

Summary of Town Council MinutesFebruary 28, 1984

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Town Council MeetingFebruary 28, 1984

A regular meeting of the Wallingford Town Council was held in Council Chambers and was called to order by Chairman Parisi at 7:30 p.m.

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

Prayer by Reverend Charles Kellmer, First Congregational Church:

Almightly Father, we gather this evening as your servants and yet the servants of mankind. We ask that we may be true to your calling, both as your children, and as representatives of the people of Wallingford. We ask that from Thy grace we can find guidance and wisdom and strength and, most of all, comfort. We ask this in the name of Thy son, Jesus Christ. Amen.

PUBLIC QUESTION & ANSWER PERIOD

James Sibley, 3 Eaton Trail: As a taxpayer and concerned citizen of Wallingford, I cannot support the Charter revision at this time. There may be gray areas which the Town Attorney should be able to straighten out. The real issue is the recall part of the Charter. It was the members of this Council that reopened the recall issue in January of this year and now they are calling for Charter revision because they found out that they also can be recalled. The reasons for reopening the recall provision as stated by members of the Council were to protect the rights of the voters of Wallingford. The recall was held, legal and binding and it worked. The petition was signed by the right number of voters and the certification of the petition lies with the Town Clerk. I don't think there would ever be a recall for the reason of another person not liking the way someone else combs their hair. The people of Wallingford are more intelligent than that.

Edward Musso, 56 Dibble Edge Road: The Board of Education members are concerned about making decisions because they are afraid of being accused of having no credibility.

Mr. Killen: The Department of Public Works and Recreation Department should be contacted for uniformity of signs on the green. (Mayor Dickinson is presently working on this.)

Mr. Gessert: There is a flag which flies at night over the front entrance which should be illuminated.

Mr. Musso feels that there should be fewer signs in the countryside.

Mr. Parisi noted that Mayor Dickinson would like to make a presentation before the meeting begins.

Michael Melillo, Robert Montag, William Ohr, David Ostrowski and Wilber Wood were called from the audience to receive a Certificate of Merit from Mayor Dickinson.

Mayor Dickinson: Steve Hacku and Wayne LeFebvre are present from the Fire Department.

A fire occurred on Curtis Avenue in January and through the quick action of the five gentlemen here, a loss of life was averted. There were elderly people on the third floor of a house on Curtis Avenue. These men were several doors away on Curtis Avenue and smelled smoke. They looked outside and went down the street, discovered the fire and opened the door and went inside a building so filled with smoke that you could not find your way. They helped two elderly people and David and Bill brought them downstairs from the second floor landing. If it weren't for their actions, we could have had some serious injury.

On this occasion, along with the Fire Department, I want to present these gentlemen with a Certificate of Merit and allow them to be recognized for their action. I would ask that everyone give them a round of applause. (The audience gave the five men a round of applause.)

Mayor Dickinson presented a Certificate of Merit to Michael Melillo, Robert Montag, William Ohr, David Ostrowski and Wilber Wood.

Mr. Gessert moved acceptance of the resignation of Allen Bulmer, Regional Planning Agency. This motion was seconded by Mrs. Papale.

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

Mrs. Papale moved confirmation of the appointment of Doris Bevan as Alternate to Planning & Zoning Commission for the term commencing 1/8/82 and ending 1/8/85, effective 3/1/84.

This motion was seconded by Ed Polanski.

Vote: All Council members voted aye with the exception of Mr. Killen who passed and the motion was passed.

Mrs. Bevan was sworn in by the Town Clerk, Rosemary Rascati.

Mr. Diana placed in nomination the name of Roger A. Appell to fill the slot on the Board of Education, seconded by Mr. Krupp.

Mr. Gessert: I'd like to point out for the record that there has been a history in past years for the party in power to appoint someone other than one who ran and lost by a short margin when a vacancy was created. I'm happy to see we are not playing that way.

Vote: All Council members voted aye with the exception of Mr. Killen who passed and the motion was passed.

Mr. Krupp: Because of the function of the Board and the committee meetings being convened, I believe it is urgent that the individual assume office immediately, therefore, I'll move that we waive the waiting period for Mr. Appell. This motion was seconded by Mr. Gessert.

Vote: All Council members voted aye with the exception of Mr. Killen who passed and the motion was passed.

Mr. Appell was sworn in by Rosemary Rascati, Town Clerk.

Mr. Gessert read the letter dated 2/22/84 from Philip J. Hamel, Jr. regarding agenda item (6), bids on the final five projects to correct damages done during the flood of June, 1982.

Mrs. Bergamini moved approval of an appropriation of \$13,978 from the General Fund Unappropriated Balance to A/C 503-002-00 Capital Repair Flood Damage, seconded by Mrs. Papale.

Mr. Hamel stated that the five projects are replacing riprap at the footing of Oak Street bridge which was washed away during the flood and this protects the bridge abutment from erosion; another is replacing the headwall at Ridgewood Road which collapsed during the flood. Riprap must be installed along the bank of Capital Brook at East Main Street and old Durham Road because serious erosion was caused by the flood. There is a gutter on South Airline Road washed away during the flood and we have to extend a drainage pipe and put riprap along North Airline Road because erosion undermined the road. The road has been repaired but the pipe must be. Grants have been awarded for all of these from the federal government and state government.

Mr. Gessert: Will the \$13,978 cover the cost of these projects?

Mr. Hamel: No. The \$13,978 was money received during the last fiscal year but was not expended during that year. The balance of the grant we expect to get this year, another \$26,309. In addition, there is \$5,000 appropriated by the Town in the current budget. The combination of these three pieces can accomplish all of this.

Mr. Gessert: Do we have any equipment at Public Works to do the riprap work?

Mr. Parisi: Public Works has more than they can handle right now.

Mr. Hamel: These projects are all reviewed by state and federal inspectors and they agree they should go out to bid. On three of the projects, they have reviewed the bids; on the others it was not a requirement.

Mr. Killen asked about the \$5,000 appropriated by the Town and Mr. Myers explained that the item was in Engineering, 501-004 Repair Flood Damage. Mr. Hamel explained that 503-002-00 was set up for grant revenues. The total bids are around \$45,000. \$2,031 of the grant for \$26,309 has already been received and the \$2,031 is received against a zero budget as explained by Mr. Myers. 23

Vote: (Item 6a) All Council members voted aye with the exception of Mr. Killen who voted no and the motion was passed.

Mr. Parisi read and Mr. Krupp moved the following resolution:

- RESOLVED:
1. To amend the A budget to reflect the following estimated revenues:
Account 557-000, Flood Grant 6/6/82 \$26,309.00.
 2. To amend the B budget to reflect the following budget appropriation:
Account 503-002-00, Capital Repair Flood Damage, \$26,309.00.

Mrs. Bergamini seconded the motion.

Mr. Gessert: Last year we authorized \$5,000 for a survey by Cahn Engineers of Meetinghouse Brook, under the subject of flooding. We've never seen the study. (Mayor Dickinson noted there was nobody present from Engineering this evening.)

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

Mr. Parisi read the letter dated 2/16/84 from Steven L. Deak in connection with item (7), metal hydroxide site at landfill.

Mr. Hamel: As you know, we have had a metal hydroxide site at the landfill since the mid 60's. When we had an industrial waste sewer, we took the sludge from that and deposited it at the landfill under State supervision. The site was used until this past year when it was filled up. In the interim period, the resource conservation and recovery act came into being at the federal level and this material was classified as hazardous waste. Since the site is filled up and since it would cost us about \$400 a ton to dispose of any more, the decision has been made to close the site and in order to do so, it is necessary to take certain actions to be sure it is safe in the future. Hydroxide is a very stable compound and there is no danger but the State is requiring certain actions on our part and one of them is that we regrade what is there so there will be no additional runoff. The material can get in between the treads of our track vehicles and that is why Mr. Cassella and Mr. Deak would prefer not to use our equipment.

Mr. Parisi: What would an outside contractor do to protect their equipment that we cannot do? Can this wait for Mr. Deak's return?

Mr. Hamel: We must respond to the State by tomorrow. We did not have a price on this for the last Council meeting.

Mr. Diana: Will we have no reason to need a site like this in the future? Once this site is regraded, we are finished?

Mr. Hamel: The regulations over the years have changed and it has become so expensive to run a small scale site that I don't see any possibility of our running it again in the future. Industries in town who need to dispose of this material can do it through a licensed company for \$200 a ton, half of what we would do it for.

Mr. Diana: It will cost \$1,500 to be done outside; any idea of what it will cost if we do the work?

Mr. Hamel: It will take a couple of days, plus equipment.

Mr. Parisi suggested waiting for Mr. Deak's return and Mrs. Bergamini noted that we pay Mr. Deak for his advice and expertise and Mr. Hamel is knowledgeable about these matters and \$1,500 is not an exorbitant figure. Last year I voted against getting more equipment for Public Works and if this is mandated, let's do it. I can't see the purpose in delaying this. Mr. Parisi stated that he couldn't see the purpose of doing it outside if it can be done inside.

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Mr. Krupp: The metal hydroxide site is filled--did we have any visibility of the fact that this was going to happen? I resent the fact that \$1,500 is necessary because we must respond to the State tomorrow.

Mr. Hamel: We knew the site was filling up and stopped accepting hydroxides some time ago. The State order came out about 4 weeks ago. We are doing this on a step-by-step basis as required by the State. The order is about 3 pages and we are taking each step in compliance. The order says that we should have a consultant to do the planning for the closure. If we can do it ourselves, we won't come back to you for additional funding but if not, we must come back and ask you for money this year for a consultant to do the actual planning and design. Next year, there will be budgeted money and we will have to have this completed around September.

To the extent that we can, we are trying to find the least expensive way to accomplish these things and I cannot tell you tonight what all of our costs are going to be.

Mr. Krupp: I'm confused that the schedule of events didn't start at the time we knew the site was filled up instead of waiting until the State came crashing down on us.

Mr. Hamel: We knew we were going to get an order but didn't know what it would say. We had indicated what our earliest time frame could be and the State worked with us some on that and that may have spread out the timing somewhat between the time we were filled up and when we received the order. We did not know what was going to be in the order until about a week before we received it. The way this is dealt with is highly technical and it has been regulated by the State of Connecticut since the mid 1960's.

Mayor Dickinson: It might be helpful to the Council to know that the order involves the procedures to be used in closing the site and deals with that only. At the point it is filled up, the State must approve the method and means of closing it out so there are no leaching problems. We must follow State procedures to close it, seal it and protect the environment from the results of its sitting there. It must be sealed off and hopefully not injure future generations.

Mr. Krupp: This is the second time we've been surprised with this. At the last meeting, it was a waiver of bidding because it was an emergency situation for hydroxide monitoring. This time it is \$1,500 for grading and we must have an answer by tomorrow or we could face fines. I'd like to see a little more advance notice and perhaps some type of idea of what kind of timetable we are going to be facing on this and what expenses will be involved instead of waiting until the day before an answer is necessary. That does not give this Council a fair opportunity to consider it. We're being placed "under the gun" and practically given no choice as to what course of action is to be followed and I resent that.

Mr. Hamel: As far as I know right now, there will only be one additional expenditure this year and that will be for consulting for the planning and design of the closure. Any other expenditures for next year will be part of the normal budget process. Sometimes dealing with the State is difficult on some of these things but on the groundwater monitoring we did not know for certain which criteria had to be monitored until about the same time as we knew what was going to be in the order, about 5 weeks. We are working under very tight time schedules.

Mr. Parisi: If something is being considered, perhaps the Council could get a copy of the correspondence. This would be helpful. Mr. Hamel will prepare a schedule for the future as well as they can perceive it.

Mr. Diana moved to have this work handled by Steven Deak, Director of Public Works, not an outside consultant. This motion was seconded by Mr. Gessert.

Mr. Krupp: If we do this and do some type of irreparable damage to our track vehicles, we will regret it. To save \$1,500 and have to spend several thousands or tens of thousands for repairs to track vehicles would not be a wise tradeoff.

Mrs. Bergamini: I'd like to interject that this money is coming out of Steve Deak's budget, not Council Contingency. This is Mr. Deak's expertise and nothing to fool with--we will get more orders from the State. We need Public Works to fix the potholes. 95

Mr. Hamel: The hydroxides are not firm and retain water underneath the top crust which is like mud. Equipment can sink in.

Mrs. Papale stated that for Mr. Deak to ask for this to be done by an outside contractor is to eliminate damage to his equipment. I would rather pay the \$1,500 and have the work done outside.

Mr. Diana: This will not exceed \$1,500? (Mr. Hamel stated this was the lowest price.) I will withdraw my motion.

Mr. Krupp moved the establishment of a new line item A/C 506-650 Meral Hydroxide Cleanup Contractor, seconded by Mr. Gessert.

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

Mr. Krupp moved approval of a transfer of \$1,500 from A/C 503-130 to A/C 506-650, requested by Mr. Deak. Mr. Rys seconded the motion.

Mr. Killen asked why this could not come out of A/C 506-130 and Mr. Myers stated that money was transferred for the union contract in the month of January and wages, retroactive to July, were not paid until February.

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

Mr. Parisi read appropriation request for item (8).

Mrs. Papale asked Mrs. Goodrich how much would be reimbursed by the State and was told most of it after completion of a form from the Secretary of State's Office. Mr. Gessert inquired about how many people voted in the last Presidential Primary and about the feasibility of having 2 polling places. Mrs. Goodrich stated that this election is mandated by State election laws.

Mr. Krupp: When would reimbursement be coming from the State?

Mrs. Goodrich stated she has no idea when the reimbursement is made.

Mr. Killen asked if there was any money left within the Registrar's budget for this and Mrs. Goodrich stated there may be some left in the telephone but she is not sure. Mr. Killen asked Mr. Myers if the A & B budget could be amended since this will be reimbursed by the State and this could be carried as an accounts receivable. Mr. Myers stated it could be carried as an accounts receivable if we had a firm contract but he could not put those amounts on Town books on an assumption. There is no firm commitment. Mr. Killen stated he could not vote this without a commitment one way or the other.

Mr. Gessert moved the establishment of a new line item A/C 601E-135, 601E-200, 601E-660 and 601E-900, seconded by Mrs. Papale.

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

Mr. Gessert moved approval of an appropriation of \$7,364 from the Unappropriated General Fund Balance to the following accounts: \$4,400 to 601E-135, \$1,000 to 601E-900, \$1,700 to 601E-200 and \$264 to 601E-660. This motion was seconded by Mrs. Papale.

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

A motion was duly made, seconded and carried and item (18) moved to this position.

Mayor Dickinson: Bob Jones of DeCarlo and Doll, the engineering firm doing the consulting work on the methane gas problem at the landfill, is here to let you know what the situation is presently.

Mr. Robert L. Jones: DeCarlo & Doll, Inc. was originally hired to design a system to safeguard the Dog Pound and once we got into our survey; we found the methane gas was leaving the property line. At this point in time, we were directed to put aside the primary responsibility of our study which was the Dog Pound, and to determine how serious the migration problem was and present cost estimates for placing the landfill in compliance. If you are in violation of the R.C.R.A. Laws, the federal law says that the landfill must be closed; it must be classified as an open dump and thereafter closed and in addition to that, you also must correct the migration problem. I finished today a cost estimate to construct a venting system composed primarily of a trench, either open or backfilled with crushed stone. There will be a liner which acts as a backup in part of the trench which is impermeable and will resist the migration of methane gas. The stone in effect allows the methane to get into the atmosphere and dissipate.

The net price on this system, about 900 feet in length, exercising alternates such as eliminating access road to the scale and landfill as it is currently a paved road--this alternate would be to have a small section of the access in crushed stone surface. This alternate will also assume that the Town's Engineering can perform the full-time inspection required by DEP. The bottom line is \$146,540.

Mr. Gessert: There must be better alternatives.

Mr. Jones: There are better alternatives which are also more expensive. There are no less expensive alternatives.

Mr. Gessert: What about Wehran?

Mr. Jones: The Wehran people are interested in getting as much gas out of the landfill as possible. However, their primary interest is in the richest and thickest deposits of the garbage which is where most of the methane is generated. They are not concerned with safeguarding the edges.

Mr. Gessert: Could we not drill holes every 5 or 6 feet and drop plastic pipe in the holes to vent the gas?

Mr. Jones: That is not an approved method for venting methane. Garbage generates about 50/50 carbon dioxide and methane gas. They separate and carbon dioxide wants to go down and methane up. There are other undesirable things such as hydrogen sulfide and some very undesirable gases. As a matter of fact, the methane which comes out of there must be put through pretty extensive treatment before it can be ignited and used.

Mr. Killen: What caused this phenomenon at this time, Bob?

Mr. Jones: It did not just occur; this has been going on for quite some time. I don't know if you are aware of the fact that when the sanitary sewer was put in on Pent Road, a great deal of methane gas was encountered at that time. I would say it probably started 30 years ago. Actually, what happens is the methane gas commences to be generated from the garbage at the time the landfill becomes anaerobic. That means it no longer has oxygen available and the older part of the landfill where oxygen is not available is now into an anaerobic phase and at that time, gas occurs naturally from decomposing materials.

Mr. Killen: Are you sure with the plan that you now have that you will be covering all the other areas in the immediate future?

Mr. Jones: We have gone around all the property lines and know exactly where it is leaking from. Frozen ground aggravates the problem but even if it occurred only in the winter time, you are still in violation.

Mr. Killen: It should have been noticeable long before this and I'm surprised that it was not discovered before this.

Mrs. Bergamini: You mentioned that there is certain methane which is not conducive to being extracted by a firm like Wehran for their use. At the time of Wehran's negotiations with us, they seemed to think it was a very rich source. Why won't this alleviate our situation?

Mr. Jones: The system does not remove all the methane. It is a vacuum system to pull the methane out of the garbage. It does not remove all of it. As I said earlier, they are interested in the greatest concentrations of gas which will be where the garbage is thickest and we have garbage right up to Pent Road where it is only a few feet thick.

Mrs. Bergamini: Has the Wehran contract been signed?

Mr. Hamel: Yes and Wehran is testing and is aware of all of this.

Mr. Jones: Wehran will help but it won't put you in compliance.

Mr. Diana: Does the \$146,540 figure represent our labor and equipment?

Mr. Jones: The equipment reflects renting a large backhoe and Euclid dump truck. The labor is Town. Please bear in mind that I did not do this alone; I had Mike Cassella helping me. I doubt that you have Town equipment to take the abuse the Euclid will which is an off road vehicle designed primarily for that function.

Mayor Dickinson: Our backhoes are 3/4 yard buckets and this is a 3-1/2 yard bucket and we need the larger machine or it will take us forever to excavate.

Mr. Diana: There will be a 900 foot trench along Pent Road. What safeguards do we have that it is not going out either side?

Mr. Jones: We've covered all of the boundaries. From the South side, there is a topographic low which prevents it from going off the property line there. On the North side, there is one administrative thing which must be handled by the Town because the property where the sewage treatment plant is located is a separate parcel.

Mayor Dickinson: What Bob is talking about is a change of boundary. Since it is all Town land, different departments, if we alter the boundary, the gas won't be leaving the landfill boundary.

Mr. Jones: The trench will go approximately from the power lines on the South to the 90° turn where Pent becomes another road.

Mr. Krupp: If you extend this trench through the access road, doesn't it make it difficult to get to the dump?

Mr. Jones: It really does and that is why I originally put in the sheeting item to preserve it in its present condition with the sheeting but the sheeting is so expensive, we came up with an alternative.

Part of the access road would now be a mixture of 1" crushed stone and for a short section where you leave Pent Road heading for the scale house, that would be finished surface. We would leave part of the road open at all times.

Mr. Killen: Is overtime labor in addition to other labor?

Mr. Jones: It is in addition to 4 men working on the project and was put down this way at the request of Mike Cassella. There will be 40 hours at regular time and 10 hours overtime, to utilize the rental for three months.

Mr. Killen: We might like to let our representative in Hartford know what is going on and we might like a little help.

Mr. Killen: Mr. Mayor, could you get the figure for the labor and overtime for us?

Mayor Dickinson: Since regular work time is already in the budget, that would not need to be appropriated but in terms of total cost of project. . .

Mr. Jones: I believe that number is \$23,040, assuming a 40 hour week at the rate of \$12 per hour with 4 men for 12 weeks.

Mr. Krupp: Does this solve the Dog Pound problem? Mr. Jones responds that it does. Mrs. Bergamini asked if the Dog Warden could not return to the Pound for the next three months and Mr. Jones stated that the Dog Pound part of the system could be functioning as number one priority.

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Mayor Dickinson: April 1 is the earliest work can be started. You have another item for design and field survey to come up with an exact plan which must be approved by DEP. The design will take 30 days and must be approved before work can commence. This would also give us time to hold a special meeting and review the funding for the rest of it.

Mr. Polanski questioned the hazards of an open trench and Mr. Jones noted that on the bottom of page 1 there is an item to relocate the fence at \$6,200.

Mr. Parisi: Couldn't this be bulldozed out rather than scooping, and wouldn't this be faster?

Mr. Jones: No question but a great deal of this material to be moved is garbage and it's messy to handle. Mike Cassella has considered all these things and this is his final selection.

Mr. Hamel: The refuse must be moved over to the working phase of the landfill and reburied. Any refuse on the other side has to be removed and relandfilled; otherwise, it will generate gas on the other side of the trench and then we haven't solved the problem.

Toby Cormier, 11 Mohawk Drive stated that we have a problem with room at the landfill now and the trench would further reduce space and Mr. Parisi stated that we have no choice.

Dorothy Perry, 2 Pequot Road: Is the methane problem inherent at all landfills? How do other landfills handle the boundary leakage and how does the other resource recovery plant handle their boundaries?

Mr. Gessert: Pittsfield burns their refuse so there is nothing left to decompose after the burning process.

Mr. Jones: The problem is fairly common. As you know, the R.C.R.A. Laws are fairly new - even newer than that is DEP's involvement in enforcing these laws.

Shelton landfill has a trench 800 feet long, backfilled with permeable material, backed up by an impermeable membrane and the cost of that is about twice as expensive as this proposal. Many have methane problems and DEP is slow in catching them. It is usually an explosion that prompts DEP.

CRRA bought the landfill from a private owner and it passed all DEP's regulation as far as expansion and the local citizens brought a lawsuit and challenged the quasi agencies taking over the landfill and a Judge in Hartford said CRRA must acquire approval of local Planning & Zoning and must file an environmental impact study.

Mr. Polanski: With the amount of garbage you are taking out, how will that affect the amount of time that our landfill can stay open?

Mr. Jones: That will have an impact but it will be minimal.

A motion was duly made, seconded and carried to waive Rule V to consider an appropriation of \$4,800 for Methane Gas Consultant.

Mr. Krupp moved approval of \$4,800 from Unappropriated General Fund Balance to A/C 202-902 Professional Services Methane Gas Consultant. Mrs. Bergamini seconded the motion. (VOTE ON PAGE 15.)

Mayor Dickinson wanted it made clear that this is an extension of the existing contract with DeCarlo & Doll. They have done the work for the \$5,000 originally appropriated. This \$4,800 is necessary for field survey and design of the plan for submission to DEP.

A number of test holes were dug in the area of the Dog Pound and at that point, it was discovered that there was a bigger problem. They also tested across Pent Road, all around the Bradlee warehouse area and along the North boundaries. All of that testing was part of the original \$5,000 appropriation. In order to protect the Dog Pound from methane, it became a much bigger project and now we are talking about the length of Pent Road.

At the point we were trying to protect the Dog Pound, we found we were in serious violation of federal law with the dump. At that time, it was too late to turn back. Even if we closed the dump, we would still have to spend money to stop the migration of methane.

Mr. Diana: I think we should get our State Reps involved here.

Mr. Killen feels that this \$4,800 appropriation should be given a different account number since it is a separate contract from the original \$5,000 appropriation and there was some discussion about this being an extension of the original DeCarlo & Doll contract. He also felt the bid should be waived.

There was some discussion regarding a motion to waive the bid and Mr. Parisi explained that the bid was waived originally and it was explained that there was a possibility of further work.

Mr. Krupp suspended his motion on page 12 and moved to waive the bid for engineering design and field survey for methane deterrent system, seconded by Mr. Killen. (See amendment on page 15.)

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

Mr. Gessert: If we are looking at an expenditure in excess of \$100,000, my judgment says to get a second opinion. With all due respect to Mr. Jones, there may be some other expertise we should consult and I would prefer another opinion.

Mr. Parisi: I couldn't agree with you more and am going to seek a few opinions on my own. For the time being, we should proceed.

Mayor Dickinson: If there is real concern that this is the way to go, it makes no sense to appropriate \$4,800 for a plan for DEP and then go some other way. I understand and sympathize with the concerns. If you want to start from square one with someone new we can do that but it means someone must be paid for the time spent figuring the lay of the land out all over again.

Mr. Gessert: We should have a report on what was done, where the methane was, a map of the property, what the readings were, etc.

Mayor Dickinson: The earliest we can begin work at this point, by voting it tonight, will be April 1. Delays of a week or two will only push that back and I want you to be aware that this is the situation.

Mrs. Papale: A few of you here want another opinion and that will not be given without a cost.

Mr. Parisi stated he would like a chance to look, along with Mr. Gessert.

Mrs. Papale: If the members of this Council can determine one way or another a solution with a special meeting within 5 days, I'll go along with it but I think we must make a decision.

Mr. Krupp: I have, unfortunately, been on the wrong end of a DEP order and I am indeed the compliance officer for my company. I have some experience in dealing with them. We have already expended \$5,000 on a study; if we get another consultant, he must begin from scratch on his own.

Mr. Parisi stated that it doesn't have to be another consultant and it might be someone else who knows how to dig a hole faster and cheaper.

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Mr. Krupp: The second point I want to make is that this plan has to go to the State for approval. The plan that we see now may or may not be accepted by the State. The State may come back with recommendations and from my own experience, I know the State is going to make changes in the plan. They may come back and say there is a simpler way to do it and they may come back and say it is more complex, etc. April 1 is the first date we can begin work if DEP accepts the plan immediately which is not likely to happen. The suggestion as far as the plan goes appears to be relatively sound and again, the State is going to provide us with a second opinion. Why not at least start the process at this point in time. I'm in favor of going ahead with the transfer now and if we want a second opinion, we still have that work in process. I'm not ecstatic about spending \$146,540 but we need a plan to go to DEP.

Mayor Dickinson: Someone must draw specifications for final approval by DEP. It has been approved in concept but it is not on paper.

Mr. Diana: Dave makes an excellent point. If we in fact take this recommendation from Mr. Jones, couldn't we at that point bring the documentation to another consultant or to someone else who has had this problem to find out if there are other avenues to take?

Mayor Dickinson: At the point you have a final draft, if it is approved by DEP, it then becomes a question of implementation. Once we have a plan, it will be necessary to make that plan become reality on the ground or DEP will not find us in compliance.

Mr. Diana: I did not vote for the consultant to begin with and I'm not going to vote for it this time either--I think we're wasting our dollars on this.

Mayor Dickinson: If you have real reservations on this plan and spend \$4,800 on this plan and take it to someone else who recommends another way, you have spent the \$4,800. You would be better off to get someone else's opinion now.

Mr. Diana: I thought the consultant's recommendation was going to come back to the Council and we never said it was going as far as DEP.

Mayor Dickinson: At the point we got the consultant, the problem was safeguarding the inhabitants of the Dog Pound. At that point, DEP was also involved, a question of safety. Through the testing process to safeguard the Dog Pound, we found out that the problem was much bigger and DEP was aware of that also. Now we are dealing with complying with federal law on an open dump site and it is a different requirement and you do have to submit a plan. If we try to implement something on the ground without DEP approval, if DEP does not approve, you have spent the money for nothing. DEP could come along, close the dump, cite you and fine you and still force you to correct the situation and comply.

Mr. Polanski commented that the trench system was approved for the Shelton landfill which means that this is the way to do it, otherwise another way would have been tried.

Mayor Dickinson: One of the problems in this area is that they are very conservative on the State level. There are certain things which stop the migration of gas--a steel wall will stop it, the water table will stop. The water table is 28 feet down and a steel wall is an exorbitant cost and our soil type is very permeable. The garbage extends to the edge of the road and we have the worst scenario.

Mr. Killen felt that the motion to waive the bid should indicate that the bid will be awarded to DeCarlo & Doll.

Mr. Krupp amended his original motion which appears on page 13 to specify that expenditure for the extension of the contract with DeCarlo & Doll, Inc. Mrs. Bergamini seconded the motion.

Mr. Musso suggested that the steel wall approach be looked into and Mr. Parisi stated that this would be very costly and Mr. Krupp stated that the steel wall must be airtight.

Vote: (Approval of \$4,800 to A/C 202-902 motion on page 12)
Council members Bergamini, Krupp, Papale and Polanski voted aye. Council members Diana, Gessert, Killen, Parisi and Rys voted no. THE MOTION DID NOT PASS.

Mr. Parisi noted there will be a special meeting on March 6, 1984 at 7:00 p.m. for the purpose of resolving this problem. 101

Mr. Parisi noted that there was another transfer to be acted upon under Rule V and Mr. Gessert read a letter dated 2/28/84 from Shirley Gianotti regarding Kennel Rent to the end of March, 1984.

Mr. Gessert moved approval of a transfer of \$612 from A/C 202-510 to A/C 202-580 Kennel Rent, requested by Shirley Gianotti. This motion was seconded by Mr. Rys.

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

Mr. Parisi read a letter dated 2/21/84 pertaining to item (9), easement from Gaetano T. and Rose Zappala.

Mr. Krupp moved approval of the easement from Gaetano T. and Rose Zappala to The Town of Wallingford. This motion was seconded by Mr. Rys.

Mr. Walters explained that this is a piece of land behind the Wellington Restaurant where a piece of land was broken off for sale and has now been built on. The service to the restaurant entered across this piece of property when it was all one entity and the matter did not come to the Electric Division's attention until the building was underway. The new land owner was approached for a right-of-way to continue to serve the restaurant.

Vote: All Council members voted aye with the exception of Mrs. Bergamini who voted no and Mrs. Papale who was not present for the vote and the motion was passed.

Mr. Parisi noted that item (10) has been debated many times and if there are any questions, please ask them now.

Mr. Krupp: The original request asked for the money to be transferred from 701-120 which currently has about \$43,000 unexpended in it. The request was changed to take it out of 805-319; any particular reason?

Miss Bush: The 701-120 is a salary account and we were told not to transfer money out of it.

Mr. Krupp moved approval of an appropriation of \$650 from A/C 805-319 to A/C 701-418 Printing, requested by Planning & Zoning. Mr. Diana seconded the motion.

Mr. Killen stated that this particular money was supposed to come out of the Plan of Development account. Miss Bush stated that when P & Z came to budget workshop, the request for the Plan of Development was cut by the Council by \$10,000 and the printing for this Plan was part of that \$10,000. There was \$15,000 left for revisions to the zoning regulations.

Mr. Killen asked if the zoning regulations revisions were going to cost \$15,000 and Mr. George Cooke stated money will have to be spent to reprint the regulations. Mr. Killen asked if there was any other account within P & Z from which these funds could be obtained such as Professional Services--was that \$1,238 all going to be utilized? Miss Bush stated that money was for Mr. McGowan which was paid last week.

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

Mr. Gessert read the correspondence regarding item (11), a letter dated 2/14/84 from Mr. Bruno addressed to Mr. Nunn.

Mrs. Papale moved approval of an amendment to the 1983/84 operating and capital budgets, requested by the Water Division, reducing A/C 623-000 by \$7,500 from \$160,000 to \$152,500 and increasing budgeted net income by \$7,500 from \$202,275 to \$209,775. This motion was seconded by Mr. Rys.

Mr. Killen asked if this was necessary at this time and Mr. Denison explained that they would like to use \$7,500 from the operating budget and increase the capital budget for additional water meters.

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

Mr. Diana moved approval of an appropriation of \$7,500 from budgeted net income to A/C 346-084, Purchase and Install New Meters, Water Division. This motion was seconded by Mrs. Papale.

Mr. Diana asked how many new meters would be installed and Mr. Bruno said 150, about the same number purchased under this present budget.

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

Mr. Polanski: There was a request made at a Council meeting in 1983 regarding information on sewer hookups. Is this information available for the people who are interested?

Mr. Dennison explained that there are 9,000 accounts involved and the work is in progress.

Mr. Gessert: Maybe we should take a look at that question and ask ourselves how much time we are spending to answer it and for what purpose. If this information is developed to fulfill a requirement of hooking up to a sewer treatment plant with limited capacity, we may be defeating ourselves in the process.

Mr. Polanski mentioned that he did not know the details of this request but he understood that there was a septic problem in a neighborhood and if connected to the sewer system, the neighbors would be happier.

Mr. Raymond Smith: I don't think any particular area was cited. At the time, Mr. Mezzi was concerned with the extra revenues to be picked up. Assessments are collected once the sewer line is installed but if not connected, the sewer use charge is not paid.

Mr. Polanski: The point we should get across to the public is if they have a complaint about a septic problem, they should direct a complaint to the Sewer Department who will correct it.

Mr. Bruno stated that there was a hookup made 4 months ago, based upon a complaint.

It was the general consensus of the Council to abandon the project to determine who has not hooked up to sewers installed on their street unless another request is made in writing for a specific area or street.

A motion was duly made, seconded and carried and item (13) of the agenda moved to this position.

Mr. Krupp moved the transfer of \$800 from A/C 675-000 to A/C 408-000 as requested by the Water Division. This motion was seconded by Mrs. Bergamini.

Mr. Parisi read the correspondence dated 2/1/84 in connection with item (13).

Mr. Gessert asked if the Maintainer I position was still open and Mr. Bruno said they have not chosen to fill it yet.

Mr. Killen inquired about Statutes precluding the payment of the taxes in Durham, Guilford and North Branford since a municipality is a non-profit organization and Mr. Krupp stated that this was an enterprise operation.

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

Mr. Krupp moved approval of a transfer of \$2,250 from A/C 555 to A/C 512-2, requested by Electric Division. This motion was seconded by Mrs. Bergamini. Mr. Parisi read the correspondence.

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

Mr. Krupp: I have two specific questions on item (14), Report of the Director of Utilities. Under purchasing, a requisition for a new compact automobile--is that for the new meter reader?

Mr. Walters: I think that must be the replacement for the station wagon. There were two vehicles that went out fairly close together and one was for the meter reader and one for the business office. I'm afraid I can't tell you right this minute which one that was. 103

Mr. Krupp: The only observation I have is that at the 2/14/84 meeting, we transferred funds for a meter reader. We were told that an auto would not be purchased in this year's budget and Electric Division would use an existing vehicle.

Mr. Walters: That's correct; this is not for the meter reader.

Mr. Krupp: The Electric Division is currently running an approximate rate I believe of \$1,000,000 in excess profit over and above its projections. What is the plan of disposition of that \$1,000,000?

Mr. Walters: The Commission is considering a refund to the customers of a goodly portion of that and I believe there has been a commitment to raise the amount that would be subject to turning over to the Town, also. There is a budget item for what is expected to be turned over to the Town and I believe the Commission is entertaining turning over something more than was originally budgeted.

Mr. Krupp: When will we know?

Mr. Walters: When the Commission considers and acts on it.

Mr. Krupp: It would be helpful if the Commission considered and acted on that sometime in the near future so we know where we stand financially.

Mr. Gessert: I realize Mr. Bruno just left but I have a comment on the water tower and additional funding requested and I certainly hope that the PUC stays with their original commitment.

Mr. Killen: The taxpayers of the Town of Wallingford are the stockholders in the Electric Division and stand behind all your bonds and they should be the first to get the money back, not necessarily the consumers. I would think twice about rushing to get rid of that particular money.

Mr. Krupp moved to note for the record the Report of the Director of Utilities for the month of January, 1984. This motion was seconded by Mr. Gessert.

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

A motion was duly made, seconded and carried and Rule V waived to consider another item for the Electric Division.

Mr. Parisi read a letter dated 2/23/84 from Charles F. Walters regarding a transfer request of \$100,000 for anticipated Workmen's Compensation charges.

Mr. Krupp moved a transfer of \$100,000 from A/C 403 Depreciation to A/C 921-1 Workers' Compensation, requested by Electric Division. Mr. Gessert seconded the motion.

Mr. Walters stated that there were several large claims this year, adding to the normal level.

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

Mrs. Papale: At our last meeting, it was requested that a PUC Commissioner attend every one of our meetings and I want to note that Mr. DeMaio is here and a member will be at all of our meetings.

Mr. Krupp: In submitting item (15) to the Council, it was pointed out to me that I had neglected to run this item by the Town Attorney. In light of the dysfunction that was created in the last Charter Revision Commission because of legal problems to which Mrs. Bergamini can attest, I would like to have the Town Attorney take the opportunity to review this.

104 Mr. Krupp moved to table adopting a Resolution establishing a Charter Revision Commission until the next meeting. Mrs. Bergamini seconded the motion.

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

Mr. Krupp moved to waive the bid for computer purchase for Lyman Hall and Sheehan High Schools, seconded by Mr. Rys.

Present from the Board of Education were Frank J. Soldan, Superintendent of Schools, James Annis, Chairman of the Board of Ed, Roger Rivers, and Thomas P. Murphy, Business Manager.

Mr. Soldan: We are here as a result of a ruling from the Town Attorney that found us in violation of the Town Purchasing Ordinance which required us to go out to a bid process. Unfortunately, we believed that particular purchase was for educational reasons. We had no reason to believe it was other than that. With the chronology of events, you can see that everything was open and in full light of the community to visit and be in attendance and I believe some of you may have been at some of those meetings.

The material purchased has to do with students' scheduling, report carding and attendance. It is in house and operational and the scheduling process is going on now. This was for a cost effective program. These components for scheduling, report carding and attendance are required of every high school in the nation. In Wallingford we have been purchasing these services for many years and with the deep concern of saving taxpayers' monies, we found a cost effective way. Rather than continuing to purchase forever, we went to an in-house system in the high school to purchase a software system from Educational Software. Within a four year period of time, not only would there be a buy back on the lease but there would be approximately a savings to the taxpayers of \$25,000 per year.

There is a difference of opinion as to whether it is educational. I had a meeting with the Town Attorney and the Mayor and rather than have conflict within, I felt we should come before the Council and follow the bid procedure which allows us to present our case to you. If in your wisdom you feel it is a good deal for the community and is cost effective and if all of the other reasons are valid, you might waive the bid.

Mr. Gessert: If you were here earlier, you would realize that some people's fur hererises a bit when told "you must vote tonight because if you don't, tomorrow such and such is going to happen." We have had that continually since I have been on the Council. When something is presented after the fact, the fur rises even more because it's a fait accompli and the only thing we can do now is take an action that would move us backwards and for what purpose. I might lean toward the Town Attorney's opinion on whether or not it is instructional. A couple of years ago when you invested \$100,000 in a computer system, we were told that one of the things it was going to handle in addition to payroll was a lot of other things. I thought scheduling and report carding was going to be done by that computer.

Mr. Rivers: I was Chairman at the time this took place. In the chronology of events, you will see that starting last July, the Board had pursued the purchasing of such computers for the high school. The answers to your question would be within the minutes of the two Finance Committee Meetings and Board of Education Meeting. The fact of the matter is that when the Wang computer was purchased for our business department, we did envision a great deal of applications at that time. Board of Education members as well as the public questioned why we were seeking a separate computer for each high school. It's a matter of public record that the application started out with payroll and we have put many other applications on it and we did pursue the fact that we could have added to the current computer in the business office to perform the same type of thing that we are performing right now with the two computers in the high school. However, there was a concern for the integrity of the business office's computer and if the high schools were tied into that computer, besides purchasing additional equipment for capacity, everytime the high school wanted to operate those computers, that meant someone from the business office must go in and crank it up. Many of the principals use it on Saturday or Sunday, off time, for scheduling and that would mean Mr. Murphy would have to go in and that is a little inefficient. Terminals would be at individual schools but the unit with the disc would be in the business office.

Mr. Gessert: Can't that be activated remotely?

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Mr. Murphy: The machine must be up and running.

Mr. Gessert: Bill DeRoy's group was asked if they could do the payroll and they said they could given time enough to program it. At the time you bought the large computer, you had to be on line July 1 and this came up in May without time to program and you had to go outside.

Mr. Murphy: He told us it would be 18 to 24 months before he could take us.

Mr. Gessert: Did anyone consult our data processing people in house with existing hardware/software to see if they had the capacity to handle this and put a remote CRT in two locations.

Mr. Rivers: If we had bought, we would have used our own computer in the business office; why go to the Electric Division? We were concerned about the integrity of the system.

Mr. Murphy: I believe at one time the Electric Division did the report cards and for some reason sent back to the schools and in turn sent to Bridgeport and then back to the Board of Education. It then went to outside services in North Haven and Hamden.

Mr. Rivers: It's not that I had a concern with your question but the fact of the matter is that we are here now attempting to comply with Town Charter per the Town Attorney's instructions. It didn't seem a necessary course of action to challenge him with his decision.

Mr. Parisi: You say you are trying to solve a problem that has come up for you based on an opinion by the Town Attorney. The other thing is that evidently, you don't have the capacity to do what you have to do. When this was originally approved, we were told that these things were going to be able to be accomplished and they are not able to be without additional equipment. In reviewing the chronology you supplied us, Mr. McFadzean said he took blame for not asking the right questions concerning the Board's needs. That bothers me terribly.

Mr. Annis: At the time, he didn't understand we were utilizing two budgets. We have two budgets in the computer right now because we are still paying last year's bills out of encumbered funds. At the time, he understood us to have in the vicinity of 400 to 600 people on the payroll but with summer help, etc. we ended up with 1,300 W-2 Forms.

Mrs. Bergamini: Your minutes indicate 900--where did you get all the personnel?

Mr. Soldan: Substitutes must get W-2 Forms.

Mr. Killen: Your minutes indicate it went from 900 to 1,400 and do not say he was misinformed.

Mr. Rivers: Mr. McFadzean said 900. If you go back to the minutes where we talked about putting the Wang Computer in originally, you will find that he was given that information.

Mr. Killen: It would seem to me that your minutes would record that he was incorrect in stating that there was 900. At that point you should have stopped him and stated that 900 was incorrect.

Mr. Soldan: When people are talking during a public meeting making statements and presentations, they are not interrupted and corrected.

Mr. Killen: We cannot use these minutes as backlog to find out whether you are right or wrong because they don't mean what they say.

100 Mr. Krupp: I have to share Mr. Gessert's sense of frustration on this about "coming under the gun" because as much as you say you are not "putting the Council under the gun at this stage of the game," you in fact are. You've already gone out and made this decision. You are now leasing at \$15,000 a year for a three year period against an expenditure that was \$40,000. If this Council were to sit here and reverse that decision, all of a sudden we'd be sitting here as goats costing the Board of Education another \$25,000 a year. So, in fact, you have placed this Council "under the gun."

I'm concerned about the number of times this may have happened in the past for things which were considered educational but were not in fact such and the potential in the future. However, I understand from Mr. Soldan that you have a working arrangement with Mr. McManus on reviewing those.

Mayor Dickinson: We had a meeting involving this and several other matters and we will develop a list that will be a guideline of certain items that will keep the Board informed as to where the Town Attorney's office feels items are instructional and non-instructional. It can only be a guideline.

Mr. Krupp: I saw nothing in any of these documents that referred to it as an educational expenditure.

Attorney McManus: The Mayor was using the right word. The Charter uses the word "instructional." It is not educational and there is a big difference.

Mr. Krupp: What happens at the end of this three year lease?

Mr. Annis: It's ours; we own it.

Mr. Krupp: In looking around the Town of Wallingford, we have a Burroughs, a Wang, TRS-80 and I think there is a question of ultimately looking at unifying the data processing capability of this Town under one particular area. You were looking at this for six months and I must reiterate the fact that some viewpoint should have been obtained from the Town's capability. I recognize that you went out for additional capacity but was capacity available on any other equipment that we currently have?

Mr. Annis: We went after a scheduling program and the hardware just fell into place. I don't know if there was any investigation made about plugging into equipment being used.

Mr. Krupp: What you are saying is that it's written in DIBOL language and it has to run on a Digital?

Mr. Annis: It's in PASCAL language and we were told that this particular program had to run on Digital.

Mr. Soldan: There is something else that led us down this course. You may not buy it but I think you have to hear the Board's point of view. It's been presented to the Board by some of the experts and consultants what is going on in the field and that is that the latest state-of-the-art is not to have a huge main frame where the entire Town plugs in; quite the contrary, with the breakthrough in cost effectiveness operations is to have each department have their own and do their on-site work. The cost rate factor has come through, the personnel are there who work on it, the programmers are available. Since there is no Town guideline to follow, we have followed that thrust which is going on throughout the country which is to put it right where you are using it. At the high school level in particular, a child comes in to be programmed, this is accomplished within an hour. It's on-site utilization and it was terribly important to the Board to have it there in the absence of a Town-wide policy to do otherwise.

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Mr. Parisi: There may not be a policy, Frank, but there is a computer division with a person who has a fair amount of expertise who was not and is not consulted. It would be very wise if all departments who have anything to do with computers to at least touch base with him. If the problem cannot be solved in-house, then you can go outside. We've had a couple of cases lately and by just asking the question, we are going to save thousands of dollars in the future but we took the time to go over there. That is the point that is being made tonight, not only for your benefit but I hope for everybody's benefit within this Town. Look inside before you look outside because outside always costs money and the secret is to save money.

Mr. Soldan: We've been very cost effective.

Mr. Krupp: I think to offer any further commentary would be redundant at this stage of the game. You've backed us into the corner and I don't see that we really have any choice.

Mr. Rivers: The fact of the matter is the Board of Education every week follows the dictates of the Charter in using the services of the Town Purchasing Agent on many items. You may perceive this as the Board and administrators backing you into a corner.

Mr. Krupp: I am not saying it is a malicious action, Mr. Rivers.

Mr. Diana: I share the opinion of the rest of the Council. If it is not evident tonight, we have just about reached our tolerance with surprises. I would like to believe that going forward, the Board of Education and other department heads might heed our warning that we are just not going to tolerate it any longer.

In the spirit of cooperation, I would like to make a couple of comments. Last night, the four Education Liaison Council members did attend the Board of Education meeting and did hear an explanation of this problem. There is no question in my mind that it was an unintentional oversight and we are faced with the situation of sending back the computer or just voting for it. At this point, I would like to just go forward and take care of the problem, end it and assume that everything we've discussed tonight is in the past and going forward we will have a better relationship.

Mr. Killen: I would endorse that. The part that bothers me, Frank, is that we keep hearing it was instructional. I've read every piece of correspondence and I do not see instructional in any of the minutes. Every part of the material, including chronology, mentions scheduling and report carding.

Mr. Annis: It's a gray area. We could purchase a desk for the Superintendent and it would be non-instructional. We could purchase exactly the same desk for a teacher and it would be instructional. What we are doing is strictly for the students--their grades, their scheduling. It has nothing to do with administration.

Mr. Killen: In your minutes of 10/11/83 "MOTION: Mr. Annis, seconded by Mr. Holuba VOTED: Unanimously to approve the purchase of the Digital Computer as proposed for high school applications."

This is not a motion per se; it's a summation of the motion. This motion should have been verbatim for the kind of dollars you are talking about. It should have been very definite. It leaves so much to be desired here.

My last question is you finally sent a letter at the end of the year to Brian Farrell; what caused that to come about?

Mr. Murphy: That was to send the papers up to sign the lease which has been the way that procedure has been done.

Mr. Killen: But up to that point, you did not discuss with him whether or not this was instructional?

Mr. Soldan: We didn't think we had a problem, in our naivete.

Mr. Killen: I would have to say you would have to be very naive, Frank.

Mr. Soldan: No, you would have to have an educator's mentality.

15. Mr. Rivers: The leasing agreement as presented to the business manager specifically required that the Town Attorney review the lease and it is similar to the lease we have for the telephone system.

Mr. Killen: Someone on the Board should have had a doubt about whether or not this was instructional and the Charter states very specifically that the Town Attorney is available any time you want to write a letter to him.

Mr. Rivers: The telephone system is not instructional but we were not challenged then. We went to the Town Attorney with it.

Mr. Gessert: That came before this Council.

Mrs. Papale: Are you using in-house people to work on these computers?

Mr. Soldan: Two part-time clerks which was part of the cost package plus the administrators.

Mrs. Papale: What happened to the people in the office who were doing the attendance?

Mr. Soldan: The attendance was a multi-function; it wasn't 100% attendance. The attendance workers never got involved in scheduling or students' reporting.

Mrs. Papale: I happened to be in the Lyman Hall office one day to see someone who I was told wasn't working there anymore and I thought she was doing attendance.

Mr. Soldan: There is a pool of clerks at each high school and the attendance clerk has many duties and has been charged to be the backup so in case someone is out, we have that capacity.

Mr. Wilson: We had a retirement and I've assigned the present attendance clerk to the Library and we are in the process of hiring an attendance clerk to take that position. The attendance clerk will still be the attendance clerk and the aide will be assisting her in the morning and the rest of the time the computer will be used for scheduling and report cards. The attendance portion of it takes about an hour.

Mrs. Papale: Are you hiring a brand new person for the computer?

Mr. Soldan: Part-time, a fifteen hour person, not full time.

Mrs. Papale: I know very little about computers but always thought it meant less personnel.

Mr. Wilson: We're taking on a responsibility we never had before. We used ADP for scheduling and report cards went out of house. Now we are taking it in and it will be additional work for us and that will be the responsibility of the 15 hour clerk that was hired.

Mr. Gessert: In business, there is a breakdown of what the hardware is going to cost, what the labor is going to cost versus what it is costing now so that you can see if there is a saving or if there is not and then a year later, you can go back and say they do or don't match. We do not have that information here.

Mr. Soldan: We can provide you with that.

Mr. Gessert: There was an article in the paper the other day about renting a piece of roof. "All those signing a ten year agreement are receiving \$4,500, Schaefer said. The proposal to give the schools \$4,500 worth of computer equipment is extremely unusual because everyone else that is signing agreements is getting a check, Schaefer said. The school requested the purchase agreement to circumvent the Town's financial procedures."

Maybe those aren't your words but what I am saying is that type of statement. . .I think the statement is accurate. Maybe you didn't say it but yes, it is an effort to circumvent Town procedures.

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Mr. Soldan: What the report did not say is that this would certainly be brought to the Town Attorney to see if that was a legitimate and valid point. That part never gets in the papers.

Dorothy Perry, 2 Pequot Road: The lease purchase agreement was sent to the Town Attorney on the 29th of December, the same day the equipment was installed. I would think that would be poor operational procedure. Although it may only be a technicality, if there is a problem with the lease purchase agreement, you've already enacted it.

Mr. Parisi: I think it is very clear where this Council stands and if anything similar to this happens again, I'll tell you quite frankly, I'll vote the other way. If it is nailed down, screwed down or set in cement, it will go back. That is as clear as I can make it.

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

Mr. Krupp: I move to reject the Fact Finder's Report between Wallingford Board of Education and Council 4, Local 1303-60, AFSCME. This motion was seconded by Mr. Rys.

Mr. Krupp: On page 5, reference is made to increases granted to the Housing Authority and I'd like to point out that the Housing Authority is not a Town agency but a State agency and, therefore, it is inappropriate to be cited.

I think the question of an 8% increase in the current times that we are in is an unreasonable one from the standpoint that we have to look at it in terms of representing the taxpayers of this Town. With inflation running 4% and many people in this community have small increases or no increases and have even taken cuts in the last year, etc. that this is disproportionate to what the rest of the community has in terms of expectations.

Page 7, "Taking into consideration all exhibits, testimony and factors cited above, a wage increase in excess of what the Board offers and less than what the Union seeks is appropriate." The Board offered 4%; the Union asked for 9% and the recommendation is for 8%. Somehow I have a feeling that this is shifted in somebody's favor--it is not a compromise between the two positions.

All in all, I just consider the 8% at this point in time under current economic conditions, etc. just to be excessive and that is the reason for my motion.

Mr. Gessert: Is there any requirement for these people to perform some physical activity on behalf of the Town of Wallingford? I can understand some goofing off but to watch someone hold up a wall for 4 hours at a basketball game, it is very insulting. I have seen it on both the East and West side. If they are required to be at ballgames, I think we should expect some productivity other than opening the door and closing the door after people leave. I'm not going to vote to give anybody a raise to stand up and hold up a wall for 4 hours and get paid for it.

Mr. Parisi: Whose department does this represent?

Mr. Seadale: Al Cei. I would not expect a department head to be here when I present a contract.

Mayor Dickinson: I think the reason a department head would not be here is because work performance wouldn't necessarily be a matter for discussion when a contract is presented.

Mr. Parisi: It appears that some of the questions being asked of Mr. Seadale are beyond his purview and ability to answer. There are questions on performance which I believe might weigh on the outcome of this vote. Perhaps it might be better for the department head to be here to answer these questions.

Mayor Dickinson: The performance or lack of performance is a secondary item to the item before you. If the individual is not performing, then he is subject to reprimand, firing, etc. What we are dealing with here is a contract negotiation which is entirely a different matter.

Mr. Gessert: This is not the majority of people I have seen doing this; it is probably a minority but it is aggravating to see it.

Mayor Dickinson: With that kind of situation, a report should be made to that department head so he can act directly on the question of whether or not work is being performed. I understand the frustration and concerns about that.

Mr. Parisi: The Council has requested other commissions and boards to have people here to answer any question pertaining to what is being presented.

Mayor Dickinson: I don't fault you there but I think that what happens is that it encourages people to save up their frustrations on work performance to a time when a contract comes up and that is the wrong time to present those kinds of concerns. Those concerns should be ongoing and any time it occurs, let it be known that you have frustrations on them.

Mr. Killen: It isn't a question of whether or not a particular custodian assigned to that particular school for regular performance is goofing off, but are we paying an extra custodian because of an outside activity and does his work consist of just leaning against a wall during the activity? We had tonight \$1,000 for custodians for the Presidential Primary, in addition to the custodians at the school. These are for setting up and taking down. Do we have to go along with that?

Mrs. Bergamini: I chaperoned the dancers for Mrs. Fishbein for years. We had to pay the custodian at Dag when I started \$7 which increased to \$17 for 1-1/2 hours additional custodian who did nothing more than opened and closed the door. That has been in the contract for years and I think it's the reason the dancing classes no longer exist. It got too exorbitant.

On page 7, Union proposes and then the findings. . . does that mean they did not get what the union proposed at all?

Mr. Seadale: That's correct. The only thing they got was the increase in the life insurance. The Board is paying about 33¢ a thousand, an additional cost of about \$2.50 per month.

Mr. Seadale: The process is negotiations and if you don't reach an agreement across the table, it goes to mediation at which time a mediator attempts to bring the parties together. Failing that, a fact finder is assigned. The fact finder can go between the numbers, as he did in this case and issues a report. That report requires no action on your part unless you wish to reject it; otherwise, it goes into effect. If it is rejected, we then automatically are into the binding arbitration process in which case whatever the panel issues, they will issue and I won't be back here.

The comment was made on the rate of inflation. Let me just point out one year to you. In the year 1979 to 1980 the CPI for this area was 13.2%; the custodians received an increase of 5.5%. You cannot have it both ways. We trail them on the way up and trail them on the way down. Those are the facts of life and that is all I can tell you.

Mr. Krupp: The point I made about inflation was a partial one. A point that Mr. Gessert alluded to that has to be considered in any negotiations is a question of productivity. I look at the numbers being cited for the Police Department and that does not particularly upset me because we are covering larger and larger areas of responsibility. I don't see any productivity gains occurring here and I don't see where the Town is getting anything in return for its 8%. I think the situation we are facing in the private sector today tends to indicate that the old philosophy of, "I exist, therefore, I am entitled to more money simply because I breathe and bleed" is no longer an acceptable one.

Mr. Seadale: I know there have been layoffs and there are less custodians now than there were four years ago in the schools.

Mr. Krupp: The point was raised about Mr. Cei being here and he should be the one to answer these questions.

Joseph Vercher, 9 North Elm Street: I can see all the negative points that you are bringing out now but at your inauguration at Dag, you sent a letter stating what a good job had been done by the custodians and how pleased you were.

When you get a custodian for an outside activity, he is not being paid by the Town but by that activity or function. Of the \$17 paid for an outside activity, the custodian receives \$7 and the rest is for the paper work, etc. The average custodian in the Town of Wallingford is earning \$14,000. Try to support a family on \$14,000.

Mr. Parisi: I am not disagreeing with what you say. Though the public is paying the cost of the weekend or evening functions, many activities have had to be curtailed because of that cost. It has been beyond the scope of non-profit organizations to pay this and it has been discontinued. It is not just you--there are other departments and unions who are also criticized and praised. Nobody means to imply that all custodians are bad and their work is too.

Mr. Gessert: You don't see the custodians who are performing their work but the one leaning against a wall does it in front of 1,000 people and that is what hurts.

Mrs. Bergamini: My point is that the dancing classes were held at a time when the custodian was on duty. I could never understand why we had to hire another custodian for that hour and one-half which was really a function for school children. That activity was cut out because it got too expensive.

Vote: Council members Bergamini, Diana, Killen, Krupp and Rys voted aye. Council members Gessert, Papale, Parisi and Polanski voted no and the motion was passed.

Mr. Parisi noted the correspondence, a letter dated 2/14/84 from Ronald M. Gregory regarding Resource Recovery which is noted.

Mr. Parisi read into the record a letter dated 2/9/84 addressed to Mayor Dickinson from Frank J. Soldan which is attached to these minutes as Attachment A.

Mr. Killen: I just want to note for the record that I lost my place and voted for the appropriation for the Professional Service and had not intended to. (Page 23 of 2/14/84 minutes.)

Mr. Krupp moved acceptance of the minutes of 2/14/84, seconded by Mrs. Bergamini.

Vote: All Council members voted aye except Mr. Gessert who passed and the motion was passed.

A motion was duly made, seconded and carried and the meeting moved into Executive Session to discuss a personnel matter and this portion of the meeting was adjourned at 11:20 p.m.

A motion was duly made, seconded and carried and the meeting moved out of Executive Session at 11:50 p.m.

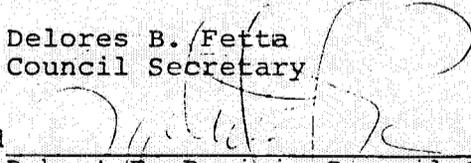
The following vote was recorded:

Mr. Krupp moved authorizing the Town Attorney to settle claims in the amount of \$15,200, seconded by Mrs. Bergamini.

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

Delores B. Fetta
Council Secretary

Approved


Robert F. Parisi, Council Chairman

Date


Rosemary A. Rascati, Town Clerk

Date

112

WALLINGFORD PUBLIC SCHOOLS

18 KONDRACKI LANE
WALLINGFORD, CONNECTICUT 06492
TELEPHONE (203) 265-2831

ATTACHMENT A
Town Council Minutes
February 28, 1984

1984 FEB 10 P 3:20

OFFICE OF THE
SUPERINTENDENT OF SCHOOLS

RECEIVED
MAYOR'S OFFICE

February 9, 1984

Honorable William W. Dickinson, Jr.
Mayor of Wallingford
Municipal Building
Wallingford, CT 06492

Dear Bill:

At this point in time, it is extremely difficult to give you a definitive answer to your inquiry of 1/30/84 as it relates to the Parker Farms Facility.

I would, however, urge you not to dispose of this property for the following reasons:

- 1) The State Board of Education has approved a proposal, made by Commissioner Tirozzi, that would compel all Connecticut school districts to offer all day kindergartens. This mandate would commence with the 1985 school year. Should the General Assembly act favorably on this proposal, the Wallingford school district would require 8 additional classrooms. (When the Board of Education voted to close an elementary school last year, this proposal had not yet been contemplated by the State Department.)
- 2) In the near future, the Board of Education will initiate a comprehensive study of existing facilities and enrollment projections in order to determine long range building needs. This study is targeted for completion no later than June, 1985. Although the major focus of the study will be on the high schools, recommendations emanating from the report will have an impact on other levels. As you probably know, grade organization and/or reorganization is as much a factor of cost effective building utilization as it is educational philosophy.

If I can be of further help in this regard, please do not hesitate to contact me.

Sincerely yours,

Frank J. Soldan
Superintendent

FJS/cm

Summary of Town Council Minutes

March 5, 1984

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PUBLIC HEARING SET March 13, 1984 at 7:45 p.m. ON AN ORDINANCE APPROPRIATING THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FOR THE DESIGN AND CONSTRUCTION OF A SYSTEM TO VENT METHANE AT THE WALLINGFORD LANDFILL, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES TO DEFRAY SAID APPROPRIATION.	4-5
Approved appropriation of \$4,800 from Unappropriated General Fund Balance to A/C 202-902 Professional Services Methane Gas Consultant/Landfill	4
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