

Approved a budget amendment for the water Division: \$75,000 Decrease in Drought Contingency \$75,000 Increase in Working Capital and \$75,000 Increase in Filter Plant Pilot Study/F/Y 1987-1988	20
Approved transfer of \$7,000 from Blue Cross to CHCP, Personnel.	21
Re-establishment of committee to look into feasibility of full-time attorneys for the Town of Wallingford/to be placed on January 26, 1988.	21
Discussed conflict of interest matter/Mr. Ronald Gregory to direct letter to Chairman Killen who will, in turn, direct letter to Town Attorney for opinion.	21-22
Accepted resignation of Joseph F. Pavlick from Planning and Zoning Commission.	22
Discussed additional person in Town Clerk's Office and approved transfer of \$1,143 from Town Clerk Salary to Interim Town Clerk.	22-26
Accepted Town Council Meeting Minutes of January 4, 1988.	26
Executive Session.	26
Adjourned.	27

Town Council Meeting

January 12, 1988

7:30 p.m.

- (1) Roll call and pledge of allegiance to flag.
- (2) Public question and answer period.
- (3) Swearing in of George R. Lane, Constable.
- (4) Consider authorizing Chairman of Asbestos Removal and Handicapped Access Building Committee to sign contract for handicapped access project.
- (5) Consider appointment of Alla Lee Harrison to Handicapped Access Committee.
- (6) Consider re-establishment of TASK FORCE ON HOMELESS and adding Dian T. Marandola, Executive Director, Visiting Nurse Association, and Eileen M. McMahon, R.N. to Task Force, requested by Councilman David J. Doherty.
- (7) Waived Rule V/Soup Kitchen discussion/approved \$500 transfer. Consider appointing representative to Traffic Department, requested by Linda A. Bush, Town Planner.
- (8) Consider waiving bidding procedure and authorization interview for hiring of traffic consultant, requested by Linda A. Bush, Town Planner.
- (9) Consider acceptance of Chalet Drive, Liberty Court, Twin Oak Farm (Remainder of Section 1) and Country Way & Fox Run Drive (Section 2) and acceptance of parcels of land for road right-of-way purposes:
 - (a) Approximately 1,770 sq. ft. from Dreimanis, Chimney Hill Road
 - (b) Additional right-of-way from Rebesch on Quigley Road
 - (c) Additional right-of-way from Tagliatela on Deer Run Road
 - (d) Approximately .14 acres from Wiedenman along Harrison Road, requested by Linda A. Bush, Town Planner.
- (10) Consider changing name of Spring Street, between North Cherry Street Extension and running across Washington Street Extension, to Christoni Lane.
- (11) Consider and approve transfers requested by Police Chief Bevan:
 - (a) \$25,000 from General Wages to Patrol Overtime
 - (b) \$ 250 from Longevity, \$350 from Longevity, \$100 from Longevity and \$2,000 from General Wages, a total of

\$ 2,100 to Wrecker Service
(c) \$ 700 from No-Sick Incentive to Prisoner Meals

- (12) Consider writing off advance of \$20,000 to Wallingford Housing Authority - 148-H-E-171, requested by Thomas A. Myers, Comptroller.
- (13) SET PUBLIC HEARING on AN ORDINANCE AMENDING ORDINANCE NO. 237 ENTITLED "AN ORDINANCE TO PROVIDE FOR THE REMOVAL OF ABANDONED, UNREGISTERED, AND/OR INOPERABLE MOTOR VEHICLES OR MOTOR VEHICLE PARTS."
- (14) NOTE FOR RECORD financial statements and narratives of Electric, Water & Sewer Divisions for the month ending November 30, 1987.
- (15) Consider & approve a transfer of \$200,000 from Purchased Power to Fuel Expense, requested by Raymond F. Smith, PUC Director. Transfer reduced to \$125,000. Approved \$75,000 phone poll trans.
- (16) Consider release of \$10,500 from Contingency to install system wiring in Robert Earley Town Hall.
- (17) REMOVE FROM TABLE and consider & approve transfer of \$1,500 from Miscellaneous Plant Equipment to Structures, requested by Walter O. Lee, Electric Division.
- (18) Consider & approve a transfer of \$1,100 from Power Operated Equipment to Electric Pumping Equipment, requested by Raymond A. Denison, Water Division.
- (19) Consider waiving the bidding procedure for a pilot study to be performed in conjunction with the ultimate design of a treatment plant at the Pistapaug Pond Reservoir; consider awarding bid to Whitman and Howard.
- (20) Consider & approve a transfer of \$50,000 from Collecting & Impounding Reservoirs F/Y 1987-88 to Filter Plant Pilot Study F/Y 1987-88 and a budget amendment of \$75,000 DECREASE in Drought Contingency and \$75,000 INCREASE in Working Capital and \$75,000 INCREASE in Filter Plant Pilot Study F/Y 1987-88, requested by Raymond F. Smith, Director of Public Utilities.
- (21) Consider authorizing cost between \$5,000 and \$8,000 for Whitman and Howard Study regarding economics of rehabilitating Simpson Pond as a potential water supply.
- (22) Consider & approve a transfer of \$7,000 from Blue Cross to CHCP, requested by Stanley A. Seadale, Director of Personnel.
- (23) Discussion and possible action to re-establish the committee formed to look into the feasibility of full-time attorneys for the Town of Wallingford, requested by Councilman Frank C. Adams, Jr.
ORIGINAL COMMITTEE MEMBERS: Frank C. Adams, Jr., David A. Gessert, Steven B. Holmes, Adam Mantzaris and Mary Beth Applegate.
- (24) Conflict of interest discussion pertaining to voting on appointments, budgets or any other matters that affect Town Council Members, requested by Councilman Geno J. Zandri, Jr.
- (25) Consider acceptance of resignation of Joseph Pavlick from Planning and Zoning Commission.
- (26) Discussion and possible action for additional position in Town Clerk's Office.
- (27) Consider acceptance of Town Council Meeting Minutes of January 4, 1988.

TOWN COUNCIL MEETING

January 12, 1988

7:30 p.m.

A regular meeting of the Wallingford Town Council was held in Council Chambers, called to order at 7:30 p.m. by Chairman Albert E. Killen. Answering present to the roll called by Town Clerk

Kathryn J. Wall, were Council Members Adams, Bradley, Doherty, Holmes, Parisi, Solinsky, Zandri and Killen. Councilwoman Papale was not present for the meeting. Also present were Mayor William W. Dickinson, Jr., Thomas A. Myers, Comptroller, and Town Attorney Adam Mantzaris. The pledge of allegiance was given to the flag.

Mr. Killen asked everyone to remain standing and asked for a moment of silence for Mr. Frank Yasensky, who passed away on January 2, 1988. Mr. Killen stated that Mr. Yasensky was a fine patriot, a veteran of the first order, always active in the legion affairs, served on the bicentennial commission and had been a very active member of our community and he will be missed.

Public question and answer period.

Mr. Salvatore Falconieri, 281 Grieb Road, asked Mr. Killen if he was going to allow the public to ask questions on any item as the meeting goes along and Mr. Killen replied that the public may speak on any item on the agenda, at that time.

Carolyn Massoni, 41 Hillsvie Road, asked Mr. Killen if Mrs. Rascati was hired or asked to stay on after Kathryn Wall was sworn in on January 4, 1988 and Mr. Killen replied that she was and added that he asked her, under his authority. Mrs. Massoni asked where the funding came for this and Mr. Killen explained that there was no funding at that time and this topic is item 26 on the agenda for tonight, and it will be coming from the new Town Clerk's salary. Mrs. Massoni asked what Mrs. Rascati's duties were and Mr. Killen explained that her duties were the same but she was not the official Town Clerk. Mrs. Massoni added that when Kathryn Wall was sworn in, she assumed all of the duties of the Town Clerk, according to the Connecticut General Statute of that office. Mrs. Massoni asked if Miss Wall appointed an assistant and she replied yes. Mrs. Massoni added that she did not believe that Mr. Killen had the authority to put anyone into that position.

Mr. William LaVorgna, 6 Grieb Ct., explained that for the past 13 years that he has lived in Wallingford, the private road that he has lived on has always been taken care of by the town. After the recent storm, the road was not plowed and he was notified by Ms. Linda Bush, Town Planner, that it was taken off the list because it was a private road. After many complaints from all of his neighbors, the road was taken care of and Mr. Lavorgna asked what was going to be done in the future. Mayor Dickinson explained that he has asked the Engineering Department to research and find out who the owners are and added that they will be in touch with each of the property owners. Mr. LaVorgna added that he has two 30 foot, rights of way, on his property and he has asked the town whether or not they would sell these parcels. To this date, he has not received a reply and asked if the town could please give him an answer, sometime in the near future. Mayor Dickinson stated that he will inquire about this matter.

Maryann Pasquance, Toll House Motel, speaking for low housing, explain that there is a great need for low income housing. People, (including children) are being forced out into the streets because they cannot afford the high rents. She suggested that the town try to fix up some of the abandoned buildings in town. She added that they need low income housing or shelters and the gazebo on the green cannot put clothes on their back or keep them warm. (APPLAUSE). She added that her mother is ill and takes care of three children and lives from day to day, and no one should have to live this way. Mr. Killen stated that he will address a letter to the Housing Authority and this matter will be addressed.

Mr. Vincent Avallone, 1 Ashford Ct., wished the Council Members good luck and commented that he was concerned about what authority Mr. Killen had to hire an individual for the Town Clerk's Office. He added that he hopes, in the future, before decisions like this are made again, Council people would find out if they have the authority to perform certain acts.

Mr. Peter Gouveia, 39 Lincoln Drive, commented that the office of Planning and Management has recently allocated \$400,000 to the Department of Health Services to help the residents in the state to detect and remove radon from their homes. I think that in view of the fact that we have these mysterious illnesses in Wallingford, we should lobby Hartford to see if we could get some of those free radon testing kits. Mr. Gouveia added that a year ago, CRRA bought (\$4 million dollars) a piece of land in Waterbury, for a dump for bulk waste. The Mayor of

Waterbury won his battle with CRRA over this issue and suggested that in view of the fact that Wallingford still has 2 dumps, if Wallingford needs a lesson on how to play hardball with CRRA, they should contact the Mayor of Waterbury.

ITEM 3. Swearing in of George R. Lane, Constable.

Mr. George R. Lane was sworn in by Kathryn Wall, Town Clerk, for the position of Constable. (APPLAUSE)

Mr. Killen explained that under the Rules of Procedure, Rule #4 states that the Council will not begin any order of business after 11:00 p.m.

A motion was made by Mr. Parisi to Waive Rule 4, to continue business after 11:00 p.m., seconded by Mr. Holmes.

VOTE: All ayes; motion duly carried.

ITEM 4. Consider authorizing Chairman of Asbestos Removal and Handicapped Access Building Committee to sign contract for handicapped access project, moved by Mr. Holmes and seconded by Mr. Adams.

Mr. Thomas Chicoski explained that he had come before the Council during the December 29, 1987 meeting that was held, which he brought up the aspect for the funding for the first phase of the contract and as well as the approval of the contract and selection of Friar Assoc.

Attorney Mantazaris explained that Mr. Chicoski is protected as an appointee.

VOTE: All ayes; motion duly carried.

ITEM 6. Consider re-establishment of TASK FORCE ON HOMELESS and adding Dian T. Marandola, Executive Director, Visiting Nurse Association, and Eileen M. McMahon, R.N. to Task Force, requested by Mr. David Doherty.

A motion was made by Mr. Parisi to re-establish the TASK FORCE ON THE HOMELESS, seconded by Mr. Holmes.

Mr. Holmes asked what the original size of this Task Force Committee was and Mr. Killen replied 7. Mr. Holmes then asked if there was any cap set on the amount of people to serve on this committee and Mr. Killen explained that he did not know and pointed out that this has always been a problem.

Mr. Holmes moved to amend the motion to include that the committee be capped at 9 members, seconded by Mr. Doherty.

VOTE: (amendment) All ayes; motion duly carried.

Ms. Diane Walker, 230 Main Street, stated that she feels there is a need for people to be aware that the State of Connecticut has regional center schools for the handicapped children and young adults and they are considering closing those schools, come September. These children will be put on the local public school system.

VOTE: (original motion) All ayes; motion duly carried.

A motion was made by Mr. Doherty to remove Dian Marandola and Eileen McMahon from the table, as additions to the homeless task force committee, seconded by Mr. Parisi.

VOTE: All ayes; motion duly carried.

A motion was made by Mr. Solinsky to add the names of Dian Marandola and Eileen McMahon to the homeless task force committee, seconded by Mr. Doherty.

Mr. Musso commented that he did not agreed with adding any more names to this committee.

Mr. Falconieri suggested that the committee look at the railroad station as a home for the homeless.

Mr. McNamara, 5 Pent Road, agreed with Mr. Falconieri and added that there are also abandoned buildings that the town can use.

VOTE: All ayes; motion duly carried.

A motion was made by Mr. Doherty to Waive Rule 5 to discuss the Wallingford Soup Kitchen, seconded by Mr. Zandri.

VOTE: All ayes; motion duly carried.

Mr. Doherty explained that, in a letter from the Mayor, he is requesting that room 225 of the Town Hall, be used for a soup kitchen from 12 p.m. to 1 p.m. for a two-week period.

A motion was made by Mr. Doherty to allow room 225 of the municipal building to be used as a soup kitchen from 12 p.m. to 1 p.m. for a two-week period, seconded by Mr. Parisi.

Mayor Dickinson explained that three churches have hosted the soup kitchen and have hosted dinners over the past three to five years and all of them have experienced a very low participation. He added that he believes that there is a need and hopes that they can get volunteers to staff this effort. A transfer will have to be drawn up also, in case there are no donations made for food.

Mr. Zandri stated that he feels that if there is 1 person that needs a facility like this, a town of this size should have it. (APPLAUSE) He added that he received calls from people who are concerned that some people might not show up in a facility of this type. He added that he hopes the town can look into a better facility for this purpose.

Mr. Bradley agreed with Mr. Zandri and added that no one should ever starve or hurt for a meal and added that he is concerned about what will happen after the 2 week period is up, and would like to find a more permanent site.

Mr. Musso commented that he does not agree with the homeless deal because they will start bringing their friends and neighbors.

Mr. Barberino stated that he believes that the Mayor's efforts are a step in the right direction, and added that Mary Lou Krawczyk has been very active in helping the homeless and has been doing a wonderful job.

Ms. Krawczyk explained that she has obtained a trailer that could be used, she has insurance for it and has looked into a site. The trailer would perhaps be a temporary measure until we could get a more suitable place. It would be in back of the railroad station on the municipal parking lot, which would require a vending permit, and it would be open from 11 a.m. to 1 p.m. I would also like to see these people taken care of until May 1st. I am proposing the trailer, in back of the railroad station on a temporary basis. It might be hard for these people to come up to the Town Hall but, I do think it is a wonderful idea. I would like a permanent soup kitchen for the Town of Wallingford. People have to be comfortable going into a place and not be self-conscious. A lot of our people are staying at the Toll House Motel and they are not allowed to cook in those rooms.

Mr. Killen asked how they are receiving food and Ms. Krawczyk replied that she believes that one of the churches is bringing them food. Some of them are on welfare and some of them just cannot find a decent rent because the rents are so high.

Mr. Killen commented that there are groups out there that would be willing to establish a soup kitchen, if the dollars were to flow from the public's pocket. It is hard for the Council to reach into their pockets for them.

Ms. Krawczyk commented that she will probably receive help from businesses and churches, along with volunteers and is not asking the town for a cent after this year. She is asking for a help to begin.

Reverend Williams stated that there are a number of churches that do want to get involved in this program. He agreed with the statements made about the people feeling ashamed coming into Town Hall. I would like to see the basement of the railroad station used or the trailer.

Mr. William LaVorgna agreed with the fact that the Town of Wallingford needs a permanent facility, and if town money (taxpayer money) is used,

he would like to see some guidelines on what these people do. If they are made to clean up and prepare meals, then you will find out who is really hungry and who really wants to eat.

Mrs. Pasquance, Toll House Motel, told the Council that she is not allowed to cook in the hotel and she has 3 children, who, a lot of times, go to bed hungry. She has an 8 year old child who sometimes has to go to bed without eating. Mrs. Pasquance is ill and will give her food to her 8 year old child and not eat. She does not agree with going into a public place to eat because she feels that they look at you like you are dirt.

Mr. Killen explained that it starts with the state to take care of such things. They also have different organizations that are granted tax exemptions, take care of things on this line and churches to take care of these things. This town body is the lowest rung of the ladder.

Ms. Diane Walker suggested that it should be the responsibility of the private sector, and when the private sector will no longer help, it should be the responsibility of the town to help. Our town should be responsible for the people that live here.

Mrs. Maria Clark, Toll House Motel, commented that who should care if they bring one of their friends to be fed because if you stop two people from starving, you have done a good thing.

Mr. Killen explained that they are trying to establish the room in which food might be served and to establish the fact that there is a need for such a thing. We want figures, facts and something to go by.

Mr. Raymond Rys, 96 Pierson Drive, commented that he is also in favor of the soup kitchen but would like to ask the Council that if they see that there is a need, could it be extended until Ms. Krawczyk is able to find a permanent site, and asked if the time can be extended. Regarding the low income rents, there are 2 programs. One is the subsidation, where they come up with money to provide you with a security deposit and the other one is a subsidation on the rent, if you qualify.

Mrs. Barkasy, 139 Ridgetop Road, suggested that the Mayor give each person a voucher so he will be able to keep track of how much money goes out and how many people come in. She does not agree with having it at Town Hall and the hour proposed. She added that she feeds many hungry people and they are decent people who should not have to beg for food.

Mr. Killen explained that if they could identify the source of their problem, they might be able to take care of it. Until they establish it, there is nothing that they can do.

Mr. Vincent Avallone, 1 Ashford Ct., commented that he agrees that something has to be done and commends the Mayor and the Council for at least, coming up with this suggestion of offering a town building. Mr. Avallone also questions the two week period.

Mr. Edward Musso suggested that the people that are hungry, should work for their food and help out.

Mr. Parisi commented that the big issue has been that Wallingford has not done anything but the point is, that at least tonight, there is a starting point. Credit should be given to at least making an effort and taking a first step.

Mr. Adams agrees that this is a start and suggested that when the motion goes through, they should extend the time to 11:30 a.m. to 1 p.m. and have this on the Council agenda in two weeks, to renew this for 2 more weeks, if it is needed.

Mr. Doherty asked Mayor Dickinson if this program could be started tomorrow (1/13/88) and Mayor Dickinson said that it would be possible if they get the volunteers.

A motion was made by Mr. Adams to amend the original motion to read 11:30 a.m. to 1:00 p.m., seconded by Mr. Doherty.

VOTE: All ayes; motion duly carried.

Mr. Holmes moved the transfer of \$500 from Contingency Reserve for Emergency Account No. 0070 000 2100 to Town Clerk's Account No.

Mr. Killen asked Mayor Dickinson who was going to be purchasing the meals and Mayor Dickinson explained that that will have to be coordinated with the volunteers. We will have to charge the meals and the vouchers will be taken to the Comptroller and paid.

VOTE: All ayes; with the exception of Killen who voted no; motion duly carried.

Mr. Killen called for a 5 minute recess at 9:20 p.m. and the meeting was called to order at 9:31 p.m.

ITEM 7. Consider appointing representative to Traffic Department, requested by Linda A. Bush, Town Planner, moved by Mr. Holmes and seconded by Mr. Bradley.

Ms. Bush explained that the Council showed an interest in having a representative on the Traffic Department, which will be made up of the Mayor, the Town Engineer, Public Works, and a representative from Planning and Zoning. The one request she would like to make, on behalf of the employees, is that it be someone that can attend a meeting during the day.

Mr. Doherty told Mr. Killen that he would be happy to be the representative to the Traffic Department.

Mr. Adams moved to appoint Mr. Doherty to serve as a liaison to the Traffic Department, seconded by Mr. Bradley.

VOTE: All ayes; motion duly carried.

ITEM 8. Consider waiving bidding procedure and authorization interview for hiring of traffic consultant, requested by Town Planner, moved by Mr. Doherty and seconded by Mr. Holmes.

Mr. Killen explained that the Commission would like to have an independent review of the proposed road improvements to be required of Townline Square, located on the Meriden-Wallingford line, prior to the issuance of the State Traffic Commission certificate.

Mr. Edward Musso asked what the traffic consultant would do and Linda Bush explained that there is a major shopping center planned for the Meriden-Wallingford town line. The majority of it is located in the City of Meriden and only 12% is located in Wallingford. However, according to the traffic figures presented to the Commission, 55% of the traffic will be Wallingford traffic. The Commission felt, that because this would have such an impact on Wallingford roads, that we should have an independent assessment of those roads. The applicant has already been told by the Traffic Commission, after they submitted their traffic study, that they had to do traffic studies at the intersection of Rt. 5 and Rt. 68 connector, North Main Street and Rt. 68, the intersection of Rt. 68 and Rt. 150, etc. so, they have to keep looking at traffic impact until their impact on a certain intersection is less than 100 cars at peak hours. If any of the intersections cannot handle their traffic, they are going to be required to do improvements to upgrade the traffic movement, and the state felt that we should have our own study done.

Mr. Adams asked what the target date for this was and Ms. Bush replied that the shopping center has been approved by both Meriden and Wallingford. It takes 180 days to get a certificate from the State Traffic Commission. However, the state stops the time clock, everytime they ask for additional information. It would not be possible to say when they will have their study completed and be ready to have the official meeting, where they issue the certificate. Ms. Bush added that she feels that they should hire someone now, but not have them do anything until the State is ready to issue their findings on the road improvements, which should cost about \$5,000.

Mr. Zandri asked if Wallingford has any influence in this matter and Ms. Bush explained that the State Traffic Commission Legislation, is intended to lessen the impact on state roads of major developments, so, when a development is proposed that will impact the state roads, the state will mandate certain road improvements so that the state does not have to improve their road, the developer will improve the road to improve and handle the traffic. Mr. Zandri added that he is concerned about where the department is heading when it comes to traffic.

Mr. Bradley asked Ms. Bush if the City of Meriden is prepared to share in the cost of the private consultant study and Ms. Bush explained that she has not asked them and she doubts that they would. Mr. Bradley added that he would like to find out if they would.

Mr. Doherty asked how many cars would be heading their way and Ms. Bush replied that site generated traffic at the intersection of South Broad Street and North Colony Road, Friday p.m., going south on North Colony would be 199 vehicles (at peak hour).

Mr. Doherty added that traffic has always been a big concern and to sit there without their own traffic expert on something this big, is a mistake. We should have our eyes open on this problem that Wallingford faces, in terms of traffic congestion.

Mr. Killen asked why, if this development is going to add more traffic, are we adding to the traffic problem and Ms. Bush told Mr. Killen that he would have to address that question to the Commissioners. Mr. Killen added that Colony Street is very narrow, from the foot of the hill, all the way down to Ward Street and to add 200 more cars to it, doesn't matter how many more plans are put into it, unless they are going to start tearing down properties and widen them, you are going to get nothing out of them to alleviate the situation.

Ms. Bush explained that this is why they are requesting an independent review of the traffic generation, to make certain we can get all we can get, and there will be an improved level of service at certain intersections because of the road improvements mandated with the Stop & Shop.

Mr. Adams stated that if they are going to make improvements, it is something that they are going to have to plan ahead, all the way down the road, and Mr. Parisi added that it would help to have someone on board.

Mayor Dickinson explained that this is a review of the submission to the state's recommendations to make sure that we are protected. One thing that affects the time factor, is the mechanism that is authorized. If we have to interview more than one, if we need 3 interviews, in order to select one and have it come back in, (to the Council) to approve hiring, that takes longer. If it is an authorization to hire a specific one tonight, that takes a little less time, but, these things take time also. Ms. Bush added that she assumes that the Traffic Department will be the department involved, not the Commission.

Mr. Doherty stated that we should have an expert of our own.

Mr. Musso added that he agrees with Mr. Doherty and they should hire Wilbur Smith Associates because they are familiar with the town.

Mr. Peter Gouveia commented that that land might not be suitable for a shopping center and asked why some towns allowed to develop different from other towns. It is because the people in that community control the destiny of their town.

Mr. Peter Hale commented that he believes that this proposal is a duplication of effort. Our DOT has a good staff of engineers and most of the highways are state highways and they are going to have to do all of the work and use our money to pay the bills. I think you should appropriate some of the money to our own Police Department Traffic Division. I do not think it is necessary to hire a consultant.

Mr. Salvatore Falconieri commented that the Planning and Zoning changed the zoning of a residential area to commercial and they are going to put an office complex there and he does not agree with this because it causes traffic and water problems.

Mr. Bradley agreed with Mr. Hale's comments regarding a duplication of effort and this is why we do have a state Transportation Department.

Mr. Killen added that the problem that they bump into is that, no matter how you multiply the sizes that are going up there, the things that add to the traffic congestion along the way, are the smaller articles.

Mr. Killen added that the Planning and Zoning Commission is proposing

to change their regulations to address the traffic generated by much smaller users also. We will be having a Public Hearing on February 22, 1988, to amend our zoning regulations.

Mr. Killen commented that it is too little too late. Ms. Bush added that she does not believe that any other town addresses traffic as thoroughly as Wallingford will and every piece of property in a town must have a zone and have legal uses, that anybody, by right, can build on them. Mr. Killen stated that this has not been debated. They have been debating that whether or not you have a one horse road, you should allow them to build certain types of buildings that would generate traffic that a one horse road won't handle. The one horse road was there long before the present Planner got her job and long before the present Planning Commission came into being. I would suggest that they should have left it the way that it had been, which was a mixture of residence and commercial.

Ms. Bush suggested that Mr. Killen come to the Planning and Zoning Commission and make the recommendation to the Commission, that they re-zone Rt. 5 to allow residential and commercial uses. I am sure that they would like to listen to that recommendation.

Mr. Killen commented that that is the part that amazes him, that these people want to serve on a Planning and Zoning Commission. Planning is the key word, and if they can't come up with that idea, and I have to go and spend my time, then they should resign in mass. (APPLAUSE)

VOTE: Doherty, Holmes, Parisi, Solinsky voted yes; Adams, Bradley, Zandri and Killen voted no; Papale was not present; motion did not pass.

ITEM 9. Consider acceptance of Chalet Drive, Liberty Court, Twin Oak Farm (Remainder of Section 1) and Country Way & Fox Run Drive (Section 2) and acceptance of parcels of land for road right-of-way purposes:

- (a) Approximately 1,770 sq. ft. from Dreimanis, Chimney Hill Road
- (b) Additional right-of-way from Rebesch on Quigley Road
- (c) Additional right-of-way from Tagliatela on Deer Run Road
- (d) Approximately .14 acres from Wiedenman along Harrison Road

and abandon five feet of a 30 foot drainage easement on the property of Robert and Virginia Huelsman, requested by Town Planner, moved by Mr. Adams and seconded by Mr. Holmes. (WITHDRAWN) (see following motions)

A motion was made by Mr. Doherty to accept Chalet Drive and Country Way & Fox Run Drive-Section 2, seconded by Mr. Adams.

Mr. Solinsky asked if Swiss Chalet was the only user of Chalet Drive and Ms. Bush replied that they are, at the moment, and this road has never been accepted as a town road, which is being done tonight.

Ms. Bush added that Chalet Drive was built to town standards and Grieb Ct. was not.

VOTE: Parisi voted no; Holmes was not present for the vote; Adams, Bradley, Doherty, Solinsky, Zandri and Killen voted yes; motion duly carried.

A motion was made by Mr. Adams to accept the following parcels of land:

1. Approximately 1,770 sq. ft. from Dreimanis, Chimney Hill Road
2. Additional Right-of-way from Rebesch on Quigley Road
3. Additional right-of-way from Tagliatela on Deer Run Road
4. Approximately .14 acres from Wiedenman along Harrison Road

seconded by Mr. Bradley.

Ms. Bush explained that when they approve a subdivision in the town, the town does not own the right-of-way, as defined by the zoning regulations. We require that the subdivider deed to us, the difference between the amount of right-of-way the town presently owns and the amount that the town is supposed to own. Attorney Mantzaris approves the deeds, as to form.

VOTE: All ayes; motion duly carried.

A motion was made by Mr. Adams to abandon five feet of a 30 foot drainage easement on the property of Robert and Virginia Huelsman, seconded by Mr. Holmes.

Ms. Bush explained that the Huelsman's own property on North Plains Industrial Road. The town has a 30 foot drainage easement, which is a strip of land that we have a 48 inch storm drain pipe through. When the Huelsman's built a building, there was a slight surveyor's error, and the building is $\frac{1}{2}$ foot into the drainage easement. They own the property, but the town has a right to have a storm drain pipe through there. Mr. Costello suggested that the town just abandon 5 feet of the easement, because the town does not need that 5 feet. Ms. Bush passed a map of the area around for all of the Council Members to view.

VOTE: All ayes; motion duly carried.

A motion was made by Mr. Doherty to move up item 21, seconded by Mr. Bradley.

VOTE: All ayes; motion duly carried.

A motion was made by Mr. Holmes to remove item 21 from the table, seconded by Mr. Bradley.

VOTE: All ayes; motion duly carried.

ITEM 21. Consider authorizing cost between \$5,000 and \$8,000 for Whitman and Howard Study regarding economics of rehabilitating Simpson Pond as a potential water supply, moved by Mr. Doherty and seconded by Mr. Bradley.

Ms. Mary M. Mushinsky, State Representative, explained that a letter she had sent to the previous Council, reported on partial state grants to the town for repair of dams benefiting abutting properties or the community, through your flood and erosion control board. The grant program, is not intended to assist and repair dams used for public water supply. The funding for public water supply, is supposed to be raised from rate structure charged to the water users. The allowable state grant for this particular dam which has all private abutting properties, is $\frac{1}{3}$ of the cost. For example: a \$200,000 job, \$70,000 would be state paid and \$130,000 would be town paid, or the town could assess the abutting owners including Carabetta Enterprises. If it is a municipally owned or leased shoreline, (leased for 25 years), the town could be eligible for a $\frac{2}{3}$ grant. Once the repairs are completed, the Flood and Erosion Control Board would have to be responsible for maintenance of the dam. The current status is, Mr. Carabetta is under DEP order to demolish or repair the dam because it is a high hazard dam. Carabetta has hired a firm to prepare the demolition plan. I would like to know whether or not the town is interested in preserving the dam at all. Otherwise, I expect that DEP will proceed with their order.

Mr. Bradley commented that he is in support of this item and as far as appropriating \$5,000 to \$8,000 for a study, I think we could spend this money well in other places. I would suggest that the state come down and take a sample from the bottom of the dam so that they can determine if it can be used as a water supply. People do not like to accept liabilities on dams and that is one of the concerns that I have here. Mr. Bradley added that he is also concerned about the Public Act that requires an owner to either repair or demolish, I consider to be flawed, especially when you have an unsafe dam, I think the owner does have a liability to correct that situation. I think we should talk with Mr. Carabetta to see where he stands on this.

Mayor Dickinson explained that he is not authorized to go forward and suggest purchase by the town, without authority.

Mr. Killen commented that someone should have authority to contact Mr. Carabetta.

Mr. Holmes commented that at this time, he does not think it is economically justified to proceed with this study and try to rehabilitate Simpson Pond as a water supply.

Mr. Zandri commented that he would be reluctant at this time, to spend this kind of money, for that type of study. However, he still thinks it should be pursued, but they should get over this hurdle with Mr. Carabetta.

Ms. Mushinsky explained that she has been unable to get an answer from Mr. Carabetta. She explained that the way this is done, the previous owner transfers ownership to the town for \$1.00 (example) and then he is out of the picture, because the state wants a permanent guardian of the dam so that it never falls apart again. Now, he will have to come up with quite a bit of money to do the demolishing of the dam. If you went for the grant, for a dollar, he could transfer ownership, and as a businessman, I think he will go for that.

Mr. Parisi stated that he would like to see their delegation to the House of Representatives submit some special legislation whereby, if they are successful, the state repairs the dam at their expense and then perhaps the town will take it over. This has been done in two areas in the state and this is one way it could be feasible.

Ms. Mushinsky stated that she will file a bill for them but, she will have to write a special act that goes around all of the rules of the grant program. The town has given the delegation an extensive list of projects, and we will not be able to get you everything on the list. However, the dam fund already exists and has money in it, which would be more of a sure thing, if you put up the match. If you want me to go for 100% financing, I will put in the bill, but it is a lot less likely that we will win the money for you.

Mr. Hale commented that a group of supporters has had an engineer come out and look at the dam and he will submit his report in the next day or two. He has also circulated some petitions to save the dam.

Mr. Holmes added that they have also tried to get some movement ahead for Community Lake. He would like to finish some of the projects that they have on hand before they delve into more.

Mr. Musso suggested that the pond be retained for a retention pond, and the pond should be saved because it is a beautiful spot.

Mr. Ronald Gregory commented that he would like to see some of the projects on hand taken care of and he would like to see a new dam and a reservoir. He added that he supports the private citizens efforts to save Simpson Pond, and is insulted that anyone would suggest using it as a water source.

Mr. Parisi suggested that this item be brought up at another meeting, and asked what the time table was and Ms. Mushinsky explained that they have been stalling on the order, waiting to hear from this Council.

Mr. Adams suggested that a task force be set up to look into seeing what they can do with Mr. Carabetta as far as that property.

Mr. Killen suggested that this item be put on the next agenda, which will be January 26, 1988.

Mr. Bradley pointed out that on the November agenda, it was requested that the Council consider saving Simpson Pond and Mayor Dickinson explained; that the reason for that is that the report came out on the water supply system from Whitman and Howard and in that report, Simpson Pond was mentioned as a potential for water. The Council, at that time, decided, that in order to look into it to ask the Water Division of the Town of Wallingford to look into the feasibility and the usefulness of Simpson Pond, as part of the water supply system. They looked into it and found out that they were not able to do an adequate job and came back to the Council, stating that a report was necessary and they got an estimate on what the cost of the report was, and that is where the matter sits.

Mr. Doherty suggested that Ms. Mushinsky let Hartford know that they are not out of this ballgame and are still interested in preserving this particular pond. Ms. Mushinsky said that she will do that.

VOTE: All Council Members voted no; motion did not carry.

ITEM 10. Consider changing name of Spring Street, between North Cherry Street Extension and running across Washington Street Extension, to Christoni Lane, moved by Mr. Holmes and seconded by Mr. Adams.

Mr. Adams read Mayor Dickinson's December 27, 1987 letter to this effect and the Mayor indicated that this is possible and advisable is that there is no mailing address on Spring Street and this is of interest to the community to change this.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11(a). Mr. Holmes moved a transfer of \$25,000 from General Wages to Patrol Overtime, seconded by Mr. Adams.

Mr. Holmes read Chief Bevan's December 28, 1987 letter in this regard.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11(b). Mr. Holmes moved a transfer of \$250 from Longevity #001-2012-100-1750, \$350 from Longevity #001-2014-100-1750, \$100 from Longevity #001-2015-100-1750 and \$2,000 from General Wages, a total of \$2,700 to Wrecker Service, Police Department, seconded by Mr. Adams.

Mr. Zandri asked if there was any chance of recouping that money and Chief Bevan said the vehicle numbers are stripped and it becomes the problem of the town. Mr. Bradley asked if this were a set cost and Chief Bevan said they are paid \$50 per tow, a flat fee. Mr. Killen asked why the increase in this charge and Chief Bevan said the town has never been billed. Mayor Dickinson said that the state law changed and he believes it now cites the municipality as an appropriate entity for billing and the towing services are now able to chase the owner of the vehicle and if unsuccessful, they have the right to request payment from the town. Mr. Zandri added that vehicles towed in the past were worth some money at the junk yards but that is no longer true. Chief Bevan said motor vehicle regulations must be followed before a car can be turned over to a junk yard and it has become quite a problem.

VOTE: Unanimous ayes; motion duly carried.

ITEM 11(c). Mr. Holmes moved a transfer of \$700 from No-Sick Incentive to Prisoner Meals, Police Department, seconded by Mr. Solinsky.

VOTE: Unanimous ayes; motion duly carried.

ITEM 12. Mr. Holmes moved approval to write off advance of \$20,000 to Wallingford Housing Authority #148-H-E-171, seconded by Mr. Parisi.

VOTE: Unanimous ayes; motion duly carried.

ITEM 13. Mr. Adams moved to set a public hearing for 7:45 p.m. on January 26, 1988 on AN ORDINANCE AMENDING ORDINANCE NO. 237 ENTITLED "AN ORDINANCE TO PROVIDE FOR THE REMOVAL OF ABANDONED, UNREGISTERED, AND/OR INOPERABLE MOTOR VEHICLES OR MOTOR VEHICLE PARTS." Mr. Zandri seconded the motion.

VOTE: Mr. Holmes was not present for this vote; all other Council Members voted aye; motion duly carried.

ITEM 14. Mr. Adams moved to note for the record the financial statements and narratives of Electric, Water & Sewer Divisions for the month ending November 30, 1987, seconded by Mr. Bradley.

VOTE: Mr. Holmes was not present for this vote; all other Council Members voted aye; motion duly carried.

ITEM 15. Mr. Adams moved a transfer of \$200,000 from Purchased Power to Fuel Expense, Electric Division. There was no second.

Mr. Killen said that some tight rope walking had to be done and the Electric Division was given short notice and Mr. Killen felt that a motion would be in order to transfer \$125,000 to ratify action taken over the phone recently.

ITEM 15. Mr. Adams moved a transfer of \$125,000 from Purchased Power to Fuel Expense, Electric Division, seconded by Mr. Bradley.

Mr. Smith felt that they would probably be back within another two weeks with another transfer request since they have been requested to run this entire week which is a very unusual situation. Mr. Adams asked about the benefits and Mr. Smith explained the Rider A arrangement which does not require generating all the time. Mr. Zandri asked where the power was purchased from and Mr. Smith replied North-east Utilities. Mr. Parisi asked if this costs less in the long run

and Mr. Smith replied that it costs more when our plant has to run because the level of operating costs are up. Mr. Bradley asked what is being paid for fuel and the latest bid was 46.05.

VOTE: Mr. Zandri abstained from voting on this item; all other Council Members voted aye; motion duly carried.

Mr. Killen indicated that he would entertain a motion to ratify the phone poll which was taken to transfer \$75,000 from A/C 555 to A/C 501, moved by Mr. Holmes and seconded by Mr. Solinsky.

VOTE: Unanimous ayes; motion duly carried.

ITEM 16. Mr. Adams moved a release of \$10,500 from Council Contingency to A/C 391-A, Electric Division, seconded by Mr. Holmes.

Mr. Michael Holmes was not sure an actual transfer form needed to be executed for this item or simply release of Council Contingency funds.

Mr. Smith explained that there were funds set aside for the Electric Division's cost for moving into Robert Earley, for computer changes, airconditioning, flooring and wiring and at budget time it was put into A/C 391A and previously \$37,900 was released for airconditioning and flooring and this is for wiring for all the department users--Assessor, Collector, Purchasing, Comptroller, etc. Mr. Killen asked if there was a cost breakdown and Mr. Michael Holmes said there were specific line items--\$20,000 for airconditioning, \$6,000 for dedicated surface, \$12,000 for static free carpeting and a balance of \$10,000 for partitions, furnishings and unknown; of the original \$48,000, there was a prior release of \$37,900 for the computer electrical system (\$18,000), raised flooring (\$6,652), airconditioning \$13,248 and the balance \$10,500 will be used for computer system wiring. The Electric Division felt this was a cost for the building renovation and it was not included in their costs but they will allow use of the \$10,500 for the wiring. Mr. Killen wanted the Comptroller to certify these funds. Mayor Dickinson said the original location for Data Processing was in the basement so the wiring was developed around that location and Probate Court had to be moved to the basement with a vault and that changed the wiring and the costs came in higher which created this need for the funds. Mayor Dickinson said that the carpeting is being purchased through general construction and the Electric Division will save some money on this purchase. Mr. Steve Holmes feels that all this is stated in the budget workshop minutes.

Mr. Bradley asked if this was coaxial cable and Mr. Michael Holmes felt it was. Mr. Myers said we are only discussing in-house coaxial cable from the CPU out to terminals in offices and the other big distinction was that the Electric Division would foot the bill for the static free carpeting in the Data Processing Room but this will now be borne by the Robert Earley project and it's really a dollar exchange with the coaxial cable paid for by the Electric Division.

VOTE: Mr. Killen voted no; Mr. Solinsky abstained from voting; all other Council Members voted aye; motion duly carried.

ITEM 17. Mr. Adams moved to remove from the table the subject of a transfer of \$1,500 from Miscellaneous Plant Equipment to Structures, seconded by Mr. Holmes.

VOTE: Unanimous ayes; motion duly carried.

ITEM 17. Mr. Adams moved a transfer of \$1,500 from Miscellaneous Plant Equipment to Structures, Electric Division, seconded by Mr. Holmes.

Mr. Holmes read Mr. Walters December 9, 1987 explanatory letter.

VOTE: Messrs. Holmes and Solinsky voted no; all other Councilmen voted aye; motion duly carried.

ITEM 18. Mr. Holmes moved a transfer of \$1,100 from Power Operated Equipment to Electric Pumping Equipment, seconded by Mr. Adams. (Account #325-088 was established first.)

Mr. Steve Holmes felt that this particular item is a good idea. Mr. Bradley asked what the timing was on the pumps and Mr. Smith said the new one would be put in and one replaced. Mr. Killen felt that this was a new appropriation and Mr. Michael Holmes said these funds were originally appropriated for another purpose.

Mr. Doherty felt that the people in Hayledge Court waited a long time to get on line and if the pump goes down, there is no backup-- Mr. Smith said there are two pumps and this request is for a backup to service several pumping stations. Mr. Parisi felt that a backup is certainly needed.

VOTE: Mr. Killen voted no; all other Council Members voted aye; motion duly carried.

ITEM 19. Mr. Adams moved to waive the bidding procedure for a pilot study to be performed in conjunction with the ultimate design of a treatment plant at the Pistapaug Pond Reservoir; approved awarding the bid to Whitman and Howard, seconded by Mr. Holmes.

Mr. Parisi asked if this was the first project Whitman and Howard has done for Wallingford--Mr. Smith replied that they have been working on our water supply work after being retained after the selection of engineers in March, 1986 and they have done a number of projects such as water treatment feasibility work on MacKenzie Dam, followup study on Paug work and greensand filter work at Well #3.

Mr. Holmes asked why the bid must be waived. Mr. Smith said the state wants 3 weeks of winter season tests and 3 weeks of spring season tests run and there is a question of availability of pilot units as indicated in Mr. Smith's December 30, 1987 letter. A unit is available from February 8, 1988 to February 29, 1988.

Mr. Parisi asked what the town would receive for \$125,000 and what "piloting" means. Mr. Smith said piloting means that one of these mobile units, small scale units is trucked in and there are rental and electrical costs associated with that. The unit is rented and we get engineering services to take the samples of the analyses and lab services run the test.

Mr. Parisi asked what samplings are taken and Mr. Smith introduced Oliver Poirier who is with the firm of Whitman and Howard. Mr. Poirier stated that whenever pilot work is done, the state requires taking periodic samples for analysis and the whole purpose is to assure that the treatment process selected will remove the contaminants in the water and provide a water acceptable to EPA and state regulatory agencies and be a safe water. Analysis is done for turbidity, coli form bacteria, totaltrihalomethanes which is a serious problem with the Wallingford surface supplies. A protocol has been submitted to the state which has been approved and this will eventually dictate how many samples are taken in a given time frame each day. Pilot equipment would be on site and samples taken periodically through the course of each process run and the samples would be analyzed to be sure the process effectively removed the contaminants from the water. Samples are taken manually several times a day and these are also samples after going through the filtering system and part of the arrangements determine what kind of chemicals should be added for the best treatment and what type of media is used in the filtration process added Mr. Smith.

Mr. Poirier showed an example of what the protocol looks like and it itemizes the type of analysis, temperature of the water, PH, turbidity, color, alkalinity, etc. and samples are taken of the raw water, clarified water and filtered water. This will be taking place at the MacKenzie Treatment Plant sites and at the conclusion of the previous pilot tests working primarily with MacKenzie water, the conclusion was reached that the quality of the water coming through MacKenzie is so poor that it would be difficult for the operators to maintain a plant using this water since the water color changes so dramatically with a rain storm and with algae in the summer. For that reason, Mr. Poirier said it was suggested that rather than treat water at MacKenzie, the plant could be moved to Paug Pond where the water quality is much more stable and far superior.

Mr. Zandri asked if this were a proven treatment plant and Mr. Smith said it is conceptual design and the state says it appears that it is practical in certain seasons but treatment of cold water is not

much more difficult and there is a concern about inadequate design and if that occurred, the process would not be effective and the state has the responsibility to tell the town it was built wrong and that is why this is done up front. Mr. Poirier explained that Paug Pond was suggested because of the variables at MacKenzie and the state, in order to cover itself, said pilot work must be done at Paug. Mr. Zandri is confused about going through this study to determine whether the plant will work--Mr. Poirier's opinion is that you don't but the state says you do to accept a process design and this is on the town's behalf. This is a state mandate and there is no choice, added Mr. Poirier.

Mr. Bradley asked if this were the fourth study being done. Mr. Smith said it is the second pilot study. The first concept was to rehabilitate the MacKenzie Plant and a report was developed with many problems associated with MacKenzie Water and it was then determined to look at the viability of building a plant at Paug and now the pilot work associated with Paug must be done and all these reports go to the state. The state agreed that Paug is a much better location but they still want pilot work done.

Mr. Bradley is concerned about the possibility of more studies being required and Mr. Smith agreed, if we do this, what's next? Pilot work must be done before a treatment plant can be built. Mr. Poirier said we are attempting to provide a high rate process at Paug and the benefit is to go for the pilot work and save money at the capital cost end because a conventional plant would probably be twice as large in the ground as a high rate process plant. Mr. Bradley hopes that the Council will have another opportunity to readdress this study at another point in time and Mr. Killen is worried about the time constraints and Mr. Smith feels that there is a time constraint. Mr. Smith is not aware of any treatment plant which has been built without some pilot work. The benefit of having the treatment plant at Paug Pond is that all of the water that comes into the treatment plant will be of superior quality as opposed to having the plant at MacKenzie where the water is of poorer quality.

Henry Renfrew, 25 Audette Drive thinks our water is one of the most important issues facing the town and there seems to be no master plan but always some sort of urgency and he thinks the whole water problem is out of control.

Mr. Renfrew felt it would be inappropriate of this Council to continue the activities of last year's Council because when the PUC came before them, all he saw was waiving the bid and spending hundreds of thousands of dollars and the program should have a master plan with a more serious approach. Mr. Killen said the PUC initiates these matters, not the Council. Mr. Smith commented that the Paug Pond study is addressed as a master plan for the surface supply and we need to maintain the wells and that is what the approach is and Mr. Smith has asked for an appropriation for monies to develop well treatment systems such as greensand filter and airstripping tower, \$2,000,000 for construction costs and the game plan is that we need those wells for the foreseeable future and we are under orders to build a new treatment plant and the state has recognized the manpower shortage, and there is a water supply study mandated for next May which is our master plan being developed at the present time.

Mr. Killen asked when another pilot plan could be done after February and Mr. Poirier said a pilot plan could be done in the middle of March or April but the problem is the state said they want piloting done in the winter and spring and we have already lost several of the available slots because other communities are doing the same thing.

Mr. Solinsky asked if the same study would be useful for Northford Road. Mr. Poirier said if you were using Paug water. . .there is another aspect of that location which is in the hundred year flood plain and that was known when the MacKenzie study was started and it was known that any modifications to the MacKenzie plant would have to be restricted to the upper floor; the lower floor was within the flood plain. There was no serious consideration given to the Northford road site for that reason because it was subject to the same type of problems that existed at the MacKenzie plant.

Mr. Vincent Avallone indicated that Mr. Zandri asked why it was necessary to have a study done and the response was that it was mandated by the state and it was felt that this design would be appropriate and if that is the case, why must this bid be waived? Mr. Holmes commented that by the time specs are assembled and sent out, you will probably lose the winter months in which you have to test. Mr. Avallone does not understand the urgency of waiving

VOTE: Unanimous ayes; motion duly carried.

ITEM 21. This item was moved up to pages 11 - 14 of these minutes.

ITEM 22. Mr. Holmes moved a transfer of \$7,000 from Blue Cross to CHCP, Personnel Department, seconded by Mr. Parisi.

Mr. Holmes asked if any money was saved with CHCP as opposed to Blue Cross and Mr. Sharkey said a little was saved and people like it because there is little or no paperwork to complete. Mr. Sharkey said new employees chose Blue Cross or CHCP and there is no way to determine in advance so it must come out of one account and be put in the other.

VOTE: Unanimous ayes; motion duly carried.

Mr. Sharkey requested immediate certification of those funds and Mr. Myers explained that all transfers are immediately taken care of.

ITEM 23. Mr. Adams requested that discussion and possible action to re-establish the committee formed to look into the feasibility of full-time attorneys for the Town of Wallingford be withdrawn at this time and it will be placed on the January 26, 1988 agenda.

ITEM 24. Conflict of interest discussion pertaining to voting on appointments, budgets or any other matters that affect Town Council Members, requested by Councilman Geno J. Zandri, Jr. Mr. Zandri moved to request the Town Attorney look into this matter to get a ruling from him exactly how the ordinance on a Conflict of Interest affects all the Council Members. Mr. Killen asked if that was specific enough for Mr. Mantzaris and Mr. Mantzaris said the Charter provides for an advisory opinion to be issued by the Board of Ethics. Application has been on a case-by-case basis and this request is not very specific. Mr. Zandri referred to the definition of relatives and many matters which are voted upon affect such a broad aspect of the whole town. Mr. Killen felt that the relatives are spelled out-- Mr. Mantzaris said that was the latest amendment to the code. Mr. Holmes suggested that if there is ever a question, the Town Attorney can be called and an advisory opinion could be issued. Adam Mantzaris added that the Board of Ethics can also do that.

Mr. Killen said he had a letter from Jim Krupp and as the author of the Code of Ethics, Jim offered some observations and said that should the Council seek to amend or weaken the code, Mr. Krupp would appreciate the opportunity to appear before the Council. Mr. Killen asked if a revision of the Code of Ethics should be put on a future agenda and whether or not it is revised would depend on how the Council perceives it. Mr. Killen felt that what Adam rules for Geno would not apply to Bert, etc. and Mr. Zandri felt that what Adam rules for him would apply to everyone on the Council because it is so broad. Mr. Killen felt that Mr. Zandri is finding fault with the Code itself and therefore that should be brought up for discussion and at that point, Adam could be asked how that applies to Mr. Zandri or anybody else or he doesn't have much to work with.

Ron Gregory thinks that the real question here is in the Charter, there is a definition of Conflict of Interest and in the beginning of the section dealing with the Code of Ethics. . . as an attorney, he wonders if by ordinance you can make the definition of conflict of interest so minutely specific as to extend to any relative, married, whatever, when in the Charter document itself it is defined what it means and he thinks that is a question for the Town Attorney.

Mr. Gregory felt that this is a legitimate question for the Town Attorney--whether or not one Council Member has a specific conflict problem is a question which, under the Charter, goes to the Board of Ethics, but the question is whether the Charter or the Code is what governs and Mr. Gregory is not clear. Mr. Killen asked Ron to address a letter to him and he will, in turn, address it to the Town Attorney. Mr. Killen mentioned that Mr. Zandri can ask for the Code of Ethics to be placed on any future agenda.

ITEM 25. Mr. Adams moved to accept resignation of Joseph Pavlick from the Planning and Zoning Commission, seconded by Mr. Doherty.

Mr. Killen read Mr. Pavlick's letter stating that as of January 4, 1988, Mr. Pavlick would no longer be a resident of Wallingford and regretfully submitted a resignation from the Planning and Zoning Commission.

the bid and Mr. Killen said that if we lose the February slot, we lose the winter test. Mr. Avallone asked how long it was known that this would have to be done and Mr. Smith said this project was known in late October and presented to the PUC at that point. Mr. Avallone felt that by waiting 2-3 months, a shot gun is being held to the Council.

Mr. Parisi asked what would happen by going out to bid and Mr. Smith said specifications would have to be prepared, a clarifier process, about \$46,000, an engineering contract and laboratory services and frankly, Mr. Smith does not have the time to write specifications, especially being shorthanded. Mr. Killen said this was noted in Mr. Smith's letter.

Mr. Robert Beaumont wanted it kept in mind that if we are unable to do a winter and spring test, this will be postponed for another year and we will be outside of the compliance schedule. Mr. Parisi asked about the ramifications of being a year late. Mr. Beaumont said a penalty could be assessed. Mr. Smith said we have a compliance order signed and agreed to by the town which has penalties associated with it by not meeting the compliance dates.

Mr. Doherty commented that because of the difficulties we have had with water in the last year or so, he would urge the Council to go ahead and move on this and not delay another year at all and he felt the waiving of the bid is appropriate in this situation.

Mayor Dickinson pointed out that there is a much larger issue that involves all of the same questions and that is the design and ultimate construction of the plant. We don't have people who can write up specifications to hire engineers and those others who must design a plant and go through construction inspection and hiring a contractor, etc., a much larger issue than this one pilot study, and as large as it is, it's small compared to the \$20,000,000 project which involves the exact same questions, continued Mayor Dickinson.

Mr. Bradley said the water issue is important but there also is a negative side to this--these water problems didn't happen overnight or during the last year and the problems at the Oak Street wells existed for many years and nothing was done about it and the problems with MacKenzie Reservoir can be related back to development, along with the algae and probably the bacterial levels. Mr. Bradley felt that we probably had problems from farm land fertilizers also in association with algae. Mr. Bradley can appreciate the manpower shortage, another serious issue, but he wanted to stress the positive side because the water issue is important to the Town of Wallingford.

Mr. Solinsky asked how much the MacKenzie project will cost and Mr. Smith felt \$47,000 for outside service and in-house expenses of \$10,000 to \$20,000 were not included, along with \$12,000 for Krofta and \$25,000 for the other system. Mr. Avallone wanted to go on record as stating that he is not objecting to this study being done but time and time again, he has seen too many department heads come here and not leave this Council any choice and he thinks it "stinks." Mr. Killen said he got Mr. Avallone's message.

VOTE: Unanimous ayes; motion duly carried.

ITEM 20(a). Mr. Adams moved a transfer of \$50,000 from Collecting and Impounding Reservoirs Fiscal Year 1987-1988 to Filter Plant Pilot Study Fiscal Year 1987-1988, seconded by Mr. Holmes, after establishing A/C #333-088 Filter Plant Pilot Study Fiscal Year 1987-1988. (Water Division)

VOTE: Unanimous ayes; motion duly carried.

ITEM 20(b). Mr. Adams moved a budget amendment of \$75,000 Decrease in Drought Contingency, \$75,000 Increase in Working Capital and \$75,000 Increase in Filter Plant Pilot Study Fiscal Year 1987-1988, Water Division, seconded by Mr. Holmes.

Mr. Killen said the three \$75,000 figures throw him for a loop and Mr. Denison said basically an account is being eliminated that was put in the budget for this fiscal year as a Drought Contingency and that is being eliminated from the P & L Statement and increasing, therefore, net income to generate working capital and by decreasing the expense, working capital is being increased and allowed to be used in the Filter Plant Pilot Study, simply moving dollars from the expense category down into a capital category.

VOTE: Unanimous ayes; motion duly carried.

ITEM 26. Discussion and possible action for additional position in Town Clerk's Office. Mr. Killen said that he requested this item because, as the Council is aware, he had asked Mrs. Rascati to stay on in the Town Clerk's Office and in so doing, of course, there are dollars involved. Katy Wall had agreed that whatever dollars are being paid out from one hand--she would not be making a claim for those dollars and we are talking about using the same dollars that would be paid to Katy Wall which will be paid to Rosemary Rascati, continued Mr. Killen, and how the Council chooses to act on it is entirely up to them.

Mr. Killen asked Mr. Myers for a letter on this and Mr. Myers explained that he prepared a transfer. Mr. Killen noted that this would be for an interim Town Clerk from January 4, 1988 through January 15, 1988 in the amount of \$1,143 from Town Clerk Salary A/C 6030-100-1100 to Interim Town Clerk Salary A/C 6030-100-1101, moved by Mr. Holmes and seconded by Mr. Parisi. (Date changed from January 4 to January 1--see third paragraph on page 25.)

Mr. Bradley asked for a clarification of positions in the Town Clerk's office--four positions requested and two on the elected side--why are two shown? Mr. Myers said there are no elected and it should show -0- and that is a misprint and the Labor pages in back will show the detail. Mr. Bradley said there is a Town Clerk, Assistant Town Clerk in that office and Mr. Bradley asked if the Assistant Town Clerk was sworn in and Mr. Killen said she was, to the best of his knowledge and Katy Wall said she will be tomorrow--the paperwork has been set up and is awaiting Mr. Killen's signature. Katy Wall said she could not swear her in because of not being there but if the Council would like Rosemary to swear her in, that's fine. Mr. Bradley felt that Miss Wall, as Town Clerk, would have to swear her in. Mr. Bradley did not want to belabor this but again, it is under the auspices of the Town Clerk to appoint her assistant and all deputies or employees in that office and he does not know what has transpired prior to Katy coming on and if that was instituted by Katy to keep Rosemary there or not. Miss Wall said it was initially instituted by her and she approached Mr. Killen and asked if there was a problem with her staying on because Miss Wall felt more comfortable with it since she was a Town Clerk and it would allow Katy to stop in and Rosemary has stayed late with her several times to go through different things.

Mr. Bradley said this is a manpower problem--we are talking about adding another person in there, making a fifth person in that office. There is an Assistant Town Clerk who, he would hope, knows the function of the office to suffice in the Town Clerk's absence to handle the daily business within the office and he does not see the need to add another person in that office, continued Mr. Bradley. Mr. Killen pointed out that this is only for the two week period that Rosemary is filling in and Mr. Bradley does not see a need to have it for two weeks since the Assistant should be able to handle the function of that office, realizing that Katy cannot be there on a full-time basis and documents that have to be signed could be set aside and he thought Katy is more than willing to come in at 5 p.m. to service them and he can appreciate the additional help in there but to be honest, Mr. Bradley thinks we are wasting taxpayers' money.

Mr. Ron Gregory said it was described as Rosemary being Interim Town Clerk--exactly what is meant by that--in the legal sense, she is like Acting Town Clerk until Katy can come in, or is she just there as a clerk to help out, or what? Mr. Killen said it is his understanding that she has not been acting as Town Clerk, signing her name, etc. but has been accepting deeds and has not been carrying out her former duties as Town Clerk. Mr. Gregory would question the legal authority if she were the Interim Town Clerk since Katy is the Town Clerk. Mr. Killen said the Town Clerk's Office is a big money producing outfit, always falling behind and you must realize that it will take six months for Katy to learn the job and Mr. Killen did not see that we should lose any more time. Mr. Killen said nobody thought to ask any of the candidates if they could start on January 4 and this came at the conclusion of the inauguration ceremony when he found out that Katy would not be available immediately.

Mr. Gregory is a state employee working for a state agency now and he formerly worked for the Secretary of State and as a government employee, he cannot possibly understand the justification for

hiring a Town Clerk to take over for two weeks when you have four employees in that office, some of whom have served many, many years in that office and he agrees with Mr. Bradley. Mr. Gregory added that he absolutely loves Rosemary and this has nothing to do with Rosemary but is a question of a surprise and while the Council may not have thought of asking if an applicant could start her duties immediately, the applicant should have been good enough to tell the Council that, if appointed, she could not come immediately. Mr. Gregory thinks this is an embarrassment to a lot of people and he thinks it's more embarrassing to say that we need somebody to step in, a slap in the face to those people serving downstairs and Mr. Gregory would urge the Council to definitely not approve this--he would thank Rosemary for her compassion for coming in because she is that type of a person but as far as taxpayers' money, Bert lives by the Charter and there was no authorization for her to come in and to create a position is certainly not justified.

Mr. Doherty said it is not costing the taxpayers any more money because Katy's salary will be used to pay this. Mr. Gregory suggested that the Town Clerk pay Rosemary directly instead of having the town approve this position since it was not technically authorized and if Katy agreed to have Rosemary come in and if she feels Rosemary should be paid, then perhaps the Town Clerk should pay her herself.

Mr. Gregory added that this looks really, really bad. Mr. Gregory felt that it smacks of a political deal. Mr. Killen said that was right but the politics didn't start with the hiring of Rosemary for a two week period--the politicking was going on before that--two women, namely Miss Wall and Mrs. Rascati were left dangling while the politicians played and the town is suffering because of the way we played the game.

Mr. Killen said he stuck his neck out because in this particular case, he was interested in having the citizens of Wallingford served. Mr. Killen said it might smack of a little bit of illegality somewhere; if so, it is on Mr. Killen's head and it's something if he should run again, could be used against him and it might be something which could be used against him if there were a recall provision but he is not ashamed of what he did because there was no gain in it for him and he was serving the best interests of the Town of Wallingford and he is not apologizing, just offering an explanation.

Mr. Holmes said the phrase, "smacking of political favoritism" sticks in his craw because all that is being done is to make a smooth transition from Rosemary to Katy and he remembers a few years back, there was not such a smooth transition with an outgoing and incoming clerk and he takes offense at those comments.

Mrs. Carolyn Massoni felt that when somebody applies for a position, they should be ready to fill it. Mrs. Massoni asked Katy if she understood correctly that an Assistant had not been appointed and Katy Wall said she talked to Evelyn and as far as she is concerned, she is appointed but she has not been sworn in. Mrs. Massoni commented that the Assistant has not been sworn in and Katy has not been in the office--Katy interjected that she has been in the office periodically--Rosemary was hired as a regular employee who did not have the authority to sign anything since the minute Katy was sworn in, Rosemary was no longer Town Clerk--Katy assumed all the duties and responsibilities via Connecticut General Statutes. Mrs. Massoni asked, if Rosemary did not have the power to sign and Katy had not sworn in Evelyn, who has been signing for the past week and one-half? Miss Wall said she would have to check it out. Mrs. Massoni said a birth certificate, death certificate, marriage license had to be signed and Evelyn could not sign anything until she was sworn in by Katy Wall. Mrs. Massoni said that everything that took place in that office with Evelyn's signature on, or Rosemary's signature, was not legal. Miss Wall thought that the question had been addressed to the Secretary of State.

Mr. Renfrew said the issue is whether or not to pay a former Town Clerk two weeks of salary from the new Town Clerk because of the transition period and this is a situation where it wasn't until the actual swearing in of all of you that it was not known at that point what the duties were or even who was going to be elected but this certainly seems reasonable and fair and he does not see any controversy over this simple issue--it's very nice that the former Town Clerk is willing to stay on for 2 or 3 weeks.

Mrs. Massoni asked if Mayor Dickinson was aware of what took place and Mr. Killen said he did not consult with the Mayor. Mrs. Massoni said she was in the employ of the town for many years and could not go to the Personnel Department and request that someone be hired without a funding vehicle and no opening for any position.

Mr. Avallone personally did not think that Rosemary was legally hired and he thinks that Katy's offer to pay Rosemary for the time that Rosemary was in the office and Katy wasn't is a practical solution to this and he does not think anybody could contest that legally--he thinks Katy is entitled to get paid even though she wasn't in the office--she was entitled to get paid because she was sworn in and is the Town Clerk and is entitled to get paid. Mr. Avallone said that if Rosemary were not paid she may have a suit against the town for an implied contract or something of that sort and he suggested tabling this item, letting Katy get paid and let her make the arrangements with Rosemary and the next time this comes before the Council, it could be moot because Rosemary may not be looking for any money because she may have received compensation from Katy and that's the end of it--Katy got what she is entitled to and Rosemary did, too. Mr. Avallone said he is trying to be practical.

Mr. Killen said he wished it would be over with that way and it's not going to--we have personalities involved here and on another evening, we will go through it again; it was not purposely put at the end of the agenda but it just came that way. Mr. Avallone added that if it is done that way, you have no town funds going to Rosemary and that is the issue. Mr. Killen said he wished that were the issue; he has been around too long not to recognize an issue when he sees one and he knows an issue when he sees one and smells one.

Mr. Adams did not see any reason to continue this any more and for the sake of what is best for the town and best for everybody involved, he would vote yes.

VOTE: (Motion on page 22) Councilman Bradley voted no; all other Council Members voted aye; motion duly carried.

ITEM 27. Mr. Holmes moved acceptance of Town Council Minutes of January 4, 1988, seconded by Mr. Bradley.

VOTE: Chairman Killen passed; all other Council Members voted aye; motion duly carried.

Mr. Doherty moved to waive Rule V to move into Executive Session to discuss pending litigation, seconded by Mr. Adams.

VOTE: Mr. Holmes voted no; all other Council Members voted aye and the meeting moved into Executive Session at 12:53 a.m.

A motion to come out of Executive Session was duly made, seconded and carried and the meeting moved out of Executive Session at 1:08 a.m.

There were no votes recorded after the Council came out of Executive Session.

Mr. Myers distributed a book explaining in finite detail all the line item expenditures for every account that the Town of Wallingford has, including the three utilities and it will be very useful in preparing the budgets. Mr. Myers explained that some of the previous Councilmen found out that the audit report which is now produced in a consolidated, combined format is not of any use to elected officials and the detail in this book coincides with the audit.

Mr. Killen asked when the auditors could meet with the Council and Mr. Myers felt it could be anytime the Council prefers.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 1:09 a.m.

Meeting recorded by:
Susan M. Baron, Council Secretary

Mr. Killen asked when the auditors could meet with the Council and Mr. Myers felt it could be anytime the Council prefers.

A motion to adjourn was duly made, seconded and carried and the meeting adjourned at 1:09 a.m.

Meeting recorded by:
Susan M. Baron, Council Secretary

Meeting transcribed by:
Susan M. Baron and Delores B. Fetta

Approved Albert E. Killen
Albert E. Killen, Council Chairman

January 26, 1988
Date

Kathryn J. Wall
Kathryn J. Wall, Town Clerk

January 26, 1988
Date

Town Council Meeting Summary

January 26, 1988

	<u>Page</u>
Public question and answer period/discussed rights-in-deed appraisal expenditure/soup kitchen petitions presented to Council.	1-2
Confirmed Mayor Dickinson's Board of Ethics appointments.	2
Reappointed Pat Piscitelli to Planning & Zoning Commission.	2
Appointed Cindy Melvin to Planning & Zoning Commission.	2
Appointed Dudley Day to Planning & Zoning Commission Alternate.	2-3
Waiting period waived on three appointments above/sworn in.	3
TABLED an ORDINANCE AMENDING ORDINANCE NO. 237 ENTITLED "AN ORDINANCE TO PROVIDE FOR THE REMOVAL OF ABANDONED, UNREGISTERED, AND/OR INOPERABLE MOTOR VEHICLES OR MOTOR VEHICLE PARTS."	3-5
TABLED consideration of what, if any, non-wage benefits are appropriate for the position of Town Clerk.	5
Approved use of Room 225 at Town Hall for soup kitchen for two more weeks; effort will be made to obtain a church facility.	5-10
Approved 9 member study group to report by April 1, 1988 on acquisition of Simpson Pond Dam.	10-11
Approved changing 6 Laborer positions to Maintainer I positions and 1 Working Crew Leader to Maintainer II, Public Works.	11
Approved transfer of \$25,000 from Public Works Wages and \$10,000 from Public Works Wages, a total of \$35,000 to Street Sweeping Contract, Public Works.	12
TABLED a transfer of \$12,000 from Superintendent Salary to Tree Removal, Public Works.	12-13
Instructed Town Planner to look into any zoning violations that may have occurred in Wallingford section of Meriden Landfill, until all proper zoning requirements have been met.	13-14
Authorized Town Attorney to investigate possibility of issuing a Ceast and Desist order to City of Meriden/Meriden Landfill.	14-16
TABLED letter received from former Councilman James A.G. Krupp re CODE OF ETHICS.	16
Approved transfer of \$1,003 from Engineering Wages to Town Engineer.	16
TABLED subject of report from Town Engineer on different phases of work on East Main Street.	16
Approved appropriation of \$839,760 from Unappropriated Cash Balance to Principal Retirements A/C #8010-800-8500.	17-18
Reconsidered vote and approved waiving bidding procedure to authorize hiring of Traffic Consultant, Planning and Zoning.	18-19
Defeated motion to invoke Rule IV to continue meeting on Thursday, January 28, 1988.	19-20
Noted for record financial statements of the Electric, Water & Sewer Divisions for the month ended December 31, 1987.	20
Approved a transfer of \$200,000 from Purchased Power to Fuel Expense, Electric Division.	20-21
Approved transfers requested by the Fire Department:	21-22
(a) \$ 1,600 from Hydrocide Coating-E.W. to Vehicle Maint./Ambulance	
(b) \$ 7,800 from Repave H.Q. & \$2,600 from Paving E.W., total of \$10,400 to Vehicle Maintenance	
(c) \$ 500 from Scott Air Packs to Vehicle Maintenance	
(d) \$ 800 from Scott Air Packs to Vehicle Maintenance	
(e) \$ 900 from Computer Terminal-Printer to Vehicle Maintenance	
(f) \$ 500 from Office Partitions to Maintenance of Equipment	
(g) \$ 4,000 from General Wages to Workers' Compensation Replacement	