

TOWN COUNCIL MEETING SUMMARY

APRIL 25, 1989

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TOWN COUNCIL MEETING

APRIL 25, 1989

6:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers and was called to order at 6:45 p.m. by Chairman Albert Killen. Answering present to the roll called by Town Clerk Kathryn J. Wall were Council Members Adams, Bradley, Doherty, Holmes, Papale, Parisi, Zandri and Killen. Also present were Adam Mantzaris, Town Attorney, and Tom Myers, Comptroller.

The Pledge of Allegiance was given to the flag.

Motion was made by Mr. Doherty to have Items 2, 6, 12, 18 and 22 placed on the Consent Agenda to be voted upon by one unanimous vote.

ITEM 2. Consider and Approve Transfer of \$500 from Seminars and Dues Acct. No. 1110-700-7990 to Secretarial Services Acct. No. 1116-600-6040 to Provide Funds for Secretarial Services - Recycling Committee.

ITEM 6. Consider and Approve Transfer of \$1,500 from Maintenance of Programs Acct. No. 001-1400-500-5250 to Printing Acct. No. 001-1400-400-4180 to Provide Additional Funds for Payroll Checks - Comptroller's Office.

ITEM 12. Consider and Approve Transfer of \$790 from Various Accounts: \$490 to Clerk-Typist II Acct. No. 012-9000-100-1300 and \$300 to Transportation Acct. No. 012-9000-300-3200 to Provide Funds for Wages and Increase in Transportation Costs - Youth Service Bureau.

ITEM 18. Consider and Approve Appointment of Enrique Gil to the Wallingford Housing Partnership Committee.

ITEM 22. Approve Town Council Meeting Minutes of April 11, 1989.

Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to move up Item 16, seconded by Mr. Holmes.

VOTE: Mr. Adams voted no; all other ayes; motion duly carried.

(Mayor Dickinson arrived at 6:52 p.m.)

ITEM 16. Consider and Approve Water Division Contract - Union Local 457.  
Motion made by Mrs. Papale, seconded by Mr. Holmes.

Ed Lynch stated the settlement is substantially similar to that of the Electric Division. It's a three-year contract providing for wage improvements commencing 9/1/88 in the amount of 7%, 9/1/89 - 6%, 3/1/90 - 1% and 9/1/90 - 6%. Life insurance was increased by \$2,005 and the longevity program was improved slightly. There are no other benefit changes.

Mr. Killen asked did we get anything in return for anything else we put across the table.

Mr. Lynch replied there's a minor adjustment with the telephone allowance which is taken out of the contract and there is a side letter agreement with regard to uniforms.

Mr. Killen stated we increased the insurance and longevity; are we just doing these things for the sake of doing it?

Mr. Lynch replied the contract was turned down by a ratification vote of the Union initially. This is the agreement that we were able to come to voluntarily without the intervention of impasse procedures whereby you would certainly have others items on the table including medical packages. This is a fair and competitive contract and at the same time it doesn't add or enhance any insurance benefits.

VOTE: Unanimous ayes; motion duly carried.

ITEM 3. Consider and Approve Appropriation of \$60,000 from Charges for Current Service Acct. No. Code VIII-6020-POLICE to Outside Work-Recoverable Acct. No. 001-2015-100-1800 to Amend Revenue Income Budget - Police Department. Motion made by Mrs. Papale, seconded by Mr. Holmes.

Mr. Killen stated the Police Department has to assign men to work for private contractors. This is a wash item.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5.a Consider and Approve Transfer of \$1,000 from Power Purchased & Natural Gas Acct. No. 643-000 to Supplies, Communications & General Expenses Acct. No. 921-000 to Provide Additional Funds for Vehicle Repair - Sewer Division. Motion made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Killen asked you don't have a line item for vehicle repair anywhere else?

Roger Dann replied the vehicle repairs are handled through a clearing account. All vehicle repairs are allocated in percentages to other accounts within the budget. We are experiencing more than anticipated repairs during the course of this year.

Mr. Killen asked there's no other way you can break it down, it has to be done that way because of the bookkeeping?

Mr. Dann replied that is correct.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5.b Consider and Approve Transfer of \$3,000 from Power Purchased & Natural Gas Acct. No. 643-000 to Misc. & Safety Expenses Acct. No. 665-000 to Provide Additional Funds for Vehicle Repair - Sewer Division. Motion made by Mrs. Papale, seconded by Mr. Adams.

Mr. Parisi asked are these standard repairs?

Mr. Dann replied these are basically normal operation and maintenance repairs - transmission, tires, etc. In some cases we're seeing specialized equipment, such as the flusher truck, aging and that particular piece of equipment is far more expensive to repair than a car or truck might be.

Mr. Parisi asked in the future could you give us an indication of what the repairs are?

Mr. Dann replied if I was coming for a specific job I would do that. In this case it's just an accumulation over the course of the year that's causing us to overspend the associated accounts.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5.c Consider and Approve Transfer of \$1,500 from Power Purchased & Natural Gas Acct. 643-000 to Laboratory Expenses Acct. No. 923-001 to Provide Funds for Laboratory Expenses - Sewer Division. Motion made by Mrs. Papale, seconded by Mr. Adams.

Mr. Killen stated it shows an overexpenditure already in the Laboratory Expenses account. Why did it take this long before someone came forward and asked for a transfer?

Mr. Dann replied the account shows an overexpenditure, however, there are remaining encumbrances for this year. Accordingly, we waited until we were in a position to better gauge our needs for the remainder of the year before we came for the transfer.

Mr. Killen stated the overexpenditures are something I frown on very strongly. I looked at the PUC minutes and I didn't see any comments from the PUC Commissioners on this and that is something I would like to see from them.

Mr. Myers asked were the accounts overexpended or overencumbered? As long as there was an encumbrance the account really was overencumbered. I've reviewed these with the utility office managers and what happens is depending on what type of work the crews are performing dictates what account would be charged. I've been assured that cash does not go out the door. Overexpenditures don't occur, but the account becomes overdrawn on an encumbered basis or committed basis. We haven't paid the bill, but the funds have been committed. At that point they seek a transfer. It's pretty difficult if they have an emergency situation arise and the proper charge is to an account that's going to become overencumbered. If the encumbrance were removed, the funds would be available.

Mr. Killen stated my problem is I don't know that each of these instances are emergency situations. If you overencumber and commit, you are committing dollars that are not yet there and there's no guarantee this body will give them the dollars.

Mr. Myers replied you're correct. But they could, if they desired, cancel one of the encumbrances and the account would show a positive balance.

Mr. Killen stated I think my questions might have been answered had I been able to read this in the PUC minutes. This dialog should have taken place there. That's why they're between you and us to ask these particular questions before they get to us. I wish you would carry that message back to them Roger.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5.d Consider and Approve Transfer of \$3,500 from Power Purchased for Pumping Acct. No. 623-000 to Main. Pumping Equipment Acct. No. 633-000 to Provide Additional Funds for Maintenance at Sewage Pumping Station - Sewer Division. Motion made by Mrs. Papale, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mr. Adams to move up Item 13, seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 13. Consider and Approve Resolution Authorizing the Mayor to Apply for State Funds - Youth Service Bureau. Motion made by Mrs. Papale, seconded by Mr. Parisi.

Mrs. Papale read the attached Resolution into the record.

Mr. Bradley asked what did we receive last year?

Marty Barracato-Camire replied \$30,154.

VOTE: Unanimous ayes; motion duly carried.

ITEM 7. Consider and Approve Budget Amendment of \$312,000 from 1988-89 Capital and Non-Recurring to Robert Earley Project and Robert Earley Town Hall Parking Improvements, Improvements to Simpson Court and South Main/Prince Street. Motion made by Mrs. Papale, seconded by Mr. Adams.

Mr. Doherty asked is this from the \$1.9 million?

Mr. Myers replied yes.

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

ITEM 8. Consider and Approve Transfer of \$2,083 from Contingency-Reserve for Emergency Acct. No. 8050-800-3190 to Misc. Fact Finding Acct. No. 1300-600-6020 to Provide Funds for Binding Arbitration Process - Mayor's Office. Motion made by Mrs. Papale, seconded by Mr. Parisi.

Mr. Killen asked did you go through your budget and find any lines that this money could come from?

Mayor Dickinson replied I don't think we have much of anything.

Mr. Killen stated I wrote down three accounts: Management Wage Study, Seminars and Dues, and Annual Reports. Between them they should be able to support the transfer.

Mayor Dickinson replied the money from the Management Wage study is going to be owed. We're in the midst of that. The Annual Report money is budgeted over two years to pay for the Annual Report every other year. Money is not spent out of the Seminars and Dues account on a regular basis. I couldn't say right now that it won't be needed. If you want to wait on this, we can find out from Don Roe about the Annual Report account.

Motion was made by Mrs. Papale to Table Item 8, seconded by Mr. Zandri.

VOTE: Mr. Doherty voted no; all other ayes; motion duly carried.

ITEM 4.a Consider and Approve Transfer of \$500 from Replace Fuel Oil Tank Acct. No. 001-5140-999-9905 to Utilities-Traffic & Sign Shop Acct. No. 001-5170-200-2010 to Provide Additional Funds for Utilities - Public Works Department. Motion made by Mrs. Papale, seconded by Mr. Holmes.

Mr. Killen asked how much did it cost us to replace these fuel oil tanks?

Steven Deak replied \$16,250 and we had budgeted \$20,000.

VOTE: Unanimous ayes; motion duly carried.

ITEM 4.b Consider and Approve Transfer of \$3,000 from Sand Acct. No. 001-5040-400-4580 to Carpet-Recreation Department Acct. No. 001-5140-999-9910 to Provide Funds for Carpet in the Back Gymnasium - Recreation Department. Motion made by Mrs. Papale, seconded by Mr. Parisi.

Mr. Parisi asked did this go out to bid?

Mr. Deak replied yes and the bid came in higher than what we budgeted for.

Mr. Bradley asked is this a hardwood floor?

Mr. Deak replied this is the former comptroller's office.

VOTE: Unanimous ayes; motion duly carried.

ITEM 9. Consider and Approve Waiver of Bid for Air Testing Program. Motion made by Mrs. Papale, seconded by Mr. Bradley.

Mayor Dickinson stated I understand there was a report that the federal people are coming in this summer. If they are coming in, I suppose they'll review things as well as do whatever testing they want to do. Perhaps we should look to testing, but I'm not sure we're going to accomplish anything by spending \$10,000 to review the old data.

Mr. Parisi stated up until I read that article in the paper I was in favor of this program. It doesn't make sense to spend money right now if in fact the federal government has committed to coming here to do air testing.

Mr. Zandri replied the way I understand that letter, the federal government is not going to do any air testing per se and there is no schedule of when they're coming. People in the community are looking for somebody that's going to be looking out for the best interests of Wallingford.

Mayor Dickinson stated the April 18 article states federal representatives will visit Wallingford this spring to collect data and conduct a study, the work to begin shortly after May 1. It doesn't appear initially that they will do any air testing, but they are going to review all of the data and complaints of illness and see what the probability is of the environment affecting the health of residents. Given that, if we want to embark on anything it should be actual air testing and let the analysis of data be performed by the agency.

Mr. Doherty stated I'd like to have Mr. Kaplan of York Services respond to the Mayor's comments and make a little presentation at this point.

Edward Kaplan, Senior Scientist at York Services Corp., stated we received a broad request for a quotation from the Town. In order to respond to the proposal we can come in and do air quality sampling, but there is no single black box that will give us everything that we're looking for. We looking at organic compounds, inorganic compounds and semi-volatile organic compounds. We don't know what is coming from each of these plants. If we knew, then we could design the test to sample just for those items. We would then know what the air quality is and what they're contributing to your air quality. In the first phase we will look at these plants and the area surrounding them and find out what it is that they are most probably emitting and how much. Once we have that information we can design a air quality sampling study that will be much more efficient and cost effective in giving you the information you want to the extent that these plants are contributing detrimentally to the air quality in your area. If we can't find anything that they are emitting in amounts that are detrimental, there is no sense in us spending your money to go on and sample. This is why we separated the two phases.

Mr. Doherty stated the federal group is coming here to do an analysis of data and some sort of study. They have never committed to do any air testing. We don't know what we will be getting from the Atlanta group, how long they'll be here, what they're going to look at, etc. I think we have to go ahead with our own analysis and then move into Phase II.

Mr. Bradley asked as far as establishing background for what already is there, would you be pursuing that information which already exists?

Mr. Kaplan replied yes and more specific information. What compounds should we be looking for? We know in general from various types of plants what they do emit. We want to know if there is anything unusual coming from any of these plants. Are these the only plants that you have in the area? Maybe there's someone tucked in behind one of them that is causing something that we don't know about at the present time. All of this information is what we would need in order to design how to sample. In order to keep the cost down we want to know exactly what it is we're looking for.

Mr. Bradley asked do you feel your detail is more in depth than what the State DEP would get involved in?

Mr. Kaplan replied I don't know. If we can go in more depth, we will.

Mr. Bradley stated we have a big mix down there from several different facilities. One concern is the mixture of these compounds once they hit the atmosphere.

Mr. Kaplan responded some of them will act synergistically, most of them will not.

Mayor Dickinson asked if we were interested in moving directly into identification of a testing program, wouldn't there be some cost savings by not formalizing this Phase I which seems to duplicate a number of areas that have already been covered?

Mr. Kaplan replied if you could tell me basically what you want me to sample for, then I can go into a sampling program.

Mr. Holmes stated we get pollution from other sources outside the borders of Wallingford. What will your company do to try to sort those other sources of pollution out?

Mr. Kaplan responded any sampling program is going to be concurrent upwind and downwind so there will be a background sample which tells us what is ubiquitous to the atmosphere and what's coming in from other sources, as well as what's downwind. If we see a concentration level and no increase downwind, then we know it's a background and there is nobody that's contributing. If we find a significant increase in that concentration, then we know that somewhere you have a source that is contributing to the background.

Mr. Holmes asked would it be possible for the State and the Town to do something in concert with each other. Perhaps have York design the testing program, split the cost with the State, and have York independently verify the results to save some money.

Mayor Dickinson replied I suppose anything is possible. I don't know to what level the State will participate.

Mr. Bradley stated there is a lot of data out there on the State level and federal government level. Would it be possible to have someone within the Mayor's staff start researching the data and get back to the Committee in a timely manner?

Mayor Dickinson responded we can certainly collect copies of all the reports.

Mr. Zandri stated even if we got all these reports together someone still has to analyze them. We need an expert to analyze the reports and come up with a recommendation, which is what Phase I is all about.

Mr. Holmes asked Mr. Kaplan would it be possible for you to work in concert with the State to design a testing program and provide independent verification of their findings.

Mr. Kaplan responded I would presume that any testing program we design would have to follow the State's recommendations and the State's methods otherwise it wouldn't stand up. We lay out a program and we give it to you to go over and our procedures. At the same time we would send it to the State for their comments. That's a matter of procedure. At the same time it could be sent to EPA for their comments. It depends upon how many different organizations you want to get involved.

Mr. Doherty stated I know you're trying to save money, but when it comes to health I think the citizens of this Town would be willing to spend the money. You can't skip the steps. We don't cut corners and we don't bring the State or the federal government in on it. We do it ourselves for ourselves.

Mr. Killen stated we're spending \$9,900 and we're told May 1 another group is going to come in and do exactly what's being proposed for the \$9,900. If you want to do some more testing then fine, but I'm not going to vote to go over those reports again.

Mr. Kaplan stated somewhere along the line I have to find out what I'm going to do. If everyone else says it's clean and after reading the reports I find they're correct, I may do one test and find it's still clean. I'm not going to tell you to go ahead and do a big study because it's a waste of money. If you want to do it, I'll do it. But I'm going to come up with the same answer that everyone else came up with. Sometimes it gets to be imagination. Someone tells me something is there, I believe it's there, therefore I'm sick. And there's no way you can convince people otherwise. We'll never be spanking clean; there's no such thing. The question is what do we accept in terms of pollution. The federal government has regulations and you may have your own regulations. You can't be any worse than what the federal government says, but you can require it to be cleaner than what the federal government specifies.

Mr. Parisi asked so you're going to analyze in Phase I and based upon that you will make a recommendation to proceed or not proceed to Phase II?

Mr. Kaplan replied correct.

VOTE: Mr. Killen voted no; all other ayes; motion duly carried.

ITEM 10. Consider and Approve Transfer of \$9,900 from Contingency-Reserve for Emergency Acct. No. 8050-800-3190 to Professional Services-Air Quality Tests-Phase I Acct. No. 1110-900-9001 to Provide Funds for Air Testing Program. Motion made by Mrs. Papale, seconded by Mr. Bradley.

Edward Musso, 56 Dibble Edge Road, stated I'm against the air testing program. Let the federal government do it.

Robert Avery, 70 Masonic Avenue, stated I don't have a lot of faith in what the federal government is going to do when they get here because they haven't told us what they're going to do. You have to have a professional review the tests and review how the tests were taken. The DEP promised us that they would monitor this incinerator. I was in the DEP last Friday and they told me they are not monitoring any incinerator in the entire state. All the data being

collected is sitting in Wallingford and no one is looking at it. He gave me a copy of a report that was given to him by mistake. It said on one chemical alone this incinerator violated the State requirements for SO<sub>2</sub> 68 times in the month of March alone. So don't look for the DEP to protect you.

Vincent Celeste, 682 Williams Road, asked if our independent study shows definitive evidence of pollution, yet the State's data shows the emissions are within normal limits, what can we legally do about it?

Mayor Dickinson replied we can to to the State and petition their immediate interference. If they refuse to do so, we can go to court and force them to meet their responsibilities under State statute.

Ray Rys, 96 Pierson Drive, asked has there been any data collected on the trash plant or the sewage treatment plant?

Mayor Dickinson replied there is ongoing monitoring of what is treated in the trash burning plant. That information is submitted and is subject to review by the DEP which is all part of the acceptance testing that we are going through now. That information should be available as well.

Mr. Kaplan responded the acceptance tests themselves will give you the information of what the plant is emitting.

Kathy Avery, 70 Masonic Avenue, stated there is no ongoing testing and monitoring being done at the plant. We were at DEP this past Friday. No one is looking at the information coming out of the plant. We spoke with the head of Air Compliance. He said no one is looking at this data.

Mayor Dickinson replied the CEM equipment takes the information gathered from the stack, the baghouse, scrubbers, etc. and puts it in one place. The ongoing monitoring, the equipment in the stack, etc., continues to operate. There is a computerized setup which ultimately will be connected up at the State. However, all of the environmental data has to be submitted to the State in order for the facility to pass acceptance.

Kathy Avery replied that's where you're wrong. You're giving people the impression that the plant is monitored all the time 24 hours a day. It's not. For maybe 5 minutes out of an hour period they might gather some information. It's not being monitored at every phase at the stack, at the baghouse. This is what he told us. I suggest you call and talk with Carlton Dodge, head of the Air Compliance Division and he will tell you it is not being monitored.

VOTE: Mr. Killen voted no; all other ayes; motion duly carried.

Mr. Killen thanked Mr. Kaplan for his time.

#### PUBLIC QUESTION AND ANSWER

Carolyn Massoni, 41 Hillsvie Road, stated I noticed a request in the Public Works Department budget of \$165,000 as a tipping fee for CRRRA. What exactly is this for and what departments does it cover?

Steven Deak replied this includes pick up of garbage from the Town Hall, parks, and spring cleanup.

Carolyn Massoni stated I'd like to know what the total cost is going to be for all town departments as far as CRRA and the tipping fees. Does the town have to pick up extra insurance for that in order to be allowed down at the incinerator?

Steven Deak responded we already carry insurance and we did not have to get extra.

Robert Avery stated about 6 weeks ago I came and asked what the Council was going to do about keeping the garbage trucks on the proper roads. I haven't gotten a response.

Mr. Killen replied the Council cannot do anything because this is administrative and it would have to be handled through the Mayor's office. We have the power to pass an ordinance, but that does not mean we have the power to enforce the ordinance. The Mayor cannot pass an ordinance, but he can enforce the terms of the ordinance.

Mr. Zandri asked Mayor Dickinson is there anything that can be done as far as getting the trucks to adhere to the prescribed routes originally laid out for this project? If a citizen sees a truck not on the proper road can they get their plate number and turn it into someone?

Mayor Dickinson replied we are making an effort to force them to obey those routes. They should turn the plate number into Phil Hamel.

Mr. Parisi stated the night I recommended this the Council accepted it only as an advisement and it was passed on as an advisement. If my memory serves me right, we were told that legally we couldn't enforce it. If we put this in the form of an ordinance would it be enforceable?

Attorney Mantzaris replied as I understood it the enforcement was to be up to CRRA. They can revoke the permit of someone who is bringing stuff to the plant. I don't think we would have the authority to pass an ordinance that would prohibit vehicles from certain public streets.

Mr. Zandri stated the only way this can be enforced, and this was promised to the community, is through the contract CRRA has with the five towns. They were going to enforce it by pulling the license of the people who violated this. We're going to have to start turning in license plates to Phil Hamel and have him start putting pressure on CRRA to have this enforced.

Mr. Parisi asked have the haulers been told about the roads?

Mayor Dickinson replied yes. I know of at least one firm that was told to stop and they have. Another firm was not as cooperative. I think the step is to get the licenses and report them.

Mr. Avery asked why can't the police stop these people and give them a verbal warning?

Mayor Dickinson responded I don't think there's any problem with the police being part of the process too.

Motion was made by Mrs. Papale to Waive Rule V to Consider Transfer for Public Works Department. Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to Consider and Approve Transfer of \$10,000 from CRRRA Tipping Fee to Outside Contracts - Public Works Department. Seconded by Mr. Holmes.

Steven Deak stated I was approached this morning by the Sheriff and they would like to evacuate a junkyard in Yalesville. They're going to put out all the belongings on the street and by law we have to remove the belongings and store them. There are several buildings loaded with automobile parts. They wanted to do this tomorrow morning but we have asked them to wait until Friday. I have a firm who is willing to move these items. They estimate it will take about 5 days. We have to store the items for 21 days then we can auction them. If no one's interested, then we have to dispose of them.

Mr. Killen stated we have no choice in this. This is an eviction. Apparently the tenant has a verbal contract with the people who own the land. They got in a tiff over something and the people told him he has to be out. There was a hearing and the tenant is appealing it. But if the stuff is moved out to the curb we have to be prepared to move it and store it.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mr. Adams to Waive the Bid for the Contract - Public Works Department. Seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11. Consider and Approve Transfer of \$52,250 from Contingency-Reserve for Emergency Acct. No. 001-8050-800-3190 to Professional Services Acct. No. 001-1320-900-9010 to Provide Additional Funds for Professional Services - Town Attorney. Motion made by Mrs. Papale, seconded by Mr. Holmes.

Mr. Doherty stated since Case No. 8 involves Braithwaite and Renfrew regarding the sewer fees I would have to abstain because I am involved in that particular case.

Mr. Bradley asked on Case No. 1, Northeast Data Com, from reading the articles in the newspaper it seems we're dead set on pursuing this?

Attorney Mantzaris replied all the work has been done except for the oral argument before the Supreme Court. I know a bill has been submitted in the legislature to exempt software from taxation, but we don't know where that bill is going. At this point I wouldn't recommend not pursuing it to it's final conclusion.

VOTE: Mr. Bradley and Mr. Killen voted no; Mr. Doherty and Mr. Zandri abstained; Mr. Adams, Mr. Holmes, Mrs. Papale and Mr. Parisi voted yes; motion did not pass.

Mr. Holmes stated maybe these should be voted upon individually.

Attorney Mantzaris stated I'll take Case No. 8, Braithwaite and Renfrew, out since it is not a pending matter which will permit Mr. Doherty to vote. I can understand on some of the cases some disagreement on pursuing them, but these are incurred bills and I don't understand why I should be getting a "no" vote. These are monies that are owed for services that have been rendered to the Town for cases that our office could not handle. I want to point out that since Janice Small came on board we haven't farmed out any cases except those where there's been a conflict in the office.

Mr. Killen I find no fault with what you're presenting, my problem is where the money is coming from.

Mr. Killen then asked that the motion be considered with Case No. 8 deleted.

Motion was made by Mr. Holmes to Consider and Approve Transfer of \$49,250 from Contingency-Reserve for Emergency Acct. No. 001-8050-800-3190 to Professional Services Acct. No. 001-1320-900-9010 to Provide Additional Funds for Professional Services - Town Attorney. Seconded by Mr. Adams.

VOTE: Mr. Bradley and Mr. Killen voted no; Mr. Zandri abstained; Mr. Adams, Mr. Doherty, Mr. Holmes, Mrs. Papale and Mr. Parisi voted yes; motion duly carried.

ITEM 14. Consider and Approve Resolution Authorizing the Mayor to Apply for Community Development Block Grant Funds - Program Planner. Motion made by Mrs. Papale, seconded by Mr. Parisi.

Mrs. Papale read the attached resolution.

Mr. Parisi stated I've had some people who own rental property in that area ask me what the criteria would be for the distribution of funds for the rental rehab?

Don Roe replied the basic criteria is there would be a matching requirement, private sector would match every public dollar and there would be a minimum commitment to maintain the benefit to low and moderate income families for a period of five years. Beyond that we're really still in the early stages of designing the program and program forms. When we get farther along and actually formalize the manual and policies for that program, we will go to public review with those.

If the grant is awarded to the Town there are a couple of things we will have to deal with. One will be the rehabilitation of the Railroad Station. The State will be looking for us to sign a 10-year agreement that we will continue to have that facility used for their "approved uses," much like we're doing now for agencies that benefit a majority of low and moderate income residents in the community. As a part of that agreement, if the circumstances should so change that we couldn't continue to use the building for approved uses, there is a

TOWN COUNCIL MEETING AGENDA

APRIL 25, 1989

6:30 p.m.

1. Roll Call and Pledge of Allegiance.
2. Consider and Approve Transfer of \$500 to Secretarial Services - Recycling Committee.
3. Consider and Approve Budget Amendment to Revenue Income - Police Department.
4. Consider and Approve Transfers for Public Works Department:
  - a. \$500 to Utilities - Traffic & Sign Shop
  - b. \$3,000 to Carpet - Recreation Department
5. Consider and Approve Transfers for Sewer Division:
  - a. \$1,000 to Supplies, Communications & General Expenses
  - b. \$3,000 to Misc. & Safety Expenses
  - c. \$1,500 to Laboratory Expenses
  - d. \$3,500 to Maint. Pumping Equipment
6. Consider and Approve Transfer of \$1,500 to Printing - Comptroller's Office.
7. Consider and Approve Budget Amendment of \$312,000 to 1988-89 Capital and Non-Recurring Fund.
8. Consider and Approve Transfer of \$2,083 to Misc. Fact Finding - Mayor's Office.
9. Consider and Approve Waiver of Bid for Air Testing Program.
10. Consider and Approve Transfer of \$9,900 to Professional Services - Air Quality Tests - Phase I.
11. Consider and Approve Transfer of \$52,250 to Professional Services - Town Attorney.
12. Consider and Approve Transfer of \$490 to Clerk-Typist II and \$300 to Transportation - Youth Service Bureau.
13. Consider and Approve Resolution Authorizing the Mayor to Apply for State Funds - Youth Service Bureau.
14. Consider and Approve Resolution Authorizing the Mayor to Apply to State for Community Development Block Grant Funds - Program Planner.
15. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 p.m.

16. Consider and Approve Water Division Contract - Union Local 457.
17. Approve Removal of Council Member Steven Holmes from School Reorganization Committee and Replace with Council Member Iris Papale.
18. Consider and Approve Appointment of Enrique Gil to the Wallingford Housing Partnership Committee.
19. Consider and Approve Abandonment of a Portion of Delancy Road.
20. Consider an Ordinance Amending Ordinance Appropriating \$100,000 for the Planning of an Addition to the Lyman Hall Vo-Ag Center - SET PUBLIC HEARING.
21. Consider and Approve Waiver of Bid to Allow Rand Associates to Draw Up Specifications for a New Phone System - Board of Education.
22. Approve Town Council Minutes of April 11, 1989.
23. Executive Session - Purchase of Real Estate, Requested by Town Attorney

prorated payback so you can buy yourself out of that agreement. Because the building contains other users and a significant amount of common space that doesn't provide a direct benefit, there is no way for the grant to cover the entire cost of restoration. We can apply for that amount of funds which is in proportion to the benefit that building yields to eligible residents. In all likelihood there will be the need for additional funds, some of which you have already appropriated to a capital account in this current year's budget. I don't think those are sufficient to meet the matching requirement based on what I have calculated.

Mr. Bradley asked what are we trying to do with those funds?

Mr. Roe replied we're looking at essentially a complete rehabilitation restoration of the facility: roof, gutters, brick, masonry, windows, doors, and some interior work.

Mayor Dickinson asked how soon would we have to appropriate matching funds?

Mr. Roe responded the State anticipates giving an answer to the communities about the award of the program in August of this year. We identified the rehabilitation project as being a project that would span the entire 2 1/2 years of the program and indicated in the first year we would utilize approximately \$120,000 of grant funds. So we would be looking for matching in this next fiscal year. The amount would depend on how the State reviews, how I've done the calculations, as well as the end result in terms of design specs and bids. I think it would be about \$80,000, but I do not want to be held to that.

Mr. Killen asked what areas would not be covered by the grant?

Mr. Roe replied the ticket office, the common space, etc.

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

Motion was made by Mrs. Papale to remove Item 8 from the Table. Seconded by Mr. Holmes.

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

Mrs. Papale stated we were wondering if there was money in the Annual Report account?

Mr. Roe replied as you know we span two fiscal years and we haven't been out to bid yet. If you want to take \$2,000 from the Annual Report, then go ahead. When we get the bids back and it's over what we have available, I'll just be back to see you.

Motion was made by Mrs. Papale to Consider and Approve Transfer of \$2,083 from Annual Report Acct. No. 1300-600-6130 to Misc. Fact Finding Acct. No. 1300-600-6020 to Provide Funds for Binding Arbitration Process - Mayor's Office. Seconded by Mr. Holmes.

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

ITEM 17. Consider and Approve Removal of Council Member Steven Holmes from School Reorganization Committee to be Replaced with Council Member Iris Papale. Motion made by Mr. Adams, seconded by Mr. Holmes.

Mr. Holmes stated I didn't know if I could devote the time to this project so I thought it would be best to ask if there was a replacement.

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

ITEM 19. Consider and Approve Abandonment of a Portion of Delancy Road. Motion made by Mrs. Papale, seconded by Mr. Holmes.

Attorney William Gaffey stated we're proposing to have the town abandon just that little plug of Delancy Road which is an unapproved, unaccepted town road. We're bringing the water in across Route 68. We will grant whatever utility easements are necessary; that was a condition of our subdivision approval. We will include the abandoned portion in one of the lot areas.

VOTE: Unanimous ayes; motion duly carried.

ITEM 20. Consider and Approve an Ordinance Amending an Ordinance Appropriating \$100,000 for the Planning of an Addition to the Lyman Hall Vo-Ag Center - Set Public Hearing.

Motion was made by Mrs. Papale to set a Public Hearing Date of May 9, 1989, at 7:45 p.m. Seconded by Mr. Adams.

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

ITEM 21. Consider and Approve Waiver of Bid to Allow Rand Associates to Draw Up Specifications for a New Phone System for the Board of Education. Motion made by Mr. Bradley, seconded by Mr. Adams.

Mr. Bradley stated I asked for this to be brought back before the Council.

Mr. Holmes asked after the specs are drawn up will this go out for competitive bid?

A. J. Namnoum replied it will be a competitive bid and will be monitored by Rand Associates. They will take the bidders around on site and explain the bid to them. They will draw up bid specifications and a suggested bidders list. They will also review the bids for us. One thing that was mentioned was that they will draw up an alternate to the bid to include SNET's Centrex System. They felt that if they drew it up one way it would exclude SNET so they thought they should offer an alternate to the bid.

Mr. Parisi asked will Rand Associates also be a bidder? Also you stated they will draw up a suggested bid list. What would be the criteria for excluding bidders?

Mr. Namnoun replied no, they are just the consultant. Anybody and everybody would be included on the bid. The suggested bid list would be used to encourage as many companies to bid on this project as necessary.

Mr. Parisi stated there is a local company that would like to bid.

Mr. Namnoun replied we would encourage that type of participation among town residents.

Mr. Parisi stated I still have a problem with hiring a consultant to come up with a spec. If you know what your problem is, any perspective vendor should be able to make recommendations to solve the problem and bid a price.

Mr. Namnoun stated we did interview extensively 8 different phone systems and it was like comparing apples to oranges. We felt under those circumstances we were not qualified, as laymen, to pursue the matter in that respect. We felt the next step would be to hire a consultant.

Mr. Parisi asked will this go through the Purchasing Department?

Mr. Namnoun replied it certainly will.

Mr. Bradley stated I talked with A.J. and communications people in the private sector and I can relate to what you're faced with as far as making that decision versus having a consultant make the decision for you. It was stated in the paper that I had a change of heart. I don't allow emotion or sympathy to come into my decision-making. It was not a change of heart. It was based on my research, further discussions with A.J., and coming up with the facts.

Mr. Namnoun stated Ed I want to thank you for that conversation that night. You offered me a good lesson that any time you say no you should always offer that alternative as to why you said no.

VOTE: Mr. Doherty abstained; Mr. Parisi voted no; all other ayes; motion duly carried.

Motion was made by Mrs. Papale to go into Executive Session to Discuss Purchase of Real Estate. Seconded by Mr. Adams.

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

#### EXECUTIVE SESSION

Motion was made by Mrs. Papale to come out of Executive Session. Seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to Authorize the Mayor to Purchase Property at 88 South Main Street for \$500,000 for Parking Facilities. Seconded by Mr. Adams.

VOTE: Mr. Holmes and Mr. Parisi voted no; all other ayes; motion duly carried.

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

VOTE: Unanimous ayes; motion duly carried.

Meeting adjourned at 10:45 p.m.

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

Approved:

\_\_\_\_\_  
Albert E. Killen, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kathryn J. Wall, Town Clerk

\_\_\_\_\_  
Date

CERTIFIED RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD  
FOR A YOUTH SERVICE BUREAU GRANT

WHEREAS, in compliance with Sec. 17-433 of the Connecticut General Statutes as amended, the State Department of Children and Youth Services is expected to offer the Town of Wallingford a grant for Fiscal Year 1989-90 for purposes of operating the administrative unit and service program of the Wallingford Youth Service Bureau, and

WHEREAS, it is desirable and the best interest of the residents of Wallingford to accept said grant:

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WALLINGFORD:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Section 17-443.
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the Town of Wallingford in an amount not to exceed \$60,000, is hereby approved and that the Mayor of the Town of Wallingford is hereby authorized and directed to execute and file such application with the Department of Children and Youth Services, to provide such additional information, to execute such other documents as may be required by the Department, to execute a Grant Action Request with the State of Connecticut for state financial assistance if such an Agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the Town of Wallingford.

**CERTIFIED RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF WALLINGFORD**

**To Apply for Small Cities Community Development Block Grant**

Certified a true copy of a resolution adopted by the Town of Wallingford at a meeting of its Town Council on April 25, 1989 and which has not been rescinded or modified in any way whatsoever.

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(CLERK)

(SEAL)

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing, pursuant to Public Law 93-383, as amended; and,

WHEREAS, it is desirable and in the public interest that the Town of Wallingford make application to the State for \$800,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and,
2. That the filing of an application by the Town of Wallingford in an amount not to exceed \$800,000 is hereby approved, and that the Mayor is hereby authorized and directed to file such application with the Commissioner of Housing, to provide such additional information, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, recessions, and revisions thereto, and to act as the authorized representative of the Town of Wallingford.