND EMPLOYEES OF THE TOWN OF WALLINGFORD

SECTION XI.B (continued)

required by the Connecticut General Statutes and shall hold meetings at the call of the Chairperson or Acting Chairperson and at other such times as the Board may require. Five (5) members shall constitute a quorum.

SECTION I (BOARD OF ETHICS), Paragraph C (Investigation by the Board), fourth (4th) sentence only is amended as follows:

If the Board determines that the complaint alleges sufficient facts to constitute a violation, then within sixty (60) days after the receipt of said complaint, the Board shall fix a date for the hearing on the allegation contained therein, which hearing date shall not be more than ninety (90) days after the receipt of the complaint, and the Board shall give notice of the date fixed for the hearing at least thirty (30) days before the date of the hearing, and shall so notify the complainant and respondent by registered mail.

(EDITORIAL NOTE: additions and/or changes to wording in Ordinance #294 have been underlined for ease of reference.)

EFFECTIVITY: This amending Ordinance shall become effective in accordance with the provisions of Chapter III, Section 7 of the Town Charter. Copies shall be distributed to all elected and appointed officials and department heads as of that date, and further shall be provided as an addendum to Ordinance #294 at any such time as copies of the original Ordinance are issued.

I HEREBY CERTIFY that the above Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 1984, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Rosemary A. Mascati  
Town Clerk

Approved: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

Date: \_\_\_\_\_

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File # \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE #41, CHANGING THE NAME OF  
THE "WALLINGFORD INDUSTRIAL DEVELOPMENT COMMISSION" TO THE  
"WALLINGFORD ECONOMIC DEVELOPMENT COMMISSION"

Be it Enacted by the Town Council in Session:

I.

In recognition of the fact that the scope and function of the Industrial Development Commission of the Town of Wallingford has evolved since its inception in 1962 to encompass the total economic development of the Town of Wallingford, Ordinance #41, "AN ORDINANCE TO INCREASE THE MEMBERSHIP OF THE WALLINGFORD INDUSTRIAL DEVELOPMENT COMMISSION FROM FIVE MEMBERS TO SEVEN MEMBERS", is hereby amended to change the name of this agency to the "Wallingford Economic Development Commission".

II.

All other provisions of Ordinance #41, relating to membership, powers, duties, and enabling legislation, shall continue in effect.

I HEREBY CERTIFY that the above Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 1984, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Rosemary A. Rascati  
Town Clerk

Approved: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

Date: \_\_\_\_\_

AN ORDINANCE RESCINDING ORDINANCE #195 AUTHORIZING THE  
AMOUNT OF \$5,000,000 FOR ACOUSITION OF THE GAS BUSINESS  
AND PROPERTIES OF THE CONNECTICUT LIGHT AND POWER COMPANY  
LOCATED WITHIN THE TOWN OF WALLINGFORD

Be it Enacted by the Town Council in Session:

Whereas no action to acquire the gas business and properties of the Connecticut Light and Power Company located within the Town of Wallingford has occurred since the adoption of Ordinance #195 on December 12, 1974,

And whereas no bonds and notes have been issued to defray this appropriation,

Ordinance #195, entitled "AN ORDINANCE APPROPRIATING FIVE MILLION DOLLARS (\$5,000,000) FOR THE ACOUSITION OF THE GAS BUSINESS AND PROPERTIES PRESENTLY OWNED BY THE CONNECTICUT LIGHT AND POWER COMPANY AND LOCATED WITHIN THE TOWN OF WALLINGFORD, INCLUDING MISCELLANEOUS FEES AND EXPENSES, AND AUTHORIZING THE ISSUE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION", is hereby rescinded.

I HEREBY CERTIFY that the above Ordinance was enacted by the Town Council of the Town of Wallingford this \_\_\_\_\_ day of \_\_\_\_\_, 1984, in accordance with the provisions of the Charter of the Town of Wallingford.

\_\_\_\_\_  
Rosemary A. Rascati  
Town Clerk

Approved: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

Date: \_\_\_\_\_

AN ORDINANCE TO REPEAL ORDINANCE NUMBERS 6,7,21,24,30,87, AND 111,  
WHICH ARE OBSOLETE AND NO LONGER RELEVANT TO THE CURRENT OPERATION  
OF GOVERNMENT IN WALLINGFORD

BE IT ENACTED by the Town Council in Session:

I.

Ordinance Numbers 6,7,21,24,30,87, and 111 (full titles given below) are hereby repealed, as they are obsolete and no longer relevant to the current operation of government in the Town of Wallingford. A detailed listing of these Ordinances and reasons for repeal is as follows:

FILE #: 6

DATE ENACTED: 3/27/62

TITLE: ORDINANCE SETTING THE DATE FOR THE ASSESSMENT OF TAXES AND THE COLLECTION THEREOF

REASON FOR REPEAL: Single purpose Ordinance, refers only to Fiscal Year 1963-64

FILE #: 7

DATE ENACTED: 4/3/62

TITLE: ORDINANCE AUTHORIZING FOURTH OF JULY CELEBRATION

REASON FOR REPEAL: Single purpose Ordinance, refers only to 1962 celebration

FILE #: 21

DATE ENACTED: 7/25/62

TITLE: AN ORDINANCE CONCERNING COMPENSATION OF PUBLIC UTILITIES COMMISSIONERS

REASON FOR REPEAL: Single purpose Ordinance, refers only to the year 1962

FILE #: 24

DATE ENACTED: 9/25/62

TITLE: AN ORDINANCE CONCERNING THE USE OF SPACE HEATERS

REASON FOR REPEAL: Section 29-60a of the Connecticut General Statutes now prohibits the sale and/or use of space heaters; therefore, this Ordinance regulating such use is no longer valid.

FILE #: 30

DATE ENACTED: 12/4/62

TITLE: AN ORDINANCE CONCERNING THE VOTING HOURS ON THE REFERENDUM TO BE HELD ON JANUARY 10, 1963

REASON FOR REPEAL: Single purpose Ordinance (see title)

FILE #: 87

DATE ENACTED: 9/28/65

TITLE: AN ORDINANCE TO CONSIDER THE EXTENSION OF VOTING HOURS AT THE COMING BIENNIAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 2, 1965 AT 8:00 P.M. SO THAT VOTING HOURS WILL BE FROM 6:00 A.M. TO 8:00 P.M. STANDARD TIME

REASON FOR REPEAL: Single purpose Ordinance (see title)

AN ORDINANCE TO REPEAL ORDINANCE NUMBERS 6,7,21,24,30,87, AND 111,  
WHICH ARE OBSOLETE AND NO LONGER RELEVANT TO THE CURRENT OPERATION  
OF GOVERNMENT IN WALLINGFORD

(continued)

FILE #: 111

DATE ENACTED: 12/28/67

TITLE: AN ORDINANCE TO PROVIDE FOR THE COMPENSATION OF THE MEMBERS  
OF THE TOWN COUNCIL

REASON FOR REPEAL: Single purpose Ordinance, refers only to the  
year 1968

II.

In repealing these Ordinances, this Ordinance continues to  
preserve and protect any legal and/or historical significance which  
may be attributed to these Ordinances.

I HEREBY CERTIFY that the above Ordinance was enacted by the  
Town Council of the Town of Wallingford this \_\_\_\_\_ day of  
\_\_\_\_\_, 1984, in accordance with the provisions of the  
Charter of the Town of Wallingford.

\_\_\_\_\_  
Rosemary A. Rascati  
Town Clerk

Approved: \_\_\_\_\_  
William W. Dickinson, Jr., Mayor

Date: \_\_\_\_\_