

TOWN COUNCIL MEETING AGENDA

MARCH 14, 1989

6:30 P.M.

6:00 P.M. - Interview Appointees to Planning & Zoning Commission (Alternate), Zoning Board of Appeals (Alternate), and Board of Tax Review.

1. Roll Call and Pledge of Allegiance.
2. Consider and Approve Transfers - Public Works Department:
 - a. \$12,100 to Utilities-Town Hall
 - b. \$3,800 to Railroad Station Utilities
3. Consider and Approve Transfer of \$3,500 to Blueprint Machine - Engineering Department.
4. Consider and Approve Transfer of \$341 to Conf, Labor Seminar - Personnel Director.
5. Consider and Approve Transfers - Town Attorney's Office:
 - a. \$176 to Office Supplies
 - b. \$1,000 to Office Supplies
 - c. \$1,500 to Professional Services
 - d. \$2,500 to Professional Services
6. Consider and Approve Transfer of \$6,200 to Professional Services - Comptroller.
7. PUBLIC QUESTION AND ANSWER PERIOD - 7:30 P.M.
8. PUBLIC HEARING on an Ordinance Amending an Ordinance Appropriating the Sum of \$339,500 for the Design and Construction Engineering Phases in Connection with the Acquisition of an Air Stripping Plant for Water Supply Well #2 and a Filtration System for Water Supply Well #3 - 7:45 P.M.
9. PUBLIC HEARING on an Ordinance Amending an Ordinance Appropriating the Sum of \$1,223,000 for the Wallingford Public School Asbestos Abatement Program and Authorizing the Issue of \$1,223,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue thereof the Making of Temporary Borrowings for Such Purpose - 8:00 P.M.
10. Consider Appointment of Brian McDermott as Alternate to the Planning and Zoning Commission - 3 Year Term.
11. Consider Appointment of Richard E. Scott as Alternate to the Zoning Board of Appeals - Interim Term to Expire 1/8/91.
12. Consider Reappointment of Tim Reardon to Board of Tax Review - 3 Year Term.

13. Consider Confirmation of Mayor's Appointment of Alexander Kovacs to Public Utilities Commission - 3 Year Term.
14. Consider Confirmation of Mayor's Appointment of William Lyons to the Personnel and Pensions Appeal Board - Term to Expire 12/31/90.
15. Consider and Approve Contract for the Electric Production Union.
16. Update Regarding CRRA Project - Requested by Council Member Papale.
17. Consider and Approve Increase for Former Employees on Consolidated Pension Plan.
18. Consider Establishment of Wallingford Recycling Committee.
19. Approve Town Council Minutes of February 28, 1989 and Correct Item 21 of June 14, 1988 Minutes.
20. EXECUTIVE SESSION - Requested by Town Attorney.

TOWN COUNCIL MEETING SUMMARY

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TOWN COUNCIL MEETING

MARCH 14, 1989

6:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 6:50 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, Solinsky, Zandri and Killen. Also present were Mayor Dickinson, 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 2b, 6, 14, 19 and the Resolution on the Addendum placed on the Consent Agenda to be voted upon by one unanimous vote.

ITEM 2.b Consider and Approve Transfer of \$3,800 from Rental Compactor Acct. No. 001-5060-600-6510 to Railroad Station-Utilities Acct. No. 001-5110-200-2010 to Fund Increase in Utility Bills - Public Works Department.

ITEM 6. Consider and Approve Transfer of \$6,200 from Deputy Comptroller Salary Acct. No. 001-1400-100-1200 to Professional Services Acct. No. 001-1400-900-9000 to Provide for Professional Services - Comptroller.

ITEM 14. Confirm the Mayor's Appointment of William Lyons to the Personnel and Pensions Appeal Board for a Term to Expire 12/31/90.

ITEM 19. Consider and Approve Town Council Meeting Minutes of February 28, 1989 and Correct Item 21 of June 14, 1988 Minutes.

Addendum - Resolution Authorizing Submission of the Private Industry Council (PIC) Proposal for Funding the At-Risk Youth Program - Youth Service Bureau.

Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 2.a Consider and Approve Transfer of \$7,100 from Prof. Services-Monitor Test Wells Acct. No. 001-5060-900-9000 and \$5,000 from Snow Plow Trucks Acct. No. 001-5040-999-9901, a Total of \$12,100 to Utilities-Town Hall Acct. No. 001-5200-200-2010 to Fund Increase in Utility Bills - Public Works Department. Motion was made by Mrs. Papale, seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

ITEM 3. Consider and Approve Transfer of \$3,500 from Project Engineering Wages Acct. No. 001-5010-100-1200 to Blueprint Machine Acct. No. 001-5010-999-9908 to Purchase a New Blueprint Machine - Engineering Department. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Bradley asked how much is a new machine?

John Costello replied the new machine and the auxiliary parts that go with it would be a little over \$3,000.

Mr. Doherty asked was the Project Engineer position in the budget for this year and never was filled?

Mr. Costello replied the position has been vacant since September of 1988 and we are trying to leave it open for awhile to see how things go. The Project Engineer supervised the ongoing construction projects and prepared the estimates and invoices. So far we've gotten along without the position.

Mr. Zandri stated he did not like the money coming from a wages account.

Mr. Costello responded we are not behind in our work and if it starts to look like we're falling behind then we will fill the position.

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

ITEM 4. Consider and Approve Transfer of \$341 from Advertising Acct. No. 1590-400-4100 to Conf, Labor Seminar Acct. No. 1590-800-8020 to Fund Airfare to England in Connection with the 1989 Personnel Managers' Exchange Program - Personnel Director. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Bradley asked what is the total expense to the town?

Stanley Seadale replied \$341 is the total. The lodging and registration will be paid for by the British Society of Chief Personnel Officers. I will pick up the rest myself.

Mrs. Papale asked why are you picking up any of the expenses yourself?

Mr. Seadale responded I didn't want to come to the Town for it. I'm looking forward to going. I appreciate the opportunity to go and being selected by the national organization. I don't have any problem with that. I'm going to have a good time. I go to one conference a year and I applied for this exchange because it sounded interesting. I was fortunate to be selected.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5.a Consider and Approve Transfer of \$176 from Prof. Liability Insurance Acct. No. 001-1320-800-8250 to Office Supplies Acct. No. 001-1320-400-4000 to Fund Renewal of Legal Books and General Office Supplies - Town Attorney's Office. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Killen asked have you used up all your Mayoral Transfers and that's why it came to us?

Adam Mantzaris replied no we haven't used them all.

VOTE: Unanimous ayes; motion duly carried.

ITEM 5.b Consider and Approve Transfer of \$1,000 from Investigator Acct. No. 001-1320-100-1100 to Office Supplies Acct. No. 001-1320-400-4000 to Fund Renewal of Legal Books and General Office Supplies - Town Attorney's Office. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Doherty asked would you please define the category of Investigator?

Attorney Mantzaris replied we had a person who was a former insurance adjuster on our payroll for \$2,500 a year who investigated for highway and sidewalk defects and road claims. That was paid to him at the beginning of each fiscal year whether he was used or not. At the last budget session I mentioned I would not be paying that money unless it was spent on investigative services. Since we are now insured for highway claims I haven't had to use the investigative services and I don't anticipate anything coming up between now and the end of the fiscal year which is non-highway for which I would need those services.

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

ITEM 5.c Consider and Approve Transfer of \$1,500 from Investigator Acct. No. 001-1320-100-1100 to Professional Services Acct. No. 001-1320-900-9010 to Provide Funds for Additional Professional Services - Town Attorney's Office. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

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

ITEM 5.d Consider and Approve Transfer of \$2,500 from Self-Insurance - Claims Acct. No. 001-8040-800-8280 to Professional Services Acct. No. 001-1320-900-9010 to Provide Funds for Additional Professional Services - Town Attorney's Office. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mr. Bradley asked is there a reason why we're crossing accounts here from 8040 into 1320?

Attorney Mantzaris replied for some reason the Self-Insurance - Claims account is carried on Marc Wilson's page under the insurance accounts and not in the Town Attorney's office although it is our account. Our office sets the figure for budget purposes.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to move up Items 10, 11 and 12. Seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 10. Consider and Approve Appointment of Brian McDermott as Alternate to the Planning & Zoning Commission for a 3 Year Term. Motion was made by Mrs. Papale, seconded by Mr. Adams.

Mrs. Papale read the attached letter, dated February 23, 1989, from Brian McDermott addressed to herself.

There were no other nominations.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11. Consider and Approve Appointment of Richard E. Scott as Alternate to the Zoning Board of Appeals for an Interim Term to Expire 1/8/91. Motion was made by Mrs. Papale, seconded by Mr. Adams.

Mrs. Papale read the attached letter, dated February 20, 1989, from Richard E. Scott to Mr. Killen.

There were no other nominations.

VOTE: Unanimous ayes; motion duly carried.

ITEM 12. Consider and Approve Reappointment of Tim Reardon to the Board of Tax Review for a 3 Year Term. Motion was made by Mrs. Papale, seconded by Mr. Bradley.

Mrs. Papale read the attached letter, dated March 3, 1989, from Tim Reardon addressed to herself.

There were no other nominations.

VOTE: Unanimous ayes; motion duly carried.

Mr. Killen noted that prior to the meeting the gentlemen who were nominated were interviewed by the Council Members and we were very satisfied that they have the attributes we are looking for.

Motion was made by Mr. Doherty to waive the waiting period. Seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

Messrs. McDermott, Scott and Reardon were then sworn in by Kathryn Wall, Town Clerk.

Motion was made by Mrs. Papale to move up Item 18. Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 18. Consider and Establish a Wallingford Recycling Committee.

Mrs. Papale read the attached letter, dated March 8, 1989, from Mayor Dickinson to the Town Council.

Motion was made by Mrs. Papale to Establish a Wallingford Recycling Committee with each Council Member appointing one person and the Mayor's Office appointing two people and that the names be submitted two weeks from today to be voted upon. Seconded by Mr. Bradley.

Mr. Adams stated he would like to see some young people included on the committee.

Mr. Killen stated when coming forward with a name I would ask that you also submit a letter from the person you intend to name stating that they are willing to serve.

Mr. Doherty stated he would like to see those people who were quite outspoken on recycling as a solution to the trash plant come forward and volunteer to serve on this committee.

VOTE: Unanimous ayes; motion duly carried.

At this time Mrs. Papale read into the record the Resolution from the Addendum, approved under the Consent Agenda, regarding the funding for the at-risk youth program.

Motion was made by Mrs. Papale to move up the Transfer from the Addendum. Seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to Transfer \$2,000 from Internal Auditor Salary Acct. No. 1400-100-1200 to Overtime Acct. No. 1400-100-1400 - Comptroller's Office. Seconded by Mr. Adams.

Mr. Myers stated last week we had an employee who was hospitalized. The employee has since returned to work but may require surgery. We are in the middle of the budget process and our Overtime account has \$1,000 left in it. I anticipate that if this employee has a relapse and is hospitalized again we're going to have extensive overtime. I'd rather have the account funded than run out of money and have to call an emergency meeting.

VOTE: Unanimous ayes; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Walt Sawallich, Jr., 100 Jobs Road, stated I don't know if there would be a conflict of interest if some of the haulers served on the Recycling Committee, but a few of us would be more than happy to be included as advisors or something to discuss how to make some of these different things work. We deal with this on an everyday basis.

Mr. Killen stated all the committee meetings would be open and they should be posted so you would be aware of them. Your input would definitely be appreciated.

Henry Renfrew, 25 Audette Drive, asked if there were any other names put forward for the Mayor's appointment to the PUC Commission?

Mayor Dickinson replied there were two other names. One was a previous commissioner, Joe DeMaio, and the other was Ashwatha Narayana.

Mr. Renfrew stated some friends of mine asked me to look into the pension plan for the Police Department and the information I had was an agreement signed in 1984 entitled those retired policemen to a 3% increase in October 1987. Why wasn't that increase given to those people in 1987?

Edward Musso, 56 Dibble Edge Road, suggested a meeting be held between the Council and the Mayor to find out why he doesn't assign the custodian of the building to open the doors to get in and to lock the doors when he goes home.

Motion was made by Mrs. Papale to move up Item 17. Seconded by Mr. Bradley.

VOTE: Unanimous ayes; motion duly carried.

ITEM 17. Consider and Approve Increase for Former Employees on Consolidated Pension Plan.

Mr. Killen read the attached letter, dated March 8, 1989, from Mayor Dickinson to the Town Council.

Motion was made by Mrs. Papale as follows: Effective October 1, 1987 each retired former employee or surviving spouse of a former employee covered by the Consolidated Pension Plan who as of October 1, 1987 has been receiving retirement income from the plan for one (1) year or more, shall receive an across-the-board increase of four percent (4%). Retired firefighters or their surviving spouses who reached 60 years of age on or after July 1, 1980 are excluded. Seconded by Mr. Adams.

Mr. Doherty asked is this an omission on the Town's part that we are attempting to correct? It seems like a long time has passed before we considered this.

Mr. Seadale replied we have two contractual agreements that call for a review as of October 1987 and we are late in doing it. That is why the monies would be retroactive. The retirees had an increase in July 1975. In October 1984, similar to this, anyone who had been retired one year got a 3% across the board increase. We have a contractual commitment to consider it as of October 1987. I think it's a fair increase. Part of the holdup was waiting for the final court decision on the firefighter case.

Mr. Bradley asked who is covered under this?

Mr. Seadale replied everyone who is a retiree through the Consolidated Pension Plan. That covers all of the town employees. There's about 230 retirees out there and it would affect around 215 of those. The other 15 would be covered under the 2% that the firefighters got in their binding arbitration award.

Mr. Killen asked what is the earliest age a person may retire outside of police, fire, and electric linemen?

Mr. Seadale replied 30 years of service at any age. The average age going out is probably around 58.

Mr. Killen stated I'm thinking of someone going in at 22 and retiring at 52 and then taking a second job and now we're supposed to sweeten the kitty.

Mr. Seadale stated there are some retirees in that category, but the vast majority of them are older than that.

Mr. Killen stated eventually we're going to have to recognize that people are living longer and retiring earlier and we are again hitting the taxpayer. I'm not happy with it.

Mr. Adams stated there are times we're looking for people to fill positions and I feel we have to have some consideration for those who are living on a fixed income. We'd like to have those people retire after many years of service in our Town and stay in our Town.

Mr. Doherty stated I agree with Frank. When we make a contractual agreement we have to uphold it. In the future, if we tell the negotiators to be careful on granting some of these increases because of the longevity of people today, then I would go along with that.

Edward Musso, 56 Dibble Edge Road, agreed with Mr. Killen.

Ed Zolkiewicz, Ward Street, stated I'm a retired policemen for 13 years and I haven't gotten a raise since 1980. The cost of living and taxes keep increasing. Either they should pick up Blue Cross/Blue Shield or else give us a cost of living increase.

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

Motion was made by Mrs. Papale to move up Item 15, seconded by Mr. Holmes.

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

ITEM 15. Consider and Approve Contract for the Electric Production Union.
Seconded by Mr. Bradley.

Edward Lynch stated the package consists primarily of wage increase of 7% on 9/1/88; 6% on 9/1/89; 1% on 3/1/90; and 6% on 9/1/90. Life insurance would be increased to \$22,500 which would make the life insurance equivalent to most of the other contracts that we have. Meals would be increased \$.25. There would be an increase in shift premium of \$.5 and longevity would be increased in the second and third years of the contract. The contract language stays the same.

Mr. Bradley asked is Turbine Utility Operator a budgeted position?

Mr. Seadale replied we're trying to clarify and redefine the operations at the Pierce Plant. There were a large number of job descriptions when that was a fully functioning facility and right now the plan is to run it with 8 people around the clock. We currently have Turbine Switchboard Operators and Utility Operators. These functions would be combined. This does not mean additional staffing, but it gives us better utilization of these people.

Mr. Bradley stated on Page 35, Section 5, it states "The Division will continue to furnish such tools as it has customarily furnished in the past." Is this documented somewhere within past contracts?

Mr. Seadale stated that's been in there at least 14 years and I believe those would be linemen tools.

Mr. Killen stated I think the concern is what is customarily provided?

Mr. Bradley stated on Page 38, Article 18 - Towels, I would assume these are towels for showers and things like that. What expense is that to the divisions?

Ray Smith replied they are for showers. I don't know what the expense is, but I can get the information for you.

Mr. Doherty stated there was no mediation or binding arbitration involved here. What did we do right?

Mr. Seadale stated we had two reasonable groups. We are satisfied with the agreement from the Town's perspective.

Mr. Lynch stated this is a fair and reasonable package that provides fair increases to the workers and at the same time continues the other right to manage as provided in the basic agreement.

Mr. Bradley stated he appreciated having ample time to look over the contract before voting on it.

Edward Musso, 56 Dibble Edge Road, stated the increases were too high.

VOTE: Unanimous ayes; motion duly carried.

ITEM 8. Public Hearing on an Ordinance Amending an Ordinance Appropriating the Sum of \$339,500 for the Design and Construction Engineering Phases in Connection with the Acquisition of an Air Stripping Plant for Water Supply Well #2 and a Filtration System for Water Supply Well #3. Motion was made by Mrs. Papale, seconded by Mr. Holmes.

Mrs. Papale read the attached ordinance into the record.

Edward Musso, 56 Dibble Edge Road, stated he was pleased to read in the paper that the bids came in lower than anticipated.

Mary Fritz, 43 Grove Street, Yalesville, how much is the Town of Wallingford actually responsible for in these bonds beyond the state money?

Tom Myers replied the appropriation tonight is a total appropriation that would include local funds and state funds. We will be working very closely with your office and other state agencies in determining the final amount of grant funds that Wallingford will receive. The bonding that will affect the water rate, or that will be paid by local dollars, will be net of the state grant award. The application for the funds is on a reimbursement basis. We will spend local dollars first and apply monthly for reimbursement. When the project is completed the only amount that will be bonded will be the local share.

Mary Fritz stated the whole intent was to receive the money from the state to reduce the responsibility, in terms of tax dollars, of the people of Wallingford. That was the second step. Of course the first step was to cleanup the wells and I think it's unfortunate that it has taken so long.

Mr. Bradley asked are you still on schedule as far as the award of the contract?

Ray Smith replied that is on schedule, but of course it depends on this ordinance tonight. We have a certain waiting period that we must abide by before we can authorize any contract. The completion date of December 31, 1989 still stands.

Mr. Bradley asked can the December 31 date be bettered?

Mr. Smith responded we'll certainly keep the pressure on both the contractor and the engineers, but there are certain components that are long term delivery items.

Roger Dann stated at the onset of this project the same concern was raised on the part of Council. The best possible approach identified was to prepurchase some of these long term delivery items. By having done that we are now in a position to complete this project about two months earlier than we would have been. So we have gained some ground already.

Mr. Bradley stated so we keep on track with this, I would like a monthly status report given to the Council.

Al Kovacs replied as soon as we get reports on this we'll make sure that all the Council members receive one.

Mr. Zandri stated I am also concerned with the time frame on this. Is there any penalty clause built into the contract?

Mr. Dann replied there is a clause built into the general contract for liquidated damages. In addition to that there are also liquidated damage clauses built into each of the prepurchase item bids as well. We've also applied a little bit of fiscal pressure in terms of how we will reimburse the suppliers for their equipment. We'll be withholding a certain amount of funds to insure that they have incentive to follow through on the project. So we have tried to address that with the avenues available to us.

Mr. Doherty asked is there any comparison with the sewage treatment plant where the possibility exists, because of the low bid, that we may be prolonged and into court and a variety of other things?

Mr. Smith replied we don't believe so because the bids were within a relatively close price range. As far as the liquidated damages, even though it's in the contracts it doesn't guarantee the work will get done. There's certainly a penalty if the contractor doesn't fulfill his obligations, but it doesn't guarantee it.

Mr. Doherty stated we would all like to see this completed as quickly as possible.

Mr. Zandri asked during construction is there going to be any down time on either one of the wells? Is that going to pose any problems as far as water supply in the area and pressure.

Mr. Smith replied we have built into the contract a clause which should minimize the amount of downtime such as they are required to keep both of the existing wells in operation up until the final tie. That should occur just prior to the time that we're able to start up the facility. There will be some downtime but I'm hoping for a period of several days as opposed to anything more substantial than that.

Mr. Killen asked did the bids for the engineering come in higher than anticipated?

Mr. Dann replied the engineering was determined a year ago at the time of the original funding ordinance. The \$339,500 that was originally appropriated included engineering for the design and construction phases on the project. There have been some increases to that for two purposes. One is for the additional work incurred by having to prepurchase some of the items and one is in order to provide us with an analysis of the relative cost for the air stripping portion versus the greensand portion so that we can apply for the state grant for which we are eligible only to the extent that it is applied to the air stripping portion of the facility.

Mr. Killen stated then you came in \$105,000 over what you anticipated for engineering?

Mr. Dann responded some of that is for contingencies. Those funds have not yet been expended and at this point in time we have not authorized the engineer any additional funds over and above what you see in the first two stages for the design and construction phases.

Mr. Killen asked in going for the original bonding wouldn't you have included a contingency in that figure?

Mr. Dann replied no. At that time there was no allowance for contingency for bonding costs or any other factors in there.

Mr. Killen stated at the bottom it says 56 1/4 Town, 44 1/4 State ratio subject to engineer's final review. Those figures wouldn't jive with what Mary Fritz just told us if we go by the bottom line you give us here.

Mr. Smith replied we're getting reimbursed based on the air stripping tower. The state does not reimburse the greensand filter portion of the project.

Mr. Killen stated the figure \$1.2 million has been used. Are we guaranteed \$1.2 million or aren't we?

Mr. Dann replied no we are not guaranteed that. We are eligible for up to that amount provided that we will only receive the portion which is the value of the air stripping facility.

Mr. Solinsky asked who is overseeing this project?

Mr. Dann replied it will be a part-time inspection on the part of the engineer with a representative from the Town, either the Water Superintendent or Assistant Superintendent.

VOTE: Unanimous ayes; motion duly carried.

ITEM 9. Public Hearing on an Ordinance Amending an Ordinance Appropriating the Sum of \$1,223,000 for the Wallingford Public School Asbestos Abatement Program and Authorizing the Issue of \$1,233,000 Bonds of the Town to Meet Said Appropriation and Pending the Issue thereof the Making of Temporary Borrowings for Such Purpose. Motion was made by Mr. Adams, seconded by Mrs. Papale.

Mr. Adams read the attached ordinance into the record.

Edward Musso, 56 Dibble Edge Road, stated I don't think the federal government can prove that asbestos is harmful. If they want the asbestos removed, let them do it at their own expense.

Mr. Zandri asked how many schools have been completed so far and how many remain?

Tom Chicoski replied the project that we completed from the summer of 1988 included 5 schools. This second phase will consist of the remaining 5 schools.

Mr. Bradley asked is this reimbursable by the State?

Mr. Chicoski replied yes at 63.1%.

Mr. Bradley asked what is the overtime anticipated for?

Mr. Chicoski responded the overtime portion of the estimated cost summary is estimated based on our experience with the 1988 summer project. There was a substantial amount of overtime expended by the abatement contractor which was part of his basic contract costs. The Town did not incur any additional expense because he had to work a double or triple shift or work on weekends. But we did have to provide industrial hygiene services whereby the air testing was monitored throughout that period.

Mr. Bradley asked what type of circumstance would force these people into a Saturday or Sunday?

Mr. Chicoski replied according to the terms of the abatement contract there is a stipulated period to start and end for each of the schools. If they could not complete the school in that period, they would have to go into overtime.

Mr. Bradley asked how much is Sheehan School going to cost?

Mr. Sharkey responded Sheehan is \$24,700 for the actual abatement.

Mr. Killen asked was the former Yalesville School considered at this time?

Mr. Chicoski replied no we are not planning to do Yalesville School because there is no requirement as far as the State Department of Education is concerned since it is no longer an active Town school building.

We had an initial inspection done at Yalesville School and there were some items from that inspection that required immediate attention, such as compliance with the existing EPA regulations for posting of the asbestos containing areas, notification to the building occupants, and some immediate removal of areas where there was very friable material. That was done at the expense of Ben Haven School who is leasing the building. Regardless of who uses the building, if the material becomes friable and airborne, and air testing and sample taking indicates that the particle count in the air is above .015 per CC then the DEP or EPA could come in and close the building down. Then the only way to reoccupy it is to clear it out.

If it was put back into the school system, there are specific provisions of the Asbestos Emergency Hazard Response Act of 1986 that would require you to have a very strict asbestos management plan generated and on file with the State. If you have material in very bad condition, they would most likely recommend that you remove it. So you could be faced with an asbestos removal project at Yalesville. In 1986 you had close to \$150,000 worth of asbestos removal potential at Yalesville.

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

ITEM 13. Confirm the Mayor's Appointment of Alexander Kovacs to the Public Utilities Commission for a 3 Year Term. Motion was made by Mrs. Papale, seconded by Mr. Holmes.

Mrs. Papale read the attached letter, dated March 8, 1989, from Mayor Dickinson to the Town Council.

Mr. Doherty stated I would like to make some comments which are not aimed at Mr. Kovacs personally but at the PUC Commission. I think it's time for a change in personnel on the PUC. They've experienced a variety of problems from pilferage to sewage dumping in the Quinnipiac to personnel shortages. I think there's a need for new thinking on utility issues at the PUC. We have to have more people down on John Street who ask more questions. There are too many unanimous votes by the PUC. At present we face many major expenses. I think there should have been an attempt to seek out more expertise, especially in the area of engineering. I recommended to the Mayor a person with engineering background for this position. I think someone of that particular nature should have been considered.

Mr. Bradley agreed with Mr. Doherty. I also request that the other name with engineering background be considered by the Mayor.

Mr. Holmes stated he was in favor of Mr. Kovacs being placed back on the PUC Commission. I think Mr. Kovacs has served the Town well for many years and I think he is a knowledgeable member of the PUC. I don't think it's fair to blame every woe in Town on the PUC. They face some very difficult decisions and they've had some very difficult choices to make. Although they've made some unpopular ones, I don't think it's fair to single out the qualifications or mar the integrity of the people involved.

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

ITEM 16. Update Regarding CRRA Project - Requested by Mrs. Papale

Mayor Dickinson stated I've just been informed that the representatives from CRRA had to leave. One of the representatives had to attend a wake this evening.

Mrs. Papale stated I requested this item and I'm disappointed that both gentlemen had to leave. It's probably best that if one couldn't stay the other didn't stay because I think the need was to speak to both Mr. Wright and Mr. Martin. I asked them to be here at 7 p.m. and I thought we would get to them by then.

Mayor Dickinson stated why don't we table this till the next meeting.

Mr. Holmes stated I think we should call a special meeting prior to our next meeting if necessary.

Motion was made by Mrs. Papale to table Item 16 until a meeting can be set up with all parties involved at the earliest date possible. Seconded by Mr. Adams.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to go into Executive Session to discuss a pending claim in the Superior Court and to discuss the appraisal of real property that the Town may purchase. Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

EXECUTIVE SESSION

Motion was made by Mr. Adams to come out of Executive Session, seconded by Mrs. Papale.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to settle the suit of the PUC with Hogan Construction Company in the amount of \$75,000. Seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

Motion was made by Mrs. Papale to authorize Attorney Janis Small to go ahead and negotiate with Larry Bourland on the property at 88 South Main Street. Seconded by Mr. Adams.

VOTE: Unanimous yes; motion duly carried.

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

VOTE: Unanimous ayes; motion duly carried.

Meeting adjourned at 9:30 p.m.

Town Council Meeting

- 14 -

March 14, 1989

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

Approved:

Albert E. Killen, Chairman

Date

Kathryn J. Wall, Town Clerk

Date