

TOWN OF WALLINGFORD, CONNECTICUT

TOWN COUNCIL MEETING

June 26, 2007

The following is a record of the minutes of the Wallingford Town Council at its regular meeting held on Tuesday, June 26, 2007, in the Robert Earley Auditorium of the Wallingford Town Hall. Town Council Chairman Robert F. Parisi Called the Meeting to Order at 6:37 P.M. Responding present to the Roll Call given by Town Clerk Barbara Thompson were Councilors Michael Brodinsky, Vincenzo M. Di Natale, Lois Doherty, Stephen W. Knight, Iris F. Papale, Robert F. Parisi, Rosemary Rascati, and Vincent F. Testa, Jr. Mayor William W. Dickinson, Jr., Assistant Town Attorney Gerald E. Farrell, Sr. and Comptroller James Bowes were also present. Councilor Gerald E. Farrell, Jr., was absent due to recent surgery.

A Moment of Silence began the meeting. The Pledge of Allegiance was said and the Roll Call taken.

2. Correspondence

None

3. Consent Agenda

- 3a. Consider and Approve Tax Refunds (#714- #715) totaling \$1,876.85 Acct. #001-1000-010-1170 - Tax Collector
- 3b. Consider and Approve a Transfer in the Amount of \$1,000 to Purchased Services-Employee Medical Exams Acct # 001-5015-901-9012 from Tow behind Leaf Vacuum Machine Acct # 001-5015-999-9133 – Public Works
- 3c. Consider and Approve a Transfer in the Amount of \$3,000 to Utilities Acct # 2030-201-2010 from Purchased Services-Ambulance Revenue Recovery Acct # 2030-901-9035 – Fire Department
- 3d. Acceptance of various Grants (7) – Board of Education
- 3e. Consider and Approve a Resolution Authorizing the Mayor to make application with the State of Connecticut for a Social Services Block Grant Program *and* Consider and Approve an Agreement between the

Town of Wallingford and the Community Action Agency of New Haven
to provide a meals program for the homebound
– Program Planning

- 3f.** Consider and Approve a Resolution Authorizing the Mayor to make application to the State of Connecticut for a Community Service Program *and* Consider and Approve an Agreement between the Town of Wallingford and the Spanish Community of Wallingford for a Community Service Program
– Program Planning
- 3g.** Consider and Approve a Resolution Authorizing the Mayor to make application to the State of Connecticut for an Hispanic Human Resource Development Program *and* Consider and Approve an Agreement between the Town of Wallingford and the Spanish Community of Wallingford for an Hispanic Human Resource Development Program
– Program Planning
- 3h.** Consider and Approve Town Council minutes of June 12, 2007

Mr. Knight made a motion to accept the Consent Agenda Items 3a. to 3h.
Ms. Doherty seconded the motion.

All Councilors present (8) voted aye. Mr. Farrell was absent from the meeting. The motion passed

4. Items Removed from the Consent Agenda

None.

5. PUBLIC QUESTION AND ANSWER PERIOD

Kathryn Zandri, 9 Balsam Ridge Circle, talked about the 'Books for Babies' program that began in the Town Clerk's Office when she was Town Clerk and wanted to know why the Town Clerk's Office has not continued the program. She voiced objection that taxpayer money was used in the mailing of congratulatory cards to Wallingford's graduating seniors from the Mayor.

Ken Daly, 594 North Elm Street, asked about motions being made that are not listed on the agenda and referenced Item 14, which states "possible action". Chairman Parisi explained that the item is expressed that way on the agenda so that should something be presented and a Councilor wants to make a motion that it would be allowed according to the agenda. Mayor Dickinson added that an agenda's purpose is not to list motions. He said that the agenda tells what will be discussed but will not necessarily tell you if a motion will be made or if a motion is made just what motion might be.

Bob Hogan, Grieb Road, recalled that the meetings with the architect and lawyer would be discussed at this meeting but he doesn't see it on the agenda. Chairman Parisi said that it will be discussed at the July 17, 2007 meeting.

Jessie Reynolds, 850 Old Durham Road, asked about Wallingford's budget in light of the State of Connecticut's budget passage and if it came out above or below what was anticipated. Mayor Dickinson said that the town would be receiving about \$400,000 less than was expected in education cost sharing.

Phil Wright, Sr., 160 Cedar Street, thanked and complimented the Wallingford Garden Club on their work.

Bob Gross, 114 Long Hill Road, asked about Mayoral appointments to the CRRA Board. Mayor Dickinson said that he has one indication but hasn't taken any action yet. Mr. Gross asked about the judgment recently made. Mayor Dickinson said that our project is not part of it. He said of Wallingford was not part of the lawsuit that involved Enron. He said that was the Hartford region.

Robert Sheehan, 11 Cooper Avenue, asked about the Christian Street bridge. John Thompson, Town Engineer, said that the bridge is right on schedule and that the bridge was demolished last Friday and the Department of Public Works has the water flowing through the diversion pipes and the isolation is complete and preparation is underway for the new box culverts. He said that the latest opening target date is mid-September.

8. Consider and Approve a Budget Amendment in the Amount of \$305,000 to increase Use of Funds – Investment for Power Cost Reductions and to decrease Use of Funds – Appropriation to Retained Earnings FY 2007-08 – Electric Division

The Public Hearing could not be taken up before 7:00 P.M. so it was agreed to move up Item 8.

Mr. Knight read the item and made a motion, seconded by Ms. Papale, to Approve a Budget Amendment in the Amount of \$305,000 to increase Use of Funds – Investment for Power Cost Reductions and to decrease Use of Funds – Appropriation to Retained Earnings FY 2007-08 as requested by the Electric Division.

In attendance-
George Adair, Director of Public Utilities
Richard Hendershot, General Manager, Electric Division
Thomas Sullivan, Business Manager, Electric Division

Mr. Adair said that this request is for approval of a budget amendment for funding the Electric Division's participation in an additional CMEEC diesel generator, which would be located under lease to CMEEC at the Electric Division on property at the John Street site. The budget amendment was approved by the

Public Utilities Commission at their June 20 meeting and the PUC also approved an Amendment to the CMEEC Ground Lease Agreement to provide a site for the unit as well as approval to a Memo of Understanding and Agreement between the Wallingford Electric Division and CMEEC. This reflects the Electric Division's 35.822% participation in the project with an investment of \$305,00, the subject of this request. He said this is a good investment and that the credit that the town gains will show up as reductions in the Purchase Power bills over a period of six years. A net present value analysis on this investment was done and the project over the nine-year cash flow projection that they got from CMEEC would show a net present value of about \$50,000. That would be that much better than having the money out at 5.5%. He said that there would be a pay back, or a recovery, of the \$305,000 by year six. He said that the total over nine years positive cash flow would be \$573,000 on the investment. Other benefits include new pollution control technology that will fully meet the new DEP air standards for diesel pollution control for 2009, and he talked about other potential revenues with the new unit and two of the other units at John Street and the lease payments to the Electric Division would total over the nine years \$125,000 are not included either in the calculation. The rate-payer would see a direct result in reduced power costs and in this use of retained earnings. He explained the differences between Tables 2 & 3 in the agenda packet. Mr. Adair said that it would be about \$147,000 positive or the town's share of the total in the table, which is 36% of the total benefit. There was discussion on emissions. Mr. Adair said that these units would run only when dispatched at about 500 hour per year like the Pierce unit. He said that these are not energy producers that have to be on all the time.

Mr. Adair said that the Pierce unit is natural gas-fired with diesel fuel back-up and it's a different kind of engine than the reciprocating kind of engine that are diesel. Mr. Adair said that they are two megawatts in size and a very different scale than Pierce. Given the new unit and bidding into the same market as Pierce, he estimate that it will run about 200-250 hours per year, which is very little of the total hours, and used during peak demand and to keep up the state's capacity reserves. The revenue stream flows year-round and would get \$14 per kw month, or \$28,000 per month for being there, and then when it runs it receives funds for energy produced. Mr. Brodinsky asked about year-nine on Table 3, which seems to be a cash flow projection Year 1 to Year 9, giving dollar amounts for each year. He commented about year 9, which has WED share of cash flow of \$41,637 and asked what that number represents. Mr. Adair said that is just for the new unit for one year, which is better than if that money were invested at 5.5%, and this does not include the benefit of the lease payments. He said that the lease payments are \$1,000 per month per unit. As for the neighborhood and its neighbors, he commented that this is a containerized unit, making it sound attenuated and that urea unlike ammonia does not have release issues. Connecticut Siting Council has jurisdiction and will be hearing CMEEC's application in July or August. It could be installed by the end of August.

Geno Zandri, 9 Balsam Ridge Road, asked about the total investment, total number of years and the total income over the years. Mr. Adair said that the total investment is \$305,000 with a plan forecast from CMEEC of nine years

yielding net but the unit life is about 25 years and the total net cash, or positive cash flow for the projected 9 years of \$447,000 (this included the initial investment) and lease payments benefits of \$125,000. The revenue on an investment of \$305,000 invested at 5.5 % over nine years would be \$50,000 less than that. There are no tax payments to the town. Mr. Zandri wanted to know what the tax bill would be if this were taxable. Mr. Adair said that it is about \$850,00 and depreciates every year but at about 21 mills the tax bill would be about \$17,000. Mr. Zandri said that as a community this needs to be thought about.

All Councilors present (8) voted aye. Mr. Farrell was absent from the meeting. The motion passed

6. Conduct a Public Hearing at 7:00 P.M. the subject of which is the Neighborhood Assistance Program 2007 -- Program Planning

Donald Roe, Director of Program Planning, was in attendance.

Mr. Knight read the memo from Don Roe to the Mayor, followed by the reading of the Resolution and the list of recipients and the amount that they will receive under the Neighborhood Assistance Program.

Chairman Parisi opened the Public Hearing, and there were no comments from the public.

Ms. Papale said many good agencies that receive funds are included but as many are not included and asked how agencies that receive funds are selected. Mr. Knight asked Mr. Roe to describe the mechanism for this program. Mr. Roe said that application packets are sent to the agencies each year. Provided the agency meets certain criteria for the program, it is then up to the agency to apply. Applications are coordinated for completeness at the local level and forwarded to the State of Connecticut who review the applications and make the determination of the agency awards.

The Public Hearing was closed.

7. Consider and Approve Resolution Approving Summary List of Neighborhood Assistance Programs and Authorizing the Mayor to submit to the Department of Revenue Services the approved list, to Execute such other documents as may be required by the Department to accept on behalf of the Town any funds available for those municipal programs on the list, to Execute any amendments, rescissions and revisions there to and to act as the Authorized Representative to the Town of Wallingford -- Donald Roe, State and Federal Program Administrator

Mr. Knight made a motion to Approve Resolution Approving Summary List of Neighborhood Assistance Programs and Authorizing the Mayor to submit to the Department of Revenue Services the approved list, to Execute such other

documents as may be required by the Department to accept on behalf of the Town any funds available for those municipal programs on the list, to Execute any amendments, rescissions and revisions there to and to act as the Authorized Representative to the Town of Wallingford. Chairman Parisi seconded the motion.

There were no comments or questions.

Roll Call Vote:

Brodinsky – abstained; DiNatale – yes; Doherty – yes; Farrell – absent;
Knight- yes; Papale – yes; Rascati – yes; Testa – yes; Parisi – yes.

7 yes; 1 abstain; 1 absent. Mr. Brodinsky abstained since he sits on the board for one of the award recipients, the Ulbrich Boys and Girls Club.

9. Consider and Approve a Transfer in the Amount of \$5,000 to Public Utilities – Regular Salaries Acct # 001-7045-101-1000 from General Fund – Contingency Acct # 001-7060-800-3190 – Public Utilities Commission

Public Utilities Director, George Adair, was in attendance for this item.

Mr. Knight read the memo from Mr. Adair to the Public Utilities Commission.

Mr. Knight made a motion, seconded by Ms. Doherty, to Approve a Transfer in the Amount of \$5,000 to Public Utilities -Regular Salaries Acct from General Fund – Contingency Acct as requested by the Public Utilities Commission.

There were no questions or comments.

All Councilors present (8) voted aye. Mr. Farrell was absent from the meeting.
The motion passed

10. Consider and Approve a Transfer in the Amount of \$12,000 to Furniture Meeting Room 315 Acct # 001-1300-999-9904 from Purchased Services-Negotiator Acct. # 1300-901-9002-00 – Mayor

Mr. Knight made a motion, seconded by Ms. Rascati, to Approve a Transfer in the Amount of \$12,000 to Furniture Meeting Room 315 Acct from Purchased Services-Negotiator Acct. as requested by the Mayor.

There were no questions or comments.

All Councilors present (8) voted aye. Mr. Farrell was absent from the meeting.
The motion passed

11. Consider and Approve a Transfer in the Amount of \$22,125 to Senior Center Buses Acct # 001-3070-999-6765 from General Purpose Cont. Acct # 001-7060-800-3190 – Mayor

Mr. Knight made a motion, seconded by Ms. Papale, to Approve a Transfer in the Amount of \$22,125 to Senior Center Buses Account from General Purpose Contingency Account as requested by the Mayor.

There were no questions or comments.

All Councilors present (8) voted aye. Mr. Farrell was absent from the meeting. The motion passed.

Mr. Bowes left the meeting for the evening.

12. Update on the Community Lake Project – Councilor Vincent Testa

Community Lake Restoration Committee members in attendance included Salvatore Rascati, Chairman, and Nick Kern, Committee member. John Thompson, Town Engineer, was also in attendance.

Mr. Testa read a statement, which set out the reasons that he called for this item. He said that this is a Council appointed committee. He expressed concern regarding how and who is making decisions about the lake restoration. He said that he would like to see energy poured into the renewal of this project

Mr. Rascati reviewed the history of the activity of the Community Lake Restoration Committee, since the dam broke in 1980. His review included their applications to the State of Connecticut and their work with the Department of Environmental Protection and with the Army Corps of Engineers, as well as their search for funding. Discussion included lack of DEP approval to restore the dam on repeated occasions; possible site contamination; bidding on the plan for test borings to sample the soil and on the cost to carry out the testing; meetings that have taken place over the years with the State of Connecticut; lack of funds approval on more than one occasion at the local level to move forward with restoration. Mr. Rascati talked about the continuing adjustment to the restoration plan based on what the DEP was conveying.

Mr. Rascati said that in a 1994 meeting, the DEP focused on water quality in relation to sewage plants north of Wallingford using the Quinnipiac River. Mr. Thompson interjected that their view is that dams create stagnant water. As a result, the latest plan does not include a request to restore the dam but rather it is to dredge an area of about 6 acres to connect two ponds on the east side of the Quinnipiac River to create a larger pond that would be approximately 21 acres. It was stated that the water in the ponds is currently cleaner than the water in the Quinnipiac and that the new plan does not infringe on the river, something that the DEP wanted. Connecticut Representative Mary Mushinsky said that she

thinks that this new plan, which eliminates the request for dam restoration and is separate from the Quinnipiac River, is in a good position to win permitting, and that when a project is permitted that it is very likely to receive funding. Mr. Kern added that Governor Rell has received millions of dollars for clean water from the federal government and that DEP is focused on water quality issues.

There was also discussion regarding the pond on the West side of the Quinnipiac River and that the Committee should apply for permits for a plan that includes both the western pond and the two eastern ponds at one time. Mr. Testa asked why sampling has been held off and who made that decision. Following his questions discussion continued pursuant to test boings and the cost, possible contamination and the town's liability. It was suggested that rather than disturb the whole site with the high cost of \$211,000 for 46 borings as outlined by Milone and McBroom that test boings be made on an 'as-you-go' basis according to the DEP's comments on the applications and that that application should be made for the east side of the river first. Mr. Thompson said the application process will be done in-house at low cost and that the application will elicit comments from the DEP, which will be useful to the committee. Mr. Kern said that testing would allow the committee to come back with a plan. By consensus, the Town Council asked the Restoration Committee to meet and discuss the options and to proceed in a forward manner on the project working with the Engineering Department, who is creating the applications needed.

There were comments from the public from Ken Daly, Steve Clark, Tony DeBaise, Jason Zandri and Vincent Avallone.

13. Discussion and Possible Action on the Future of the Wooding-Caplan development area --
Town Council

- Parks and Recreation Commission Presentation

Parks and Recreation Commission were represented by Chairman Dave Gelo and Commissioner Linda Mercuri. With the assistance of two, large site-plan map options, Ms. Mercuri presented the Commission's vision of a Town Square, park-like plan to the Town Council.

Members of the public who concurred with the Town Square concept included Steve Clark, Jason Zandri, Kathy Avery and Bob Gross.

Chairman Parisi read two memos from the Town Attorney in relation to AT & T and John Carroll. *(The two documents are part of the record of the meeting.)*

Mr. Brodinsky reviewed subjects to be taken up at the July meeting, including the Town Attorney's followup with John Carroll, review and discussion of the Becker and Becker and Konover Construction reports with regard to the 390 Center Street building and discussion plans for the August 14 Town Council meeting.

Waive Rule V

Mr. Knight made a motion to Waive Rule V of the Town Council meeting procedures for the purpose of taking up conveyance of property from Hanover Wallingford Association. Ms. Rascati seconded.

All Council members (8) present voted aye, and the motion passed.

Mr. Knight made a motion, seconded by Ms. Rascati, to accept a gift of 345 Quinnipiac Street from Hanover Wallingford Associates under the terms set forth in the Town Attorney's memo, dated June 26, 2007, and subject to final legal review and approval, and that reads:

The owner of the property is willing to gift the property (map of which is attached hereto) upon the following conditions:

1. The Town prepares documents necessary for the transfer;
2. Town shall pay owner's attorney's fees not to exceed \$2,500;
3. Town to assume tax bill for 2006 Grand List
4. Town acknowledges the value of the property for gift purposes as the value set by the Assessor; and
5. Property transferred "as is".

The Phase I environmental study concluded that no further study is necessary.

Mr. Knight made a motion to table the issue. Mr. Brodinsky seconded the motion.

All Councilors present (8) voted aye, and the motion to table the issue passed.

14. Executive Session pursuant to §1-200 (6)(D) of the Connecticut General Statutes with respect to the purchase, sale and/or leasing of property— Mayor

Withdrawn

Mr. Knight moved to adjourn the meeting. Ms. Doherty seconded.

All Councilors present (8) voted aye. Mr. Farrell was absent from the meeting.

The motion passed.

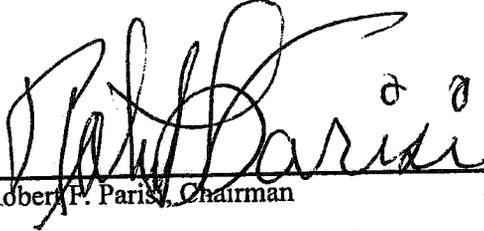
The meeting adjourned at 10:38 P.M.

Respectfully submitted,



Sandra R. Weekes
Town Council Secretary

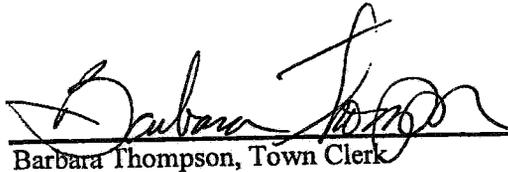
Meeting recorded by Sandra R. Weekes



Robert P. Parisi, Chairman

7-17-07

Date



Barbara Thompson, Town Clerk

7-17-07

Date

RECEIVED FOR RECORD 7-3-07
AT 4 H 35 M PM AND RECORDED BY
Barbara Thompson TOWN CLERK