

TOWN COUNCIL MEETING

FEBRUARY 25, 1992

7:00 P.M.

AGENDA

1. Roll Call & Pledge of Allegiance
2. Approve and Accept the Minutes of the 1/14/92, 1/23/92, 1/28/92 and 2/11/92 Town Council Meetings
3. Confirm the Re-Appointment by the Planning & Zoning Commission of James Fitzsimmons as Wallingford's Representative to the Regional Planning Commission - Town Planner
4. Recognition of Councilor Robert F. Parisi as Minority Leader of the Council - Chairperson Iris Papale
5. Consider and Approve a Transfer of Funds in the Amount of \$13,000 to Outside Professional Services - Town Attorney's Office
6. PUBLIC QUESTION & ANSWER PERIOD - 7:30 P.M.
7. PUBLIC HEARING for the Purpose of Designating the Wallingford Recycling Center as the Location to Which Recyclable Items Generated from Residential Properties in Wallingford Shall be Taken in Accordance with Section 3.04 of the Town of Wallingford Recycling Regulations and as mandated by the Connecticut General Statutes Section 22a-220a - Mayor's Office
8. Consider and Approve a Resolution Amending Sections 3.01, 3.03 and Subsection 3.11c of the Wallingford Recycling Regulations - Mayor's Office
9. Discussion on the Present Status of the Community Pool Building Committee with Regards to Membership and/or Charge as Requested by Councilor Albert Killen
10. Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of Connecticut for Grant Funds - Youth Service Bureau
11. Consider and Approve a Transfer of Funds in the Amount of \$570 to Fund the Director's and Program Director's Salary Accounts - Youth Service Bureau
12. Consider and Approve a Change in the Department of Fire Services Capital Equipment Request for F.Y. 91-92
13. Consider and Approve a Transfer of Funds in the Amount of \$4,500 from Sick Replacement to Overtime - Dept. of Fire Services
14. Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Worker's Comp. Replacement to Vacation Replacement - Dept. of Fire Services

15. Discussion on the WPL-TV/Local Cable Access Issue as Requested by Vice-Chairman David J. Doherty
16. Consider and Approve Merit Increases Approved by the Mayor
17. Note for the Record the Financial Reports from the Wallingford Public Library, Visiting Nurse Association and Senior Citizens Center - Mayor's Office
18. Consider and Approve a Transfer of Funds in the Amount of \$875 to Advertising for the Publication of the Wallingford Legal Notice Budget Message - Town Council Office
19. Correspondence

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7:00 P.M.

SUMMARY

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(OVER)

Waiver of Rule V

Waive Rule V of the Town Council Meeting Procedures
to Add Sections 3.12 & 3.13 to the Resolution Amending
Sections 3.01, 3.03 and Subsection 3.11c of the Wallingford
Recycling Regulations

TOWN COUNCIL MEETING

FEBRUARY 25, 1992

7:00 P.M.

A meeting of the Wallingford Town Council was held on Tuesday, February 25, 1992 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order by Chairperson Iris F. Papale at 7:04 P.M. All Councilors answered present to the Roll called by Town Clerk Kathryn J. Wall. Mayor William W. Dickinson, Jr., Corporation Counselor Adam Mantzaris and Comptroller Thomas A. Myers were also present.

The Pledge of Allegiance was given to the Flag.

Mr. Doherty made a motion to place the following items on the Consent Agenda to be voted upon by one unanimous vote of the Council:

ITEM #2 Approve and Accept the Minutes of the 1/14, 1/23, 1/28 and 2/11 Town Council Meetings

ITEM #3 Confirm the Re-Appointment by the Planning & Zoning Commission of James Fitzsimmons as Wallingford's Representative to the Regional Planning Commission - Town Planner

ITEM #10 Consider and Approve a Resolution Authorizing the Mayor to Make Application to the State of Connecticut for Grant Funds - Youth Service Bureau

ITEM #16 Consider and Approve Merit Increases Approved by the Mayor

ITEM #17 Note for the Record the Financial Reports from the Wallingford Public Library; Visiting Nurse Association and Senior Citizen Center - Mayor's Office

ITEM #18 Consider and Approve a Transfer of Funds in the Amount of \$875.00 to Advertising from Maintenance of Equipment, Acct. #1110-500-5200, \$524; Copier Rental and Supplies Acct. #1110-600-6120, \$81; Transcriber Acct. #1110-999-9906, \$70 and Postage Acct. #1110-400-4080, \$200 for the Publication of the Wallingford Legal Notice Budget Message - Town Council Office

Mr. Zandri asked that Item #2 be removed from the consent agenda, Ms. Papale requested that Item #3 be removed also.

The motion was amended by Mr. Doherty to Place Items #10, 16, 17 & 18 on the Consent Agenda, seconded by Mr. Parisi.

VOTE: Parisi was absent; all others, aye; motion duly carried.

ITEM #2 Approve and Accept the Minutes of the 1/14/92, 1/23/92, 1/28/92 and 2/11/92 Town Council Meetings

Motion was made by Mr. Doherty. seconded by Mr. Holmes.

VOTE: Killen passed; Zandri abstained; all others. aye; motion duly

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carried.

ITEM #3 Confirm the Re-Appointment by the Planning & Zoning Commission of James Fitzsimmons as Wallingford's Representative to the Regional Planning Commission - Town Planner

Motion was made by Mr. Doherty, seconded by Mr. Holmes.

Ms. Papale extended congratulations to Mr. Fitzsimmons on his re-appointment as Wallingford's representative to the commission. She wished him luck and thanked him for his dedication to the Town.

VOTE: All ayes; motion duly carried.

ITEM #4 Recognition of Mr. Robert F. Parisi as Minority Leader of the Council - Requested by Chairperson Iris F. Papale.

Ms. Papale stated that when she was first elected to the Council in 1976 Al Kovacs was appointed by the Chairperson as minority leader. She felt it is good to recognize that the Town of Wallingford is run by a two party system and, as Chairperson, sometimes she has to be in touch with everyone on the Council and this way she feels very comfortable calling Mr. Parisi and ask him to call his two colleagues, Mr. Holmes and Mr. Solinsky. She felt it is a recognition that Mr. Parisi should have at this time.

Mr. Parisi thanked Ms. Papale and referred to an article that had recently appeared in the Record-Journal which insinuated that this recognition is a pay back to Mr. Parisi by Ms. Papale for his and his fellow Republican's supporting her as Chairperson. He explained that he offered Iris Papale as Chairperson no more or no less than he has offered Mr. Killen, Rocky Vumbaco and other Council Chairmen in the past. Ms. Papale was kind enough to acknowledge that in the way of recognizing Mr. Parisi the way that she did. Secondly, to infer that he influences his two esteemed colleagues, quite frankly, is an insult to their intelligence. He did not believe that anyone can sway them or make them think any other way but the one that they choose to. At no time did he ever have to indicate to them that they should make a specific choice for Chairperson. That was their own decision. They all work together with Mr. Parisi performing a bit more of the secretarial work for the three of them. He hoped that cleared up an erroneously reported article.

No action was taken.

ITEM #5 Consider and Approve a Transfer of Funds in the Amount of \$13,000 to Outside Professional Services - Town Attorney's Office

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

The transfer will come from Acct. #001-1320-900-9010, Outside Professional Services in the amount of \$13,000 to CRRA vs. P&Z/CRRA vs. ZBA Acct. #001-1320-900-9060 in the amount of \$10,000 and to ZBA vs. P&Z Acct. #001-1320-900-9030 in the amount of \$3,000.

Mr. McDermott inquired about the status of the ZBA vs. P&Z.

Atty. Mantzaris explained that it was argued at the appellate court in December and we are currently awaiting a decision which may come in April or May.

Mr. McDermott questioned that cost of legal services to date.

Atty. Mantzaris explained the accounts and their balances and expenses incurred to date.

Mr. Solinsky asked Atty. Mantzaris to explain exactly what the ZBA was appealing.

Atty. Mantzaris explained that the P&Z adopted a regulation which prohibited the ZBA from granting use variances. The ZBA appealed that decision to the Superior Court which sustained the position of the ZBA and declared the regulation null and void. The P&Z sought and received approval to appeal the decision to the appellate court.

Mr. Solinsky requested two separate motions for the vote.

Mr. Doherty and Mr. Parisi respectively withdrew their motion and second.

Mr. Doherty made a motion to approve a transfer of \$3,000 into Acct. #001-1320-900-9030, ZBA vs. P&Z from Outside Services Acct. #001-1320-900-9010, seconded by Mr. Parisi.

Frank Wasilewski, 57 N. Orchard Street felt that it was a ridiculous situation that one department is suing another and no one will win. It should have been stopped from the very start. It is costing the taxpayers money. It is a no win situation for them.

Mayor Dickinson explained that the appeal concerns a State law which provides that a Planning & Zoning Commission may take away from a Zoning Board of Appeals its jurisdiction on use variances. The Wallingford P&Z did take that action through regulation and remove from the ZBA its jurisdiction on use variances. ZBA brought suit that they, in fact, still have that jurisdiction. It is an important question, which commission has that right, does the State law stand or not, what is the line of authority that is drawn between the two commissions? It is an important question. The Mayor does recognize that it costs money to the taxpayers but if it isn't resolved in some way it will continue to cause friction and resulting lawsuits from here on. That is why we are pursuing the appeal; to get a court decision which interprets that State law and settles the question for once and for all. what is the line of authority between the two commissions?

VOTE: McDermott and Solinsky, no; all others, aye; motion duly carried.

Mr. Zandri wanted the public to be aware that an attempt was made to try to settle this dispute without legal action, however, against the advice of Atty. Mantzaris, the ZBA took it upon themselves to hire an attorney to appeal the decision. That is another issue at hand that does not have an effect, from an expense aspect, on this case.

Mr. Doherty made a motion to approve a transfer of \$10,000 from Outside Services Acct. #001-1320-900-9010 to CRRA vs P&Z/CRRA vs. ZBA Acct. #001-1320-900-9060, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

PUBLIC QUESTION AND ANSWER PERIOD

Edward Bradley, 2 Hampton Trail wished luck to Mr. Parisi and pointed out that the recognition of a minority leader is usually an item that is introduced by the minority party after caucusing on the issue, not by the majority.

Ms. Papale explained that she did speak with Mr. Holmes and Mr. Solinsky regarding this matter.

Mr. Killen stated that it is tough to decide who is the minority in the group, the democrats or the republicans?

Mr. Bradley corrected Mr. Parisi's statement from last meeting which stated that the 1% increase in Southington amounted to a three mill increase in taxes. He researched it and found that it did not equate to a three mill increase.

He questioned the Council on what they were going to do about the Electric Division study? After spending \$45,000+ on it, what would happen with the information, where are we going with it?

Mr. Zandri explained that the report speaks for itself. It is no more than a recommendation. The Council accepted it and its recommendations, however, it cannot be taken any further. Any changes would have to come through the Mayor's Office.

Mr. Bradley suggested the Council look into recouping some of its money paid to North Branford through a surcharge as the study recommends. Another recommendation was to return \$1 million over four years to possibly use for capital projects. He sees this as an opportunity to use the funds creatively by expending them on the Community Lake and Community Pool projects.

Edward Musso, 56 Dibble Edge Road asked the Council to dig into their pockets to come up with money to add extensions onto the microphones so he can hear them better if they are closer to their mouths.

Frank Wasilewski, 47 N. Orchard Street stated that he had discovered what concrete gleaks were; leaks in the sewer line that will cost the town \$18,000 to repair. He suggested to the P.U.C. at their meeting

last week that it is about time that the Council, P.U.C. and Mayor got together to work something out that was a little more beneficial to the Town now that budget time is at hand. He did not think that the Mayor nor the Council was wrong, but after three years there should be a better understanding as to how that money should be handled. The taxpayers of Wallingford deserve more this year. If the Mayor veto's this budget, all suggestions made by Mr. Wasilewski goes out the window. He feels that he makes a great deal of good suggestions during budget, as he did last year. He shared them with Mr. Myers last year who agreed that they were sound suggestions and vowed to disclose them to the Mayor. Mr. Wasilewski never saw or heard anything to believe that they were ever discussed with the Mayor. He wants to see more money come out of the Electric Division.

Mr. Killen sympathized with Mr. Wasilewski's exasperation of having spent time to make worthwhile suggestions on the budget and all to no avail. The Council spends weeks on it, all to no avail because the Mayor does not want the funds touched in the Electric Division.

Mr. Killen pointed out that the figures proposed for the Electric Division budget last year are right on target this year, moreso than the Electric Division's proposed figures. He highlighted the fact that the division projected a deficit this year and ended up with a \$1.5 million surplus.

Mr. Doherty made a motion to Move Agenda Item #11 Up to the Next Order of Business, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

ITEM #11 Consider and Approve a Transfer of Funds in the Amount of \$570 from Maintenance of Vehicles Acct. #012-9000-500-5000, \$63.00; Conference/Training/Dues Acct. #012-9000-700-7990, \$108.00; and from Workman's Comp. Acct. #012-9000-800-8000, \$399.00 to Director Salary Acct. #012-9000-100-1200, \$313.00 and to Program Director Salary Acct. #012-9000-100-1360, \$257.00 - Youth Service Bureau

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Susan McLaughlin explained that the Youth Service Bureau budget was submitted prior to the availability of the approved pay scale, therefore causing a shortfall in the personnel line items for the Director and Program Coordinator salaries totalling \$570.

VOTE: All ayes; motion duly carried.

ITEM #7 PUBLIC HEARING for the Purpose Designating the Wallingford Recycling Center as the Location to Which Recyclable Items Generated from Residential Properties in Wallingford Shall be Taken in Accordance with Section 3.04 of the Town of Wallingford Recycling Regulations and as mandated by the Connecticut General Statutes Section 22a-220a - Mayor's Office

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

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Walt Sawallich, Jr., 100 Jobs Road was glad to see this finalized. It lifts a burden off of the haulers. He was pleased to see that it is only a two year contract with the operator with an option to renew.

Steven Tomczak, 55 Hill Avenue stated that other towns have been successful with their coordinated recycling programs utilizing buckets for their recyclables. He asked if there are any plans to institute a program of this nature in town? He supports it.

Mr. Sawallich responded that he did not feel the bucket system was the best way to go. The Recycling Committee did consider this option quite some time ago and has reached the conclusion that the easiest answer for a starter program is the clear plastic bags.

Mr. Roe explained that the plan is to stay with the clear plastic bags, it is the agreement with the vendor.

Diana Hotchkiss, 38 Clifton Street asked if there will be any provisions in the regulations that will empower the hauler to make the resident recycle? She knows a lot of her friends do not recycle intentionally.

Mr. Roe answered that the town is on the eve of mandatory recycling in the town. She took her first trip to the recycling center a few weeks ago and found it very confusing. No one was on hand to explain where to leave items, which items could not be left, etc. She ended up leaving it in one cardboard box in the center of the driveway. She felt this would discourage recycling.

John Carrol, 101 Church Street explained that his employer and place of residence do not require separation of trash. His employer is located near a place of residence that generates a tremendous amount of recyclables and the like. He asked, who is in charge with policing such regulations or is it in the hands of the hauler?

Mr. Roe explained that his office, the Program Planning Office, will be the point of contact for enforcement.

Mayor Dickinson pointed out that haulers are not supposed to pick up any garbage that contain recyclables. Spot checks will have to be performed to assure compliance.

Lester Slie, 18 Green Street stated that he has been bringing his recyclables down to the center and feels that the tables are clearly marked and there is no reason to have trouble recycling.

Mr. Carroll asked what should be done for the removal of furniture?

Mr. Roe explained that it is to be taken to the landfill.

Mrs. Duryea pointed out that some questions were raised by the Council at the November 12, 1991 meeting over language and asked if those issues were addressed in the new regulations?

Mr. Roe explained that those questions were raised on the contract with

the vendor and offered to contact Mrs. Duryea to discuss them.

Mr. Killen asked if there will be a notice published in the paper to notify the public?

Mr. Roe explained that every resident accessing the landfill will receive notice. Permits that come up for renewal will be receiving a packet explaining the process. Newspaper ads will be placed. Each hauler will receive a certified letter tomorrow. We have provided each hauler with handouts that will be distributed to each customer with their bill. We will follow up with the newspaper ads at that point.

Mr. Holmes felt that it would be beneficial to include information on hazardous waste materials in the information packets.

Mr. Roe will give the suggestion consideration.

Mr. Edward Musso, 56 Dibble Edge Road explained that it is very confusing what they will and will not take at the recycling center. He hopes that the information will be explicit and easy to understand.

Mr. Holmes asked if the cafeterias of the school system are involved in the recycling program?

Mr. Roe was not sure how the school system was handling their recyclables. They were considering incorporating it into their trash bid specifications but he was not sure if that transpired.

Mayor Dickinson has heard that there are containers for recyclables in the elementary schools and assumes that it is happening elsewhere.

Mr. Holmes asked if the town departments are recycling other than office paper?

Mr. Roe explained that we separate newspaper and corrugated as well. Other departments bring excess metals to the drop-off center.

Mr. Holmes felt that the town departments should set an example for the residents.

Peter Gouveia, 39 Lincoln Drive asked for an explanation from Mr. Roe as to why the Recycling Committee feels that the bins or bucket program would not work in Wallingford?

Mr. Roe explained that the Recycling Committee felt that the clear plastic bags increased the chances of collecting a better quality product. Without the bags, the product becomes damaged and/or broken once it is dumped into the vehicle from the bin or bucket. The vendor is seeking a product that is intact for easier handling.

Mr. Gouveia asked if it is also due to the fact that the town chose to recycle on its own without joining an IPC, one of the State programs?

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Mr. Roe responded, yes.

Mr. Gouveia stated that the bins cannot be purchased privately, they were provided by the State. In fact, grant funds were available to towns belonging to an IPC for trucks, bins and other equipment. He hoped that eventually the town could recycle plastics #1-7 along with styrofoam. It would be better for the town's health and, at the same time, would be cheaper.

Edward Bradley, 2 Hampton Trail asked what provisions there are for box springs, mattresses, appliances, etc.?

Mr. Roe explained that unsalvageable, wooden furniture can go to the landfill, otherwise Goodwill or Salvation Army can be contacted to pick up salvageable, wooden furniture. Appliances, metal other than T.V.s are recyclable. Hot water heaters, washers, dryers, refrigerators, freezers, microwaves can all go to the drop-off center at no charge. The other items, mattresses, box springs, T.V.s are garbage and people can bring them to the landfill.

Lester Slie, 18 Green Street explained that only plastics #1, 2, & 7 can be recycled. Paint cans can be deposited at the drop-off center as well.

Edward Musso, 56 Dibble Edge Road asked what he should do with magazines and junk mail?

Mr. Roe explained that it is part of the regular trash stream and are not recyclable.

Mr. Tomczak urged that the buckets or bins be considered again at some time in the future.

No action taken.

ITEM #8 Consider and Approve a Resolution Amending Sections 3.01, 3.03 and Subsection 3.11c of the Wallingford Recycling Regulations - Mayor's Office

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Mr. Roe distributed a revised, amended Recycling Regulations to the Council. Additional amendments were made to Sections 3.12 & 3.13 since the regulations were forwarded to the Council in their agenda packets. The new amendments were made after Mr. Killen contacted Mr. Roe's and the Mayor's office regarding some questions on the sections. Upon reviewing them, the amendments were made.

Mr. Doherty read the amended sections into the record (see attached).

Mr. Killen made a motion to Waive Rule V of the Town Council Procedures to Add Sections 3.12 & 3.13 to the Amended Regulations, seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

Mr. Doherty made a motion to Consider and Approve a Resolution Amending Sections 3.01, 3.03 and Subsection 3.11c of the Wallingford Recycling Regulations, seconded by Mr. Parisi.

Walt Sawallich, Jr., 100 Jobs Road thought it was extremely unfair that haulers/collectors shall have their permits suspended for thirty (30) days for each violation after the first within a twelve (12) month period, yet, the residents that are not recycling are given three chances. On the third, he gets his hand slapped. The haulers get one chance; if they do it again, he is out of business. He felt that the collectors should either be given as many chances as residents or a stiffer penalty be imposed on residents. His customers will not wait the thirty days for him to get his permit back, they will hire another collector.

Mr. Parisi's suggestion to Mr. Sawallich is to educate his customers thoroughly on the matter of recycling. He hoped that there would be an adjustment period allowed by the town as everyone becomes accustomed to the process.

Mr. Roe assured that the town is promoting a pro-active, educationally-oriented type program with residents and haulers alike.

Mr. Sawallich's final comment is that everyone is entitled to three strikes.

Mr. Killen stated that it was not his intention to suggest that Section 3.12 be revised so that the penalties would slant in the favor of the residents. The former Section 3.12 was written in such a way as to allow the town to penalize the vendor only in the first year of business and at no time after that. Once the twelve month period passed, the town could not penalize the vendor at any time for any violation(s). The revised section can be reviewed and revised again if the Council wishes.

Edward Bradley, 2 Hampton Trail felt that there was a big difference between the haulers and the residents. There remains a great deal of education that must be administered to the public. He asked Mr. Roe why the vendor is not taking plastics #3-7?

Mr. Roe explained that the marketing and hauling of that material are very expensive at this time.

Frank Wasilewski, 47 N. Orchard Street stated that the system is working well now. Items that cannot be recycled are taken to the incinerator.

Ms. Papale was glad to see this come to fruition. We all have to learn and it will take time but it will be worth it.

Mr. Roe stated, in closing, that recycling will become mandatory in town immediately upon the Council's affirmative vote this evening. This is largely a short term basis program, between two to five years, so that we can continue to monitor what may be the best options for Wallingford in the way of recycling.

Al Bulmer, 53 Saw Mill Drive asked if the trucks will recycle at a different location than the public?

Mr. Roe responded, yes.

VOTE: All ayes; motion duly carried.

ITEM #9 Discussion on the Present Status of the Community Pool Building Committee with Regards to Membership and/or Charge as Requested by Councilor Albert E. Killen.

Motion was made by Mr. Doherty to Hear Discussion, seconded by Mr. Parisi.

Mr. Killen stated that, as everyone is aware, the Council and building committee did not see eye to eye on the situation at Community Pool and, therefore, it is in a state of flux. He feels that the committee went as far as they could go and are set in their minds of which they are entitled to be. He hoped that the Council would go along with his recommendation that the committee be discharged, with thanks, by the Council and appoint a new committee to have them start from scratch to see what they could do to work with the State to make sure that the town is able to renovate/renew/restore but not build a new pool. That is his intention.

Peter Hale, Scard Road, remarked that the committee has been carrying the ball for the past months, performing a lot of research and has arrived at a conclusion that many disagree with. Mr. Killen's suggestion is a good one. Establish a new committee and incorporate some of the existing committee members into the new committee to carry over the thinking and research.

Jon Walworth, Chairman of the Community Pool Building Committee approached the Council to give a presentation. He listed the options that the Council could had regarding the pool, followed by the committee's recommendations for each. The committee strongly felt that the town was in need of an outdoor public pool and that it should follow established health/safety codes. It did not feel that it is practical to incorporate new standards as the Health Department and Rep. Mary Mushinsky agreed. They felt the current facility was not adequate and that it is more cost effective to the town to replace it. It should be located in the same area with and have a capability of serving 1300+/day (peak) according to survey results. It should be made available to the public as soon as is practical. They feel that a committee is necessary and should have representation from the following groups, the public, Recreation Department; Civil Engineer/Marketing Manager; Environmental/Mechanical Engineer; Sanitary Engineer; Quality Engineer and Business Owner/Economist. The committee felt, as a whole, that there currently exists a low priority on the part of the town to obtain information; there is no clear direction as to the funding of the project and that the final design must be initiated to reveal possible liability issues and prove water quality feasibility. In closing, the committee requested that they provide the existing or new committee with the opportunity to serve with direction, not degradation.

With the aid of graphs he pointed out that only 12,000 residents of the 40,000+ population of Wallingford use the pool per year. We should be experiencing a usage rate of 30,000 per year. The operating and maintenance costs of the pool are passed along to the patron at a cost of \$5.00 per visit. Other communities averaged approximately \$1.00 per visitor. He felt that 9% of the town's population was in the 0-6 years of age group; 12% in the 7-16 years of age group; he did not put the 17-24 age group into the statistics because he was not sure that they could be attracted to the pool, but 25-49 year olds comprised 41% of the town's population which could be attracted to the pool if the hours were extended and more facilities offered them; 14% of the population is 50-64 years of age and the 65+ age group comprised 15% of the population. The committee's goal is a facility that will attract all age groups.

Mr. Walworth then referred to a chart that listed the projected population, the renovated pool option, and the new pool option. He pointed out that each category was broken down by cost and numbers. He was trying to show that there was a balance with a new pool concept. With a cost of \$1.8 million, it has a capacity of approximately 1300 users per day and a parking capacity which matches the available pool capacity. The renovated pool is estimated at \$3 million; has a pool capacity of approximately 3,000 and requires a new bath house which the State Dept. of Health mandates. Its current parking capacity is approximately one-fifth to one-sixth the pool capacity. Patrons are parking across the street and exposing the children to the dangers of traffic. It has been determined that the filters, in fact, cannot possibly clean the water at the established rates and turnover requirements of the State.

At this point he gave a chronological history of the committee's progress to date. In closing, he asked that Council to review the information at hand very carefully and extend the opportunity to the committee to proceed to design and take the general, conceptual plans and refine them to provide for the shapes, final costs, estimates and detailed computations that must be done in order to substantiate the Department of Health Services.

Glen Marstan, 9 Malchiodi Drive, Director of Parks and Recreation, Avon, CT., previously Assistant Director of Parks and Recreation Department, North Haven, CT; CT. Park and Recreation Association and CT. Park Association's Representative to the Risk Manager Associations Loss Control Group, a branch of CT. Conference for Municipalities. He has worked for the last two years, on company time, on the re-design of an outdoor pool in Avon, CT. He submits to the Council that what he has spent doing on company time for the last two years has been dwarfed by what the Community Pool Building Committee has done on their own time. The present company that Avon has retained has, as their Chief Consultant, Alan Bissetti. Former Agent for the CT. Dept. of Health, who reviewed all design plans for all pools in the State of CT. He has been here on Mr. Marstan's behalf to review the situation in Wallingford. To dismiss what this committee has said is foolish, its expedient for the people who would dismiss this. I submit to you that I have two children who I have not allowed, based on my knowledge of the situation, to use Community Pool for the past five years. I think you are chasing dreams.

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The facility is done, it has had it, these people have done an extraordinary job. I read a statement in the paper from a September meeting, and I have never been before the Council on any issue. I am very involved in the town in youth programs and have been for years. The statement sounded to me that it was politically expedient and not in the best interest of the people who live here. It is not sanitary and in no way, dealing with present situations, can that pool be made sanitary. I know what I am talking about. Thank you.

Edward Musso, 56 Dibble Edge Road felt that the town is satisfied with the pool, has lived with it this long and it should stay the same. Do not build a new pool.

Edward Bradley, 2 Hampton Trail referred to his report which was comprised of information gathered on the pool and stated that the pool cannot re-open this coming year unless the violations are corrected. He was of the opinion that the committee had done a fine job and he was in favor of their recommendation to build a new pool. He felt that there is money in the town to take care of the pool. Over \$1.5 million was spent on the Wooding property that remains in the same condition as the day it was purchased. The Council must come to grips with the issue and give something to the taxpayers in return for their tax dollars.

Mr. Marstan reminded the Council that the question is, do we want an outdoor pool or don't we? The issue is not whether or not it is going to stay in its present shape or configuration, because it is not. If you want an outdoor pool you must look at the committee's suggestions or you will not have one. The only choice is, do you want an outdoor facility or not?

Diana Hotchkiss, 38 Clifton Street stated that she has spoken with Mary Fritz a few weeks back at which time Mary stated that her hands were tied until she is given permission by the Mayor to go to Hartford. She needs an official stamp to do so. She has not received that. When she reviews her notes on the issue she finds that she agrees with Mr. Killen in that the committee seemed to lose sight of renovating the existing pool early on. She asked if the State has been approached for funding? Windsor, CT. applied for and received funding from the State for their pool which is the same design.

Mayor Dickinson responded that anyone has the option of asking legislation to be submitted to the appropriate committees in Hartford. At this time he feels that he does not have any information which would lead him to believe that he could go to Hartford and argue for a change in the State Health Code.

Mr. Holmes asked if there are other communities across the State that have constructed new pools and made them into operations that do not cost money or, at least, break even?

Mr. Walworth responded that Monroe runs their pool as a break-even operation.

Mr. Holmes wanted to explore the option of creating a self-sustaining pool operation before the committee is disbanded. Barring that, he felt that the options are limited to the Council; build a new pool or

close the old one. He is not prepared at this time to vote for new construction, especially since the bottom line budget figures are unknown for the upcoming fiscal year.

Mr. Walworth reminded the Council that if they decide to close the existing pool or fail to approve the new design, they have postponed the alternative, whatever it will be. It will be postponed for at least nine months until the economy gets better. It will take that long to get through design, permitting, bidding, bonding, etc.

Mr. Holmes was in favor of letting the committee complete its assignment. If it is a choice between closing the pool or building a new one, he would choose to close it. He would like the committee to present options on how Community Pool can be a self-sustaining operation.

Mr. Walworth reminded the Council that the State will not grandfather the pool into its regulations.

Mr. Zandri felt that the economy has changed a great deal in the past six months and the Council will have to take a very close look at where dollars will go, everywhere, in the future. We are talking about cutting back dollars in education, welfare, etc., which are realistic needs. Before he votes in favor of expending dollars on a new pool he would have to take a close look at what the entire, upcoming budget has to offer the community. A pool is nice, but priorities must be set, especially in the present economic climate.

Ms. Papale felt that the Council shared the same feelings, as a whole, on the budget and the economy.

Mr. Killen felt that the State can change its rules. Community Pool is no different than Wharton's Brook. For thirty years the State did not care what the status of Community Pool was until we wanted to improve it.

James Citak, 73 Summit Drive was disheartened by what he deemed to be the Council's position of placing their personal design preference and mission to have State laws changed ahead of the public's health and safety. The State regulations are written to protect the bathers who use the pool. He asked the Council to make sure that the water is tested on a daily basis if the pool is re-opened this year. He reminded everyone that claims that the pool is running fine that, on the hottest days of the year, the pool is closed due to the algae blooms.

Mr. McDermott agreed that maintenance is the key to any long term structure. Why bother having it if you will not maintain it? He felt that Mr. Killen was wrong in comparing Wharton's Brook with Community Pool. The brook has its natural filtration, there is no relation between the two and they should not be compared as far as the health code issue.

Mr. Killen pointed out that no one has proven the pool to be polluted. The State is dictating the design must meet their specifications. He did not buy that attitude and is willing to fight it.

Mr. McDermott does not ever recall Wharton's Brook being closed due to algae blooms.

Mr. Killen reminded Mr. McDermott that the reason for the building committee was to solve the algae bloom problem. The committee, however, will not go forward because they will not re-design it.

Ms. Papale felt that perhaps Mr. Killen's issue is with the State Dept. of Health and not the building committee. They are being told by the State that it cannot be done, they are only following the rules.

Mr. McDermott asked the Council if it would consider giving the committee a new charge, i.e., to further investigate the health codes?

Mr. Killen's impression of the committee is that they feel that they have gone as far as they can on the rebuilding option and, therefore, they have channeled their energy into building a new pool.

Mayor Dickinson felt that the committee worked very diligently in reviewing all of the State health codes and even invited a State representative, Frank Homisky, from the Department of Health to appear at one of the Town Council Meetings. They did seem to explore all avenues.

Mr. Parisi stated that he did not view a new pool as a priority at this time and would have no trouble voting against it tonight. He preferred to re-charge the committee.

After much debate Mr. Killen made a motion to Waive Rule V of the Town Council Meeting Procedures for the Purpose of Dismissing the Present Community Pool Building Committee, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

Motion was made by Mr. Killen that the Present Community Pool Building Committee be Dismissed with Thanks and that a New Committee be Appointed at the Next Town Council Meeting to Seek Renovations to the Pool as soon as Possible and Report Back to the Council Within Six Months, seconded by Mr. Zandri.

VOTE: Holmes, McDermott, Papale, Parisi & Solinsky, no; all others, aye; motion failed.

Ms. Papale asked that this item be placed on the next Town Council Agenda for further discussion.

ITEM #12 Consider and Approve a Change in the Department of Fire Services Capital Equipment Request for F.Y. '91-92

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Three portable radios were approved in the 1991-92 Capital Budget. One portable radio which charger for East Wallingford Company at a cost of \$2,400, and two portable radios with chargers for North Farms Company at a cost of \$4,800.

Research by the Communications Committee of the Department of Fire Services has shown that we can purchase radios with multiple programmable channels and tone identifiers for \$800. These less expensive radios will equal the abilities of the more expensive model and make the bid process much more competitive. If a change in the originally specified radios is approved, the department can purchase nine radios instead of three, increase fireground safety and lessen the Capital impact of the 1992-93 budget.

The Council, as a whole, commended the committee for seeking out all options resulting in a cost savings to the town.

VOTE: All ayes; motion duly carried.

ITEM #13 Consider and Approve a Transfer of Funds in the Amount of \$4,500 from Sick Replacement Acct. #2032-100-1600 to Overtime Acct. #2032-100-1400 - Dept. of Fire Services

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

VOTE: McDermott was absent; all others, aye; motion duly carried.

ITEM #14 Consider and Approve a Transfer of Funds in the Amount of \$6,000 from Worker's Compensation Acct. #2032-100-1630 to Vacation Replacement Acct. #2032-100-1500 - Dept. of Fire Services

Motion was made by Mr. Doherty, seconded by Mr. Parisi.

Frank Wasilewski, 47 N. Orchard Street asked how a transfer could be approved out of the Worker's Comp. Account when Mr. Wilson, Risk Manager, was before the Council a few weeks ago requesting a transfer into Worker's Compensation?

The Council explained that the Dept. of Fire Services, Worker's Comp. Account is in their own budget, not the Risk Manager's. If the Fire Dept. forecast no need for the funds now that the end of the fiscal year is at hand, they can transfer within their own budget.

VOTE: McDermott passed; all others, aye; motion duly carried.

The Chair declared a five minute recess.

ITEM #15 Discussion on the WPL-TV/Local Cable Access Issue as Requested by Vice-Chairman David J. Doherty

Motion was made by Mr. Doherty to Hear Discussion, seconded by Mr. Parisi.

Mr. Doherty asked the Mayor if there was any type of resolution with 88 S. Main Street in terms of the cable access group?

Mayor Dickinson stated that he had a meeting today regarding 88 S. Main and, at this point, the public access would use a room at that address. The difference between public access and WPL-TV is that WPL-TV is the municipal channel, the public access group is a separate organization.

At this point they would have to share the municipal channel, at a not-to-distant future date they may have a channel of their own supplied by Heritage Cablevision. The goal of separating is to, in the Mayor's opinion, avoid liability to the Town of Wallingford. If the two continue to function out of the same location there is an image that the municipality is funding, producing and controlling the public access programming which is not the case, nor should it be.

Mr. Doherty asked what the Library Board's position would be now if the cable access group were spun off into 88 S. Main Street and WPL-TV were left as it is at the Library?

Richard Golan, 1st Vice President to the Library Board of Managers responded that his group held their monthly meeting last night and passed a resolution which he read into the record as follows:

"The Wallingford Public Library will stop operating the municipal portion of Channel 33, otherwise known as WPL-TV, effective July 1, 1993 or sooner should the responsibility for operating WPL-TV be assumed by another organization."

It is the Board's feeling that the library directors have been putting in too much time, effort and energy into operating the TV station. It is a demanding task and it is also a demanding task to run the library. Their priority should be in running the library. Because of these demands and the problems over the last year, especially the past six months, it is not feasible that the library continue to operate the municipal station. The library wants to be a user of the station, not operate it.

Mr. Doherty then asked: Would the Board's position then be that \$69,323.00, which is a line item in your budget, would no longer be there? Is that correct?

Mr. Golan: Right.

Mr. Doherty: And you are saying July 1, 1993?

Mr. Golan: Correct.

Mr. Doherty: Can you explain the tremendous amount of hours that is required in operating this station? Why is it such a burden to the Library that this station presents itself?

Ms. Papale: Where would the money come from for the July 1, 1992 to June 30, 1993 fiscal year?

Mr. Golan: The Board's feelings are that we would be willing to have the Library operate the T.V. station until 1993 to give the Town an opportunity to find another location for it or another organization to do it.

Leslie Scherer, Co-Director of the Library stated that the operating of

station has taken up a lot of the staff's time over a number of years. During that time use of the Library has grown and we have not added any administrative staff accordingly. It is a greater job than it ever was before. We have long felt that the television service cannot achieve its potential in the Library. We do not have the time, nor the resources to devote to it.

Karen Roesler: We feel that it takes us away from other things that we need to do that we put a higher priority on, quite frankly. There are other people that feel we do not put enough time into it at all.

Mr. Zandri asked, what arrangements currently exist for the use of the room that the T.V. station works out of in the Library?

Ms. Scherer: The equipment is located in a small area in the rear of the Community Room and that is dedicated to television, that is all that it is used for. But the Community Room becomes the studio stage and that is shared by library programs and community groups. It is available to any non-profit group in Wallingford. It is in great demand. The Library Board has policies in place as to the use of the room.

Mr. Zandri: If the station, itself, were not under your control would they still have use of the room?

Ms. Scherer: It is our hope that the entire operation be moved. That is not to say that the equipment couldn't be brought in and the room used, that would be no problem. We have discussed keeping it there and having it not run by the Library and that brings up a whole new set of problems in terms of access to the building and sharing the space. We don't feel that would work.

Mr. Zandri: One of the problems I have is that the Town has to go through the expense of setting up a studio for that particular facility which, as far as I am concerned, would not exist today, and that is the room that is being used now. I could maybe understand your position as to not wanting to be responsible for managing this particular group, but I don't see why the Town should have to go through an additional expense of setting up a whole new studio, very similar to the one being utilized there because it is becoming a management problem as far as the Library is concerned.

Ms. Roesler: The room is very much in demand. We turn down many groups who would like to use it because it is in use for another purpose. Right now two days a week it is reserved for television studio time. We have many organizations that would like to use that room on those days.

Mr. Zandri: We are facing this problem on all levels. Everyone would like to do many things but there is just not enough money to go around to make everyone happy. Sometimes we do not have the money and/or the facilities to make everyone happy.

Ms. Roesler: We recognize that.

Mr. Zandri: If someone can prove that the room can be better utilized for something else, then maybe we will have to do away with the T.V. station. Something has to give. We cannot go on and on and continue to expand, that is why government is in the trouble that it is in today.

Mr. Holmes: It seems as though this problem has come to a head when there was some controversy surrounding people's desires to get certain programming on the station. Prior to those controversies I was not aware of a great desire by the Library Board to get that out from underneath them.

Ms. Roesler: There was no controversy at the time that the committee was formed to try to find a new location. It was really the constraints of the space and staff and feeling that the \$70,000 perhaps was not being used to its full advantage because the room would not be available for the T.V. It works both ways. The T.V. station cannot use it if there is a community group in there. It really does pre-date the controversy. In 1986 a letter was sent to David Gessert, Town Council Chairman, in which the Library requested that a committee be formed, to include Council Members, to look at the access television picture because of the expense involved. New cameras were needed and we asked that the Town begin to decide how important it was to maintain the station in the community.

Mr. Holmes: If the Town moved the Public Access across the street, wouldn't that eliminate some of the demand for the WPL-TV station in your community room?

Ms. Roesler: Public Access has never really used the Library in the Town's facility. There is a tremendous amount of confusion on all of this. Many of the things that we have done could have been done under Public Access but they were not. In terms of production, it does not make any difference at all. Public Access productions have not been done in the Library, nor with their equipment since 1976 when the policy was implemented.

Mr. Holmes concurred with Mr. Zandri, the cost-effective way to go is to keep the current configuration. The resources are not available to place separate studios in for Public Access and Municipal Access. He pointed out that the Superintendent of Schools rejected the Library's request to relocate the studio in Sheehan High School. He hoped that the Library and T.V. station could work together to meet each other's needs given this economic climate we are currently in.

Mr. Parisi asked, what organizations are being denied use of the community room?

Sue Smayda responded that she receives numerous calls for the use of the Community Room. She has to tell them that the room is not available on Tuesday and Wednesday, and Thursday.

Mr. Parisi wanted to know specifically who was denied the use of the room?

Ms. Smayda responded that she could not give specific names.

Mr. Parisi felt that information was vital to the issue and did not want generalizations made.

Ms. Scherer stated that the Library could not hold its own Planning Day functions in the Community Room since it was booked.

Mr. Parisi asked if there was any other room available to use?

Ms. Roesler responded that there is a conference room that seats fifteen people.

Ms. Papale stated that she, herself, has called the Library for the room three months in advance and has been turned down.

Mr. Parisi asked exactly what cost the Library incurs due to the television station?

Ms. Roesler answered that it costs approximately \$10,000 for the telephone; electricity and other in-kind services.

Mr. Scott Hanley, Manager of Video Production clarified that Public Access has not requested a studio, they are in need of a room in which to store its equipment. He explained that the Community Room is adapted as a studio. The expense incurred by the Library to create that studio was minimal. It truly is a Community Room first. If the lighting grid and cable are removed then it is returned to the Community Room. Another studio would have to be created where the equipment is moved to. It does not have to be terribly expensive to move the equipment.

Mr. Parisi also agreed with Mr. Zandri in stating that a second studio is not needed at this time.

Mr. Killen stated that the Library was built to be just that, a Library and part of it is the Community Room. He felt that 88 S. Main Street would be a good location for the television station. We must decide whether we want a television channel or not. If not, then by 1993 it will be over with.

Mr. Zandri asked if the conference rooms in the Town Hall are available for meetings as well?

Mayor Dickinson stated that his office is called quite frequently for conference room space. It comes down to paying attention to what is happening and our ability to pay for improvements. We have many projects that must be undertaken at a large cost to the Town, the roof at Sheehan High School for example. Every department wants to expand in some way or change something, everything costs money. The time has come where we cannot continually expand and be willing to pay more money to accomplish the same things. It is easy to talk about providing new space and accomplishing new goals. Right now 88 S. Main Street will encompass the Credit Union a room for Public Access and Transit. With the Credit Union they will need a conference and two other rooms. If we are going to alleviate parking from the Town Hall it means taking uses from this building and putting them over here. If we bring in new uses from other areas we are going to absorb parking spaces for those new uses and we won't be any better

off then we were before. It is a harsh point to take but there will not be money for everything to be accomplished. The State agencies are going to be visited on the Town. I suspect that this whole discussion will be lost completely when we start dealing with the budgets.

Mr. McDermott asked the Mayor if he has received estimates to move the Credit Union across the street?

Mayor Dickinson answered that he met on this issue today and Stephen Lazarus is being asked to submit final designs and cost estimates. He was told that it is very possible that money in addition to what was already indicated as necessary for the job will be required. The \$150,000 that was anticipated will not be sufficient.

Mr. McDermott responded that cost estimates are needed on moving the T.V. station vs. moving the Transit and Credit Union. He felt that it will impact the budget no matter who moves over there.

Mayor Dickinson: But the Credit Union is already in this building...

Mr. McDermott: If you want to talk about parking, that is another issue but if you are talking about the budget issue, it will effect the budget no matter who you move over there.

Mayor Dickinson felt that it would result in a higher cost factor to move the television station there than the other departments.

Mr. McDermott stated that he would agree with the Mayor if the building were already completed inside, but while it is still in a design phase it is cheaper to work around it now.

Mayor Dickinson: The entire issue with 88 S. Main Street was to provide parking for existing uses between this building and that property. We would be introducing a new use into the equation. Whatever parking is required for the new use will be added to whatever the parking issues are for the existing offices. That is the reason we were endeavoring to restrict whatever went over to 88 S. Main Street to alleviate the pressures on this building.

Mr. McDermott explained that there is only one full-time employee of the television station.

Mr. Hanley stated that there would not be any daytime crew at the television station. Most production work takes place during the evening hours to date. There is one full-time and three part-time employees who work no more than twelve hours per week.

Mr. McDermott: I do agree with Mr. Killen in that there are certain things that need to be looked at, there are important needs in the community that need to be addressed, i.e., Community Pool and Municipal Access Television.

Mrs. Duryea: What would you have done, Mayor, if we did not have the building across the street? All of a sudden we have a need for that

building when, indeed a few people on this Council worked very hard to find parking and along with it we got a nice building, but all of a sudden we have to move departments out of the Town Hall over to there.

Mayor Dickinson: We did not have enough parking given the space in this building. As a result the other property was obtained. That property provides the additional parking to the extent that we bring in additional users that are not currently here, additional parking is used up. I hear the Council being concerned about the public having enough parking spaces, but every time we bring in someone, an organization or department, that is not currently in this area we are going to use up parking spaces that will be there for the public.

Mrs. Duryea: How many parking spaces would we be needing for that?

Mr. Hanley: Four to eight, it depends on volunteer use. It will be mostly in the evening.

Mrs. Duryea: We did purchase the Wooding property and it would probably be easier to put the Credit Union and other departments over at that building.

Mayor Dickinson: We have no way of knowing how long before the C.F. Wooding building would remain in that location. There are no plans drawn up for the use of that property. The Fire Department would like to use it. There is another issue here and I think that the message to all departments have to be that we are in very difficult times. I don't know how we can continue to go saying that we have plenty of money to do everything.

Mrs. Duryea: But you are going to fix it over there for the Credit Union anyway, what is the difference?

Mayor Dickinson: The space left over will not be sufficient for a television studio.

Mrs. Duryea: So let the Credit Union stay here and let the television station go over there.

Mayor Dickinson: So instead of handling the parking problems for here....

Mrs. Duryea: No, no, don't do that, o.k., please! No! We are talking about four to eight spaces primarily in the evening. I would never say forget about the parking problem over here. That was the primary concern with the past Council and we worked on it for two years to find parking. So, no, that is not what I am saying and you know that is not what I am saying. I have nothing more to say.

Mr. Killen: We would be the last ones to use parking for an excuse for something along this line. It is going on five years now and we would not have parking if this Council did not take the bull by the horns. We got a bonus that the building is there. Did you come and ask us what we may want to do? We, the ones who made this move? No, you decided that you were going to move the Credit Union over there. Where do we come from, left field? We were the ones who made

the decision to buy the land, refurbish the building, we should be the ones who make the decision who will move into the building. You come and tell us fete accomplished. You wonder why things don't get done? We never hear about things that need to be done. This Council has been doing the things that need to be done and sooner or later you will have to face up to it and take the Council into your confidence and say, can we work together? So far you are not!

Mayor Dickinson: Aside from that the budget talked about for the television station, in my opinion, will be in excess of \$180,000. You are talking about duplicating most of the capabilities of the Library. That means phone systems, copiers, etc. You have also created a completely separate cost center that does not now exist. A cost center that will then increase every year just like every other department does. That is the way that growth of government occurs. I don't think that it is in the best interest of the community to encourage that, especially since we don't have the money to do so.

Mr. Killen: We are in damn good shape and it is not because of good fiscal planning one way or the other, we have squirreled away money. We have cheated ourselves out of certain things that should have been done and we keep saving for the future. Well, I'm not going to live forever but I am paying my share and I want to know when I am going to get my payoff?

Mayor Dickinson: There seems to be a view that we have all kinds of money and can do whatever we want to do. We have \$3.5 million in surplus of which \$1.2 - \$1.3 million of that is already in this budget. That leaves the difference of approximately \$1.9 million. That is part of revaluation. Revaluation visits a tax increase even if the budget does not go up. So the \$3.1 million does not exist.

Mr. Killen: The money that is put aside to guarantee our bonds has never been voted upon by this Council, never! We pay far more than other communities. This money never came before the fiscal body of the Town of Wallingford, the same as the Electric Division funds. And you continue to sit there and say we don't have money? Put it in front of us and tell us we don't have money!

Mr. Doherty turned the conversation back to the Library and television station. He felt that the Library may have to keep the television station longer than July 1, 1993 with the present economic situation influencing the cost factor of setting up a new location for them. He reminded the Library staff that Town provides them with \$1.2 million to run the Library, pays \$175,000 in principle on the Library's bonded debt this year, that the Town pays \$121,000 in interest on that debt this year. We are talking about \$1.5 million that is coming from the taxpayers of the Town and you are telling those taxpayers that they now have to find a place for a television studio that was working in your building with some inconveniences and we are now going to have to come up with a building suddenly to move them to. He found this very hard to take with the Town providing the Library with that amount of money each year in tax dollars.

Mr. Golan responded that it is the Board's feeling that the Library

would be a lot better served if the television station was not there. The Board is not asking the Council to find a new location for the station, their concern is the Library, itself. It is their feeling that the people of Wallingford and the patrons of the Library would be a lot better served if the two Directors could concentrate their efforts on running the Library. New technology is requiring more and more of their time each year. There is only one other library in the country (Pikes Peak, Colorado) which runs a television station. He did not feel that the Wallingford residents would be short-changed if the Library did not continue to house the television station since 99.9% of the libraries across the country do not either. He did not feel that there was a great outcry from the public to keep the television station.

Mr. Holmes asked approximately how much actual time is spent on running a \$1.2 million operation vs. an \$80,000 operation and what role is Mr. Hanley playing as far as managing the station?

Ms. Scherer stated that Mr. Hanley plays a major role and that effects the number of productions that are able to be done because he is the only full-time person that is supposed to do productions. There have been many weeks in the past six months when that is all that the Library staff has done is respond to things that have happened and legal things that have been written; met with our attorneys and committees on the Board and probably spent 60% of that week's time on something that is less than 10% of the Library's budget. Other times it is significantly less.

Mr. Holmes responded that that is what the Council is trying to eliminate by putting a public access facility across the street. Barring the difficulties, in a typical week during a typical month how much time is devoted away from your.....

Sue Smayda answered, approximately ten hours a month of her time.

Mr. Holmes asked her who directs her to spend that time on producing?

Ms. Smayda responded, the Library Directors.

Mayor Dickinson asked Mr. Hanley how much space would be required for the station?

Mr. Hanley responded. 1,200 to 1,300 sq. ft., minimum.

Mayor Dickinson pointed out that 88 S. Main Street has only 750 sq. ft. per floor.

Mr. Hanley clarified that the studio space would require 400 sq. ft., the rest of the space does not have to be contiguous.

Mayor Dickinson pointed out that basically you are creating a separate building for a television station for it would require the first and part of the second floor.

Louise Ives, President of the Library Board stated that the main reason they exist is to provide a high quality library for this community. They felt that a municipal access station for the past fifteen years was great but they need to do what they do best, provide library services.

Ms. Papale stated that the first thing the Council must decide is whether or not we want a municipal channel in the Town of Wallingford. The Council needs time to review the material distributed by Mr. Hanley to them this evening prior to making a decision. She wanted to be presented with estimates for the move to 88 S. Main Street for both the television station and the Credit Union and Transit departments as well. The Council needs to review all costs and aspects of the moves.

Dr. Dickinson feels that the Library renders a marvelous service as does the television station. It is important to continue status quo since it is a marvelous form of communication which is needed to inform people of what is happening in their town. He urged everyone to move cautiously and not to make any rash decisions.

Stephen Jasinski, 157 S. Airline Road praised the Library Board and the services that are offered to the public. He is very much in favor of keeping the public access channel but agrees with the Mayor that it should not be set up as a separate cost center. He urged everyone to work towards keeping the station because once it is gone it will be difficult to bring back.

An unidentified speaker spoke in favor of keeping the station.

Dee Cooke, 180 Northford Road was pleased to hear that the public wants the channel. She produces her own television show which is well received by the public. Wallingford needs to seriously consider having a municipal access channel. She has been asked by a Mr. Paul Miller to state that he shares the same feelings of support as she does for the channel. She urged the Council to vote for WPL-TV or to have a municipal access channel somehow.

Richard Nunn, 45 Montowese Trail gave a detailed history of the birth of the station and its progress to date. He asked for direction from the Council on how to obtain the comparison figures for the moves? Is there a fund to draw from for the payment of services to contractors for their estimates? Are volunteers available to provide them?

Rodigan Rose, 40 _____ Street, Yalesville did not feel that we have a choice, we need the television station. She has been very pleased with the library services. She has put on a few children's musicals and would like to continue to do so. She feels that there are plenty of volunteers willing to help with the work at 88 S. Main Street to get the channel in. She pointed out the success of the volunteer recruitment for the Playground in Town. She was surprised at the lack of communication between the Mayor's Office and Council. She stated that it was alarming to think, who makes the decision to make

things happen around here? The Mayor made the decision to move the Credit Union and Transit and no one on the Council even knew what was going on? You were not even going to discuss it with the public?

Ms. Papale explained that there is certain duties of the Council and certain duties of the Mayor. She stated that the Council was aware of what the Mayor was thinking of doing with regards to 88 S. Main Street. She felt that that decision is an administrative one to be made by the Mayor.

Mr. Killen: No way, Iris! No way.

Ms. Rose thought that the decision should not be left entirely to the Mayor.

Mr. Pete Turdin, 66 Jobs Road stated that he has produced several public service announcements using puppets to target the pre-school and elementary population which continuously ask when the puppets will appear again? He asked if anyone considered moving the Community Room? He thought it would be easier than moving the television station.

Mr. Doherty thanked everyone for their comments this evening and stated that it was not his intention in placing this item on the agenda to bring in the Library Board to perform a roasting of any sort. He felt that no one was dissatisfied with the library services in town. It is top-notch. The Council is understanding of everyone's concerns in the issue. He assured everyone that the Council will continue to work on the issue and will bring it back at a future meeting.

Ms. Papale asked if the Council wanted to direct the committee in any way?

Mr. Killen felt it should be dissolved since they cannot go forward and the Council shows no inclination in supporting any suggestions that they make.

Ms. Papale spoke for herself that she would like more information prior to voting on the issue. She did not feel that the majority of the Council was against keeping the station.

The majority felt that they would like to investigate the issue further.

Mr. Doherty made a motion to Adjourn the Meeting, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

There being no further business, the meeting adjourned at 12:28 A.M.

Meeting recorded and transcribed by:

Kathryn F. Milano

Kathryn F. Milano, Town Council Secretary

- 26 - February 25, 1992

Approved by: Iris F. Papale
Iris F. Papale, Chairperson

March 24, 1992
Date

Kathryn J. Wald
Kathryn J. Wald, Town Clerk

March 24, 1992
Date

#8

7/25/92

7:04 PM
KTM

**RESOLUTION AMENDING SECTIONS 3.01, 3.03, 3.12 AND 3.13 AND
SUBSECTION 3.11 C. OF THE WALLINGFORD RECYCLING REGULATIONS**

RESOLVED by the Town Council of the Town of Wallingford that Sections 3.01, 3.03, 3.12 and 3.13 and Subsection 3.11 C. of the Town of Wallingford Recycling Regulations are hereby amended to read as follows:

3.01 Each person in this Municipality shall separate from his or her solid waste and shall cause to be recycled the following items: corrugated cardboard, glass food and beverage containers, metal food and beverage containers, newspapers, lead-acid storage batteries, office paper, scrap metal, leaves and waste oil. Those persons generating residential solid waste shall also separate from such wastes plastic containers which have stamped or printed on them in the middle of a triangular recycling symbol the numbers one (1) or two (2), but shall not separate plastic containers which have contained automotive fluids such as motor oil, transmission fluid or anti-freeze. Placing any of the items required in this Section to be separated in a container with solid waste is prohibited unless such item, because of contamination or some other inherent quality, cannot be recycled.

3.03 Each collector shall notify its residential customers of the time and place for collection of recyclable items. Each person in this Municipality who elects to have his or her residential recyclable items picked up by a collector shall place such materials at such location and at such time as may be reasonably requested by such collector. Newspapers shall be separately tied in bundles or placed in brown paper grocery bags and corrugated cardboard shall be tied in separate bundles for collection. Metal food and beverage containers, glass food and beverage containers and plastics shall be clean and shall be placed in a clear plastic bag which shall be tied securely for collection. Recyclable items placed out for collection shall be free of contamination. No solid waste shall be mixed with any recyclable items placed out for collection.

3.11 C. For the third and each subsequent violation, the agent shall direct the collector to suspend collection from the violator until the violation is corrected and shall notify the Health Department which shall act in accordance with the Town of Wallingford Refuse Ordinance. In the case of any person who has been issued a permit under the Refuse Ordinance, such permit shall be suspended for one (1) month.

3.12 The following procedures and penalties shall be imposed by the agent for violation of these regulations by a collector: For any two (2) or more violations within a twelve (12) month period, the permit of the collector shall be suspended for thirty (30) days for each violation after the first. For the first violation

a warning notice specifying the violation and, if appropriate, a notice of any necessary corrective action shall be sent to the collector.

3.13 The owner or operator of any facility accepting materials designated for recycling from collectors, places of business or residents of Wallingford, which materials were separated within the Town of Wallingford, shall report the total quantity, by weight, of each such material received during any calendar quarter to the agent on or prior to the final day of the month next following. Each person delivering such materials to such facility other than the Town recycling center shall be responsible for ensuring that such reports are made and shall notify the agent of the name and address of such facility.

RECYCLING REGULATIONS

SECTION 1. STATEMENT OF AUTHORITY

These Recycling Regulations have been promulgated and approved in accordance with the Recycling Ordinance of the Town of Wallingford. Any person who generates solid waste within the boundaries of the Town of Wallingford is required to recycle in compliance with the terms of these regulations. Failure to comply will make the violator liable for the penalties stated in the Recycling Ordinance and these regulations.

SECTION 2. DEFINITIONS

As used in these regulations, the words and terms listed in this Section shall have the following meanings:

AGENT -- means the person appointed by the mayor as the municipal agent pursuant to the provisions of Subsection 3.09 of these regulations.

COLLECTOR -- means any person, firm, corporation or the like which engages in the business of collecting and/or removing solid waste within this Municipality. The Town Public Works Department shall not be considered a collector.

MATERIAL DESIGNATED FOR RECYCLING or RECYCLABLE ITEM -- means any item required by Subsection 3.01 of these regulations to be separated from solid waste and recycled.

ORDINANCE -- means the Recycling Ordinance of this Municipality.

PERSON -- means any individual, corporation, partnership, association, or other entity or organization of any kind.

RECYCLER -- means any individual, corporation, partnership, association, or other entity or organization of any kind engaged in the business of recycling.

RECYCLING -- means the processing of solid waste to reclaim materials therefrom as defined in Section 22a-207 of the Connecticut General Statutes.

REGULATIONS -- means these regulations.

~~**SOLID WASTE** -- means unwanted and discarded materials, as more particularly defined in Section 22a-207 of the Connecticut General Statutes, but not hazardous waste or toxic waste as regulated in accordance with Section 22a-220 of the Connecticut General Statutes.~~

SECTION 3. PROCEDURE

3.01 Each person in this Municipality shall separate from his or her solid waste and shall cause to be recycled the following items: corrugated cardboard, glass food and beverage containers, metal food and beverage containers, newspapers, lead-acid storage batteries, office paper, scrap metal, leaves and waste oil. Those persons generating residential solid waste shall also separate from such wastes plastics which have stamped or printed on them in the middle of a triangular recycling symbol one of the numerals one (1) through seven (7). Placing any of the above items in a container with solid waste is prohibited unless such item, because of contamination or some other inherent quality, cannot be recycled.

3.02 Residents of this Municipality shall either place their separated household corrugated cardboard, glass food and beverage containers, metal food and beverage containers, plastics and newspapers out for collection by a collector, or shall take them to the Town recycling center. Leaves, lead-acid storage batteries, scrap metal or waste oil may be taken to locations designated by the Mayor.

3.03 Each collector shall notify its residential customers of the time and place for collection of recyclable items. Each person in this Municipality who elects to have his or her residential recyclable items picked up by a collector shall place such materials at such location and at such time as may be reasonably requested by such collector. Newspapers and corrugated cardboard shall be tied in bundles separately for collection. Metal food and beverage containers, glass food and beverage containers and plastics shall be clean and shall be placed in a clear plastic bag which shall be tied securely for collection. No solid waste shall be mixed with any recyclable items placed out for collection.

3.04 Each person who has separated materials designated for recycling shall deliver or cause all such materials to be delivered to a recycler. Except as provided in Section 3.08, any person transporting recyclable items collected from a residence, however, shall bring such materials to the Town recycling center and shall comply with all requirements established in the Agreement between the Town and the operator of the Town recycling center.

3.05 Each collector shall collect or cause to be collected separated recyclable items and shall not mix such separated items with other solid waste.

3.06 Any charge or tip fee that must be paid for the depositing of recyclable items at any location shall be paid by the collector depositing such materials or by any person depositing such

materials from a business. Failure to promptly pay any such charge or tip fee when due shall be a violation of these regulations.

3.07 No person shall take any material which has been separated for recycling from any public or private property in this Municipality unless specifically authorized to do so under the terms of these regulations.

3.08 A non-profit organization may collect and sell recyclable items, provided that such non-profit organization shall submit records to the agent which detail the total volume of each material designated for recycling which has been collected and recycled.

3.09 Within thirty (30) days of the effective date of these regulations, the Mayor shall provide the Commissioner of Environmental Protection with the name of a person to receive information and respond to questions regarding recycling and shall designate a municipal agent to enforce these regulations.

3.10 Any collector who has reason to believe that a person from whom he or she collects solid waste has discarded recyclable items with other solid waste in violation of these regulations shall promptly notify the agent of the alleged violation. If so requested by the agent, a collector shall provide a notice, warning or other information as specified by the agent to any person suspected by the collector or by the Municipality of violating separation requirements. A collector shall also assist the Municipality in identifying any person responsible for creating loads containing significant quantities of recyclable items mixed with other solid waste.

3.11 The following procedures and penalties shall be imposed by the agent for violation of these regulations by any person other than a collector:

A. For the first violation, a notice of the recycling requirements under these regulations and information regarding the recycling program shall be delivered by the agent, or at the direction of the agent by a collector, to the violator.

B. For the second violation, a warning ticket or sticker shall be delivered by the agent, or at the direction of the agent by a collector, to the violator.

C. For the third and each subsequent violation, the agent shall ~~direct the collector to suspend collection from the violator~~ until the violation is corrected and shall notify the Health Department which shall act in accordance with the Town of Wallingford Refuse Ordinance. In the case of any person who has

Recycling Regulations

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been issued a registration under the Refuse Ordinance, such registration shall be suspended for one (1) month.

3.12 The following procedures and penalties shall be imposed by the agent for violation of these regulations by a collector:

A. For the first violation, a warning notice specifying the violation and, if appropriate, any corrective action necessary.

B. If, during a one (1) year period following a warning for a first violation, there is a subsequent violation, the permit of the collector shall be suspended for thirty (30) days.

3.13 The owner or operator of any facility accepting materials designated for recycling from collectors, places of business or residents of Wallingford, which materials were separated within the Town of Wallingford, shall report the total quantity, by weight, of each such material received during any calendar quarter to the agent on or prior to the final day of the month next following. Each person delivering such materials to such facility shall be responsible for ensuring that such reports are made and shall notify the agent of the name and address of such facility.

3.14 The owner of any residential property containing three (3) or more dwelling units shall make provisions for the residents of such dwelling units to properly separate materials.

3.15 Copies of these regulations shall be available for inspection at the Public Works Department and the Town Clerk's office.

3.16 These regulations shall not become effective unless and until the Town has complied with the provisions of Section 3 (b) of Public Act 90-220 as such provisions relate to recycling.